

Buhmann, William G., Jr., xxx-xx-xxxx  
 Burke, Gerald W., xxx-xx-xxxx  
 Burnsteel, Harvey L., xxx-xx-xxxx  
 Busbee, Walter L., xxx-xx-xxxx  
 Butler, Eulous S., Jr., xxx-xx-xxxx  
 Cannon, Robert W., xxx-xx-xxxx  
 Cembor, William G., xxx-xx-xxxx  
 Chadderdon, Robert N., xxx-xx-xxxx  
 Chastain, William M., xxx-xx-xxxx  
 Chippi, Michael J., xxx-xx-xxxx  
 Coldren, Lawrence E., xxx-xx-xxxx  
 Combs, Dudley D., xxx-xx-xxxx  
 Daly, Thomas H., Jr., xxx-xx-xxxx  
 Darnell, Richard H., xxx-xx-xxxx  
 Davenport, David I., II, xxx-xx-xxxx  
 Dean, William R., Jr., xxx-xx-xxxx  
 Devens, Robert J., xxx-xx-xxxx  
 Dewitt, Emmitt D., xxx-xx-xxxx  
 Deutscher, Wayne E., xxx-xx-xxxx  
 Dodson, Richard M., xxx-xx-xxxx  
 Dorn, George N., Jr., xxx-xx-xxxx  
 Dorstewitz, Ellen M., xxx-xx-xxxx  
 Dougherty, George J., xxx-xx-xxxx  
 Emerson, Samuel C., xxx-xx-xxxx  
 English, David T., xxx-xx-xxxx  
 Evert, Richard H., xxx-xx-xxxx  
 Farless, Darold W., Jr., xxx-xx-xxxx  
 Firman, Terrence G., xxx-xx-xxxx  
 Fleming, Allan F., Jr., xxx-xx-xxxx  
 Fleming, John W., xxx-xx-xxxx  
 Foster, Frank C., Jr., xxx-xx-xxxx  
 Gentle, Howard B., Jr., xxx-xx-xxxx  
 Glasscock, Charles E., xxx-xx-xxxx  
 Gramer, Frank E., xxx-xx-xxxx  
 Gruwell, Joel A., xxx-xx-xxxx  
 Hallissey, Stephen C., xxx-xx-xxxx  
 Haralson, John T., xxx-xx-xxxx  
 Harper, Sidney W., Jr., xxx-xx-xxxx  
 Hartford, Thomas F., xxx-xx-xxxx  
 Hattaway, William E., xxx-xx-xxxx  
 Heffernan, Walter B., xxx-xx-xxxx  
 Higgins, Charles L., xxx-xx-xxxx  
 Housley, Robert E., xxx-xx-xxxx  
 Howell, James L., xxx-xx-xxxx  
 Ingham, Bruce E., xxx-xx-xxxx  
 Jantovsky, Anthony J., xxx-xx-xxxx  
 Johnson, Richard A., xxx-xx-xxxx  
 Jordan, Charles O., Jr., xxx-xx-xxxx  
 Kennedy, Ollie D., Jr., xxx-xx-xxxx  
 Kilcoyne, Robert L., xxx-xx-xxxx  
 Klein, Warren I., xxx-xx-xxxx  
 Klippel, Philip B., xxx-xx-xxxx  
 Knieser, Martial R., xxx-xx-xxxx

Kotch, Michael C., xxx-xx-xxxx  
 Lawton, John P., xxx-xx-xxxx  
 Leach, George C., xxx-xx-xxxx  
 Lesikar, George J., xxx-xx-xxxx  
 Likens, Wilbur D., xxx-xx-xxxx  
 Lyles, James H., xxx-xx-xxxx  
 MacLeod, James F., Jr., xxx-xx-xxxx  
 Makowski, Eugene F., xxx-xx-xxxx  
 Martin, Donald L., xxx-xx-xxxx  
 McGrath, Walter J., xxx-xx-xxxx  
 Mellick, Paul W., xxx-xx-xxxx  
 Miszklevitz, Sheridan, xxx-xx-xxxx  
 Mitchell, Alan S., xxx-xx-xxxx  
 Mittica, Norman T., xxx-xx-xxxx  
 Mootz, Eugene D., xxx-xx-xxxx  
 Moscrip, John Jr., xxx-xx-xxxx  
 Nichols, John D., xxx-xx-xxxx  
 Nolte, Juergen, xxx-xx-xxxx  
 Owens, James E., Jr., xxx-xx-xxxx  
 Parker, John S., xxx-xx-xxxx  
 Paterson, Theodore B., xxx-xx-xxxx  
 Pendleton, William C., xxx-xx-xxxx  
 Perry, Larry J., xxx-xx-xxxx  
 Posta, Charles D., xxx-xx-xxxx  
 Potts, Bruce W., xxx-xx-xxxx  
 Price, James T., xxx-xx-xxxx  
 Randall, Herbert E., xxx-xx-xxxx  
 Retterer, John M., xxx-xx-xxxx  
 Richtsmeier, Ronald C., xxx-xx-xxxx  
 Robertson, Michael P., xxx-xx-xxxx  
 Ross, Edwin S., VI, xxx-xx-xxxx  
 Schandl, John, xxx-xx-xxxx  
 Shields, John E., xxx-xx-xxxx  
 Smith, Henry C., III, xxx-xx-xxxx  
 Smith, John T., Jr., xxx-xx-xxxx  
 Smith, Robert H., xxx-xx-xxxx  
 Smith, William C., xxx-xx-xxxx  
 Spencer, William A., xxx-xx-xxxx  
 Sport, William M., xxx-xx-xxxx  
 Stankovich, Robert J., xxx-xx-xxxx  
 Steen, David B., xxx-xx-xxxx  
 Stocker, Ronald W., xxx-xx-xxxx  
 Strickland, Bryant S., xxx-xx-xxxx  
 Strunck, William G., xxx-xx-xxxx  
 Swallow, Gary L., xxx-xx-xxxx  
 Swisher, Ted A., xxx-xx-xxxx  
 Tanner, Kenneth P., xxx-xx-xxxx  
 Tennis, Andrew, xxx-xx-xxxx  
 Thomason, Jeffrey H., xxx-xx-xxxx  
 Tidwell, Richard L., xxx-xx-xxxx  
 Vvaught, John L., xxx-xx-xxxx  
 Ware, George A., III, xxx-xx-xxxx  
 White, Richard A., Jr., xxx-xx-xxxx  
 White, Steven L., xxx-xx-xxxx

Whiteman, James T., Jr., xxx-xx-xxxx  
 Whitfield, David, xxx-xx-xxxx  
 Williams, David E., xxx-xx-xxxx  
 Wilson, Edward B., xxx-xx-xxxx  
 Wolf, Richard C., xxx-xx-xxxx  
 Woodall, John B., xxx-xx-xxxx  
 Wright, Richard H., xxx-xx-xxxx  
 Zachar, Frank, xxx-xx-xxxx

To be second lieutenant

Adair, Lawrence J., xxx-xx-xxxx  
 Autz, Remy E., xxx-xx-xxxx  
 Boudreau, Michael W., xxx-xx-xxxx  
 Burdick, William L., xxx-xx-xxxx  
 Clark, Howard W., xxx-xx-xxxx  
 Cottrell, Walter T., II, xxx-xx-xxxx  
 Dowdney, Stephen P., xxx-xx-xxxx  
 Gragg, Larry L., xxx-xx-xxxx  
 Hawk, Michael E., xxx-xx-xxxx  
 Huie, Clifford R., xxx-xx-xxxx  
 Jones, James R., xxx-xx-xxxx  
 Lennox, Thomas J., III, xxx-xx-xxxx  
 Lowman, Tommy G., xxx-xx-xxxx  
 McNulty, John J., III, xxx-xx-xxxx  
 Michels, George N., xxx-xx-xxxx  
 Mohasci, Steve G., Jr., xxx-xx-xxxx  
 Orwin, James P., xxx-xx-xxxx  
 Peacock, Kenneth W., xxx-xx-xxxx  
 Peyton, Gaylon A., xxx-xx-xxxx  
 Piazza, Peter B., xxx-xx-xxxx  
 Quick, Van B., Jr., xxx-xx-xxxx  
 Rogers, Jerry A., xxx-xx-xxxx  
 Siekman, Dwayne K., xxx-xx-xxxx  
 Skelly, Lawrence E., xxx-xx-xxxx  
 White, Roland J., xxx-xx-xxxx

CONFIRMATIONS

Executive nominations confirmed by the Senate October 28, 1969:

U.S. ARMY

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593 (a) and 3392:

To be major general

Brig. Gen. Ross Ayers, O378526, General of the line.

To be brigadier general

Col. Jackson Bogle, O461234, Adjutant General's Corps.

HOUSE OF REPRESENTATIVES—Tuesday, October 28, 1969

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

All the paths of the Lord are mercy and truth unto such as keep His covenant and His testimonies.—Psalm 25: 10.

Eternal Spirit, we pause with bowed heads at the opening of another day, lifting our spirits unto Thee, unto whom all hearts are open and all desires known. Teach us so to pray that Thy presence becomes real to us, that we endeavor more earnestly to do Thy will and to walk in Thy paths of peace.

We come disturbed by the problems of this period, burdened by many anxieties, tempted to feel our labor is in vain, and wondering what the future holds for us and for our Nation. We pray for ourselves in these trying times that we may not add to the divisions that divide us by giving way to petty prejudices but by our dedication to Thee and our devotion to our country may increase our unity by an ever-widening spirit of good will.

Give us strength to walk in Thy way, to travel in Thy truth, and to live in Thy light.

We pray in the spirit of Him whose life is the light of men. Amen.

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE SENATE

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

S. 210. An act to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna.

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 House to the bill (S. 1689) entitled "An act to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes."

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

H.R. 11959. An act to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance and special training allowance paid to eligible veterans and persons under such chapters.

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

S. 1. An act to provide for uniform and equitable treatment of persons displaced

from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs; and

S. 11. An act to reinforce the federal system by strengthening the personnel resources of State and local governments, to improve intergovernmental cooperation in the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the temporary assignment of personnel between the Federal Government, and State and local governments, and for other purposes.

#### SALUTE TO THE EMPLOYEES OF WARNER ROBINS AIR FORCE BASE

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

Mr. BRINKLEY. Mr. Speaker, I would like to take this opportunity to honor the employees of Warner Robins Air Materiel Area—WRAMA—located at Warner Robins, Ga., on the fifth anniversary of their zero defects program.

On November 4, 1964, the Air Force zero defects program was introduced to WRAMA. The basic principle of this program was, and still is, to motivate employees to "do their job right the first time." The military and civilian employees, representing all 50 States, accepted the challenge and responded with pride, dedication, skill, and effort. Their response represents a tremendous contribution to the success of our Nation's defense effort.

This pride, dedication, skill, and effort toward the success of our national defense are worthy of recognition by this body and the citizens of this country.

#### I WANT PEACE

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

Mr. JACOBS. Mr. Speaker, on yesterday I inserted in the CONGRESSIONAL RECORD a speech made by the father of a Member of the other body, the Honorable Herbert C. Pell. I repeat just a very short personal note that Congressman Pell back in the middle 1940's made in a speech here. He said:

(I know how easy it is for an ignorant politician to yell "Communist" when he is at a loss for an answer or desirous of covering himself with a smoke screen. That is why I write this personal note. I should be among the first to be destroyed by communism. I am nearly 70 and have never been in business. I have lived all my life on invested property as did my father and mother and my grandparents and most of my great-grandparents before me. Economically I represent everything to which communism is hostile. I am one of the comparatively few Americans every one of whose ancestors became a citizen of the United States on July 4, 1776. I have always loved and enjoyed lib-

erty. Since the day of my first effort in politics I have worked for personal freedom for all. I have lived in totalitarian countries and loath what I saw there. I know that a Communist government will inevitably degenerate into a totalitarian autocracy which is the opposite and the implacable enemy of everything I have enjoyed, of every material policy that has served me, of everything I have respected and of everything I have loved.)

I am for peace, I am for minding our own business. I am particularly opposed to a policy which boils down to an effort to impose American ideas and customs on other nations.

I am for defending my Nation, not wasting American lives and treasure on crusades that do not relate to our security. Opposing this kind of government waste is hardly un-American.

#### SUPREME COURT TO DEAL WITH THE CONSTITUTIONALITY OF THE 1968 LAW PASSED BY CONGRESS RELATIVE TO THE MAILING OF OBSCENE ADVERTISING TO POSTAL PATRONS

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

Mr. EDWARDS of Alabama. Mr. Speaker, when the Supreme Court reconvenes following its 2-week recess, one of the cases on the docket will deal with the constitutionality of the 1968 law passed by Congress permitting the postal patron to halt the mailing of obscene advertising to his home by simply telling the post office to halt the deliveries.

The large bulk-rate mailers of these pornographic materials are kicking up a fuss under the guise that their freedom of speech and press are being violated. The publishers and mailing-list brokers argue that the law will cripple them financially by making mass mailings too expensive. They also argue that the Post Office officials, already weighted down with massive amounts of work, will be unduly overburdened with the added chore of enforcing this particular law.

Well, Mr. Speaker, after wringing out the crying towel, a few facts come through loud and clear. These villainous purveyors of smut not only seek to take advantage of the Government-subsidized third-class mail rates to market their perverted wares, but they want a constitutional guarantee that they will suffer no inconvenience.

Hopefully the Supreme Court will at least permit the individual to maintain his home as his last bastion of privacy. No one wants their children to be psychologically assaulted by these sexually oriented solicitations that are generally samples of the products they push.

I hope that one of the many bills now in committee designed to further curtail this type of vile behavior will be passed by Congress this year. The Supreme Court under Chief Justice Warren has left little that can be salvaged in this area. I hope that the innocence of little children and the privacy of one's home will not go by the board.

#### CHICKENS COMING HOME TO ROOST ON DEFENSE CUTS

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

Mr. BROWN of Ohio. Mr. Speaker, yesterday the Secretary of Defense announced reduction of the missions or closing of the facilities at 307 of the Nation's military bases throughout the country and overseas to some \$609 million per year. Secretary Laird said the cutbacks would mean abolishment of some 37,800 military positions and an additional 27,000 civilian jobs.

Monday's announcement was a follow-up to the August 21 order by the Secretary to slash \$3 billion from defense and military spending that would include a reduction of strength in the military services by 220,000 men and women.

Before that first announcement many in both Houses of Congress had been very critical of the Nation's defense costs, and after the order was published, these same Members applauded the move while it was still general and nonspecific. I was glad to see fat pared from the Federal budget, while at the same time noting with concern the Defense Secretary's warning that American defenses would be less prepared for emergencies, something about which we should all be concerned in the months and years ahead.

So, this morning I was surprised to hear and read the reaction by those who have been telling us for some time that we need to cut back military spending and manpower at even higher rates—now that they know the specifics of where some of those cuts in military bases and operations are to be made, particularly when they find the cuts must be made in the geographic areas they represent.

It seems the doves who had been cooing for military spending reductions are squawking like wounded eagles now that their chickens are coming home to roost.

#### REPORTS OF SECRETARY OF DEFENSE AND SECRETARY OF TRANSPORTATION, RELATING TO AWARDS FOR SUGGESTIONS, INVENTIONS, AND SCIENTIFIC ACHIEVEMENTS—MESSAGE FROM THE PRESIDENT

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, together with accompanying papers, referred to the Committee on Armed Services:

*To the Congress of the United States:*

Forwarded herewith in accordance with the provisions of 10 U.S.C. 1124 are reports of the Secretary of Defense and the Secretary of Transportation on awards made during the first six months of 1969 to members of the Armed Forces for suggestions, inventions, and scientific achievements.

The last previous report on the military awards program covered the calendar year 1968. Following the present six-



month report, future annual reports will be submitted on a fiscal year basis. This will increase efficiency by facilitating the compilation of the report in conjunction with the Incentive Awards Program report which departments and agencies submit annually to the Civil Service Commission.

Participation by military personnel in the cash awards program was authorized by the Congress in September 1965. The success of the program in motivating military personnel to seek and suggest ways of reducing costs and improving efficiency is shown by the steadily increasing participation and the notable growth in measurable first-year benefits from adopted suggestions.

Tangible benefits from suggestions submitted by Department of Defense and Coast Guard military personnel that were adopted during the period from January 1 through June 30, 1969 totalled over \$57,000,000. This figure, if projected for the entire year, would substantially exceed the total for calendar year 1968. Tangible first-year benefits derived from the suggestions of military personnel in the relatively short period since the program went into effect have now reached a total of more than \$272,000,000.

130,861 suggestions were submitted by military personnel during the reporting period, and 20,757 were adopted. Cash awards totalling \$924,742 were paid for these adopted suggestions, based not only on the tangible benefits cited above but also on many additional benefits and improvements of an intangible nature.

A substantial majority of the cash awards paid went to enlisted personnel at Grade E-6 and below. The size of the cash awards varied from the minimum of \$15 to several awards in excess of \$1,000.

Brief descriptions of some of the more noteworthy contributions made by military personnel through the suggestion program during the first six months of 1969 are contained in the attached reports of the Secretary of Defense and the Secretary of Transportation.

RICHARD NIXON.

THE WHITE HOUSE, October 28, 1969.

**EULOGIES ON DWIGHT DAVID EISENHOWER**

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 368) providing for the printing of copies of the eulogies on Dwight David Eisenhower, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out "and thirty" and insert "three hundred".

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania (Dr. DENT)?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

**OPPOSITION TO APPOINTMENT OF JUDGE HAYNSWORTH**

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

Mr. THOMPSON of Georgia. Mr. Speaker, I noted in the news reports of October 27, 1969, that the American Trial Lawyers Association has announced the result of the poll of 1,200 of their approximately 25,000 members which was announced as placing a majority in opposition to the nomination of Judge Haynsworth for the U.S. Supreme Court.

Being an attorney myself, I am very much aware of this fine organization and of the pleas that cases should not be tried in the newspaper, but that a decision should be reached only after the ascertaining of all facts in an orderly, legal manner.

Yesterday I wrote Mr. Wolfstone, president of ATLA, and asked whether in taking his poll he was guilty of the very procedure which lawyers had criticized for so long; namely, that of forming an opinion only upon newspaper accounts or whether or not a brief, both pro and con, furnished to these distinguished attorneys in order that they could make a decision based on concrete facts and information.

It would seem to me, Mr. Speaker, that the ATLA should be one organization to insist upon complete facts and information before an expression of public opinion is given. I would be interested in Mr. Wolfstone's reply, for I think it would have an obvious bearing on the validity of the poll.

**CALL OF THE HOUSE**

Mr. DICKINSON. 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. 246]

Ashbrook	Dawson	McEwen
Ashley	Diggs	Mann
Baring	Edwards, Calif.	Monagan
Bell, Calif.	Fallon	Moss
Brock	Fascell	Nix
Brown, Calif.	Gettys	O'Konski
Burton, Utah	Gilbert	O'Neill, Mass.
Byrne, Pa.	Haley	Pepper
Cahill	Halpern	Philbin
Cederberg	Harsha	Pirnie
Clay	Hull	Powell
Clark	Jarman	Sandman
Clay	King	Symington
Colmer	Kirwan	Teague, Calif.
Culver	Kluczynski	Udall
Cunningham	Long, La.	Whalley
Daddario	McCarthy	Wylder
Davis, Wis.	McClory	

The SPEAKER. On this rollcall 378 Members have answered to their names, a quorum.

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

**CONTINUING APPROPRIATIONS, 1970**

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 966) making further continuing appropriations for the fiscal year 1970, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, the time to be equally divided and controlled by the gentleman from Ohio (Mr. Bow) and myself.

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

There was no objection.

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

The motion was agreed to.

**IN THE COMMITTEE OF THE WHOLE**

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 966), with Mr. MILLS in the chair.

The Clerk read the title of the joint resolution.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas (Mr. MAHON) will be recognized for 1 hour, and the gentleman from Ohio (Mr. Bow) will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, we have before us today a continuing resolution in order that as of Friday night the Government of the United States may continue to function, otherwise it would come to a grinding halt because funds would not be available for most departments and agencies. Only the Interior, Treasury, and Post Office Departments and a handful of independent agencies have had their appropriations for fiscal year 1970 finally enacted. The others are dependent on the pending resolution.

In view of time factors in continuing resolutions, it is traditional that they are made as noncontroversial as possible because they have to be passed in a hurry, and they must be acceptable both to this body and to the Senate. So the substance of the resolution which we have before us is simple and to the point, and is in keeping with former resolutions except for this fact: that the last continuing resolution was passed in late June, some 4 months ago, so 4 months having elapsed, we have had to take into account those 4 months, and we provide that the guidelines for the Government for the month of November will be based on the situation as it exists on November 1, not as it existed on July 1.

**CRITICISM OF CONGRESS**

Mr. Chairman, the guns of opposition and criticism have been leveled at the Congress. Attempts are being made in

all quarters and in all corners of the land to downgrade the Congress of the United States. These guns of criticism have to some considerable extent been leveled at the Committee on Appropriations of which, by reason of the indulgence of my people and the rule of seniority, I am the chairman.

I do not want to see the Committee on Appropriations discredited. Like other Members in this House, I do not want to be humiliated, or have the feeling myself, or have others feel, that I have failed to do my job, or that the 51 members of the Committee on Appropriations have failed to do their job.

During this session of the Congress, I would say to the critics, the House of Representatives under the leadership of the Committee on Appropriations has passed 13 appropriation bills and resolutions—13—and that is a reasonably big output. It involves some \$54 billion. I will agree that only two of the annual bills for fiscal 1970 have been enacted into law, but several factors were involved.

I think I would be willing to put the record of the Committee on Appropriations alongside of the records of other committees of the Congress.

Now, we could have passed all of the appropriation bills, and I measure my words, we could have passed all the appropriation bills had we been authorized to do so. But we have not been able to pass them because of the lack of authorizations.

For example, the Committee on Foreign Affairs has labored long and hard on the foreign aid bill. But even though we are on the threshold of the 11th month of the calendar year, the committee has not been able to bring a bill to the House for the authorization of foreign aid. As an aside I would say, some hope that they never will. But nevertheless we do have a responsibility in this field. And we cannot within the rules report the foreign aid appropriation bill under the circumstances; we are marking time.

Let us take another bill—the transportation appropriation bill. In connection with that bill, there are some authorizations that are not yet finalized in connection with mass transportation, highway safety, and the airport program. The request of the President—and the President has been late, and understandably, in sending down during his first year of tenure, his recommendations on various bills and his budget estimates.

The Committee on Appropriations received the budget request of the President on the controversial supersonic transport aircraft for \$93 million only on October 9. That is also considered in connection with the transportation bill.

But please do not feel that the Committee on Appropriations is derelict in trying to move forward.

Let us take the defense appropriation bill. We will be ridiculed by critics because we have not passed a defense bill. In the area of national defense we have not told the President, Secretary of Defense, and the Joint Chiefs of Staff, and other officials, how much money they can

use. But remember, again, the Committee on Appropriations, and I say it in all charity and good will, and I recognize the authorizing committee has worked diligently and effectively, but here we stand on the threshold of the 11th month of the calendar year and we have no final authorization for the key area of defense spending.

But, of course, the members of the Committee on Armed Services have had many problems to wrestle with and much legislative business to attend to—but there again you must understand why we have not been able to pass these appropriations. There again you must understand that when the President writes a letter—and he has written one to me today in which he has said, in effect, "I am working on my new budget and I would like to know what we are going to have for the current fiscal year so I can plan for the next fiscal year."

Mr. Nixon has to take his due share of the blame. The budget came down late, reports to committee have often been slow in being delivered to committees, and, of course, the new President needs some time to get underway. But I would say of the Congress and of the Executive that there is enough blame to go around to all the committees and to the legislative and executive branches.

I mention another appropriation bill—in the field of military construction, we cannot move on that because of the lack of authorization.

The District of Columbia bill is another one that is hanging fire. I believe early action on the revenue bill for the District will enable the committee to bring that appropriation bill in shortly.

But the five regular appropriation bills that remain to be passed remain so because we have not had authorization.

The facts which I recite are not understood by the public. The media has not made the situation clear. It would seem that at least the Washington newspapers would do a better job of reporting the facts. I would like for it to be known that despite some errors and delays that we of the appropriations committee have done about all we reasonably could.

#### THE PENDING CONTINUING RESOLUTION

What do we do in the proposed resolution? We say that the departments can spend at the level of last year's level or at the level of the House-passed bill, and if the House has not passed the bill, then they could spend at the level of the budget for last year, whichever is lower.

The continuing resolution covers a wide area, and if Members want to understand it better, because I cannot go into every aspect of it, I refer Members to the first insertion in the Extensions of Remarks of the RECORD of today, which deals with the situation. I call attention to page 31649 of the October 27 RECORD.

It so develops that while the pending continuing resolution applies to much of the whole government—as it must in the interest of stability and orderly operations—and applies on a consistent and uniform basis in line with well-established concepts, it produces a somewhat unique result in respect to education items in the Department of Health, Edu-

cation, and Welfare bill. As a result of the fact that the Labor-HEW bill had not been passed by the House on July 1 when the previous resolution took effect, the authorized spending level during the last 4 months has been on the basis of last year's appropriation or the budget, whichever is lower. But the House, especially in the Joelson amendment, considerably increased education programs above the budget and above last year's level. Under the pending resolution, the rate beginning November 1 will be the lower of last year's level or the level of the House for this year in the HEW bill.

The result is to increase the authorized rate for education programs by \$600 million beginning November 1, as compared to the authorized rate that has obtained for the last 4 months. This takes care, generally, of the impacted-aid requirement of the various schools which were contained in the so-called Joelson amendment. It takes care of many other items, as you will see if you look at the memorandum which we have at the committee table and in the Extensions of Remarks of yesterday's RECORD, on page 31649.

I would like to point out that we have tried to keep the continuing resolution simple. We have not made an appropriation bill out of it. Everybody in this House is sufficiently sophisticated to know that a continuing resolution is not an appropriation bill. It merely provides that the Government can run on the lowest applicable figure until action is taken on the regular appropriations. That is all it is supposed to do. That is what the resolution that we have does.

I should also say that on the five bills yet to pass the House, the ground rules remain unchanged from the resolution now in effect—that is, the lower of last year's rate on the budget estimate.

Then on the bills that are pending between the House and the Senate, having passed the House, items have to be settled between the House and the Senate in the regular appropriation bills. And this is the way it ought to be done. The ground rules in those instances are the amount in the bill unless there is a difference between the two Houses, in which event the lower of the two obtains.

It has been found since the beginning of time that a degree of orderliness is necessary for effective action, and we particularly have to have order with regard to this matter in the Congress to have effective action. That is what the pending resolution provides.

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

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

Mr. JONAS. Mr. Chairman, before the distinguished gentleman gets too far away from the point he has just been making, I think it would be well for the RECORD right here to show that the appropriation bill for the Departments of Labor and Health, Education, and Welfare cleared the House of Representatives on July 31, 1969. That is nearly 3 months ago.

Mr. MAHON. Yes, but let us be fair in this and point out we had a summer



recess for the first time, so actually in working time the other body has had about 2 months. As I say, there is room to share criticism as to the delay.

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

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

Mr. JONAS. I do not think it is necessary to point any fingers at anybody. Just let the RECORD show the House of Representatives cleared this bill and sent it to the other body on July 31, 1969.

Mr. MAHON. Let the RECORD show I conferred with committee members of the other body yesterday and was told it is expected the Labor-HEW appropriation bill will be reported out in about 2 weeks. This means the other body will work its will on the House-passed version.

In checking the records this morning I find that with one exception, in each of the last 10 years the other body has raised the total of HEW appropriations as passed by the House. So, if we can go on past history, those interested in the Joelson amendment, I think, could assume that the other body would probably accept the Joelson amendment, and may even possibly add on some additional funds.

The question here arises: Are we in favor of the orderly processes in working between the House and Senate, or are we in favor of different procedures which could lead to chaos and great difficulty? We got into a confrontation between the bodies in 1962, which delayed action for months.

We got into a prolonged confrontation with the other body in 1967 on a continuing resolution, which brought on a great deal of delay. We do not want to hurt the cause of education or injure the image of this Congress or delay action during the last 2 months of this year by getting into an unwise and possibly damaging confrontation with the other body.

If the other body passes a given bill and sends it to this body, and this body takes a long time to act upon it or does not act upon it at all, it is not up to the other body to lecture this body on what we should do about bills sent to us. That is clear, is it not? I do not want any part of that, and I would not accept it, and the Members would not accept it. But by the same token, when we do our duty and pass on bills, good or bad as they may be, and send those bills to the other body, since it is a proud and autonomous body—just as this is a proud and autonomous body—we cannot ram down their throats without change, without the appropriate committees considering those bills, the measures which we have passed.

So it would be the height of arrogance and impropriety for us to try to write an appropriation bill here and say to the other body, "You take it or you leave it, and you have only until Friday midnight to do it." That is not the way to get the big bulk of the business of this session of Congress done, which must be done in the last 2 months of this year. That is not the way to get it done. Do Members not understand that? It is perfectly plain.

Those who wish to serve the cause of

education—and the educational lobby is a very excellent lobby, it is in a very good cause, and it is probably among the most potent lobbies in the country—have seemed to believe that if we do not sandbag the other body and make it take the bill which we have already passed and which is before it and which Members are supposed to report in about 2 weeks, something will be lost. If we do sandbag the other body—and we would probably not get away with it—if we tie this Congress up, and if we have payless paydays as we have on occasion had in the past, the whole Congress, the whole country, will have lost.

I would say of my friends in education from my own State, and from the districts of other Members forgive them, for they know not what they do. If they will leave it to their elected Representatives to decide what is the best strategy to get for them what they want, they will come a great deal nearer getting it than by asking us to dance to the tune of those who do not run for election and who are not elected and who do not have a vote in this body and who do not work with these matters every day.

So I am hoping that the House will go along with this continuing resolution as passed by our committee. I conferred with Members of the other body. Our resolution as drawn would go through instantly—almost instantly, in my opinion.

Then I hope we can begin to move on all these other authorization and appropriation bills, moving the appropriation bills in a reasonable time after the authorization bills have been enacted.

We cannot afford to let this Congress go down as a Congress which failed to do its job—as a Congress which dawdled. We have done a lot of productive work thus far in the session, but the proof of the pudding will be what we do during the 11th and 12th months of the year. That is the period of time when we can really wrap this session up and do a great job for the American people. We can then go before the voters next year, Democrats and Republicans, and tell them we have not failed, but in a workmanlike and orderly way we have done our duty for the American people.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the distinguished gentleman from Tennessee.

Mr. EVINS of Tennessee. The gentleman is proposing a continuing resolution to allow the departments and agencies to continue until the action on the appropriation bills is completed. Eight bills for 1970 have passed the House; five are yet to pass the House.

If those who want to authorize more money will try to get the Senate to pass those bills, then in those areas where the House has increased the appropriations the departments will have those funds; is that correct?

Mr. MAHON. I believe the gentleman is right.

It does not behoove the other body to ask us to dance to their tune, and we would not do it. It does not behoove this body to ask the other body to dance to our tune, and they would not do it.

There is a certain degree of orderliness which many, many decades have built

into our system. We have to stay with it, and, of course, improve it if we want to be effective.

But we do not want to throw a monkey wrench into the machinery, and produce chaos. We could do that today.

Mr. EVINS of Tennessee. I want to associate myself with the remarks of the gentleman and urge the House to adopt this continuing resolution.

Mr. MAHON. I thank the gentleman.

Mr. Chairman, I would hope that my remarks are clear. I would be glad to respond, if any Member wishes to ask a question of me in regard to the pending resolution. I believe we will be on sound ground with this resolution.

I do not believe we can deny the other body the right to act on its bills, any more than it can deny us the right to act on bills before us.

The gentleman from California (Mr. COHELAN) asked me to yield, and I am glad to yield to him at this time.

Mr. COHELAN. I thank the gentleman for yielding.

I wonder if the gentleman would comment on the question of whether or not we are going to get a bill in 2 weeks' time. Would the gentleman be willing to agree that there is some disagreement as to whether that is going to come to pass?

Is it not true, Mr. Chairman, that there are some very informed people who advise us—at least, who advise me; and I happen to believe what they are telling me—that it is very unlikely, because of the scheduling of witnesses and the programing of action in the other body, that we will get a bill back here until some time in December? I believe we heard one suggestion it would go into January.

Mr. MAHON. Let me answer the question, and then I will yield further.

Mr. COHELAN. Yes.

Mr. MAHON. The question is, can I assure the gentleman what the other body will do? I cannot even assure the gentleman what this body will do. Of course I cannot. The gentleman knows that.

All I can say is I have been told by the highest authorities in the other body, the people who deal most directly with it, that they expect to report the HEW bill in about 2 weeks.

But I am not going to be a party to a sandbagging operation, which might cause a great difficulty in cooperation as we try to close up the work of this session.

Mr. COHELAN. The gentleman is aware, is he not, that there is a very substantial group of Senators who are supporting the principle that will be inherent in the amendment I will offer at the appropriate time?

Mr. MAHON. Let us stop there.

I am not aware that a large part of the other body—and we must be parliamentary—is supporting the unorthodox procedure of sandbagging the Senate through forcing the Members to accept an appropriation of over \$900 million which they have not yet considered.

No, I would not; and, if I may have the gentleman's attention, I do not doubt that the other body will approve or probably support the Joelson amendment and increase the funds provided. That is an

entirely different matter. If Members there wish to do it, they can do it in the regular bill. But I do not think the other body wants to permit us to call the tune while they dance on this sort of an unorthodox approach to the problem.

Mr. COHELAN. If the gentleman will yield further, I would like to say that I regret very much that I am in the position of having to challenge my chairman, but unfortunately we are in disagreement. I hope that the chairman at this point, before he leaves his basic remarks, will tell the House exactly what is at issue. The gentleman from California does not enjoy the role he is playing. There must be some strong motive for his concern. It so happens that the issue revolves around \$733 million plus, and they involve two—at least two and more—very critical categories, as the gentleman will agree, I am sure, involving title I, which is the aid to education for disadvantaged children and vocational education. As I will point out to you in my own remarks, these are critical.

Mr. MAHON. If the gentleman will point that out, I will yield him time, but the gentleman asked me what is at issue.

Mr. COHELAN. Yes.

Mr. MAHON. What is at issue is the principle of good government; a principle of orderly procedure; a principle of comity; a principle of effectiveness in government. That is what is before us. The issue is whether or not we should proceed in an orderly way which has the best opportunity of bringing about a successful end product or whether we shall try to make out of the continuing resolution, which should be enacted into law by Friday, an appropriation bill in order to provide funds for certain educational purposes, which many Members of the House and the Senate—and probably a majority of them—would support when presented to them under the orderly processes of government. So that is what is at issue. It is a principle deeply rooted in the procedures of the House, and I must say that without orderly procedures we cannot effectively legislate.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of Iowa. The chairman knows that I am for more money for title I in this bill. I think they are short-changing them in the bill, but, as a matter of fact, that money is not going to be distributed in November, anyway, and whether we made the increase in the appropriations through this continuing resolution or the bill that comes out of the Senate will not make 5 hours of difference in the time that it is distributed to the States. Is that not correct?

Mr. MAHON. The gentleman is eminently correct. For those who understand it, I think you would vote for the continuing resolution without amending it, but if you vote to amend it, why not put in the money and say, "Well, we passed the Joelson amendment, so let us repass it, and let us repass the antipollution provision for \$600 million, and let us repass other programs that have been before

us, and let us make the other body take them all in one lump regardless of what the situation over there is and what the deadline is." The deadline is Friday night, October 31. This is the height of irresponsibility, in my judgment.

Mr. COHELAN. Mr. Chairman, will the gentleman yield for one further question?

Mr. MAHON. For a question I will yield.

Mr. COHELAN. The chairman is aware, is he not, that there are 227 Members of this body that have in the hopper a resolution calling for the amendment I am offering today? Two hundred and twenty-seven Members.

Mr. MAHON. We are aware that supporters of the proposed amendment have announced from day to day, "We have certain people committed." Well, of course, they are committed. And they have introduced resolutions. This is no problem. They have shown that they are in favor of the higher figure for education which was passed by the House, and this figure they will likely be able to acquire when the other body takes action in the regular way on the Labor-HEW appropriation bill, and, there is nothing inconsistent about the members who introduced resolutions calling for fuller and greater amount which no doubt will be forthcoming within a month or less than that, also supporting the pending resolution.

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

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

Mr. JONAS. Is it not correct that many of those who put those resolutions in did so under a different set of circumstances?

Mr. MAHON. Of course.

Mr. JONAS. And before the Appropriations Committee came out with this continuing resolution, and that only occurred last Thursday?

Is it not true that about one-half billion dollars of additional money will be available for spending under the resolution than under the previous resolution which will expire on the last day of October?

Mr. MAHON. Yes; we are operating in an entirely different atmosphere and in an entirely different state of facts. And, when Members expressing their desire to hold to the higher figures, if they will look in the Extensions of Remarks of the RECORD at page 31649 of this morning's RECORD, they will find where the money goes. Further, if they are interested in impacted areas they will note that an additional \$319 million, will be available not because of any special treatment but because of the resolution which places it above the minimum level in the President's budget, a total of \$506 million. You will get more for libraries and more for NDEA and more for most all of these programs which I am sure that a great majority of the Members support.

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

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

Mr. GERALD R. FORD. Let me say, Mr. Chairman, that I wholeheartedly and unequivocally support the position

taken by the distinguished gentleman from Texas, the chairman of the Committee on Appropriations.

Now, he has alluded to but not specifically said that because of the problem that might arise between the House and the other body, we might have a roadblock in the completion of affirmative action on the continuing resolution prior to midnight, October 31.

Mr. MAHON. We not only might, I think we would have.

Mr. GERALD R. FORD. I did not want to put words in the mouth of the distinguished chairman of the great Committee on Appropriations, but he has certainly hinted that this might be a probability. I just urge people who want to upset the decision of the Committee on Appropriations, that if they do, they will have the principal blame if there is no continuing resolution approved by the Congress by October 31, which means, of course, there will not be any authority or any pay for most members of the executive branch, civilian or military, or compensation for Members of the legislative branch, nor will there be any funds available for the payment of services to those suppliers of the Federal Government.

I just hope they will take that into consideration.

Mr. MAHON. I thank the gentleman from Michigan.

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

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

Mr. ALBERT. Mr. Chairman, I appreciate the gentleman yielding. The gentleman is of course one of the ablest chairmen of the House, one of our most beloved and distinguished Members. He is making a very eloquent statement in behalf of orderly procedure. The gentleman and I have discussed this many times, this very issue.

Does there ever come a time, may I ask my friend, when the House can assert itself by a continuing resolution, which carries with it much more compulsion than a regular bill, on an issue on which the House has emphatically expressed itself?

In other words, if the other body never passes the HEW bill, does there ever come a time when the House might use this device as a means of trying to get this issue finally resolved?

Mr. MAHON. As I see it, I believe there is enough blame to pass around among the two Houses. I am sure the other body will act, and will act within the next few weeks, so that there is no real problem here. And blackmail is not a very effective procedure.

Mr. ALBERT. Does the gentleman call it blackmail—and I have tried all the way through to support the gentleman—but does the gentleman call it blackmail to insist that a program, the funding of which should be made before September 1, should at least be made before January 1?

Mr. MAHON. No. I would not say that is blackmail. We passed our bill on July 31.

Mr. ALBERT. That is right.

Mr. MAHON. And next year, if I can get the support of this House, and if the



authorizations are available, I believe I can see to it that the education bill is passed by April 1, and I will try to persuade the other body to do likewise, and then the schools would know in advance what the situation is. This is highly desirable.

Mr. ALBERT. Would the gentleman have the same viewpoint that he has now 30 days from now if a continuing resolution were again to be presented on this same subject?

Mr. MAHON. If we keep the November 30 date in this resolution there would have to be another continuing resolution in late November, and I would hope that by that time—

Mr. ALBERT. Would the gentleman have the same view with regard to this item? Because there are certain areas that are not well funded in the continuing resolution such as title I, ESEA, NDEA student loans, vocational education, and others—would the gentleman feel that 30 days from now the House would be in a better position to insist by a continuing resolution if no action has been forthcoming by the other body?

Mr. MAHON. I would say the principle is the same, and right is right, but I do not anticipate that issue arising because I believe that the other body will act within the month.

But does my able leader, who is supporting me in this plea to the House, feel that the other body should be able to compel us, for example, to take action on a particular bill, regardless of Committee considerations? I do not think so.

Mr. ALBERT. The gentleman knows that in many instances the other body has gone so far as to put completely irrelevant material on House bills which some Members of the House have considered to be an affront. But we have a very important issue at stake here, and that is the House's commitment, long since expressed, by a 2 to 1 vote, for better funding, and more prompt funding of Federal aid to various educational activities.

That as well as orderly procedure is also a principle which demands our attention, as I see it. I want to support the gentleman, the gentleman knows that—but I do not want it said that this Congress is using procedures which many may think are archaic procedures to defeat the cause of education in the United States.

Mr. MAHON. Let me say, if the gentleman will permit me, that there is no effort to defeat the cause of education. That issue is not now before the House. But let me also say this. The school year is well underway. This is almost November. Schools cannot now hire teachers for this semester. They can spend money on some other programs, but they cannot hire teachers for the first semester. They will not want to use them until the next semester begins, and that will be about February.

It was very important to have this money before September first, and it should have been available by July. But now, a couple of weeks does not make the difference it would have made earlier in the year because the time when they could have used certain funds effectively is past.

But they will be able to use all of the funds finally appropriated for impacted aid in the regular Labor-HEW bill. Incidentally, last year 50 percent of the money appropriated for assistance to impacted school districts was not actually paid until several months after the end of the fiscal year.

These funds are not generally paid in full at the beginning of the school year. What school districts want is the assurance that the funds will be made available. They certainly have that assurance because everybody knows that the House is not going to back down in its determination to provide funds under the Joelson amendment, and everybody knows that the other body is in all likelihood going to increase appropriations for education rather than reduce them, if they are not goaded by our actions into doing something otherwise.

So I think we have nothing to fear but fear itself. If we will just stick to our knitting and have Monday, Tuesday, Wednesday, Thursday, and Friday sessions for most of the next 2 months we can come out of this Congress with the colors flying and make a good report to the folks when we go home at Christmas-time.

Mr. ALBERT. The gentleman has stated the case with his usual eloquence and force. I am very happy the gentleman has said that he will try to get a bill out before April 1. What disturbs me is the long delay which educator after educator has told me has caused him all kinds of trouble while waiting for the Congress to act. Of course, while November is not a lot later than July, it is a little bit earlier than December and December is a little earlier than January.

I hope the gentleman will help to get this thing over before it is necessary to ask for another continuing appropriation.

Mr. MAHON. I will certainly help in any way that I can.

Mr. ALBERT. I thank the gentleman.

Mr. MAHON. Let me say this. We have had advance funding for some of these programs. But you know what the truth is, we cannot now do this for next year because while the House has passed an authorization bill, it has not been passed by the other body. So we cannot provide advance funding.

While the Committee on Appropriations gets the heat, the legislative committees must realize that if they want a bill early next year on education, if they will give us the authorization, I can guarantee that the Committee on Appropriations—and I have spoken to the members of the committee—will pass it. And if we can get the other body to move, we can give our education people the notice that they deserve.

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

Mr. MAHON. I yield to the gentleman.

Mr. LANDRUM. What is the difference, please, between the amount of money in the continuing resolution for education and the appropriation bill which the House passed and sent over to the other body on July 31?

Mr. MAHON. About \$700 million.

Mr. LANDRUM. This is \$700 million under the appropriation bill?

Mr. MAHON. Yes. The committee resolution is about \$310 million above the budget for the entire Office of Education, and is about \$600 million above the rate that is presently authorized. These figures are totals, of course. But we have passed the regular annual appropriation bill and sent it to the other body and they will take action on it.

If Members will please turn to the Extensions of Remarks in the RECORD which is on page 31649 of yesterday's RECORD, they will find this information presented in some detail.

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

Mr. MAHON. I yield to the gentleman. Mr. LANDRUM. How much more money is in this continuing resolution for impacted aid than there is in the appropriation bill that the House passed on July 31?

Mr. MAHON. \$319 million.

Mr. LANDRUM. There is \$319 million more in this resolution?

Mr. MAHON. There is \$319 million more in this resolution, bringing the total up to \$506 million, which is the appropriation level of last year. There is no doubt that will be increased.

Mr. LANDRUM. Will the gentleman yield further for one question?

Mr. MAHON. I yield to the gentleman.

Mr. LANDRUM. Why is there more money in this continuing resolution for impacted aid at this stage of the game than it was to have in it July 1?

Mr. MAHON. Now let us look at the situation very carefully here. On July 1 the resolution provided that if the bill for fiscal year 1970 had not been passed, the various agencies of government would operate at the level of last year's appropriation or the budget whichever was lower.

In this instance the budget of President Nixon was the lowest figure so we operated on the basis of the budget of President Nixon.

But the House did act on the 31st of July on the Labor-HEW bill. Under the resolution now before us, the program will operate at the level of last year's appropriation or the level provided in the House passed bill—whichever is lower. Last year's level is lower but it is \$319 million more than the budget. We no longer take into account the budget figure in determining the operating level.

Mr. LANDRUM. In the event the other body should not act favorably upon the appropriation bill which the House sent over to them, and particularly not act favorably upon the section dealing with title I, on vocational education, would that have an effect on the continuing program under title I of vocational education? Would not vocational education be bankrupted in that situation?

Mr. MAHON. You see, we will go to conference with the other body. The gentleman from Pennsylvania (Mr. Flood) is no poor advocate.

Mr. LANDRUM. I agree with the distinguished chairman on that point.

Mr. MAHON. I do not think there is a problem there.

Mr. LANDRUM. My concern, Mr. Chairman, as I am sure it is the concern of many others, is that we do nothing here to retard the growth and develop-

ment needed in the field of vocational education. What I fear is that the continuing resolution as reported by the distinguished chairman and his able committee is about to do something that would bankrupt the vocational education program.

Mr. MAHON. I do not think there is the slightest doubt about the continuance of the vocational education program. I think this House is strongly in favor of that program, and I expect the other body is, also. We will know in 2 weeks, if we can rely upon the information which we have. So I think the safer course is to follow the rule of reason and a good procedure which has stood the test of time.

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

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

Mr. JONAS. A point that has not been mentioned which will more or less answer the question of the gentleman from Georgia, and it is that the continuing resolution that is before the House today is not a permanent continuing resolution.

Mr. MAHON. It will last for just 1 month, as we have reported it.

Mr. JONAS. It will have to be reviewed, reconsidered, renewed and new action taken at the end of November. Is that not true?

Mr. MAHON. That is correct.

Mr. JONAS. So how could any program go bankrupt in one month when they are authorized by the committee resolution to continue spending at last year's level?

Mr. MAHON. I conferred with the gentleman from Oklahoma (Mr. ALBERT) the majority leader, and it was upon his recommendation that we made it for the 1 month. We realize that this is a short period of time with Thanksgiving coming; nevertheless, the end of the year is approaching, too. So I would think under all the circumstances you can support with confidence the resolution that is before you.

#### COMMITTEE REPORT AND RELATED FACT SHEET ON THE CONTINUING RESOLUTION

Mr. Chairman, under leave granted, and in order that the RECORD will contain in one place a more precise and connected explanation of the proposal of the committee on appropriations, I include pertinent excerpts from the committee report of Thursday last, and a related fact sheet which also appeared in this morning's RECORD.

From the report of the committee.

#### PURPOSE OF THE RESOLUTION

This resolution is to supply funds to continue, after October 31, 1969, those governmental functions and activities for which the applicable annual appropriation acts for the current fiscal year 1970 are not signed into law by October 31.

The joint resolution, as reported, takes the place of the one under which virtually all of the Government has operated since last July 1, the beginning of the current fiscal year (Public Law 91-33, approved June 30, 1969), and which by its terms expires on October 31.

Only two of the 13 regular annual appropriation bills for fiscal 1970 have been sent to the President. The Treasury-Post Office appropriation bill was signed into law on

September 29. The Interior appropriation bill was cleared to the President on October 15. Thus prompt enactment of another resolution is essential to avoid interruption of authority and funds for on-going programs and activities pending final determinations on their budgets.

#### TIME PERIOD OF THE RESOLUTION

The resolution would become effective the day after the current one expires; namely, on November 1, and continue for not more than 30 days; the terminal date is November 30. By its terms the resolution—and this is standard to continuing resolutions—ceases to apply to programs and activities as and when the applicable regular bills in which they are funded or otherwise disposed of are enacted into law, and in any event expires altogether on November 30. Anything shorter than this would be unrealistic in view of the present unknowns surrounding finalization of legislative action on some of the annual authorization and appropriation bills.

#### THRUST OF THE RESOLUTION

Consistent with the proposition that continuing resolutions are designed to serve basically as stopgap measures to tide matters over for relatively short periods of time pending finalization of the regular bills for the year, extensions of continuing resolutions in the past have almost always been in the simple form of extending the expiration date, leaving the provisions of the original resolution otherwise unchanged from what they had been from the beginning of the fiscal year. They were not originally intended to serve more or less indefinitely as the basis for operations long after the bills that were pending when the continuing resolution went into effect on July 1 had moved significantly through the legislative process.

The interpretation of the continuing resolution is determined by the legislative status of a particular bill on July 1. The July 1 rate remains in effect until the bill becomes law. The rates used to determine the amounts temporarily appropriated for operations differ, depending upon where a bill is on July 1, and remain applicable to the programs and activities until the particular regular bill becomes law.

A third of the fiscal year has now passed, and since July 1, five more of the annual bills have been voted on by the House—additional to the three the House had passed before July 1. Four of those eight have also cleared the other body, and two of the four have cleared Congress; the other two are pending in conference. The remaining five of the 13 regular annual bills remain in the same position they occupied on July 1—in the House Committee on Appropriations; four of them depend significantly on authorization bills that have not been legislatively finalized.

To accommodate to this significantly changed situation, a modification of the continuing resolution in relation to the practice of previous years is now deemed appropriate. Therefore, the accompanying resolution provides, in substance, that the position of each bill on November 1 would substitute for the position of each such bill on July 1. In many programs and activities this will make no difference in the rate of operations; in others it will, depending on what amount one or both Houses have voted for them.

#### SPECIFIC FEATURES OF THE RESOLUTION

1. As to programs and activities in bills not passed by the House by October 31, the rate for operations is one not in excess of the fiscal 1969 rate or the rate provided in the 1970 budget estimate, whichever is lower, and under the more restrictive authority. This is identical to the concept under the existing resolution with respect to bills that had not passed the House by last June 30.

In other words, the same ground rules now

in effect would continue to apply to the following bills: Transportation; Defense; District of Columbia; Military Construction; and Foreign Assistance; plus some of the items listed separately in section 101(b) of the existing resolution that have not yet been incorporated in a bill already voted on.

2. As to programs and activities in bills passed by both Houses but not signed into law by October 31, the rate for operations with respect to items not in disagreement between the two Houses would be the amount in the bill. This is identical to the concept under the existing resolution for any bills that may have passed both Houses by June 30.

For such items not in disagreement in any bills that had passed the House but not the Senate by June 30, the rate for operations switches from the lower of the fiscal 1969 rate or the House rate to the amount in the bill. The 1969 rate would no longer enter into the picture.

For such items in both versions of a bill but in differing amounts, the rate for operations would be the lower of the two amounts. This is identical to the concept under the existing resolution for any bills that may have passed both Houses by June 30.

For such items in differing amounts in a bill that had passed the House but not the Senate by June 30, the rate for operations switches from the lower of the fiscal 1969 rate or the House rate to the House or Senate rate, whichever is lower. The 1969 rate would no longer enter into the picture.

As to items included in only one version of a bill, the fiscal 1969 rate for operations or the one House rate, whichever is lower, would apply. Allowing for a special provision with respect to Senate items traditionally omitted from the legislative bill in the House, this is identical to the concept under the existing resolution.

As of today, these provisions would apply to the following bills: Agriculture and Legislative.

3. As to programs and activities in bills passed by the House but not the Senate by October 31, the rate for operations would be the fiscal 1969 rate or the House rate, whichever is lower. This is identical to the concept under the existing resolution for the three bills that had passed the House by June 30. This would be a switch from the lower of the fiscal 1969 rate or the fiscal 1970 budget estimate rate for operations. The 1970 budget estimate rate would no longer enter into the picture.

As of today, this would apply to the following bills: Labor-HEW; Independent Offices-HUD; State-Justice-Commerce-Judiciary; and Public Works-AEC.

#### PROVISIONS GENERALLY APPLICABLE

The accompanying resolution repeats a number of provisions that have become standardized in continuing resolutions over the years. Specifically:

Section 105 makes it clear that the resolution does not augment the appropriation made for a given item in the regular 1970 bills, as follows:

Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

Section 102 provides that the resolution ceases to apply to an agency or activity concurrent with approval by the President of an applicable appropriation bill in which provision for such agency or activity is made. Thus the scope of the continuing resolution constricts as each bill is enacted; the resolution will be wholly inoperative after the last bill for 1970 is approved, or November 30, 1969, whichever first occurs.

Section 104 is self-explanatory.

Section 106 forbids the use of funds provided in the joint resolution to initiate any



new project or activity or to resume any which was not being conducted in fiscal 1969.

Section 103 also follows the stereotyped form of previous continuing resolutions in waiving the time periods set forth in 31 U.S.C. 665(d)(2) for the submission and approval of papers on the apportionments of funds. This in nowise waives the basic requirement in the law for the apportionment of funds over the year by the Director of the Bureau of the Budget, but merely dispenses with considerable paperwork that as a practical matter cannot be usefully applied to temporary appropriation provisions.

Section 107 repeats section 107 of the existing resolution, authorizing deficiency apportionments for 1970 to the extent necessary to meet statutory pay increases not specifically provided in the individual 1970 budgets or appropriations. This refers generally to the pay raises granted primarily by or pursuant to Public Laws 90-206 and 90-207, generally effective last July 1. The line-item budgets for 1970 did not make specific allowance for these added costs; only a 1-line amount was included in the overall budget totals.

EXPENDITURE CEILING PROVISION

Title IV of the Second Supplemental Appropriation Act, 1969, sets an overall ceiling on budget outlays (expenditures and net lending) for fiscal 1970 at a beginning figure \$1 billion below the President's April 15 Budget Review projection. The ceiling is adjustable, depending on congressional actions or inactions on the budget, and to a limited extent depending on overruns in certain so-called uncontrollable items not requiring annual legislative appropriation action.

The accompanying resolution, in section 103, repeats the provision in section 103 of the existing resolution making clear the intent that interim operations under the continuing resolution shall in nowise contravene the provisions of such title IV.

The fact sheet which I prepared and released on the 27th follows:

(NOTE.—For impacted aid and other education programs, see items 10 and 11.)

COMMITTEE CONTINUING RESOLUTION—FACT SHEET (H.J. RES. 966)

A. THE PURPOSES OF CONTINUING RESOLUTIONS

1. Continuing resolutions are not appropriation bills in the usual sense. They do not make additional appropriations. They merely make interim advances that are chargeable against whatever amounts the two Houses of Congress finally appropriate in the regular annual bills.

2. Continuing resolutions are nothing but interim, stop-gap measures necessary to keep government functions operating on a rationally minimum basis between July 1 and enactment of the regular authorization and appropriation bills. They are designed to preserve the integrity and options of the regular authorization and appropriations processes in the committees and in both Houses.

3. Continuing resolutions were never designed and never intended to "get ahead of the regular order", i.e., to resolve weighty, substantive, legislative or appropriation issues outside the framework of the regular bills. (If they were so used, a Pandora's box of disruptive and disorderly actions could well result.)

4. Continuing resolutions have always been designed to avoid controversy so as to secure prompt enactment, else they would jeopardize orderly processes and orderly continuation of essential governmental functions.

5. Continuing resolutions are thus a growth, born of long—and successful—experience. They have become standardized in their concepts and specific provisions. They apply universally, and consistently, to all departments and agencies. The basic concept over the years is this:

Legislative status of an appropriation bill when continuing resolution becomes effective:

When neither House has acted

When passed House but not Senate

When passed both House and Senate

Continuing resolution funding level is always:

The budget estimate or last year's level, whichever is lower.

Last year's level or House level, whichever is lower.

The action of the two Houses; or if in disagreement, the lower of the two.

B. THE COMMITTEE RESOLUTION (H.J. RES. 966)

6. The committee resolution follows the basic concepts of past resolutions. It is a 30-day resolution—for November only.

7. The committee resolution makes a change in the application of the concept and thus in the effect on some operations, by taking account of congressional actions on appropriation bills since July 1 when the current resolution went into effect.

8. The Committee resolution makes no change at all in 6 of the regular bills; they occupy the same position they did on July 1. It will have some limited effect on the Agriculture and Legislative bills which have moved to the conference stage, and on the

Labor-HEW, State-Justice-Commerce, and Public Works bills which have moved to the Senate since July 1.

9. The committee resolution, replacing the existing resolution effective November 1st, will produce little or no change in authorized rates of interim spending levels for many programs and activities. But it will permit significant changes in a handful of items in the Department of HEW, especially in Hill-Burton hospital grants (about \$100 million more) and in certain education programs (about \$600 million more).

C. EFFECT OF COMMITTEE RESOLUTION ON EDUCATION PROGRAMS

10. The committee resolution adds about \$600 million to the authorized spending level for education programs, as shown on the attached table. \$319 million additional is for impacted area school aid (P.L. 874).

11. For schools in Federally impacted areas, the committee resolution would authorize funds at the fiscal 1967 level for both categories "A" and "B"; a total of \$506,000,000—some \$319,000,000 above the currently authorized rate. There would be no special restrictions with regard to "category B".

Payments are made periodically during the fiscal year but the final payments are not usually made until late September or October, i.e., after the fiscal year for which they are appropriated. Thus an increase in these funds at this time would have no practical effect different from that of providing them when the regular HEW bill is enacted.

EFFECT OF CONTINUING RESOLUTION ON EDUCATION PROGRAMS

[In millions]

	1969 level	1970 budget	1970 continuing resolution			Increase over present version
			1970 House bill	Present version <sup>1</sup>	Committee version <sup>2</sup>	
Supplementary educational centers (title III, ESEA) <sup>3</sup>	\$165	\$116	\$165	\$116	\$165	+\$49
Library resources (title II, ESEA) <sup>3</sup>	50	0	50	(9)	50	+50
Guidance, counseling, and testing (title V, NDEA) <sup>3</sup>	17	0	17	(9)	17	+17
Equipment and minor remodeling (title III, NDEA) <sup>3</sup>	79	0	79	(9)	79	+79
Impacted area aid (Public Law 874) <sup>3</sup>	506	187	585	187	506	+319
Higher education facilities construction grants, 4-year undergraduate facilities <sup>3</sup>	33	0	33	0	33	+33
NDEA student loans <sup>3</sup>	193	162	229	162	193	+31
Library assistance:						
Services	41	23	41	23	42	+19
Construction	9	0	9	0	9	+9
Title I, ESEA <sup>3</sup>	1,123	1,216	1,397	1,123	1,123	-----
Vocational education <sup>3</sup>	248	279	489	248	248	-----
Education for the handicapped	80	86	100	80	80	-----
Subtotal	2,544	2,069	3,194	1,939	2,545	+606
Other education programs	1,073	1,111	1,029	950	945	-5
Total, Office of Education	3,617	3,180	4,223	2,889	3,490	+601

<sup>1</sup> Effective July 1, Public Law 91-33.

<sup>2</sup> Effective Nov. 1, H.J. Res. 966.

<sup>3</sup> Joelson amendment items.

<sup>4</sup> Sec. 101(d) of the present continuing resolution made special provision for continuing State administrative activities only. Under the committee version, funds for both State administration and program grants would become available effective Nov. 1.

Mr. BOW. Mr. Chairman, I yield myself whatever time I may consume.

The CHAIRMAN. The gentleman from Ohio is recognized.

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

Mr. BOW. Mr. Chairman, today for the first time in all of my years here and for the first time, I believe, in the history of appropriations continuing resolutions, the House is breaking new ground and innovating for expediency's sake alone.

Instead of following its historical concept of providing for interim operation of the Government at the lowest of several levels until all appropriation bills are enacted, the House is today changing

the groundrules so as to make available more than \$600 million of obligational authority for education which would not be available otherwise until we have completed action on the Labor-Health, Education, and Welfare appropriation bill.

In all prior continuing resolutions, we have followed a responsible policy and have provided obligational authority at the program level of obligation for the preceding fiscal year, the budget for the current year, the House action on a bill or the Senate action, whichever was lowest. That is precisely what we did last June 30 when Public Law 91-33 was approved. At that time we froze the incurring of obligations based upon the situation existing on last July 1.

Now, the Appropriations Committee proposes to abandon the usual date of July 1 and substitute therefor November 1, even though Congress has completed action on only two of the regular appropriation bills for fiscal 1970. The resolution will be effective through November 30.

This simply means that the committee proposes to ignore both the Johnson budget for fiscal 1970 and President Nixon's revisions thereof. As a consequence, it would make available for immediate obligation most of the funds provided by the so-called Joelson amendment to H.R. 13111, the Labor-HEW appropriation bill which passed the House last July 31.

Since the committee's action is nothing more than a transparent attempt to appease education's professional lobbyists, it is unwarranted and may come back to haunt us in another day.

The responsibility for Congress' delay in sending H.R. 13111 to the President does not rest with the House because the bill has been languishing in the other body for 3 months and, at present, there is no clear indication as to when the other body will act.

So, I say to you we should be considering today a simple continuation of Public Law 91-33, which would place the re-

sponsibility for delay squarely on the shoulders of the other body.

Mr. Chairman, I am sure no one here has forgotten that in the second supplemental appropriation bill for 1969, H.R. 11400 which became Public Law 91-47, Congress imposed upon the President an expenditure ceiling for fiscal 1970 of \$191.9 billion. That was \$1 billion less than the \$192.9 billion the President said would be spent in fiscal 1970. But by its action today, the House is proposing additional obligational authority for education of more than \$600 million, which if obligated by the administration now, will raise for the time being \$300 million the \$191.9 billion expenditure ceiling which Congress itself imposed upon the President.

Of course you can argue, and rightfully so, that Congress also provided in Public Law 91-47 that the ceiling was flexible and could rise or fall based upon action or inaction by Congress on the budget for 1970. Nevertheless, I cannot help but wonder, did Congress really mean it when it imposed an expenditure ceiling of \$191.9 billion or was it engaging in semantics for politics sake alone. If it were a political gesture, I might say the language in Public Law 91-47 was clever indeed and the language in this joint resolution, House Joint Resolution

966, is no different in that respect. And I, for one, can see no need to be facile for expediency's sake. If we did not mean what we said and did with respect to our own imposed expenditure ceiling, why did we bother to go through the motion?

As recently as last October 17, just 10 days ago, in his speech on the rising cost of living and his efforts to curb the inflationary spiral, President Nixon said:

Step One was to cut Federal spending, which more than anything else was pushing your prices up. We cut proposed Federal spending by more than seven billion dollars. We have taken it out of defense, we are cutting back on construction projects, we are squeezing it out of many other departmental budgets. We have been selective in these cuts, recognizing urgent national and social needs, but hardly anything has escaped some reduction.

He also issued a call which said in part:

I call for your support in our policy of holding down Federal spending so that we are able to continue setting an example with a responsible budget for fiscal 1971.

Mr. Chairman, let me detail some of the pending potential congressional increases to fiscal 1970 budget outlays with which the President must deal if and when they become public law:

[In millions]

Description	Increase over request		Description	Increase over request	
	Authority	Outlays		Authority	Outlays
<b>Appropriation bills:</b>			<b>Other legislation—Continued</b>		
Agriculture and related agencies, as passed by Senate (July 7, 1969), excluding administration's amended increase of \$270,000,000 for food stamps	\$405	\$313	H.R. 11651: School lunch amendments for child nutrition, as passed by House July 21, 1969		\$100
House bill (May 27, 1969)	(-161)	(+173)	H.R. 13194 and S. 2721: Increases authorization for national defense education loans, work-study grants, and educational opportunity grants. Passed by Senate Sept. 16, 1969; passed by House Sept. 15, 1969; in conference	\$333	239
Labor-HEW, as passed by House (July 31, 1969) increase mainly for education	1,078	+539	H.R. 514 and S. 2218: Expands impacted area education aid for public housing children. Passed by House Apr. 23, 1969; Senate has held hearings	230	115
Public works and AEC, as passed by House (Oct. 8, 1969), increase mainly water pollution grants	301	16	<b>Potential nonenactment of recommendations to reduce spending:</b>		
<b>Other legislation:</b>			Postal rate increase (H.R. 10877): Original proposal for July 1 effective date would save \$591,000,000; it is still possible to make a Jan. 1 effective date and save about	300	300
H.R. 13000: Raises Federal civilian and military pay effective Oct. 1, 1969 for Post Office and Jan. 1, 1970 for remainder; full year cost in 1971 about \$4,300,000,000. Passed by House Oct. 14, 1969; 1970 cost will be	1,550	1,550	Farmers Home Administration: Proposal to permit certain operating loans and to provide that certain insured loans to public bodies could be sold as taxable instruments; this could save		292
Social security benefits:			Veterans' Administration (H.R. 11703): Proposal to permit sale of direct loans at more than a 2-percentage point discount could cut outlays by		128
Proposal to make effective January 1970 instead of March 1970 as recommended		465			
Proposal to raise benefits by 15 percent (instead of 10 percent as recommended) and make effective January 1970; in addition to amount immediately above		580			
H.R. 11959: GI bill for veterans education assistance, as passed by House Aug. 4, 1969	400	400			
S. 2547: Food stamp amendments, as passed by Senate Sept. 24, 1969	640	600			
			<b>Total, all items above</b>	<b>5,237</b>	<b>5,637</b>

If the President is to abide with his own expenditure ceiling of \$192.9 billion, and he has said repeatedly that he will, I hope he will refuse to obligate the additional education funds provided by this joint resolution until such time as all appropriation bills for fiscal 1970 have been approved by both House and Senate. To do otherwise would force the administration to alter its program of priorities to provide for all the needs of our Government and would force some other area of Federal spending to absorb this increase in obligations for education.

Mr. Chairman, I am a realist. I know full well there is no deterring the House from approving this resolution today. As a matter of fact, we will be fortunate indeed if we can hold to what the committee has recommended. There are forces at work here today who would increase the obligational authority for education, not by \$600 million but by the

\$900 million addition provided by the so-called Joelson amendment. Thus, Mr. Chairman, I may reluctantly support the committee's recommendation because the Government must continue to operate, in an orderly fashion I hope, until all fiscal 1970 appropriation bills are approved.

Mr. Chairman, at this time I have no requests for time. If the gentleman from Illinois (Mr. PUCINSKI) would like to have me yield for a question to the chairman, I would be glad to do so. It seems to me that we have had adequate debate on the subject. But if there is some clarification the gentleman would like, I would be glad to yield to him.

Mr. PUCINSKI. I thank the gentleman.

Apropos the question raised by the gentleman from Georgia (Mr. LANDRUM) is it not a fact that in the 1968 Vocational Education Amendment we wrote in a mandatory 15-percent set-aside of State

grants for disadvantaged communities, a 10-percent set-aside for handicapped, and a 15-percent set-aside for post secondary education? In other words, 40 percent of State grants now must be set aside for these three specific categories. The question I would like the gentleman from Ohio to answer is as follows—

Mr. BOW. Will the gentleman direct his question to the chairman of the full committee. He is present and will answer the question.

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

Mr. BOW. Yes; I yield.

Mr. PUCINSKI. I wonder if we could have the attention of the chairman of the committee. The gentleman from Ohio has suggested that I propound my question to the chairman of the committee. He has been kind enough to yield this time for the gentleman to answer. The question I raise is apropos the question



raised by the gentleman from Georgia (Mr. LANDRUM) as to how we are affecting vocational education programs in the States. If we do not have additional money right now, they will have to cut back in assisting vocational education programs because of the mandatory set-aside that the Congress wrote into the authorization of 15 percent for disadvantaged, 10 percent for handicapped, and 15 percent for post secondary.

That means 40 percent of the money that was available for ongoing programs in 1968 and 1969 is not available to a State vocational education director in 1970, because we have passed a law here in which we have taken that 40 percent away and earmarked it for a specific use, and unless they get this additional money that we voted in the Joelson amendment, these State vocational education directors will have to cut back existing ongoing programs.

The question asked by the gentleman from Georgia (Mr. LANDRUM) was correct and in order. I wish some member of the committee would explain that to me.

Mr. MAHON. Mr. Chairman, in vocational education, we will proceed under the proposed continuing resolution, on the basis of the lower of either last year's appropriation or the House figure in the 1970 Labor-HEW bill handled by the gentleman from Pennsylvania (Mr. FLOOD). Last year's level was \$248 million, and that is the level at which we will proceed, I was told.

The Labor-HEW appropriation bill will probably be handled in 2 or 3 weeks by the other body. There seems to be no appropriate, parliamentary and effective way to determine this issue except in the course of considering the regular Labor-HEW bill, which, as I indicated we have reason to hope will be in the next few weeks.

Mr. PUCINSKI. Mr. Chairman, the gentleman knows I have the highest respect for him. I do not intend here to be disrespectful. But I happen to be the chairman of the subcommittee that handled the vocational education bill last year. I think this House ought to know we wrote into the authorization a provision that is no longer debatable, and that is the law of the land, and that is the State educational directors must as of July 1 of this year take 40 percent of the State grant and set it aside and use it for three categorically earmarked purposes. Unless there is more money put into that State grant, the director must start phasing out existing ongoing vocational programs.

That is why we are supporting the gentleman from California and addressing ourselves to that, so the directors will not have to start phasing out ongoing time-tested programs in the State programs.

Mr. MAHON. Mr. Chairman, the gentleman is talking about certain provisions of the law which were not in the appropriation bills. I would say the other body, which is holding hearings on the educational programs, will act upon the proposals which have been sent over there in our HEW appropriation bill.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield for a question to the

chairman, if I may have the chairman's ear?

Mr. BOW. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, we are asked to support the gentleman's continuing appropriation on the ground that this is the most orderly procedure. Yet it strikes me this is the most disorderly kind of procedure, to require the schools to be in a position where they cannot plan. This applies not only to education, but also to R. & D. programs and to health programs.

I wonder if the chairman in the future would support the proposal for a change in the fiscal year to correspond with the calendar year, so each year we will not have these problems when there are uncertainties as to what the educational programs will get, so they will know by July 1 the levels of the programs.

Mr. BOW. Mr. Chairman, I would be glad to respond to that. I happen to be one of those who has asked that there be a complete study of the proposal to change the fiscal year, but I am not yet convinced that changing the fiscal year will change our situation of not having authorizations or appropriation bills back from the other body.

I am much more inclined to believe, as the Chairman said earlier in the debate today, that with respect to appropriations for education, when we commence next year, as soon as we reconvene, we should start to work on the appropriation bill for education and for the schools, so we might have it out by April or sooner, or a few days after that.

That would be a separate item from this whole HEW appropriation bill. In that way we could pass on it here early in April or early in May and send it over to the other body. That would give the schools an opportunity to do their planning.

I am not sure by changing the fiscal year we will be able to do that, because we probably would have the same delays which confront us now.

Further, I would say to the gentleman with respect to the overall picture I am very much opposed to operating this Government under continuing resolutions. I believe it is a great mistake. I point out that right now the Bureau of the Budget is up against a deadline in preparing the budget for next year. Here they are looking at us, with only continuing resolutions, with no idea what the appropriations this year are going to be, and they are now in the process of building next year's budget.

I would say I am in favor perhaps of attempting this—which might be a good idea for the chairman to give consideration to; and I am sure he is—that the Appropriations Committee set up a schedule, bring out all of the appropriation bills by the end of June. If they involve things which are not authorized, we can bring in the bills and let some Member make a point of order against the unauthorized items, and then they will have to wait for authorization.

It seems to me we have gotten ourselves in a very strange position here, with all the unapproved authorizations, to a point that our committee cannot act. Most of our hearings are finished.

The Appropriations Committee is ready to report out its bills and to act on them, but they are delayed because of a lack of authorization.

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

Mr. BOW. I am glad to yield to my chairman.

Mr. MAHON. I should like for the gentleman to consider this: What would happen if, when the chairmen of the legislative committees meet next January and when the Appropriations Committee meets next January the chairman announced, "Well, ladies and gentlemen, we have changed the fiscal year now and you do not have to get your bills out until December 31"?

The Appropriations Committee has processed 13 bills and resolutions this session. Seven of them have been enacted. Had we not been working against a July 1 fiscal year I doubt we would have done as well.

Can one not imagine the consternation and chaos that would come about if we tried to pass many if not all of the authorizing and appropriation bills in the very latter part of the calendar year—perhaps in the last several weeks of the year? It would be chaos on top of chaos.

It would be piling Pelion on the top of Ossa.

It would be utterly absurd and unthinkable.

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

Mr. BOW. I am glad to yield to the gentleman from North Carolina.

Mr. JONAS. I should like to add this general comment to the question of the gentleman from New York. He seems to believe that it would help the school systems if we changed over to a calendar year basis.

I do not rule out the possibility of doing that. I have not taken a position on it. If it can be shown it is a good idea to go to a calendar year basis, I certainly have no disposition against it.

I would remind the gentleman, however, if we make that conversion we are not going to help the school systems, because they do not operate on a calendar year basis. They operate on a semester basis, which is closer to a fiscal year basis than a calendar year basis.

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

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

Mr. MAHON. I believe it might be well to point out that if Congress meets in January and we have a whole year, 12 months, before the new fiscal year begins on the following January 1, I would shudder to think of how many supplementary appropriation bills and other spending measures that might well confront us?

What the Congress needs probably is a change in work habits to the end that we would set an objective and accomplish that objective.

We can do that, and in my opinion we are moving toward the time when we will do that.

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

Mr. BOW. I will be delighted to yield to my friend from Kentucky.

Mr. PERKINS. I certainly want to agree with the gentleman from Georgia that if we follow the pattern cut in this resolution, we are going to bankrupt vocational education. Only last year we tripled the authorization for vocational education and yet, this continuing resolution provides the same amount as last year—\$248,216,000. Just as the gentleman from Illinois has stated, 40 percent of the funds have already been earmarked by the new legislation, and this will cut back every vocational education program in every local school district in America. For all intents and purposes, it will bankrupt vocational education if it is permitted to stand. In the Joelson amendment we had a balanced package. There is no balance in the committee resolution. There is nothing for the ghetto student or the poor rural student. In fact, because of inflation, title I will be severely handicapped if we fail to provide the additional \$278 million.

Mr. BOW. I must decline to yield further to the gentleman from Kentucky, because I must conserve some of my time. But I might say further to the gentleman that as I recall the Johnson level it was \$248 million. I notice that the Nixon amount was \$279 million. So Mr. Nixon has tried to give you \$30 million more for vocational education than you had in the previous Johnson administration.

Mr. FLOOD. Mr. Chairman, will the gentleman yield at that point?

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

Mr. FLOOD. My beloved and distinguished friend is wrong for the first time since he has been in this House.

It is at the last year's level in this continuing resolution. What he says is completely without foundation.

Mr. PERKINS. I say to the distinguished gentleman from Pennsylvania that I am not wrong in principle.

Mr. BOW. Mr. Chairman, I do not yield further to the gentleman from Kentucky, but I would be delighted to yield to the gentleman from Pennsylvania if he desires to explain the situation.

Mr. FLOOD. I thank the gentleman. I think I will wait to speak under the 5-minute rule. Of course, I will oppose the amendment that I understand is to be introduced, and at that time I will repeat just what I said.

Mr. BOW. I appreciate the gentleman's statement.

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

The CHAIRMAN. The gentleman has consumed 16 minutes.

Mr. MAHON. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, now I know how David felt.

This matter has become an issue way out of proportion to what I originally intended.

I have already indicated in my colloquy with the chairman that it is my purpose this afternoon to narrow the issue and stick to the point. What we are

talking about is very simple. We are talking about a difference between this continuing resolution and what this House did on July 31 in passing an appropriations bill which increased the amount for education by almost \$1 billion over the administration request.

When you take a look at House Joint Resolution 966 we can say, with great credit, to our committee, that the Committee on Appropriations has come up with a very interesting continuing resolution. It funds, for example, the impacted aid program at the 1969 level, but significantly it leaves a shortage of \$78 million in that impacted aid which has a great deal of appeal in this body; \$273 million is cut from title I by House Joint Resolution 966. This is a very substantial amount, and in fact more than is recommended for vocational education.

Mr. Chairman, what I want to do at the appropriate time is merely to amend this continuing resolution so it reflects the funds passed by this House. This amendment would restore the \$273 million to title I for example.

Why all of this controversy over the proposed amendment? In my district we are in deep trouble with the educational system. We desperately need titles I and II funds. The administrators and school officials from all over this country—and they are here today—tell a story that is pretty hard to ignore. They have been mortgaging and juggling their funds, and doing everything possible to keep some of these programs alive. This is all because of the lack of funds.

The chairman of the Appropriations Committee has stated that there is plenty of blame to share. I agree but I believe that this House should act in a positive manner on an issue which involves \$649 million.

Let me point out this: If you want to find out what it is going to do for all of you, I would like the Members to turn to page 31654 and the following pages where there is an extended tabulation by the Office of Education showing what this amendment is going to do State by State and title by title. You have the 1968 figures, you have the 1969 figures. You have the Johnson budget and you have the Nixon budget, and you have the House appropriated level. By looking at these tables each Member will see programs in his State are vitally affected by the proposed cut.

Unfortunately, our chairman has put this on the basis of comity. This is something I do not agree with. I have my own reasons for believing that there is ample support for this bill in the Senate, and I will even predict that when the Senate finally gets to it they will probably surpass what we did when we expressed our will on July 31.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I shall be glad to yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. The gentleman from California is a very important member of the Committee on Appropriations. However, the real solution to this problem is to get the Senate to act on the bill; is that not right?

Mr. COHELAN. Why, of course, I agree with that. But I believe there is absolutely

no reason why this House cannot express its will, particularly when the matter is so urgent.

Let us talk about the fundamental issue. Let us take vocational education. It was increased above the administration recommendation by our Committee on Appropriations. The administration asked for a mere \$279 million—Mr. Flood's subcommittee provided \$357 million short of the figure approved in Then on this floor we raised it to \$488 million.

This continuing resolution will permit vocational education to be funded only at the rate of \$248 million, while my amendment will add the \$240 million difference. Why did we increase these amounts on the floor? Was there not a demonstrable need them? Is there not the same need now?

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

Mr. COHELAN. Mr. Chairman, will the gentleman yield me 2 additional minutes?

Mr. MAHON. Mr. Chairman, I yield 2 additional minutes to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, I thank the gentleman for the extra time.

Getting back to vocational aid, the difference is \$240 million. Why did we increase the amount? We all know it was to avoid the disastrous cuts which would result from the authorizing committee language.

Mr. PUCINSKI already has referred to the vocational educational amendments of 1968 which restructured the program, and in so doing made it mandatory for us to increase appropriations if we were to avoid cutting back on some of the programs.

We have already discussed the impacted aid which is in the list I will provide for the RECORD—and it has already been placed in the RECORD by the chairman.

What about title I? In 1969 we appropriated \$1.1 billion, and the House's floor action raised it to \$1.3, a difference of \$273,848,000. I mention the Carey amendment for handicapped children in passing which was increased by \$20 million.

And what about NDEA loans and the higher education, the student loans were increased to \$229 million from \$193 million available in 1969, a difference of \$35 million.

Mr. Chairman, this House has expressed itself and we are now asked to go back. Must we submit to the vagaries of what can happen between now and December? I think not.

I most emphatically disagree with the chairman that the Senate will pass the bill in 2 weeks. I pray that he is correct. I would like nothing better if the other body could pass on this bill in a couple of weeks. But the best advice I can get does not support the assertion of the chairman. The Members of the other body advised me that we will be lucky to get this bill out by December, and I have even had one person say it would go to January before we have a final bill.

Mr. PETTIS. Mr. Chairman, I wish to express my complete support of the remarks of my colleague, the gentleman



from California (Mr. COHELAN), in respect to the continuing resolution on funding for the Office of Education on a monthly basis until such time as a final appropriation bill is passed. I am deeply concerned, like many fellow members here, that the resolution reported by the Appropriations Committee last week leaves the Office of Education some \$649 million plus. That was in committee. The House-passed bill and currently log-jammed in the other body.

Most of our colleagues will recall, I am certain, that I was one of the principal advocates for increased educational funds when the bill was before us earlier. And I want to reiterate my support today, particularly for the vitally important provision of aid for federally impacted areas. Any tampering with impact aid would impose an intolerable burden on taxpayers in local communities and the military families who live in them. As the representative of a district which includes five military bases, I know what this program means in California's San Bernardino County. Last year this program provided about \$4.5 million to San Bernardino County and I am absolutely certain that the national research firm which is currently studying and evaluating the impact area aid program can attest that the money was needed and used wisely to obtain maximum benefits. There is nothing more important that we can do for our country than to provide a quality education for every American.

Mr. MAHON. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, it may be that the House does not recognize the exact import of the situation which confronts us. The principle of additional support for education has been established, and very definitely so. We are not enacting an appropriation bill. The House has already passed such a bill, and it is over in the Senate. We are not enacting legislation on Federal aid to education; the House has passed these measures also.

The measure before us is nothing more than a continuing resolution, not a vehicle for making additional appropriations. Whatever funding level is voted today is only an interim advance which is chargeable against the amount the two Houses of Congress finally appropriate in the annual funding bill which is now pending in the Senate. What happens here today does not change the appropriation level.

The pending committee resolution is a 30-day resolution for the month of November. It would insure—please note this—it would insure an adequate spending level for educational programs, including impacted area school aid, and these funds would be significantly above the currently authorized rate.

The distinguished gentleman from Texas (Mr. MAHON) has prepared a fact sheet which is on the majority desk, and which tells us very clearly what this discussion is all about. If you have not seen it, I urge that you do so. It shows that the continuing resolution adds about \$600 million to the authorized spending level for educational programs. \$319 million

additional is for impacted area school aid.

In schools in federally impacted areas the continuing resolution would authorize funds at the fiscal 1969 level for both categories A and B, a total of \$506 million, \$319 million above the currently authorized rate.

There would be no special restriction with regard to category B.

Now, to increase the funds in the House at this time, as will be proposed, would have no direct effect different from that of providing such funds from the regular HEW appropriation bill as enacted.

An increase now would not insure a higher level of spending for the fiscal year. But to defeat the committee resolution could produce very considerable confusion between the two bodies of the Congress. We are simply trying, by the regular procedure of a continuing resolution to avoid controversy and to encourage the promptest possible enactment of the pending appropriation bill. We support orderly findings of needed education programs; we should not confuse it by amendments to a continuing resolution.

That is why I take the floor to urge support for the distinguished gentleman from Texas, the chairman of the Committee on Appropriations (Mr. MAHON), in his efforts here today.

I feel that the continuing resolution should be approved and that all amendments should be defeated.

Mr. BOW. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. GIAIMO).

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

Mr. GIAIMO. I yield to the gentleman.

Mr. BARRETT. Mr. Chairman, I rise in support of the amendment to House Joint Resolution 966, to be offered by the gentleman from California (Mr. COHELAN).

Mr. Chairman, during the last week of July, the House considered and acted upon H.R. 13111, making appropriations for fiscal year 1970, for the Departments of Labor and Health, Education, and Welfare and related agencies. At that time, the House wisely worked its will and added approximately \$1 billion in much-needed funds for a number of vital programs of the Office of Education. Since the Senate has not yet completed action on the HEW appropriations, funds are provided by House Joint Resolution 966 on a formula that essentially funds Office of Education programs at 1969 levels. Funding these vital programs at the 1969 levels would not only perpetrate an injustice and do disservice to education in this country, but would serve to confuse and confound the Federal effort to aid education.

Mr. Chairman, the adoption of the amendment is particularly vital at this time. We are nearing the end of October. The 1969-70 school year is well underway. State and local communities must have some idea of what to expect in Federal assistance for education programs. The House acted responsibly in July and the adoption of the amendment will affirm that action and that the House is committed to fully fund the Federal programs in aid of education.

I most strongly urge my colleagues to support this amendment.

Mr. GIAIMO. Mr. Chairman, I take this time to speak in opposition to the proposed amendment of the gentleman from California (Mr. COHELAN).

We have heard a great deal of discussion today about the great needs for our educational budget. I do not think the needs are in question. I do not think they are in doubt. I supported the Joelsson amendment which embodied the educational package which increased by \$1,200 million the request in the appropriation bill for the Department of Health, Education, and Labor when it was before us in July.

I think it was proper to do so. I think we are in a very real crisis insofar as the needs of our educational institutions are concerned.

We have heard a great deal of discussion today about the fact that we need more money. But I would like to ask one question, why is this proposal being put before us in this body? How many times do we have to act in this area?

We have acted. We have listened to the recommendations of the educational groups and their lobbyists. We did increase the amounts of money. Now we are being asked to do something, which I suggest should not be our function as Members of the Congress. We are being asked at this point to become lobbyists with the other body which forms the Congress, to pressure it into action. I submit this is wrong.

This is not an educational issue at this point. This is a constitutional issue now—whether or not we are bicameral in nature in this country and whether or not we should usurp the prerogatives of the other body to work its will.

Even assuming that this amendment carried—and even assuming that there was a majority for it in the other body—what would we have gained at that point—not 1 red cent in additional money until the orderly process of Government works its will; namely, action by the President of the United States and the Bureau of the Budget.

So I submit that we are playing a game here—or rather we are being asked to play a game—that we are being asked to become a lever against the other body to speed it up.

I would further suggest that all of these lobbyists and all of those who have written to us and have sent telegrams to us, would do better if they would go and put out the fire of delay where the fire exists. That is in the other body—not in this body which has already acted and has already enacted an adequate appropriation in regard to the needs of education.

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

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

Is there any question in the gentleman's mind that if the other body should accept the Cohelan amendment, it would be perfectly legal and operable before the 1st of November?

Mr. GIAIMO. There is a very serious question in my mind. Each body should do its work according to orderly process. This means that we do our work. We get

out our appropriations. Then let the will of the people pressure or persuade, if you will, the other body to speed up its actions properly so that it gets their bill to the floor and gets the appropriation enacted. But that is not what we are trying to do here.

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

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

Mr. PUCINSKI. Does the gentleman honestly believe that the other body can conclude their hearings on the appropriation bill and take the necessary action, through the committee and through the floor action, before midnight Friday? Does the gentleman really believe that?

Mr. GIAIMO. I have enough work trying to figure out what this body must do, let alone trying to figure out what the schedule of the other body should be. And I would suggest that the gentleman would have the same problem I have.

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

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

Mr. COHELAN. I thank the gentleman for yielding. It is very unusual that we are in an adversary situation.

Mr. GIAIMO. It can happen.

Mr. COHELAN. The gentleman would not seriously argue that the Senate is going to turn this proposal down, is he?

Mr. GIAIMO. I have no way of knowing what the other body will do. But I do think it is not within your function or mine to tell the other body how it should conduct its business.

Mr. COHELAN. I will say to the gentleman, if he will yield further, that I am a legislator, a Congressman of the United States, and as a legislator it is my business to do everything I can to help the legislation get through.

Mr. GIAIMO. Exactly. But within the rules of orderly process.

Mr. COHELAN. If the gentleman would permit me, I would like to announce for his benefit that the distinguished Senator from New Mexico—

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

Mr. BOW. I yield the gentleman from Connecticut 3 additional minutes.

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

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

Mr. COHELAN. I thank the gentleman. I just received this message from the Senator from New Mexico (Mr. MONROYA). He has notified me that there are now 30 senatorial cosponsors of an identical joint resolution, and before 3 o'clock they expect to have 50 Senators as cosponsors.

Mr. GIAIMO. That does not affect the principle. The principle is that this body has acted, and orderly process calls for us to allow the other body to act and work its will.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Oregon.

Mrs. GREEN of Oregon. I would like to ask the gentleman in the well this question. It is my understanding that the House has acted on the education

authorization and appropriation. The House has not acted on the war on poverty measure, on the OEO program. We have not even authorized the funds for OEO. It is my understanding that the Senate has authorized OEO funds and has expanded and added certain programs to the measure.

My question is this: if we follow the procedure recommended by the gentleman from California, would it not be possible for the Senate to amend the Cohelan resolution and put in an exact amount for the war on poverty and say, "We have authorized this money for the war on poverty. You have refused even to get the bill out of the committee and we as the Senate body are demanding that you accept our legislation without any chance to debate it in the House or to express your will"?

Mr. GIAIMO. The gentleman brings up a very good point. What you say is absolutely so. What we are doing here is beginning a dangerous innovation and a dangerous precedent. Right now it is this body trying to pressure the other one. When you do this, I suggest that you are changing the basic structure of how Congress operates and works. And I see no good reason to change it in that regard.

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

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

Mr. YATES. What is the passage of legislation by one House, when it comes up to the other body, but a pressure on the other body to pass that legislation? What happens, for example, when the Senate adds a rider to a tax bill and sends it over to the House? Is it anything but pressure on this House to consider that legislation and see whether or not it ought to be passed? This is not a pressurization of the Senate, apart from any other type of pressure.

Mr. GIAIMO. Of course it is pressure on the Senate.

Mr. YATES. Let me finish. On the contrary, it is one more—

Mr. GIAIMO. Of course it is pressure and nothing else. Why on earth are we discussing this today when we have already passed these dollar amounts Mr. COHELAN wants except for the fact that we want to pressure the other body?

Mr. YATES. Of course, the other side sought to be pressured—

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

Mr. BOW. Mr. Chairman, I yield the gentleman an additional minute.

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

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

Mr. JONAS. Mr. Chairman, the gentleman from Connecticut has made a very fine statement. I associate myself with his remarks. In addition to the very fine points he has made, I think it should be added that we will be engaging in an exercise of futility if we adopt the Cohelan amendment, because it will be out of date when the Senate does act on the regular appropriation bill, because whatever money is spent under this continuing authorization will be charged up to the department against whatever finally

is appropriated by both branches of the Congress and signed into law by the President. Is that not true?

Mr. GIAIMO. It is absolutely correct.

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

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

Mr. QUIE. Mr. Chairman, I just want to make certain we do not get confused with authorization and appropriation. With respect to the comments of the gentleman from Oregon about the OEO bill, I would point out we passed an appropriation bill for education, and we would like to see the continuing resolution at that level. The Senate has not appropriated any money for OEO. That is an authorization. So this is not analogous.

Mr. GIAIMO. I thank the gentleman for his contribution.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. BOW. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, in spite of the statement by my friend and colleague from Minnesota, the chairman of the committee does advise me the Senate could amend the Cohelan resolution and put in the amount that they decide the OEO should have regardless of the inaction by the House. I just do not believe either body should use this means to try to impose its will on the other body.

And while we wax eloquent about the inaction in the Senate in appropriating funds for the Office of Education, let us "look inward" also and recognize that the House has neither authorized nor appropriated funds for the Office of Economic Opportunity.

I suggest that the Members of this House would not like it if the Senate uses the Cohelan approach and amends the resolution to use the figure they decide would be appropriate for OEO.

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

Mrs. GREEN of Oregon. I yield to the gentleman from Texas.

Mr. MAHON. Of course the other body will have to act on this continuing resolution. If the House includes one special item, they could include another. They could handle virtually the whole Government in one continuing resolution.

Mrs. GREEN of Oregon. Mr. Chairman, I want to speak to another point that is of growing concern to me as a Member of this body. First of all, may I say that I think we must have a much larger amount of money for education in this country if we want quality and equality of opportunity. But I am concerned about the educational-industrial complex in the United States that is increasing in size and strength. The military budget has \$80 billion in it. In the United States today at the Federal and the State and the local levels we are spending about \$60 billion on education. It is true that the defense comes only from Federal funds, and the \$60 billion on education comes from Federal and State and local funds. However, more and more private corporations have come into existence to take advantage of lucrative



grants and contracts both from OE and OEO. Some of the prime defense contractors are spinning off new companies, new corporations to get OE or OEO contracts. I would invite Members of this House to read an article that is in *Hard Times*, which is not noted for its conservative outlook, with editors such as Kopkind and Ralph Nader.

In the October 13-20 issue of *Hard Times* there is an article called "Games That Poor People Play." It is a story of the profitmaking institutions that are looting the war on poverty of the funds that were intended to go to the poor. I will ask unanimous consent to include it at the end of my remarks on this bill, because what is being said about OEO also can be applied to Office of Education contracts. I think this body and the other body both ought to take a look at the industrial-educational complex that is growing up in the United States.

Senator PROXMIER made a speech which was quoted in this morning's paper:

Senator William Proxmire charged that blue-ribbon committee appointed to make a top-to-bottom review of Pentagon management policies was a "sham," dominated by defense industry representatives with more than \$1 billion in business at stake.

In a Senate speech, Proxmire said eight of the panel's 15 members—a majority—had interests in firms doing a substantial business with the government.

May I suggest that OEO and OE management policies need to be reviewed—the mushroom growth of private corporations with OE contracts, the thousands of consultants being hired. How many of the lobby groups represented in this coalition lobby have a substantial business with the Government and/or are backed by the other private groups that have a very substantial business with the Government.

Just this morning, while discussing another matter with GAO, they told me there are now 9,000 consultants on the list for the Office of Education under the "payroll system" of having consultants, and in addition to that there are 1,172 active contracts that the Office of Education has—in many of these are subcontracts—and in countless numbers, consultants are used at \$75 or \$100 a day.

Then we have a system where if they have purchase orders of less than \$2,500 consultants are hired in another way. Under "payroll purchases" we are purchasing consultants.

I would say, I believe we have literally thousands of people who are receiving all or a substantial part of their income from OE and OEO programs. Many of them haven't seen the inside of a classroom for years.

What do the things I have just said have to do with respect to this debate today?

I want less of the money to go to dust-gathering reports, research, studies, documents—and more to go into the classrooms. I want them to go for teachers salaries. I want them to go to reduce the ratio of students to teachers. And I want them to improve the quality of education.

I do not want to see us enact legislation that allows others who are going to make a profit to siphon off the funds. We will never improve the quality of education in this country if we are going to build up an industrial-education complex and be unwilling to examine the consequences.

May I say this, finally: I believe legislation "by lobby" is not the way we should legislate. I have the greatest respect for many of the organizations that are in this coalition on education, and I supported the Joelson amendment because I believe we ought to have more money for schools, but I am concerned about this latest development.

I have a list of all of the groups in this lobby coalition. May I suggest that at least 26 of the 54—there may be 60—have contracts or grants with the Office of Education or the Office of Economic Opportunity, or both, and that many of them have contracts or grants of well over \$100,000. Some pass the million dollar amount. Of course it is to their interest to lobby for more Federal dollars.

We finance the educational labs. We have 15 of them in the country. One of them on this list is completely funded by the Federal Government. The Center for Urban Education in New York—a fully funded educational laboratory under the Federal cooperative research program—is one of the lobby groups lobbying for the Joelson amendment. So are 11 other federally funded educational laboratories. Of course they want more money.

They have a personal stake in the size of the appropriation. Lots of these private non-profit corporations and the profit-making corporations do.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

Mr. BOW. Mr. Chairman, I yield the gentlewoman 5 additional minutes.

Mrs. GREEN of Oregon. I thank the gentleman from Ohio.

Mr. Chairman, in 1967 the very dedicated and able representative of the NEA warned about the dangers of this trend in contracting with private profit-making corporations. He told my subcommittee:

The Commissioner is authorized at several points in this bill to contract with profit-making agencies for carrying out projects ranging from improving the qualifications of persons who are serving or preparing to serve in education programs in the public elementary and secondary schools to hiring public relations firms to recruit persons into the field of education.

Mr. Lumley said:

Madam Chairman, this constant effort on the part of the Office of Education to secure authority for the Commissioner to bypass the public and private non-profit education agencies and deal with profit-makers is, in my opinion, the most dangerous proposal ever to come before the Congress.

I repeat: he warned this is "the most dangerous proposal ever to come before the Congress."

Mr. Lumley continued:

Of even more danger, however, is the potentiality for federal control and direction of the entire education effort of this country, in direct violation of the American tradi-

tion of state control of public education. If the permission to contract with profit-making agencies is granted, nothing prohibits the Office of Education to hire persons to accomplish objectives, to conduct slanted "research," and to conduct well financed Madison Avenue type promotion campaigns to achieve purposes which the publication education sector, and the ethical private non-profit institutions would never consider becoming involved in. This seems to us not only a totally unnecessary practice, but indeed a frightening one.

This type of activity, that is contracts with profit-making agencies, was first proposed as an amendment to the Cooperative Research Act (Title IV ESEA) in 1966. We objected at that time. HEW spokesmen claimed that the purpose of providing authority in the Cooperative Research Act to contract with private profit-making agencies to train research personnel was necessary because such training was not available from non-profit sources. The emphasis was on need for skilled workers and researchers in the use of computers. Perhaps there is some validity to that argument, although we believed then, as we do now, that direct contracts between the USOE and profit-making agencies are inherently wrong that the objective of increasing the supply of computer experts could be achieved by subcontracts between non-profit agencies receiving federal grants and the computer training agencies. In addition, we questioned the practicality of training such researchers in a situation isolated from the education community.

We lost that argument but not our concern.

Now, however, in H.R. 6232, the original USOE justification (for training research personnel) has been discarded. Virtually blanket authority is sought for the Commissioner to enter into contracts with profit-making agencies for conducting experimental and pilot projects in continuing education and community services (Sec. 107, page 6); talent search projects (Sec. 403, page 13); attracting qualified persons to the field of education (Sec. 504, page 51); and providing preservice and inservice training for elementary and secondary teachers, including pre-school, adult and vocational teachers, etc. (Sec. 532, page 59). The latter is the most astonishing of all.

We find it incredible that the Administration would propose that the Commissioner be granted such authority! May I make it perfectly clear that we are not criticizing the incumbent. Nor are we opposing the involvement of the profit-making sector of our society in the educational enterprise. We believe that situations can arise where it is economical and efficient for public and non-profit educational agencies (school boards or school districts or universities) to contract with industries such as the computer or electronics industry, to provide specialized training or develop machinery for specific parts of a research or demonstration project. Our strenuous objection is to the proposal that the USOE be authorized a contract directly with profit-making agencies, with no involvement of the public and non-profit educational sector, in such a manner as to achieve whatever objectives the USOE may unilaterally determine.

The provision for advisory councils, which are appointed by the Commissioner, in no way lessens the danger—indeed could enhance it. Carried to extremes, a Commissioner could appoint a council which he knows would advise him to concentrate on contracts with profit making agencies and to use the majority or all of the funds available under the pertinent sections to by-pass completely the public and other nonprofit agencies.

USOE spokesmen compare this requested authority to that in the health and defense fields. Neither area is comparable to edu-

education. National defense is exclusively a federal concern and is not carried on by the states. Health research by industry, such as that which resulted in the discovery of antibiotics, was carried on long before the National Institutes of Health was developed. On the other hand, public education has traditionally been provided by the states and non-profit institutions. There is no federal education operation—and no reason to develop one. The role of the federal government in education must be confined to that of channelling funds to the public and other non-profit education agencies and institutions to meet the objectives defined by the Congress as representatives of the people.

Research, demonstration projects, inservice education, and information dissemination about worthwhile developments in education should be carried on, not by the Office of Education, but by schools, state education departments and institutions of higher education with funds provided through the Office of Education for the purposes which the grantees identify as most appropriate. Violation of this principle places a Commissioner in a position where he can contract with any person or group of his choice (and he can undoubtedly find a profit-making agency which can be hired, for a price, to do almost anything he may ask) to develop programs which he wants the nation to follow. This is federal control of the most objectionable sort; and we urge the Committee to reject this proposal every time it is made, for the sake of placing authority for American education where it belongs—with the state and local governments and nonprofit institutions.

Mr. Chairman, I agreed with Mr. Lumley then; I agree with him now. Congress needs to review this, to have a full discussion about it. In addition, Mr. Chairman, we have a provision on page 118, paragraph 1913, title 18 of the Criminal Code that says:

No part of the money appropriated by any enactment of Congress shall in the absence of express authorization by Congress be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the requests of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than \$500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment. (June 25, 1948, c. 645, 62 Stat. 792.)

Mr. BOW. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Ohio.

Mr. BOW. May I suggest that is in title 18 of the Criminal Code.

Mrs. GREEN of Oregon. The gentleman is correct. I am not making a statement that—dollar for dollar—the actual funds that were given in the contracts and grants to any one of these 54 or 60

lobbying groups, those specific dollars, went for lobbying activities, but I am suggesting that there may be a conflict of interest when they have money from the Federal Government for particular purposes and they spend time and money lobbying for a bill that is of direct interest to their own financial well-being. Which funds were used for what? How much did the federally financed educational labs contribute to the lobby effort?

Some of the lobby groups represented do have as their primary concern—the quality of education for boys and girls. In other instances, corporations with OE and OEO contracts are no different than Defense contractors. They are interested in the size of the contract and the profit to be made. As I see it, there is an inherent danger if we allow decisions to be made in this House—on the educational priorities of this Nation—by the pressures of lobby groups that have a personal financial stake in the outcome.

If we do this, we will not have a carefully thought out national policy that will meet the long-range needs of boys and girls.

So far as I am concerned, I believe we ought to make our judgment on what is good legislation and how we are going to work with the other body in achieving that objective.

I join the distinguished chairman of the committee, the gentleman from Texas (Mr. MAHON), who has expressed concern about the lateness with which we authorize and appropriate funds. I would say to representatives of true educational lobby groups in this Chamber today, I am concerned about it.

For a long time I have wanted advance funding, because if we can let the school boards and the colleges know a year in advance how many dollars they are going to get they will spend those dollars more wisely, and the young people of this country will be the beneficiary and the country will be the beneficiary, because school people will not waste dollars by getting them late in the year and saying, "We have to spend them by such and such a time." But 2 days notice for a 30-day appropriation would not help one bit.

Mr. FLOOD. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I am delighted to yield to the gentleman from Pennsylvania.

Mr. FLOOD. I want to say this, in connection with what the gentlewoman says. I propose next year—it can be done legally and by parliamentary procedure—to bring in as early as possible a separate bill on education, before the regular Labor-HEW bill, a separate bill to avoid all these problems.

Mrs. GREEN of Oregon. I will say to the gentleman that I truly hope this will be done and I commend him for his long-time leadership in trying to make possible good educational opportunities for all of our young people. If I may suggest it, those educational groups who are sincerely interested about the quality of education in this country and the equality of educational opportunity could better spend their time in working for advanced funding for all educational programs in all of the years ahead rather

than to spend thousands of dollars bringing people to Washington, paying for CONGRESSIONAL RECORD reprints, and so forth, for a bill that will last for a possible 30 or 60 days. When I see all of the crocodile tears that are being shed today about the sad plight of "the boys and girls in my district" and "the lack of funds for the schools" I wonder if they really believe that a 30-day resolution is going to affect the quality of education by one iota. A stranger to the educational scene might almost be persuaded that the level of funding for these next 30 days would determine the quality of education in each district for the next 30 years. What a mockery of the legislative process. I approve of the increase in appropriations for most of the education bills made by the House and because I believe the Senate will stay true to form and approve even higher amounts.

And so, I feel confident that for this entire fiscal year the level of funding will be much higher than looked possible 6 months ago. This is important but the proponents of this amendment cannot really believe that the continuing 30-day resolution is going to provide any guarantee to school boards or colleges of the level of funding that they can expect for the year. Let us be realistic. Budgets are made, teachers are hired, programs are developed, and other decisions are made by school boards and colleges no later than late summer. Does anybody seriously suggest that the level of funding in a 30-day resolution will persuade school boards or college presidents to hire new teachers for the month of November? Or buy new equipment to be used for the next 30 days? Or to make student financial assistance loans that are to run over a 15-year period? How ridiculous.

However, Mr. Chairman, my deep concern—and this is something which goes beyond today's discussion—my concern, my hope is that the authorizing committees and the appropriating committees really will take a good look at what we are doing in building up a tremendous lobby across the country that has little or nothing to do with the quality of education in any classroom.

As with the lobby for the Pentagon, thousands and thousands of peoples' jobs are at stake, corporation profits are at stake—and hardware is to be manufactured and sold. With hundreds of millions available through OE and OEO—anybody who has a bright idea or even a half of a bright idea can come down here and get funded. We are building up a lobby in this country that will make it impossible for us to exercise our best judgment as to what ought to be done in terms of quality education. If we allow special interest groups to prevail, we may someday wake up to find a dislocated and disjointed policy that represents neither the considered judgment of educational leaders—nor the needs of the country. Dr. John Fisher, President of Teachers' College at Columbia University, put it well when he once said:

Education for modern world can't be simply a matter of special emphasis at a special time. It must be undertaken and viewed as a comprehensive complex, broad undertaking.



So, today, although I support the level of funding as embodied in the Joelson amendment—or even higher on vocational education—and I think advance funding one of the most important things we can do legislatively, I am supporting the distinguished Committee on Appropriations in the action they have taken for an orderly procedure so that there can be a discussion in the conference committee—free of lobby groups, I hope—of those programs of highest priority and those of least actual benefit to boys and girls not for the next 30 days, but for the next 12 or 24 months or the next 5 years.

Mr. Chariman, I will ask unanimous consent to include the article to which I referred in the October 13 issue of *Hard Times*. It is called *Games Poor People Play*:

#### GAMES POOR PEOPLE PLAY

(By Frances Lang)

Probably the most enduring monument to the War on Poverty is the creation of a poverty industry. There are more than 100 companies in Washington, D.C., alone which specialize in consulting, studying and evaluating the poor and the programs which serve them. They run in size from five- or six-man outfits to large organizations such as the American Institutes for Research or Stanford Research Institute. While these firms are often ridiculed in the newspapers and viewed with disdain by government bureaucrats, the companies flourish.

In many instances the companies are imitative of New Deal institutions. High-minded reformers joined the Kennedy or Johnson administrations determined to wipe out poverty, only to end running companies whose profits are dependent on the existence of the poor. Sometimes the poverty firms are merely holding operations for out-of-office politicians. In a more fundamental sense, however, the emergence of the industry reflects efforts made over the past decade to construct a sort of poverty technology, a way or ways for manipulating human behavior. In this instance the governing idea has always been to boost the ghetto poor up into jobs and hence into the "middle class." So far these efforts haven't come to much. The lines of poverty in the United States have deepened and hardened, if anything. But still the search for the technology, financed by the government, continues.

While the poverty companies are nominally expected to maintain a discreet distance from the federal agencies with which they do business, the personnel are drawn together by professional bonds, and in the end, interests of the companies and the government seem nearly identical. The transition from poverty program to poverty company seems natural. When Bertrand Harding left his post as acting OEO director earlier this year, he simply moved down the street to Fry Consultants, a poverty combine. As deputy director of VISTA, Leo Kramer was charged with recruiting and selecting VISTA workers. Now, as head of Leo Kramer, Inc., he receives VISTA funds to run his own VISTA program for Mexican-Americans. Earlier this year, Leveo Sanchez resigned his job as OEO director for the mid-Atlantic region and now heads a consulting company with OEO contracts in the mid-Atlantic region. As manpower administrator in the Labor Department, Stanley Ruttenberg gave Phoenix, Arizona \$3.5 million in job training funds two years ago. The city fathers of Phoenix recently hired Stanley Ruttenberg Associates, headed by the former administrator, to evaluate the project. Ruttenberg also acts in an advisory capacity to the Watts Labor Action Committee. As manpower administrator,

he awarded the Watts group \$2 million for a youth program earlier in January.

Last spring there was a flurry of protest within OEO when RAND, the Air Force think tank, sought a remedial education contract from the OEO's research office. OEO employees were bitter over what they believed to be favored treatment given RAND. OEO's research office was established in 1964, and the first director, Joseph Kershaw, came from RAND. His successor, Robert Levine, also was a RAND man. While he ran the research office, Levine handed out two contracts worth \$600,000 to RAND. They were "sole source" contracts which meant other companies could not bid for the work. One OEO official who didn't want RAND to get the contracts remembers protesting to Levine. Levine pointed out RAND's superior technical prowess then arranged a meeting between the disgruntled official and RAND experts. Both the contracts went through under Levine, but the remedial education project was squashed.

Black poverty companies are not numerous, and black capitalists bitterly assail discriminatory policies at OEO which prevent them from breaking into the market. Even so there are exceptions to the rule. Mark Battle left the National Urban League to become head of the Bureau of Work Training Programs in the Labor Department under LBJ. There he shoveled \$9 million in job projects back to the Urban League. Battle quit Labor along with the other Democrats this year, and then surfaced as head of Mark Battle Associates, a consulting company which advises the Urban League on economic development.

Sometimes the studies undertaken by poverty companies are baffling. For instance, the Transcendence Foundation, a branch of Transcendence Corp., (begun by ex-Peace Corps deputy director Warren Wiggins) is in the midst of an evaluation of different sorts of youth programs for the Justice Department. Eventually Transcendence plans to create a "typology" of such programs. The foundation believes a typology will be helpful to future groups of youths who want to start their own uplift projects. Transcendence divides youth programs according to a number of categories: evolutionary vs. revolutionary; rational vs. irrational; incremental vs. simultaneous, and pro- or anti-confrontation.

Last summer Transcendence made another survey of youth programs for OEO. The survey was called "Not Our Thing." To do the job, Transcendence hired black people to interview the ghetto residents, while the company personnel asked for opinions from the establishment. In general the black youngsters who were queried said they thought the youth programs were con jobs, aimed at averting riots and they seemed more militant than ever before. Transcendence never sought to come to grips with the basic problems which the study revealed. Rather, the company suggested programmatic changes which had the effect of helping the government oppress more effectively.

On some occasions it almost seems as if poverty programs have been set up so that the poverty companies can loot them. Take the case of the Peoples Involvement Corporation (PIC), a Washington, D.C., development corporation, financed with OEO money. PIC is one of fourteen development corporations sponsored by OEO. The original idea was to encourage ghetto residents to form a company in which they would hold stock. The company could then enter into various business operations which would employ the ghetto residents—such things as running restaurants, cleaning establishments and construction companies. PIC someday plans to operate a printing press. At the moment, however, PIC has a small staff and operates one neighborhood center where people come and then are routinely referred to other governmental agencies. Although PIC

is not of any real value to poor people living in Washington, it has been immensely profitable to some of the poverty companies. When it was funded by the government, OEO also paid OSTI (The Organization for Social and Technical Innovation) of Cambridge, Mass., to advise Peoples Involvement Corp., along with four other new development corporations. OSTI was given a contract to help the new enterprises devise future plans, set up elections and generally organize themselves into effective units. But OSTI's consultants rarely showed up at PIC and they inevitably had to fly out of town to make their next appointment just as the discussion was getting down to brass tacks. Finally, OSTI sent a long tape recording of its ideas to OEO. The Peoples Involvement Corporation never received the tape. If PIC didn't get much help from OSTI, it got no help at all from Heliodyne, a firm which had a \$125,000 OEO contract to assist neighborhood groups find out about the people coming to the service centers, that is, find out who the people were, where they came from, and what they wanted.

Heliodyne didn't show up at PIC until one month before its contract expired. It then suggested using special application forms, and asking people questions such as where do you come from, do you want medical help, and so on. In the end Heliodyne asked PIC to help write conclusions to the report and they were sent along to OEO. After OSTI and Heliodyne finished with PIC, Harbridge House, another Cambridge firm, entered the picture. Harbridge House specializes in Navy procurement problems. It gained fame during the Korean war for figuring out ways to help the Navy purchase more efficiently. Having set up a system for the Navy, Harbridge House then turned around and hired out to the shipping companies which were selling to the Navy. Recently Harbridge House decided to diversify and plunged into poverty. It is supposed to be helping PIC set up a printing plant. So far, however, nobody has called at PIC's office.

The consultants usually shuttle back and forth between business and government with some regularity, playing off contacts in one place against those in another. One grows giddy trying to follow the deals. For instance, Robert Freeman worked at the State Department in the 1950s, then quit and began insurance companies in Africa. He soon tired of this, and sold the companies to the Nigerian and Ghanaian governments. Back in the US, Freeman joined with Robert Cole, a former AID official, in setting up a consulting business. Utilizing Freeman's knowledge of the insurance business and Cole's AID contacts, the company prospered on an AID contract which called for them to make insurance surveys in Africa with an eye to persuading Americans to invest in the business there. At that point, Freeman and Cole branched into the poverty business. They were employed by CBS, the Ford Foundation and Mobil Oil to scout likely looking blacks who could be hired as executives. Last year Freeman quit the company, and Cole picked up Leveo Sanchez, OEO's mid-Atlantic regional director, as a replacement. Sanchez, who had also worked in AID, brought some Latin American business, along with poverty contracts. But Cole and Sanchez didn't get on, and not long ago, the two split up. Cole now runs his own consulting company, and Sanchez directs two poverty firms.

J. Sterling Livingston, a Harvard business professor, is among the sharpest and most successful operators in the poverty business. Livingston's specialty is purchasing ramshackle companies and building them up. Since the Second World War the professor has owned half a dozen such firms and his activities range all the way from helping the Navy buy ship parts to the manufacture of industrial diamonds. Lately, Livingston has been intrigued with the possibilities in education and poverty, and he tacked to-

gether Sterling Institute, a mini-conglomerate with offices in Boston, New York, and Washington. The institute consists of various centers; they operate pretty much on their own, making films, advising banks how to train tellers, etc. Some of the centers were begun from scratch, while others are rebuilt shells of companies. One of the shells Livingston picked up was that of a moribund firm called Human Resources Development Co., begun by David D. McClelland, the Harvard psychologist and motivation expert. This was a clever move, for Livingston was in effect buying McClelland, his graduate students, and proteges in the university community. The company was renamed the Behavioral Science Center. Its work ranges from developing motivational leadership courses for fraternity boys to helping the Navy chaplain "make the transition from his role as pastor to a manager and supervisor." The Center developed the motivational comic book which the Labor Department distributed among poor blacks. The leading character in the comics, a chocolate sport, is invariably pictured standing in the street, surrounded by shattered glass and overflowing garbage cans and yelling at his freaky pals nodding in the doorways. "Power is green, Baby," he implores. On the back side of the comic is an employment application form made in the shape of a dollar bill.

Last year Sterling Institute won a \$200,000 contract to train poverty workers in the Delmarva Peninsula, a stretch of backward country in Delaware, Maryland and Virginia. Livingston wanted to do research in the area, but OEO officials said that would not look proper, and if he wanted to do research, it must be done under the "guise" of training. Since Sterling didn't know anything about Delmarva, and was scarcely in a position to train people to do anything, the company decided to give the prospective poverty workers a dose of McClelland's motivational stuff. First, Sterling showed the poverty workers how to sensitize themselves. They tossed rings onto stakes from different distances in an effort to discover whether or not they set unrealistic goals for themselves. Then, they played the popular disarmament game where the workers choose up sides and sit in different rooms and simulate attacking one another. Eventually the teams "disarm" as they come to understand that this is the only way they can win. The game is meant to recreate the bargaining situation that exists between poor people and the local government, where each side has something the other wants. Or, as a Sterling employee puts it, "The power structure may be willing to give something to avoid having the city burned."

After a go at the games the poverty workers learned what might be made to happen in their territory by feeding information into a computer simulation called "Charlie." The training program is just now coming to a conclusion, and while it is unclear what, if anything, will happen to the poor in Delmarva, Sterling is doing well indeed, having already secured contracts to repeat the training in North Carolina, Kentucky and West Virginia. Sterling also has a contract in Pennsylvania where it will move into communities giving people psychological tests, and in this way, having spotted the leaders, instruct them how to motivate the masses to follow them out of poverty.

"Sensitivity training," as this sort of instruction is often called, has been adopted by other companies as well. The Human Development Institute, a subsidiary of Bell and Howell, devised a training kit for the National Alliance of Businessmen, and is now also trying to peddle it to poverty groups. The kit contains material to help managers deal with poor black people in a

more understanding way. For example, there are black and white masks. In one skit a black masked man plays he is coming to work late. He is confronted by his supervisor who is wearing a white mask. In this way, white employees get to feel what it is like to be a black man. In another exercise foremen pair off. One foreman closes his eyes and he is led around by the other foreman for 10 minutes, enough time for him to see how entirely dependent a new employee must feel. Jerome Berlin, who heads the Institute, explained why the kit was made this way: "All of us were hurting with the racial problem. We felt we needed to get at it in some way, that it was tearing the fabric of our culture. . . . I don't think social consciousness has to conflict with making a profit—The two parallel each other. . . . In fact, I believe any real contribution to our social environment has a right to profit." Bell and Howell's chairman, Peter G. Peterson, goes further: "I not only see nothing wrong with industry's profiting from social ills, but I think it's the best way to cure them. It puts a strong incentive, the profit motive, behind the cure."

Not everyone is so enthusiastic about McClelland's motivational methods, and those who shy away from this blunt method may prefer the "operant psychology" pioneered by B. F. Skinner and his followers. Motivation Training Specialists, of Baltimore, is attempting to condition slum youngsters in this manner with OEO funds. The idea is that the consequences of a person's actions determine whether or not these actions are repeated. The poor behave in certain "non-adaptive" ways because they have learned to expect certain rewards for such behavior. So to upgrade the lives of the poor, it is important to teach them new behavior patterns. Motivation Training Specialists will soon begin a 21-day training scheme for high school dropouts. The teenagers will be isolated in a "Utopian community" for three weeks. There they will receive points for suitable behavior, such as completing a lesson, and on collecting enough points, they qualify for a reward: a movie, cigarettes or candy. Last winter Motivation Training Specialists ran a residential training session for 24 members of the West Central West Virginia Community Action Agency. The members, many of them poor, began by playing games as they arrived at the campsite. One group was required to negotiate to obtain mattresses to put on the beds. Another group was separated and the members were asked to negotiate a reunion. And a third group was dumped onto the roadway before reaching the campsite. They had to negotiate entrance to the camp. Jerome Breslaw, of the Motivation Training staff later explained the purpose of the games: "In order to emerge from a state of physical deprivation—analogue to that experienced by the poor—the training team members had to organize themselves into units which could effect changes in their environment through negotiations with each other and with management." While it may have seemed to the untrained observer that poor people were being asked to simulate being poor people, Breslaw maintained that was not the case. "No simulation situations were provided," he said. "In fact, simulation and role playing were excluded from the training design . . . that which arose, arose naturally."

Mr. BOW. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Chairman, I thank the gentleman from Ohio (Mr. Bow) for yielding this time to me.

The gentlewoman from Oregon (Mrs. GREEN) raised a point that interests all

Members of Congress. This question concerns the appropriate hearings before the Committee on Poverty. If my distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS) would answer a question, I would like to pose one at this time.

Mr. PERKINS. Go ahead.

Mr. SCHERLE. My question concerns the appropriate hearings before the Committee on Education and Labor. Since this continuing resolution will be passed today our Committee on Poverty will have 30 days before we have to mark up this bill. Would it be possible to have hearings and bring in the chief executives of our States, a State attorney general, and State auditors who have written and requested that they be given an opportunity to be heard in the full committee?

Mr. PERKINS. I hope that the gentleman will give me 1 minute to respond. It is the intention of the chairman of the committee and the membership, to proceed diligently with the markup. Because of the mine safety bill and the interest of the committee members in the Cohelan amendment, we will not be able to reconvene the committee until next Wednesday, which is a week from tomorrow, for the purpose of completing the markup of the Economic Opportunity Act extension.

Mr. SCHERLE. Does this mean that the chairman refuses to have hearings—

Mr. PERKINS. We have held the most comprehensive hearings on the Economic Opportunity Act that have ever been held.

Mr. SCHERLE. Mr. Chairman, I decline to yield any further.

Mr. Chairman, there have been hearings but they were primarily on the Job Corps. All testimony has been presented by administrative officials of the OEO who have talked about the OEO period. Naturally all testimony was favorable. There was not one single witness invited to testify against OEO or anyone outside the "establishment."

Mr. PERKINS. Mr. Chairman, will the gentleman let me answer his question?

Mr. SCHERLE. We have only heard one side of the coin and I think we should hear both sides.

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

Mr. BOW. Mr. Chairman, I yield to the gentleman 1 additional minute.

Mr. SCHERLE. Mr. Chairman, my question has been answered. The chairman has refused to hold hearings. The chairman has decided that next week the bill will be marked up without any additional hearings. It is reprehensible for this committee to mark up a bill that will cost the taxpayers of this country over \$2 billion a year and not give the chief executives, the State attorneys general, and the poor people who want to discuss this program and make recommendations and suggestions an opportunity to be heard. Restricting the right of duly authorized people to testify before a committee on legislation that they will administer and enforce is a denial of basic American principles.



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

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

Mr. PERKINS. Mr. Chairman, will the gentleman from Ohio yield to me 1 minute?

Mr. PRICE of Illinois. Mr. Chairman, I strongly support the amendment adding \$649,094,000 to the figure approved by the House Appropriations Committee for Office of Education programs. If the amendment is adopted to the pending continuing resolution and the Senate concurs in our action, the Office of Education and more importantly our schools at all levels will benefit immediately by the over \$1 billion we added to the Department of Health, Education, and Welfare appropriations bill on July 31.

Congressional Intent is clear in this case. We evidenced our concern then about the Nixon administration's education budget and adopted the Joelson amendment adding the \$1.042 billion to the various education programs facing severe crippling by the administration's recommendations. As a cosponsor of the resolution providing for the immediate release of the additional money we voted in approving the Joelson amendment, I earnestly recommend approval of the pending amendment.

The impact of our action today can be measured in part by the following comparative breakdown of funds the State of Illinois would receive for education and library programs during the current fiscal year under the Nixon budget as

contained in the committee recommendation and under the earlier House-passed appropriations bill as contained in the pending amendment. As you will note, the State of Illinois would receive an additional \$14 million for elementary and secondary education activities if we adopt this amendment; otherwise, the State would receive \$54 million for the current fiscal year which is \$7 million below what was available last fiscal year and \$14 million below fiscal year 1968.

In terms of all education programs, the State of Illinois would receive \$36 million less under the Nixon administration; under the House-passed bill, provided we adopt the pending amendment, the State of Illinois would receive \$131,126,164 for its programs.

OBLIGATIONS IN THE STATE OF ILLINOIS

Program	Actual, 1968	Estimate, 1969	Estimate, 1970	Nixon estimate, 1970	House-passed appropriation bill
<b>OFFICE OF EDUCATION</b>					
<b>Elementary and secondary education:</b>					
Assistance for educationally deprived children (ESEA I):					
Basic grants	\$47,565,775	\$44,407,826	\$46,788,843	\$46,788,843	\$54,513,049
State administrative expenses	474,998	444,130	467,888	467,888	0
Grants to States for school library materials (ESEA II)	5,337,276	2,681,475	2,252,460	0	2,672,463
Supplementary educational centers and services (ESEA III)	9,382,000	8,223,590	8,648,036	5,650,541	8,251,199
Strengthening State departments of education (ESEA V):					
Grants to States	1,013,556	1,056,099	1,130,757	1,130,757	1,130,757
Grants for special projects					0
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	3,056,642	3,085,357		0	3,157,687
Loans to nonprofit private schools		181,753		0	0
State administration	102,071	99,990		0	100,742
Guidance, counseling, and testing (NDEA V)	1,283,562	894,406	622,243	0	901,171
Subtotal, elementary and secondary education	68,215,880	61,074,626	59,910,227	54,038,029	68,727,068
<b>School assistance in federally affected areas:</b>					
Maintenance and operations (Public Law 81-874)	12,220,000	12,724,000	7,217,000	4,280,000	14,805,000
Construction (Public Law 81-815)	97,094	934,000		0	0
Subtotal, SAFA	12,317,094	13,658,000	7,217,000	4,280,000	14,805,000
<b>Education professions development:</b>					
Preschool elementary, and secondary:					
Grants to States (EPDA B-2)		619,473	886,082	886,082	886,082
Training programs (EPDA, pts. C and D)	3,468,409			0	0
Subtotal, education professions development	3,468,409	619,473	886,082	886,082	886,082
Teacher Corps	1,109,679	1,067,674		0	0
<b>Higher education:</b>					
Program assistance:					
Strengthening developing institutions (HEA III)	1,068,000			0	0
Colleges of agriculture and the mechanic arts (Bankhead-Jones)	389,618	385,726	389,721	389,721	389,721
Undergraduate instructional equipment and other resources (HEA VI-A)	641,295	627,907		0	0
Construction:					
Public community colleges and technical institutes (HEFA I, sec. 103)	2,776,977	3,299,943	1,706,263	1,706,263	1,706,263
Other undergraduate facilities (HEFA I, sec. 104)	10,439,144	6,640,145	4,430,960	0	1,688,339
Graduate facilities (HEFA II)	1,500,000			0	0
State administration and planning (HEFA I, sec. 105)	244,312	215,020	215,020	215,020	215,020
Student aid:					
Educational opportunity grants (HEA IV-A)	6,429,725	770,306	3,707,326	3,707,326	2,730,279
Direct loans (NDEA II)	9,192,661	9,603,647	7,628,040	7,628,040	10,931,945
Insured loans:					
Advances for reserve funds	92,355	642,626		0	0
Interest payments	(1)			0	0
Work-study programs (HEA IV-C)	5,129,105	6,321,681	6,622,714	6,624,079	6,624,079
Special programs for disadvantaged students: Talent search	255,380			0	0
Personnel development:					
College teacher fellowships (NDEA IV)	4,692,300			0	0
Training programs (EPDA, pt. E)	148,000			0	0
Subtotal, higher education	42,998,872	28,507,001	24,010,044	20,270,449	24,285,646
<b>Vocational education:</b>					
Basic grants	10,397,146	10,300,874	9,830,472	9,380,472	15,169,414
Innovation			324,227	0	0
Work-study	503,371			0	503,114
Cooperative education			374,227	374,227	374,227
Consumer and homemaking education			622,822	622,866	622,822
Subtotal, vocational education	10,900,517	10,300,874	11,151,748	10,377,565	16,669,577
<b>Libraries and community services:</b>					
Grants for public library services (LSCA I)	1,746,355	1,746,355	1,746,355	776,280	1,746,355
Construction of public libraries (LSCA II)	656,395	1,653,747	354,115	0	354,115
Interlibrary cooperation (LSCA III)	47,539	48,925	48,925	48,925	48,925
State institutional library services (LSCA IV-A)	38,000	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	23,750	25,776	25,776	25,776	25,776
College library resources (HEA II-A)	1,532,824			0	0
Librarian training (HEA II-B)	666,077			0	0
University community service programs (HEA I)	359,848	333,347	333,346	333,346	333,346
Adult basic education (Adult Education Act):					
Grants to States	1,221,492	1,460,494	1,633,780	1,663,780	1,633,780
Special projects and teacher education	483,000			0	0
Educational broadcasting facilities				0	0
Subtotal, libraries and community services	6,775,280	5,308,153	4,181,806	2,857,616	4,181,806

## OBLIGATIONS IN THE STATE OF ILLINOIS—Continued

Program	Actual, 1968	Estimate, 1969	Estimate, 1970	Nixon estimate, 1970	House-passed appropriation b ill
<b>Education for the handicapped:</b>					
Preschool and school programs for the handicapped (ESEA VI).....	\$687,167	\$1,488,885	\$1,488,885	\$1,488,885	\$1,488,885
Teacher education and recruitment.....	1,211,167			0	0
Research and innovation.....	796,468	446,411		0	0
Media services and captioned films for the deaf.....	77,590	49,465		0	0
Subtotal, education for the handicapped.....	2,772,392	1,984,761	1,488,885	1,488,885	1,488,885
<b>Research and training:</b>					
<b>Research and development:</b>					
Educational laboratories.....	600,000	270,000		0	0
Research and development centers.....	1,465,500			0	0
General education.....	1,554,377	137,690		0	0
Vocational education.....	1,022,991	363,581	32,100	32,100	32,100
Evaluations.....				0	0
National achievement study.....				0	0
<b>Dissemination:</b>					
Training.....	64,312			0	0
Statistical surveys.....	314,657			0	0
Construction.....	23,400			0	0
	22,000			0	0
Subtotal, research and training.....	5,067,237	771,271	32,100	32,100	32,100
Education in foreign languages and world affairs.....	1,305,133			0	0
Civil rights education.....	264,413			0	0
Colleges for agriculture and the mechanic arts (2d Morrill Act).....	50,000	50,000	50,000	50,000	50,000
Promotion of vocational education (Smith-Hughes Act).....	360,319	360,319			
Student loan insurance fund.....				0	0
Higher education facilities loan fund.....	6,875,000			0	0
<b>Total, Office of Education.....</b>	<b>162,480,225</b>	<b>123,702,152</b>	<b>109,527,392</b>	<b>94,280,726</b>	<b>131,126,164</b>

I think the answer is evident as to what is the proper course of action. We must adopt the pending amendment; otherwise, we are deluding ourselves and temporizing with a vitally important sector of our national well-being. This amendment is not inflationary because we will receive untold benefits in terms of national output in years to come. We are not funding a short-lived proposition; rather we are underwriting vitally essential education programs.

Mr. Chairman, I strongly favor the approval of the amendment.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague the gentleman from California (Mr. COHELAN). I do so in the same spirit and with the same urgency with which I supported the Joelson amendment, which I was also pleased to cosponsor.

The education programs which we have passed and developed are some of the most crucial and fortunately successful programs we have undertaken. They have immensely increased the gross education product of this Nation.

In the first year of operation, title I of ESEA provided \$987 million in benefits for 8.3 million children. The Higher Education Facilities Act, which went into operation in 1963 has helped more than 1,300 colleges and universities construct and renovate classrooms, libraries, laboratories, and administrative buildings.

By the end of this past year, a quarter of a million undergraduate students were working part time on Government-connected programs to help meet their college expenses. Since 1958, NDEA and the Higher Education Act of 1965 have provided more than \$1¼ billion worth of loans to aid more than 2 million college students. Since the fall of 1963, more than 200,000 student borrowers have applied for partial cancellation of their loans under a provision allowing debt-forgiveness for those who became teachers.

There are other impressive statistics: For every 100 pupils in the fifth grade in

January 1960, 72 graduated from high school in 1967. This 72-percent graduation rate compares with 62 percent in 1967; 51 percent in 1950; 46 percent in 1940. Thus, within a single generation—1940–67—the proportion of fifth-grade pupils who continue their education through high school has risen by more than one-half. Carrying the same analysis on to college, we know that of every 100 pupils in fifth grade in January of 1960, 40 entered college in fall of 1967, and 20 are likely to receive their college degrees in 1971. The 40 entering freshmen contrast favorably, if that word is strong enough, with only 16 just prior to World War II and the 20 probable college graduates contrast favorably with the number of seven who graduated during the early 1940's.

What these figures tell us is that the average American boy in the fifth grade 10 years ago had nearly twice the chance his father had to graduate from high school—and 2½ times the chance to enter college, with three times the chance to earn a college degree.

Some of my colleagues today favor "holding back a little." They argue that we have spent so much money on education over the past 15 years that we can afford to "relax" a little and coast on the record. If not specious, this argument is certainly dangerous. If anything was proven by the Sputnik scare, and the spending that followed it, it was the danger of letting educational programs slip behind current discoveries and innovations in the sciences and the arts.

We have come a long way and we have dramatically increased our mutual investment in our common tomorrow. If we have to "hold back a little" now, we will be risking great harm. We will be starting a movement that will keep rolling, despite our later efforts. We shall create a snowball effect that will do great and lasting harm to America's single most vital resource—the stock of educated and productive people.

Many of my colleagues are often too anxious to vote for defense spending at the expense of education requirements. I

would remind them that, without an educated people, no country is capable of defending itself. A nation whose children grow up incapable of learning to use—as well as not use—nuclear weapons, intercontinental ballistic missiles or orbiting intelligence satellites, is not capable of defending itself. There can be no relaxation in providing for education—not even for a month—if we are to maximize the progress and defense of this country. And it is that task which we are supposed to be about.

In my home State of New Jersey, the difference between the 1969 level of spending and the amount provided in H.R. 13111 is \$9,286,472. For the month of November, I am told, if we fail to continue appropriations on the basis of H.R. 13111, the loss to New Jersey will be \$774,000.

This House has made certain promises upon which the States and local educational agencies relied and acted. Our failure to act in accord with those promises is a breach of faith not only with the States, but more important, with the children who depend on an education and our support.

Mr. HICKS. Mr. Chairman, it appears that the struggle to secure adequate funding for education this fiscal year is far from over. I take this opportunity to acknowledge the support being voiced from my district for the Cohelan amendment to House Joint Resolution 966. Both by telegram and letter educational leaders in Washington State are expressing to me how urgently necessary this measure is. Programs funded through House passage of H.R. 13111 earlier this year are considered vital to continued educational development in my State and district. Furthermore, grave concern is expressed over the great loss of education funds should House Joint Resolution 966 pass unamended.

It is my understanding that the committee's resolution falls markedly short of the funding provided in the House-passed bill and that critical programs may be left underfunded. Three areas that would be particularly affected in



my State are assistance to federally impacted areas, grants to States for library construction and supplies, and vocational education. It appears that only through passage of the Cohelan amendment will these and other vital educational programs be rescued from severe malnutrition that conceivably could result in possible permanent crippling of one or more of them.

Passage of the Cohelan amendment will have tremendous immediate impact on education in my State. It will mean that the House-passed funds will be immediately available to the Office of Education. This means an increase of approximately \$2.5 million over the

committee's funding level for Washington State which is a whopping \$19 million above the level requested by President Nixon. The table below extracted from figures compiled by the Emergency Committee for Full Funding of Educational Programs which were published in the CONGRESSIONAL RECORD on October 21 by Senator HART, is an example of the significant impact of the Cohelan amendment on my State of Washington. Only those programs in which there is a significant difference in the funding level proposed are listed—the figures for the 1969 estimate are approximately equal to the committee resolution:

OBLIGATIONS IN THE STATE OF WASHINGTON

	Estimate, 1969	Nixon budget, 1970	House-passed appropriations bill
1. Elementary and secondary education.....	\$16,923,454	\$14,229,543	\$18,961,408
2. School assistance in federally affected areas.....	15,446,500	5,277,000	15,522,000
3. Direct student loans (NDEA II).....	4,056,316	3,221,874	4,617,352
4. Vocational education.....	3,610,797	4,236,278	6,286,899
5. Libraries and community services.....	1,468,317	897,558	1,329,694

Mr. ADDABBO. Mr. Chairman, I rise in support of the Cohelan amendment which I cosponsored. The point has been made many times that education is a vital and continuing need which must be fulfilled if a society is to remain at the forefront with its achievements in science, art, industry and other fields.

The House of Representatives has realized that educational needs must be met today. The children in grade school now will not benefit from an educational appropriation to library resources or to guidance and counseling made 5 years from now.

With the passage of H.R. 13111 in July of this year, the House made clear its intention that education should share more equally with other departments in the funding of its programs. The House bill added over \$1 billion to the Nixon budget request for 1970 in the field of education.

Until the Senate takes up the Labor-HEW appropriations bill for fiscal 1970, funds have to be released for the continuing programs administered by local educational agencies, State departments of education, institutions of higher education, and special vocational, adult, and other educational organizations. These programs are helping to meet some of the critical needs facing education today. At this time, however, many of these programs are operating with the funds provided by the administration's 1970 budget or at the 1969 appropriations level, whichever is lower.

Administrators are finding that some very useful and needed programs have to operate on a drastically reduced budget. This problem exists for such vitally important programs as aid for educationally deprived children, special assistance to federally affected areas, the Teachers Corps, funds for higher education facilities and several student aid programs, as well as funds for libraries and community services, education for the handicapped, and vocational education programs.

Mr. Chairman, today we hope to

pass a continuing resolution amended with the increased funds for programs and projects urgently required by the academic community.

Mr. FRASER. Mr. Chairman, I rise to support the Cohelan amendment to House Joint Resolution 966.

Last summer we recognized the need for increased education funding by adding a billion dollars for education to the HEW appropriations bill. But 3 months have gone by and none of that extra billion has reached our schools, colleges, and libraries.

Because the HEW appropriation for fiscal 1970 is still pending, schools are in the awkward position of not knowing how much Federal support they will receive for programs already in operation. Under the continuing resolution now in effect, funding for some programs has been temporarily suspended while funding for other programs has been reduced considerably below last year's level. In my district, the Minneapolis Board of Education is now receiving only \$146 in Federal aid for each eligible title I child, as compared to last year's level of \$162 per child. The board of education hopes to receive additional title I aid but the board is not sure if and when this additional aid will be available.

Unless the Minneapolis Board of Education receives its share of the extra billion very soon, these extra funds would not be of much use during the current school year. New programs have been designed and are waiting to be implemented once the increased allocations are available. Prompt approval by Congress and by the President of an amended continuing resolution means that new funds could be allocated to local school systems during the first quarter of 1970. But if we postpone allocation of additional funds until after the fiscal 1970 HEW bill has been approved, the school year will have passed us by.

Mr. VANIK. Mr. Chairman, as one of the signers of the House joint resolution to fund the programs of the Office of Education at levels passed by the House

this last July 31, I rise in strong support of the amendment to House Joint Resolution 966, calling for continuing funding of Office of Education programs at \$2,810,858,000—the appropriation level approved by the House this summer.

The continuing resolution presently before the House, would continue Office of Education funds at their 1969 levels, nearly \$650 million below the amount approved by the House earlier this year.

This extra amount of money is desperately needed by America's school systems and college students. Yet it is nearly the beginning of November—the third month of the 9-month school year. America's schools and colleges must start to utilize these extra funds as soon as possible if they are to use them to best advantage. The need for increased, definite allocations is particularly acute on the college level, as schools across the country begin to make decisions on second semester or second quarter student assistance.

Earlier this fall, I polled all the colleges and universities in my home State of Ohio and found that most of them had received only half the student aid assistance they requested and needed. Many of the college administrators noted that students, even seniors, had been forced to drop out of school because of lack of financing.

At too many schools, all financial aid money had been exhausted to meet first semester needs and none was available for the coming semester. Without the increased allocations provided by the amendment to this continuing resolution, thousands and thousands of students will soon be notified that there is no aid available to them. Thousands will be forced to drop out.

There is not a school district in Ohio that is not directly and dramatically affected by this legislation. Our Nation has no greater priority than an investment of this dimension in the young of our country.

I strongly support the amendment and urge its passage.

Mr. WYMAN. Mr. Chairman, it is important that today's action on the so-called Cohelan amendment be understood for what it is—a square rejection of the concept of the continuing resolution. In this case the House passed the Joelson amendment some time ago, increasing the funds appropriated for education by nearly a billion dollars above the amount recommended by the House Appropriations Committee as well as both the Johnson and Nixon administrations. This bill went over to the Senate where it now languishes.

In the meantime the Department of Health, Education, and Welfare must have funds with which to operate, as must other departments and agencies of the Federal Government that have not yet had their appropriations enacted. The idea of a continuing resolution is to continue these Departments and Agencies at the spending level of the 1969 fiscal year or that recommended by the Bureau of the Budget, whichever is lower.

For the House to send a continuing resolution to the Senate with spending for a particular Department—in this in-

stance HEW—earmarked at the level the House passed is patently objectionable to the other body. They have not yet acted. They may or may not fund HEW at this level. It is for them, in their discretion, to decide.

There is no question but that should the Senate raise HEW appropriations to this level there will be no problem, but this may not be the case. In the meantime we must wait and see, and spending ought not to be authorized as an interim measure at a level that has not yet been agreed upon between the two legislative branches of the Government. This is so regardless of how politically expedient it may be to present oneself as being an advocate for higher appropriations for education.

Mr. BRINKLEY. Mr. Chairman, the orderliness of House Journal Resolution 966 seems to me to be subject to the same objections raised to the Cohelan amendment. Did not fiscal 1970 begin on July 1, 1969, and is not this very resolution a device employed to correct a deficiency? Recriminations are out of order.

Mr. PHILBIN. Mr. Chairman, some time ago I cosponsored a joint resolution funding education at levels approved by the House. Since the Appropriations Committee has not reported a bill to appropriate funds in this resolution I will strongly support the amendment I sponsored now offered by my valued friend from California, Mr. JEFFERY COHELAN, to include the funds that are so urgently needed at this time to assist funding of programs for educationally deprived children, impact aids, student aid grants, vocational education, basic grants, and funds for the handicapped and other needed programs. I believe that these funds are necessary now.

I realize that the Appropriations Committee is extremely busy at this time, but I feel that this matter is of such importance to the educational structure of my State and the entire country that I must continue to support and urge this amendment, as I have done so vigorously since it was proposed.

I hope and believe that it will pass and thus make available substantial funds in the amount of about \$649 million that are badly needed to shore up the shaky financial foundation of our American educational structure, particularly in its highly merited compassionate efforts for those who cannot always help themselves, but need special training.

An overwhelming number of House Members are determined to see to it that all necessary educational authorizations are adequately and promptly funded by the House and, I trust, by the other body as well, and soon be signed by the President.

I intend to strive as hard as I can to realize these ends, and am confident that the House will do its part in this instance to help our children, who so urgently need the benefits these funds will provide.

Mr. MAHON. Mr. Chairman, I have no further requests for time.

Mr. BOW. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.J. RES. 966

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1970, namely:*

SEC. 101. (a) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1969 and are listed in this subsection at a rate for operations not in excess of the fiscal year 1969 rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority—

activities for which provision was made in the Department of Defense Appropriation Act, 1969;

activities for which provision was made in the District of Columbia Appropriation Act, 1969;

activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1969;

activities for which provision was made in the Military Construction Appropriation Act, 1969;

activities for which provision was made in the Department of Transportation Appropriation Act, 1969;

activities (except for the National Council on Indian Opportunity) for which provision was made under section 307 of the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969;

activities of the Civil Aeronautics Board; activities of the Interstate Commerce Commission;

activities under the Foreign Military Credit Sales Act; and

activities of the Office of Economic Opportunity and "Development of Programs for the Aging" for which provision was made in the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1969.

(b) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1969 and for which appropriations, funds, or other authority would be available in the following Appropriation Acts for the fiscal year 1970:

Department of Agriculture and Related Agencies Appropriation Act;

Independent Offices and Department of Housing and Urban Development Appropriation Act;

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act;

Legislative Branch Appropriation Act;

Public Works for Water, Pollution Control, and Power Development and Atomic Energy Commission Appropriation Act; and

Departments of Labor, and Health, Education, and Welfare Appropriation Act;

*Provided:* That not to exceed \$8,100,000 shall be available from the appropriation for the fiscal year 1970, granted under the heading "Elementary and secondary educational activities" in the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1969, for use by the Department of the Interior under section 103(a)(1)(A) of the Elementary and Secondary Education Act of 1965, as amended.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the

Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the fiscal year 1969 rate or the rate permitted by the action of the one House, whichever is lower: *Provided*, That projects or activities for which disbursements are made by the Secretary of the Senate, and Senate items under the Architect of the Capitol, shall continue at the rate, to the extent, and in the manner permitted by the action of the one House: *Provided further*, That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable Appropriation Act for 1969, and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

AMENDMENT OFFERED BY MR. COHELAN

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COHELAN: Page 4, line 22, after "lower:", insert the following:

*"Provided*, That in the case of activities for which appropriations would be available to the Office of Education under the Act making appropriations for the Departments of Labor, and Health, Education and Welfare for the fiscal year 1970, as passed by the House, the amount available for each such activity shall be the amount provided therefor by the House action."

Mr. MAHON. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order.

Mr. BOW. Mr. Chairman, I reserve a point of order also.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. COHELAN. Mr. Chairman, we have pretty well exhausted the discussion. My amendment, I believe, is well known to this body at this point. It is very simple. It merely adds \$733 million to the pending joint resolution—House Joint Resolution 966—and instead of eliminating title I and vocational education and handicapped children, and a couple of other categories, it allows the Office of Education to operate the funding level which passed the House by an overwhelming majority last July.

Moreover, this amendment will make effective the joint resolution cosponsored by 227 Members which is now pending in this House. This amendment will again give the House of Representatives an opportunity to show to the country that we feel education is at least as important as another \$1 billion of unbudgeted funds in the defense budget.

Mr. BOW. Mr. Chairman, will the gentleman yield for just one question?

Mr. COHELAN. I will be glad to yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I would ask the gentleman if there is a possibility of getting a copy of the amendment offered by the gentleman from California? There has been none given to anybody, and I



would like very much to see the amendment.

Mr. COHELAN. Yes. The gentleman from Illinois has some on the table. He will see that the gentleman receives one.

Mr. BOW. I thank the gentleman.

Mr. COHELAN. I want to say, Mr. Chairman, that in spite of any implication by the gentlewoman from Oregon about the distinguished schoolmen who are in the city of Washington now, on the basis of my own understanding and my own beliefs and on the basis of the actual situation in my own district we, in terms of quality education and in terms of the end product, have absolutely nothing to quarrel about. If there are improprieties or abuses in other programs, indeed they should be examined, but let us keep our eye on the ball here.

All that this amendment does, in spite of the conversation, is permit us to operate at the funding levels of the House on title I. That is the real issue here. Even those who have spoken in opposition, on some other substantive basis, or on some procedural basis, have supported this resolution and apparently support the purpose of this funding.

Lest any of you feel our action may offend the other body—I can assert from the floor of this House that about 3 o'clock this afternoon there will be a resolution filed in the other body which I am led to understand by the Senator from New Mexico will include about 50 Senators.

The filing of such a resolution is a clear indication by the Senate that our actions today will in no way be offensive to that body.

When we return to the House, I will ask to insert a table which will in summary form show the actual dollar difference.

I think we have pretty well exhausted that discussion. I do not think there is any real argument about the actual amounts allocated in the various categories.

As I indicated, if you will look at page 31654 and look up your own State, you will find out exactly what is going to happen in terms of title I, vocational education, aid to the handicapped, and all of the other categories.

Mr. Chairman, this has been a very unhappy exercise for me. But it seems to me it is a desperately needed action. On the basis of what we have been telling the country about the needs of education, it seems to me we can, with great persuasion and authority, adopt the amendment that we are talking of to insure that the deprived and the disadvantaged children in this country are adequately educated. We have talked of the industrial complex and now we have a new hyphenated organization—the educational complex. Indeed there may be one and I hope we will investigate it. But good glory, we are talking about kids. In my own district we are in desperate circumstances.

If you wonder what I am doing this for, it is because I am desperately concerned about education in my district. As I told the members of my own Committee on Appropriations, in my district in Oakland, Calif., 60 percent of the schoolchildren in that school district are black.

There are enormous internal problems and indeed we need that money.

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

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

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

There was no objection.

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

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

Mr. YATES. Much has been made of the fact that the gentleman's amendment contravenes so-called orderly procedure. Is it not true that the so-called orderly procedures to which the various speakers have alluded have resulted in very chaotic procedures so far as the States and school districts are concerned?

The States and school districts have to make up their budgets. They have their commitments, they have to take financial positions ahead of time. The failure of the Congress to act on this year's bill has made their decisions most difficult. Will the Senate accept the Joelson amendment with its increased funds? At what levels shall they budget their programs? Talk about orderly procedure. What about the school districts and the States which may be reduced to a chaotic because of the failure of the Congress to act in time.

Mr. COHELAN. The gentleman is quite correct. This again is one of the reasons. Why do we go through this exercise? Why are these highly responsible school officials pushing for this legislation and the particular items and as has been indicated by the distinguished gentlewoman from Oregon. They have budget problems and many of their school districts are in hock in relation to their budgets. They have their budgets mortgaged against the idea that these funds are going to be forthcoming.

It is incumbent upon us to reinforce this belief and assure that these funds will be available for the work that must be done in the great urban areas.

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

Mr. COHELAN. I yield to the gentlewoman.

Mrs. CHISHOLM. Mr. Chairman, I rise in support of the amendment.

We have heard a good deal this afternoon about all kinds of complexes. But I do think we have to recognize the fact whether we want to face it or not, that government is carried on through the pressures of all kinds of lobbying groups in our Nation at the local, State, and Federal level.

But let us not stick our heads like ostriches in the sand. The important thing is to recognize the situation here in July when this body appropriated a certain amount of money to help certain groups in this society to move out in the mid-stream of American society. But we stand here this afternoon trying to do a job while waiting for the expression of the will of the other body.

There is just one observation I want to make and that is this: In terms of the

other body, there is a sense of urgency that moves in this House, I feel, that does not operate in the other body, because of the fact that one-third of the membership of that body is elected every 6 years, and perhaps it is not as important to move as quickly. We have to assume our responsibility in this House and do that which is necessary to make sure that these funds are not cut back. Remember one thing. Whether we accept it or not, government is moved by the pressures that are put upon it by lobbying groups. Some of us want to ignore this basic fact in American government and not recognize these facts that exist. The one thing that is regrettable is that there is no citizens' or peoples' lobby.

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

Mr. COHELAN. I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Chairman, at this point I think that it is absolutely essential that we understand that. Education agencies across the Nation, whether they be colleges and universities or whether they be elementary and secondary schools or preschool programs, must program the entire academic year activities now at the level of funding provided for at this time.

This means that if we fail to approve the Cohelan amendment we will be requiring school districts to conduct activities at an annual rate of the full impact of the difference between the House-passed appropriations bill and the 1969 funding level. In the case of elementary and secondary education benefiting from title I, this amounts to 20 percent of the entire program. It represents 50 percent of the entire program in the case of vocational education and 20 percent of the National Defense Education Act students loan support for students.

Every day that we delay providing educational agencies with the funds that the House has already considered necessary in the passage of the regular Labor-HEW appropriations bill, we are shutting the classroom door to students in one fashion or another. In the case of the vocational education student it means that many will remain on the waiting lists who are now seeking admission into area vocational and technical schools.

It means that many students in preschool programs under title I will not be able to be enrolled because there simply will not be funds enough to provide the space and the instructors for them.

It means that many of our elementary school pupils will not have the instructional materials and the teaching specialists they need right now to overcome deficiencies in their reading skills.

Mr. Chairman, schools must operate on a plan-ahead basis and we cannot open that closed special classroom and we cannot provide now the vocational training that is needed by many students until this Congress acts in the fashion proposed in the House-passed appropriation bill or the Cohelan amendment to the continuing resolution.

Is not the urgency motivating us this afternoon the desire to enable our school officials to plan ahead for the Nation's special education needs?

Mr. COHELAN. The gentleman is quite

correct. In some school districts it is worse than in others. Unfortunately, in my own school district we have reached a crisis in education, and it is no credit to my community that we have been unable to pass a bond issue. Still one of the most important instruments in support of the system in my district is title I, and title I would operate as we intend if we were to include the funds available in the continuing resolution until we get action by the Senate.

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

Mr. COHELAN. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. This points up the title I problem. May I say to the gentleman that I have very serious reservations about the efficacy of the Cohelan amendment. First, we provided for forward funding of programs under the Elementary and Secondary Education Act. Last year the Appropriations Committee provided 90 percent of the funds for fiscal year 1970 that we provided in fiscal year 1969.

Second, the joint resolution itself provides for an identical level of funding.

Third, let us not confuse the issue. Title I of ESEA is not helpful to those school districts looking for extra money from the Federal Government. It is specifically categorical grant program money aimed at the disadvantaged. It does not pay for teachers' salaries. It will not build buildings. It seems to me it will not help the school districts that you are concerned with.

The CHAIRMAN. The Chair notes that a point of order is pending.

Mr. MAHON. Mr. Chairman, I have now had an opportunity to read the gentleman's amendment, and I withdraw my point of order.

Mr. BOW. Mr. Chairman, I renew the point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BOW. The amendment provides for activities for which appropriations would be available for the Office of Education under the act making appropriations for the Departments of Labor, and Health, Education, and Welfare for fiscal 1970, as passed by the House. Now, there is no act making appropriations for the Departments of Labor, and Health, Education, and Welfare. Since there is no act, this becomes an action of this House in making an appropriation to the Department when no act has been passed by the Congress.

The CHAIRMAN. Does the gentleman from California desire to be heard on the point of order?

Mr. COHELAN. Mr. Chairman, I submit that the amendment was carefully drafted, and to the very best of my knowledge, it is a proper amendment. I urge that it be so recognized.

The CHAIRMAN. The Chair is ready to rule. The gentleman from California offered an amendment to page 4, line 22, of the bill, to which the gentleman from Ohio made a point of order. The gentleman from Ohio in making his point of order has not pointed out to the Chair any rule of the House that the amendment violates. The point raised by the

gentleman from Ohio is not one for the Chair to pass on, but presumably is one for the committee itself to pass on. The Chair does not sustain the point of order.

Mr. JONAS. Mr. Chairman, I move to strike the last three words.

Mr. Chairman, let me, if I can, with all due respect to my friend the gentleman from California, and those who support his amendment, bring this issue back into its proper perspective. The gentleman from California made a very fine argument in support of an appropriation bill. But we have already crossed that bridge. We crossed it last July 31. The gentleman's argument does not apply to this continuing resolution.

Mr. Chairman, the continuing resolution lasts only 1 month. How much can we do for education in 1 month? The resolution has to be superseded by something else at the end of November. They cannot even crank up downtown in 1 month. There have to be Budget Bureau allocations, and departmental plans to make. The month will have expired before they can move effectively onto this.

Whatever we do in the continuing resolution, it is intended to be only a stopgap interim proposition and not an appropriation bill. Whatever action we take on this continuing resolution today will be superseded and made out of date and completely worthless whenever the other body completes action on the appropriation bill that we have already passed and when it clears conference and is signed into law.

I think we ought to discuss this continuing resolution for what it is. It is not an appropriation bill. Yet, when we are debating it, it is as if we were debating the cause of education. That has nothing to do with it. We take care of that aspect of this problem properly in an appropriation bill, not in a continuing resolution.

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

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

Mr. COHELAN. Mr. Chairman, of course, I must respectfully disagree with my distinguished colleague from North Carolina. In the first place, I am most pleased with the committee resolution in some respects—for example, on impacted aid. Impacted aid under the former continuing resolution was zero funded, and by the very excellent action of our Appropriations Committee, we have changed that, and that is most salutary in my judgment.

Mr. JONAS. Mr. Chairman, if the gentleman will allow me to break in, I thought the gentleman was going to ask me a question. The gentleman from California has had his 5 minutes, and he made some very excellent arguments in favor of education. I concur in his view. The gentleman has told us repeatedly that he is distressed with conditions in his district, and yet, with all respect, the gentleman then tells us his people will not even vote for a bond issue to support their own schools.

I am concerned about education, too, but that condition ought to be remedied in an appropriation bill and not in a stopgap resolution intended merely to tide the Government over, to keep it

operating for 30 days, after which we will have to do it all over again.

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

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

Mr. MICHEL. Mr. Chairman, the gentleman makes an issue about the 30 days. I think the point ought to be made in connection with the sine die adjournment, that to the chairman's credit, he cast the deciding vote for 30 days, which to me indicates the good faith of the chairman when he says he is putting all due pressure on the other body to get them to act.

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

Mr. JONAS. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, in view of what the gentleman has said, the motion to recommit will be the amendment I offered in committee to extend the date to the 5 days subsequent to sine die adjournment.

Mr. MAHON. I should like to confirm what has been said. At the request of the distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT), with whom I conferred extensively, it was decided it would be more acceptable to the House to make the date November 30. In support of the position of the gentleman, I did that, trying to work with the leadership of the House in doing an orderly job.

Mr. JONAS. The gentleman would agree with me that what we are talking about here today is a 30-day stopgap continuing resolution to keep the Government from closing down.

Mr. MAHON. Yes; to keep most of the Government from being in a position where funds could not be obligated. I refer to the Veterans' Administration, NASA, the Labor Department, HEW, the public works programs, housing, and many, many others.

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

I believe everybody will be delighted to know I hope I will not take the 5 minutes. I believe we have almost exhausted this subject. Part of what I was going to say is just about what my friend the gentleman from North Carolina (Mr. JONAS) said.

I happen to be the chairman of the Appropriations Subcommittee for Health, Education, and Welfare. The chief reason why I say this now is: Do you know who is going to preside at the conference with the Senate on the appropriation bill for HEW? It will be the gentleman from Pennsylvania with the mustache and he voted for the Joelson amendment.

I do not like going to a conference with the Senate, to chair that conference and to be confronted by Senators sitting across that table with this amendment of the gentleman from California, which many of them will consider an affront.

My friend's heart bleeds for his school kids. Well, now, so does mine; for his kids as well as my own. But what is going to happen in 30 days? As the gentleman from Oregon indicated and as the gentleman from North Carolina (Mr. JONAS) said, they will not get 5 cents



more in the next 30 days, even if we did this with mirrors. Not 5 cents more will his kids get under his amendment.

Mr. Chairman, this amendment simply asks us to vote a second time on the Joelson amendment. Why? The Joelson amendment is still very definitely a part of the Labor-HEW appropriation bill.

On July 31 I voted for the Joelson amendment to the Labor-HEW appropriation bill. I was for it then and I am for it now. Furthermore, if I were a betting man I would wager that at least as much as provided in the Joelson amendment will be provided in the final Labor-HEW Appropriation Act. But, Mr. Chairman, we have a responsibility to legislate in a responsible manner and it seems to me that one of our responsibilities is to treat the Senate as the coequal legislative body that it is. I do not like the fact that the Labor-HEW appropriation bill has not been passed yet. There are many things that are or are not done by the other body that irritate me. But, Mr. Chairman, we live in a glass house and I for one am not in favor of any stone throwing. If it is right that we try to force the other body to take our figures for education why is it not just as right for us to try to force them to take our figures for public health, the Departments of Housing and Urban Development, State, Justice, Commerce, and all of the agencies for which appropriation bills have passed the House but not the Senate? Why the timidity? If we are going to dictate to the other body let us do it in the grand manner. If this were a conference—sure, I would insist on the House position to the extent possible. But this is a continuing resolution, a holding action to keep the Government in operation for the next 30 days—just 30 days. And we, at this point, insist on the House position on the appropriations for fiscal year 1970? I never heard of such a thing before and, Mr. Chairman, with all due respect, you never did either.

Now let us get practical about this. Mr. Chairman, what have your Members been interested in most—what has really been bothering them about the continuing resolution that expires October 31? You know, and I know, and they know, and their constituents know—aid to schools in federally impacted areas. Here are the simple facts on that: Last year, fiscal year 1969, the appropriation was \$506 million with no restrictions on category "B". Category "B" had its claim on these funds on a par with category "A." The budget cut out category "B" and included \$187 million for category "A," and the current continuing resolution—the one that expires October 31—provides for funding on that basis. The committee's recommended resolution for November would provide \$506 million, exactly the same amount of funds under exactly the same ground rules as for 1969.

Now here is something that is very important. It is true that the amendment that has been offered would authorize expenditures at the rate of the House-passed bill, or \$585 million—\$79 million more than the resolution reported out by the Committee on Appropriations. For practical purposes, what does this mean?

All of us, Mr. Chairman, who know how this program operates—and most of us, from necessity, do—know that this money is not paid out in a lump sum early in the fiscal year. It is parceled out during the year as the reports come in from the schools and are verified by the Department. The final payments are not made until well after the end of the school year and after the end of the fiscal year—usually September or October. So what is the practical difference, Mr. Chairman, whether the Department gets another \$79 million of spending authority now, or in December, or in January, or in February—and even such an abject pessimist as I, will predict that the Labor-HEW bill will clear Congress by then.

Mr. Chairman, this amendment is devoid of merit and certainly should be defeated.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, for the benefit of all Members, but particularly for the benefit of the Members on our side of the aisle, I believe it is appropriate to indicate that the President of the United States supports the action of the House Committee on Appropriations.

I might add that the Secretary of Health, Education, and Welfare is likewise in favor of the action of the Committee on Appropriations.

I believe this decision on the part of the President coincides with his overall decision that the Federal Government in fiscal year 1970 should not spend more than \$192.9 billion.

I think this support by the President for this action of the Committee on Appropriations coincides with a decision not to make any allocation over a budgeted amount on budgeted items until every appropriation bill has been passed by the Congress and signed into law. So may I say in support of the comments made by my dear friend from Pennsylvania that the approval of this resolution is an act of total futility, if you add on the Cohelan amendment. You will not get one more penny for all of those schoolchildren in the city of Oakland, Calif. Your speech here, my dear friend from California, may look good in the newspapers, but it will not help one school child in the city of Oakland, Calif.

Now let me make one other observation. I have in my hand here the legislation which the Congress passed earlier this year including in title IV a limitation on fiscal year 1970 budget outlays. If I can read the figures correctly, this Congress in that legislation, approved by the President on July 22, 1969, limited expenditures to \$191.9 billion. Now, how ridiculous can we look on the one hand putting a limitation of \$1 billion less than what the President recommended and telling him on the other hand through a series of other actions to increase expenditures.

Let me make one other observation. I was shocked to hear the figures and the facts recited by the distinguished gentleman from Oregon. I have been sitting here listening to some of my dear friends lambaste and criticize the military-in-

dustrial complex. It has gotten almost asinine. Be that as it may, I did not know we had a built-in federally subsidized professional education lobby. According to the distinguished gentleman from Oregon, it exists now.

Now, what do I think ought to be done? I hope that the Committee on Education and Labor undertakes a thorough investigation to see how many of these organizations—50 of them or whatever number it is—are being paid by the Federal Government and how much they are being paid. If the Committee on Education and Labor under the distinguished gentleman from Kentucky will not do it, then I hope that the Committee on Appropriations will undertake such an investigation. If the Congress will not do it, then I think the Secretary of Health, Education, and Welfare ought to undertake such an investigation. I think this lobby ought to be exposed for what it is.

The charges made by the distinguished gentleman from Oregon are astounding. They are shocking. I believe we are going through an exercise in futility—an absolute exercise in futility here. If you think for one minute that the responsible people in the other body are going to bow down and kowtow to a decision made by this body forcing them to accept the figures that we put in, why, how ridiculous can you be. The net result is there is going to be a slowdown in the progress of this continuing resolution, and it may not even get to the floor of the other body. However, if it does—if it does—I cannot imagine for 1 minute that the President of the United States will sign this into law. And what is the impact of this irresponsible action which I think we may be about to undertake? I do not think that the President of the United States will sign this continuing resolution, and then what will be the consequence? The consequence is that after midnight October 31 there will not be a penny available for the compensation of 3 million-plus civilian employees or the compensation of 3,600,000 military personnel, and, incidentally, for the operation of the Congress.

And, there will not be one penny available to pay thousands of suppliers of the numerous departments and agencies of the Federal Government.

If you want to be faced with that situation, then act irresponsibly and support the Cohelan amendment.

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

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

First, Mr. Chairman, I wish to respond to the gentleman from Iowa (Mr. SCHERLE). As long as I have been chairman of the Committee on Education and Labor there has never been a member of the committee denied the opportunity to bring any witness before the committee in any hearing that I have conducted.

Mr. Chairman, the hearings on legislation to extend the Economic Opportunity Act were concluded on June 9. After we mark up the extension bill—which I hope will be completed next week—the distinguished gentleman from Iowa can bring in as many Governors and attorneys general before the com-

mittee as he likes. If they have constructive suggestions, then the bill may be amended when it comes to the floor.

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

Mr. PERKINS. Let me proceed.

Mr. Chairman, the debate here today is so reminiscent of our debate earlier this year on the Labor-HEW appropriations bill, the Joelson amendment, and the various substitutes for it. At that time, we met head on the issue of whether we were going to provide increases only for certain programs or whether we were going to have a balanced approach and also provide increases to assist in the education of poor urban children and those in the rural areas.

Mr. Chairman, we resolve that debate, through adoption of the Joelson amendment, which said that we would have a balanced approach, and that we would do something to meet all the pressing needs in education whether for the ghetto schoolchildren and the schoolchildren in the poor rural areas of this country, or for others. Let us resolve the same issue today in the same manner by approving the amendment of the gentleman from California.

The continuous resolution, in its present form, does not provide for a balanced approach. No benefits accrue to title I or vocational education.

Without the gentleman's amendment, title I of ESEA will be funded at a level which is \$273,848,000 less than what we approved on July 31. That is, Mr. Chairman, 20 percent less than what we have said should be expended for the education of disadvantaged young boys and girls.

Under the continuing resolution, title I would be funded at a level which is less than provided for the program in 1968, less than the amount provided in the original committee bill, and less than both the Johnson and Nixon budgets for fiscal year 1970.

I ask you then, Mr. Chairman, under this continuing resolution, who reaps the benefits from our action on the Joelson amendment. Clearly it is not those children in urban ghettos and in isolated rural areas. They receive not 1 cent above what was appropriated last year—a woefully inadequate amount even then.

Let us not forget the rationale for our action then. For title I, in fiscal year 1968 we had an appropriation of \$1,191,000,000. It is suggested, under the continuing resolution, that we continue the operation of the program at a level less than that. Yet at the same time, we know that since 1968, we have had more than 10 percent inflation, and that we have added groups of migrant children and handicapped children that must be supported fully. Today, Mr. Chairman, school districts are getting partially paid for 7,200,000 children, while they are serving more than 9,000,000. Mr. Chairman, the children who need our help more than any other group are the very children this continuing resolution fails to recognize.

Failure to allow funding of vocational education at the level of H.R. 13111 will fall hardest also on the disadvantaged. The Joelson amendment provided \$40,000,000 for vocational education pro-

grams for persons who have academic, socioeconomic or other handicaps which prevent them from succeeding in the regular vocational education programs. H.R. 13111 provides that this program be funded at the full authorization, whereas the continuing resolution before us now fails to provide for the implementation of the program. Equally disturbing is that the resolution before us fails to carry out even the intent of the original committee appropriations bill which provided a \$100,000,000 increase over the 1968 level in recognition that increased funds were necessary to maintain programs at even last year's level.

As we approach the third month of the academic year, Mr. Chairman, we cannot tolerate a continuing curtailment in traditional vocational education programs, which this resolution recommends.

Is it the impact aid students who benefit from the committee resolution? No, Mr. Chairman, they receive \$78,941,000 less than this House voted to provide them when we passed H.R. 13111, making appropriations for the current fiscal year.

What are the implications of the continuing resolution for college students who are in desperate need of NDEA loans to meet spiraling tuition charges?

Mr. Chairman, our action here today will be of critical importance to the NDEA loan program. It is in November and early December that student aid officers allocate funds for loans to be used in financing the second semester. But at this critical time, the continuing resolution suggests that institutions operate their program at last year's level. May I remind my colleagues that even last year, the appropriation amounted to only 77 percent of the panel-approved requests of colleges and universities. This year, because institutional requests reflect sharp increases in tuition, and increases in enrollment, the \$190 million level represents less than 70 percent of the panel-approved requests.

Mr. Chairman, it is imperative, as I have said, that institutions be advised at this time of what will be available for the student loan program. To wait until final passage of the Labor-HEW appropriations bill to allow the program to operate at a level which is still far below what institutions need—actually less than 60 percent of their total requests—may, in my judgment, be the critical ingredient for thousands of students who will be making decisions on whether to continue in college through the second semester. Over 50,000 students will be affected by our decision here today—since the difference between the continuing resolution and the amendment of the gentleman from California is the difference between 50,000 additional students obtaining loans or being refused. Some 16,000 of these students are students in business and technical schools who cannot participate in the loan program unless appropriations exceed \$190,000,000.

Mr. Chairman, it is said that the continuing resolution before us represents

an increase for education programs. Perhaps it does, but it offers very little for those who are in greatest need—the title I student—the disadvantaged youngster who needs special vocational education training—and the young girl studying to be a secretary whose chances for a second semester depend on an NDEA loan.

Mr. Chairman, we did what was proper in July when we approved a proposal which provided for a balanced increase in Federal support of education. We said then that we did not want education programs to get along on as little as possible. Let us not today, through approval of the continuing resolution without amendment, retreat from the bold plan we launched several months ago through passage of the Joelson amendment.

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

Mr. PERKINS. Yes, I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, I appreciate the distinguished chairman of the Committee on Education yielding to me at this time and what he has said with reference to vocational education.

Mr. Chairman, when the distinguished minority leader spoke and said that this would not mean a cent to the school across this Nation, if the gentleman will permit, I have been on the telephone talking with the president of one of the community colleges located in my district. I have asked him what this resolution means to him in hard dollars and cents. It means \$27,400 in hard dollars and cents. It means a program in police science, a program in aircraft technology, and the apprenticeship program in every community college. That is what it means to the students throughout the Nation.

Mr. PERKINS. The gentleman is correct. The same thing holds true in every school system throughout America.

The Cohelan amendment increases vocational education from \$248 million to \$488 million, and that is what we agreed to on July 31.

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

Mr. PERKINS. I yield to our distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I appreciate the gentleman yielding. I know that most of the educators of the country want this amendment passed. I know that we ought to fund this matter as soon as possible. I have talked to the distinguished chairman of this committee time and time again about this matter. Reluctantly he did promise and did make a commitment that he would try to make this a 1-month matter, and he would try to lift the education appropriation for fiscal 1971 to the House before April 1, 1970.

In view of that fact, so far as I am concerned, I am going to support the committee now even though I am for the principle of the amendment and I am for implementing the Joelson-Cohelan amendment as soon as possible. But I would like to add one other thing while I have the floor: I am not persuaded by any number of lobbyists coming here on any issue, although I respect the right of



distinguished educators to come here and talk to their constituents. Much less am I persuaded by a threat of the minority leader or anybody else, that the President will not sign this bill.

Mr. PERKINS. I want to say that I concur in that latter statement.

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

Mr. PERKINS. I yield to the distinguished Chairman.

Mr. MAHON. Another thing I think we should bear in mind appears on page 6 of the pending committee resolution. The matter that will fix the amount available will be the final HEW appropriation bill, as shown by section 105:

SEC. 105. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

It is the appropriation bill which ultimately sets the amount of funds available, not the continuing resolution. This continuing resolution is a temporary matter, merely making advances against the appropriations in the regular appropriation bills.

The CHAIRMAN pro tempore (Mr. ULLMAN). The time of the gentleman from Kentucky has expired.

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

Mr. CONTE. Mr. Chairman, I joined with 265 of my colleagues in an important resolution; the resolution calling for the funding of educational programs at the level that this body had approved—I repeat—at the level we had approved after long and serious debate here in the House.

We are talking about the backbone of this great Nation, our system of public education, a system which has contributed so greatly in making us what we are, and which should not and must not be shortchanged—but that is just what seems to be happening today.

Under the bill that we approved earlier this year we called for \$2.8 billion for the Office of Education. The distinguished Committee on Appropriations, on which I sit, called for \$2.1 billion. The difference between those two figures and the actual amount of loss to our public education system is \$650 million.

Now, President Nixon—and a lot has been said about what he might do—has called education the key to survival. And yet this country is now second to many of the countries of Europe in literacy. Moreover, Commissioner of Education James Allen has noted that about half the unemployed youth between the ages of 16 and 21 in this country are functionally illiterate. We must not allow this trend to continue.

This great body has recognized the need for action once before this year, and I see no reason why we should not act again in the name of education and for the future of our country.

Therefore, Mr. Chairman, I join my distinguished colleague, the gentleman from California (Mr. COHELAN), in his amendment to House Joint Resolution 966. This amendment would bring the funding for the Office of Education up to

\$2.8 billion, the level set already by this body. I urge my colleagues to vote yes on this amendment.

I would like to clear the air on some of the arguments made by my distinguished Chairman, the gentleman from Texas (Mr. MAHON). He made a very stirring speech, and I really regret that I must oppose him on the issue. But in his speech for orderly procedure, he said this did not amount to anything more than blackmailing the Senate. Well, if this amounts to putting a little bit of a fire under the feet of the other body, I am all for it.

I would like to remind the gentleman from Texas that last year when this House adopted my amendment providing for a \$20,000 limitation on farm subsidies, by a vote of 230 to 160, and it went over to the other body, they struck out that limitation. Then that bill went to conference, and they took the papers from the conference in a most unorderly procedure, and brought the papers over to the Senate so we could not get a crack at it here in the House of Representatives. I did not hear a word from the gentleman from Texas. What was that? If that was not blackmail, I do not know what it was.

They took out my amendment so that we never had an opportunity to look it over again.

Now we are supposed to plead and to cry and to weep for the other body. If I can get the other body to move on the HEW appropriation bill today, I am going to do it.

Then they talk about blackmail. My minority leader, a man whom I have supported and will continue to support, and who is one of the greatest men in this body, says if this bill goes down to the President with the Cohelan amendment, it could be vetoed—and what happens to the rest of the continuing resolution? Is that blackmail?

I hope my colleagues will see the wisdom of supporting the Cohelan amendment.

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

Mr. CONTE. I yield to the gentleman briefly.

Mr. PUCINSKI. Is it not a fact that we had the same kind of straitjacket placed on us with reference to the consideration of the surtax, which came to this House hours before it expired. It came from the Senate and we had to vote on it in the same way. Where was the consideration for orderly procedure then and where were the rights of the House Members then?

Mr. CONTE. That is exactly right.

I just want to make one more observation. I was disappointed in the majority leader. He made a very telling case here today in his colloquy with the chairman of the Committee on Appropriations. He had me convinced that we were on the right track, but later he backed down. I was very disappointed that he did this.

Mr. YATES. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to address myself to my distinguished friend, the minority leader, whose remarks surprised me. I am shocked that he considers this

amendment an exercise in futility. I am shocked that he would characterize this administration as an antieducation administration. He said that if the Congress passed this bill, it will be vetoed by the President of the United States.

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

Mr. YATES. I yield to the gentleman. Mr. GERALD R. FORD. I implied I would urge a veto and that I could not imagine him approving the proposal with the Cohelan amendment.

Mr. YATES. According to the press he has announced that if Congress passed a bill containing the funds itemized in the Joelson amendment, he would not spend those funds. He has already made that clear in the press. I do not know how the gentleman from Michigan can characterize it except as an antieducation position.

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

Mr. YATES. Let me finish my one point just as the gentleman asked me to wait until he had finished his point.

I was visited, Mr. Chairman, yesterday, by 30 students of Northwestern University Medical School. They cannot get any loans. There is no money available. Only \$15 million was made available in the budget.

The President's budget for the year 1968 contained \$26 million for the Health Professions Development Act. There were in that year 217 medical schools and 64,000 students.

The President's budget for the year 1969 contains \$26 million for the Health Professions Development Act. In that year there were 231 medical schools and 69,000 students.

This year there are 243 medical schools and 75,000 students and the administration has cut the budget to \$15 million. This Nation needs many more doctors. There are more students in the schools and yet the budget is cut. The students cannot get loans from the banks at reasonable rates of interest. Where can they turn for help? This administration and not the Congress cut almost 50 percent of the amount that was available last year.

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

Mr. YATES. I yield to the gentleman. Mr. STEIGER of Wisconsin. Is it not correct that the continuing resolution, as it is before us today, sets forth the amount authorized to be spent is \$20,000,000? Let us not go into a sleight-of-hand operation on the figures.

But the amount available in this continuing resolution—and I was visited by the same students—ends up to be \$20 million. The budget request and the carryover results in a final figure of \$20 million.

Mr. YATES. Which is still \$6 million below what the budget was last year, and it does not negate what I said about what the budget recommended.

Mr. STEIGER of Wisconsin. It is \$5 million above what you just got through saying, I say to the gentleman from Illinois.

Mr. YATES. Let us look at the record. I said that the Bureau of the Budget had

recommended \$15 million this year. That is a fact. You have only to take a look at the budget, and you will see I am correct. And I say this indicates an anti-education position on the part of the administration.

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

Mr. YATES. I yield to the gentleman from Ohio.

Mr. HAYS. I would like to comment on the minority leader's statement about the President vetoing this, or that he might veto it. I do not think he would dare, because there are those who have said it would close the Government down, and what if he closed the Government down and the people found out they could get along without it?

Mr. YATES. I thank the gentleman for his statement.

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

Mr. YATES. I yield to the gentleman from New York.

Mr. CAREY. I asked the gentleman to yield because he has put his finger on a point that I think is the same argument that can be made in terms of conditions in our medical schools. The New York medical schools, and many other medical schools in New York State and in all States, are in desperate shape. They face a serious shortage of funds. They face a severe shortage of funds. They do not know what they are going to do about the intake of more students.

Mr. Chairman, I sat in this Chamber and listened while the distinguished gentleman from South Carolina (Mr. RIVERS) told us again and again that the Russians had a manned bomber and that we needed another manned bomber, and that we need a new generation of the SCRAM, the CRAP, or whatever they have, we have to have one, too.

Let me remind the House at this time that the Russians this year will educate 36,000 doctors in their medical schools, and we hope to achieve a maximum level of 8,000. If we do not put the money in this bill, we will fall below that figure. I urge that if we are going to follow the Russians in anything, that we follow them in our education of future doctors.

Mr. YATES. I thank the gentleman. I suggest the minority leader is completely wrong when he says that the amendment offered by the gentleman from California is a futile gesture. On the contrary, I think it is meaningful. It is tangible. It is significant. It will demonstrate clearly that the House of Representatives is determined that funds will be made available to the children of this country to enable them to get a decent education. Approval of the Cohelan resolution today will be a victory for the cause of education in this country.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on the joint resolution and all amendments thereto close in 15 minutes.

The CHAIRMAN. The Chair advises the gentleman that we have not yet read the remaining section of the resolution.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and any amendments thereto close in 15 minutes.

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

Mr. BRADEMAs. Mr. Chairman, I object.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto to section 101 close in 20 minutes.

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

Mr. BRADEMAs. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Indiana objects.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto conclude in 25 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia (Mr. LANDRUM).

(By unanimous consent, Mr. GIAIMO and Mr. MAHON yielded their time to Mr. LANDRUM.)

Mr. LANDRUM. Mr. Chairman, I take this time to ask two or perhaps three questions of the chairman of the committee.

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

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

Mr. FLOOD. Mr. Chairman, as the gentleman from Georgia knows, I am not a damned Yankee I am just a Yankee. I think all of us on both sides ought to keep in mind that there are many complex and difficult problems that we may well have to grapple with in the conference with the other body on the regular HEW appropriation bill, not the least of which could be the Whitten amendment. Members who are favorably disposed to vote for the Cohelan amendment ought to consider whether they might be poisoning the water and increasing the difficulties of the House conferees.

Mr. LANDRUM. Mr. Chairman, I ask the distinguished chairman of the Committee on Appropriations these questions. Is it true, Mr. Chairman, that the bill which the House sent to the Senate on July 31 contained an appropriation of \$489 million for vocational education?

Mr. MAHON. The gentleman from Georgia is correct.

Mr. LANDRUM. Is it true the level of operation for vocational education for the last four months has been at the level of \$248 million?

Mr. MAHON. The gentleman is correct. The guidelines of the continuing resolution in effect during that period set funding for vocational education at last year's level, which was \$248 million.

Mr. LANDRUM. When the Senate passes the appropriation bill which the House sent there on July 31, and if the Senate accepts the House figure we will have the \$489 million?

Mr. MAHON. If the Senate approves that figure, yes.

Mr. LANDRUM. If the Cohelan amendment should be adopted, and if the Senate should accept it, then we would still just have the \$489 million? Is that correct, that we would have that amount for vocational education?

Mr. MAHON. The gentleman is correct.

Mr. LANDRUM. Mr. Chairman, I do not have to apologize or to explain to anyone my support for vocational education. I said to the gentleman from California (Mr. COHELAN) previously that I would support his amendment, but I believe, after listening to all the arguments and hearing all sides, vocational education and this Nation and this House of Representatives will be better served if we go ahead and support the chairman of the committee, particularly in view of the fact that these figures will be the same, and more particularly in view of the fact the chairman has said to us he is going to try to hold this continuing resolution to 30 days. There is nothing to be gained by taking the risks involved here. Vocational education has nothing to gain here on such a 30-day operation. The solution is for the Senate to pass the appropriation bill we sent over there last July 31.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. O'HARA).

Mr. O'HARA. Mr. Chairman, I would like to ask the Chairman of the Committee if there is some mistake. Did the gentleman say the level of funding for vocational education would be \$489 million whether or not the Cohelan amendment were agreed to, and does the gentleman wish to reconsider that answer?

Mr. MAHON. Mr. Chairman, I think there must have been a failure to understand. I understood the question to be, if the other body approved the Labor-HEW bill we sent to it, which does provide \$489 million, would that be the figure? I said yes, it would be \$489 million for the year.

Then the question was asked, if we adopt the Cohelan amendment, would that increase the \$489 million by any amount, and I said no, it would not.

Mr. O'HARA. But in terms of the continuing resolution, the Cohelan amendment provides an additional \$241 million for vocational education. Is that not correct?

Mr. MAHON. The Cohelan amendment is merely a restatement of the Joelson amendment.

Mr. O'HARA. Exactly, and in terms of dollars, it is \$241 million more than the continuing resolution.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

(By unanimous consent, Mr. SCHEUER yielded his time to Mr. PUCINSKI.)

Mr. PUCINSKI. Mr. Chairman, I rise in support of the Cohelan amendment. There are less than 81 hours between now and midnight Friday. If both Chambers do not act by midnight Friday, everything will come to a standstill in education in America.

Our distinguished minority leader has his crisis reversed. It is only if we fail to adopt the Cohelan amendment, which we have every reason to believe will be accepted by the other body, because the



other body cannot possibly conclude its hearings and go the normal route by Friday midnight, that we will face the crisis he speaks of. If we fail to approve the Cohelan amendment today we are going to see a crisis in education throughout the Nation. Vocational education courses will be phased out beginning Monday, and many other programs will have to be dropped. Remember, you have restructured the entire vocational program last year and unless the additional funds provided on the Cohelan amendment are approved, these schools are now going in their fifth month under a continuing resolution. They are in the fifth month of the new fiscal year. They have been living on borrowed time. They have been borrowing money. They have been stretching money. But they cannot go any further.

So I am telling this House, you gentlemen can take the responsibility for failing to provide the money that was overwhelmingly approved in this House when the appropriation was before this body. You are going to see a crisis in American education, because every one of these school districts is now way into the fiscal year.

The Senate has had more than ample time to work on this matter. They have been dragging their feet on public hearings. They have not completed their public hearings.

I will tell you this: You go along with the Cohelan amendment and we will have a good bill here by midnight Friday. We have every reason to believe the Senate will take this amendment as is and our school systems can proceed in an orderly manner to fulfill their obligation.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. BRADEMAS).

(By unanimous consent, Messrs. WILLIAM D. FORD, HOWARD, ECKHARDT, and COHELAN yielded their time to Mr. BRADEMAS.)

Mr. BRADEMAS. Mr. Chairman, I want to make two or three points about the matter before us.

First of all, I want respectfully to suggest that the distinguished minority leader may not be correct when he suggests that President Nixon would veto this bill. In saying this, I want to remind the Members of this House that on the 23d of October 1968, just 1 year ago, Mr. Nixon, then a candidate for the Presidency, said:

When we talk about cutting the expense of Government—either Federal, State, or local—the one area we cannot shortchange is education. . . .

I have absolutely no doubt, Mr. Chairman, that if we send the Cohelan amendment over to the other body, the other body will take it and send it to the President, and that the President will respect the fact that the overwhelming majority of both Republicans and Democrats in this House, the more popularly elected body of our National Legislature, have gone on record as saying that "We think education is important."

We have heard a good deal today about the integrity of the appropriations process. I believe in that integrity, but I

also believe in the integrity of the elected Members of the U.S. House of Representatives.

I must say, Mr. Chairman, I am getting a little resentful of the attitude taken by some Members of this body. They in effect say to those of us who do not sit in the Appropriations Committee, "Who do you think you are? You are just an elected Member of the House, that is all. Who do you think you are?"

I want to remind Members that in July of this year, by a vote of 293 to 120, the Members of the U.S. House of Representatives went on record as saying, "Mr. President, we think education is very important."

I am somewhat distressed, therefore, that the great Committee on Appropriations and its distinguished chairman did not apparently indicate they had any respect for the integrity that other Members of the House bring to the U.S. House of Representatives.

I can count; 293 to 120 tells me something.

Look at the press gallery here. They have been writing articles about the fact that there is something new going on this year in the Congress of the United States. For Congress is at long last becoming responsive to the concerns and priorities of the American people. And the American people are telling us, their elected Representatives in Congress, "We think education is important."

Mr. Chairman, I hope that we can respond to their concerns and their priorities. I hope we can say "yes" to the American people. I hope that having voted 2 to 1 in July for education, we are not going to hide behind a little parliamentary maneuvering that the public does not really understand and turn our backs on that commitment.

And I do not believe, Mr. Chairman, that we are going to turn our backs on that commitment.

I was proud of the vote for the Joelson amendment last summer and of the fact that it was a bipartisan vote.

I was proud that a majority of my colleagues on the minority side voted with the majority of us on the majority side, for education.

I was proud that a majority of the Members of the House delegation of the distinguished minority leader's party from his own State voted in support of the Joelson amendment.

I was proud that on a key teller vote, the distinguished chairman of the Republican National Committee, the gentleman from Maryland (Mr. MORTON) for whom I have very great regard, although he did not stay with us on the rollcall vote, walked through the aisle to vote for the Joelson amendment and we saw him. I take my hat off to him, although I understand some of his problems.

Mr. Chairman, I think that the vote on the Joelson amendment last summer is a commitment and is a solid commitment that we gave in this House—a commitment to better education for our country.

Mr. Chairman, there are going to be a lot of people watching us today. It is not just money for education which is in-

involved here but, much more important, it is the integrity of this body that is at stake. The issue today is in large measure whether or not we have any respect for ourselves and any respect for our own consciences and for the integrity of this House.

For the House is saying, Mr. Chairman, I reiterate, that education is important, and I must say that I believe, and I predict to you, that if we send this bill to the President of the United States, he will sign it.

Mr. Chairman, I want to say one final word to my friend, the distinguished minority leader. He said, I believe, that if we pass the Cohelan amendment, we in Congress will not get our paychecks. Well, let me tell you something. If we do not pass the Cohelan amendment, we do not deserve to have our paychecks.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MICHEL).

(By unanimous consent, Mr. STEIGER of Wisconsin yielded his time to Mr. MICHEL.)

Mr. MICHEL. Mr. Chairman, I think we are all aware when the House acted on our regular appropriation bill there was a decided feeling that some of our figures should have been raised for some very popular education and library programs: Supplementary education centers, library resources, guidance, counseling, and testing, equipment and minor remodeling, and so forth. In the current continuing resolution these programs are hurt whereas under the provisions of this new resolution, the one we are considering today, the problem is alleviated somewhat. As a matter of fact, to the extent that it would be altered by the Cohelan amendment.

For example, in supplementary education there is \$165 million in the new continuing resolution as against \$116 million in the current resolution. We have \$50 million for library resources—Title II, ESEA—as against nothing in the current resolution.

These are the same spending levels as called for in the so-called Joelson amendment. There is an increase of \$17 million for guidance, counseling, and testing in title V of the NDEA, and for equipment and minor remodeling in title III of NDEA we have an increase of \$79 million. This is provided for in the new continuing resolution.

In higher education facilities construction grants item that go to undergraduate facilities there is \$33 million in the Cohelan amendment, and we provide the same in the resolution. The same thing applies with respect to library assistance: \$41 million in services and \$9 million for construction. Mr. Chairman, the terms of this new resolution are different than the one under which we are operating and does provide some relief.

And while the gentleman from Illinois (Mr. YATES) is on his feet, may I correct what he said relative to medical students and health manpower under the Nixon budget, there was a budget request and there were funds appropriated for 1,000 new additional medical students this year over that which the prior administration requested. This is in addition to

the normal increase of 600 provided in the last Johnson budget.

So far as total health manpower is concerned the record will show the 1969 figures at \$172,086,000 as against the Nixon budget request of \$218,021,000 which incidentally our committee provided for in our regular bill.

Mr. Chairman, I had intended earlier to make several observations with respect to why we do find ourselves in this kind of situation today and it is all a matter of timing.

Reference has been made earlier to the problem of the authorizing committees failing to get their work done in time for our Appropriations Committee to act, but I would say that the more critical problem is getting the House and Senate working together on appropriations.

Whether we are here or not in the next Congress, the work of this body will go on and the country will go on.

Whether an administration swings from extreme right to extreme left or vice versa there is actually no more difference than 5 percent up or down in what must be appropriated to keep the Government going. In other words, we know essentially what we have to do and the most productive legislative Congress in history would not make, as I said before, a 5-percent difference up or down in what needs to be appropriated.

Now, we in the House Appropriations Committee have done our work. Our HEW Subcommittee held hearings from February through May—a period of 4 months and of course our bill passed the House 1 month into the new fiscal year.

I have said it before and I will say it again: I see no excuse whatever, for the other body going better than 3 months into the new fiscal year before even scheduling hearings on our bill. I do not happen to think that it is necessary for the House to complete action before the other body begins consideration of similar legislation, and our Constitution only requires that this be done in the case of tax bills which must originate in the House.

I submit, Mr. Chairman, that we do a very thorough job in our House hearings and to say the least, it is rather discouraging to have the other body fold under pressure time and time again and follow the path of least resistance when appropriating for these admittedly very popular programs. Only one-third of the other body comes up for election every 2 years, and it is much easier for 33 Members to try outdoing one another for public favor but it is much more impractical for the same kind of situation to prevail in a House with 435 Members.

Mr. Chairman, notwithstanding my having said this, I respect the tradition of comity between the Houses and would like to see the other body act on our bill in a normal, routine, businesslike manner and there is surely some argument that adoption of the Cohelan amendment would for all practical purposes alter this relationship. I do support the resolution with a reservation with respect to vocational rehabilitation, for there is no question but that this item is the weakest point in our continuing resolution. As a matter of fact, our sub-

committee raised the budget figure by over \$100 million to \$357 million, for that is what would be required to keep all our ongoing programs operating without a cutback and still comply with the amendments written into the law in 1968.

Thirty days more, however, is not going to mean death for the program, and reluctantly I will go along with our chairman and ranking Members' position with the understanding that I be permitted to alter my support for any further continuing resolution if conditions have not improved in this 30-day period.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island (Mr. ST GERMAIN).

Mr. ST GERMAIN. Mr. Chairman, I associate myself with the remarks of the gentleman from Indiana and the other gentlemen who are proponents of the Cohelan amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. HANNA).

(By unanimous consent, Mr. SIXK yielded his time to Mr. HANNA.)

Mr. HANNA. Mr. Chairman, I would like to say that I support this amendment. In my own mind this amendment represents a small leaf in a very important book. This book records the continuing commitment we have made to education.

The administration and the Members of this House have to go on record to the effect that they are for protecting the quality of education as strongly as they are for protecting the security of America. For if our energies and treasure are expended in an endless quest for absolute military security we will undoubtedly find that we have sacrificed those precise qualities which we sought to preserve. The history of man is rife with examples of civilizations unsuccessfully sacrificing all for military security while they crumbled and decayed from within.

Mr. Chairman, I think the people who send us to this Congress expect that we, the Members of this House, will be concerned about the internal strength and character of this country. That strength is based upon the quality of America, and certainly one of the important components of our quality is education. Unfortunately it is these qualities of domestic strength that this House has not been as strongly committed to as it has the defense and security of the country. It is these qualities of inner strength and conviction that demonstrate the ultimate worth of a culture, and not fortunately, its military complex.

I might suggest, Mr. Chairman, that it is time for us to reevaluate our basis for action and remember that every country has had to face up to the fact that if it has not kept up the inner quality and strength of its people that in the final analysis it cannot protect itself from the outside.

The President, during his campaign, declared:

Jefferson knew that the destiny of America was inseparable from education—that in the fulfillment of the promise of this new nation education would be the key . . . education, long the key to opportunity and fulfillment, is today also the key to survival.

So, Mr. Chairman, I support the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. PATTEN).

Mr. PATTEN. Mr. Chairman, on July 31, this body took a dramatic step forward in terms of our legislative responsibilities in the field of education. On that date, the full House worked its will, debating and substantially amending the education appropriations measure on the floor of the House. On that date, we took a step toward putting up the funds required to keep the promises we had made in our authorizing legislation.

What we did last July was to vote our convictions, putting aside considerations of loyalty to party, committee, or State delegation. This bipartisan effort resulted in restoring more than \$1 billion of educational funds which had been cut by the Johnson and Nixon budgetmakers last winter.

In sum, Mr. Chairman, we overwhelmingly passed H.R. 13111. And in so doing, we told our friends and constituents in education, our teachers, our students and their parents, that we supported them and their programs. We told them that we believed that the American dream of a relevant and meaningful education for every citizen is so fundamental a national goal and priority that we would pay it more than mere lipservice.

But today, Mr. Chairman, our schools are almost midway into the first semester of the academic year, and they have not seen a penny of the increased funds we voted to appropriate last July. And if we approve the formula for continuing appropriations for the U.S. Office of Education contained in the committee resolution now before us, our schools will not see a penny of these funds at all this semester.

To avoid such an eventuality, more than a majority of the House has sponsored resolutions which would keep continuing appropriations for education to the dollar amounts contained in H.R. 13111. I am sure the whole House recognizes, as these 230 sponsors have, that the issues which moved the House to pass H.R. 13111 have not faded; and, in fact, the budgetary problems of the schools are heightened by the uncertainties of funding once the school year has begun.

Accordingly, Mr. Chairman, I see no justification whatever for this body to retreat for a month or two from the funding levels it agreed to in H.R. 13111. I shall, therefore, support the principles incorporated into the resolutions which I and other Members have cosponsored, and vote for the Cohelan amendment offered by the gentleman from California (Mr. COHELAN).

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

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

Mr. BOLAND. Mr. Chairman, I want to express my support for the amendment offered by Congressman COHELAN—the amendment seeking to maintain fiscal 1970 spending within the Office of Education at the level established by the House in the appropriations bill passed a few



months ago. The spending level sought in House Joint Resolution 966, a level essentially the same as that for fiscal 1969, would be woefully inadequate for the Nation's school systems. Such a meager—indeed, niggardly—spending level would virtually halt Office of Education programs within the field of vocational education and within several fields of academic education as well.

It is plain, Mr. Chairman, that amply funded education programs are among the most pressing needs of American society. Indeed, the very future of the United States hinges on the quality of educational programs within our schools. To jeopardize those schools in the name of "economy"—false economy of the most errant kind—would be senseless.

Let me cite just a few examples of the gaps between fiscal 1969 spending levels and those authorized by the House in H.R. 13111. Vocational education programs—the programs that hold out hope to the Nation's disadvantaged children—would suffer budget cuts totaling almost 50 percent under the formula sought in House Joint Resolution 966. The program offering financial aid to "federally impacted" school systems would lose nearly \$80 million—a sum that school administrators throughout the United States consider critical to the program's success in fiscal 1970. And programs of student aid, as just one further example, face a budget cut of more than \$113 million.

The Senate, when it eventually acts on the fiscal 1970 appropriations bill for HEW, is expected to fund Office of Education programs even more liberally than the House did in enacting H.R. 13111. I know many of my colleagues join me in the hope that this expectation bears fruit. In the meantime, however, we in the House must at least live up to the commitment we made this summer in our own action on HEW appropriations.

I strongly urge the passage of Mr. COHELAN's proposed amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. OTTINGER).

Mr. OTTINGER. Mr. Chairman, I want to congratulate my friend from California, Mr. COHELAN, for his ingenuity in devising this method for obtaining vitally needed money for our Nation's schools. I think his amendment is splendid and deserves our full support.

Opponents have said it will not be effective. I strongly disagree. If the amendment is passed in the other body and signed by the President, the schools will be able to receive moneys at the rate of \$1.2 billion more than they may receive at present. This will be a tremendous boon to them.

I do not believe for a minute that the Senate or President will fail to act on this measure. The Senate, already contemplating an even higher appropriation, but unable to arrange for its consideration for several months, is very likely to act favorably; at the very least, it will expedite consideration of its own measure. If the President receives the bill representing such overwhelming sentiment in the Congress and the country, I doubt very much that he will veto it—

and, if he does, I believe his veto will be overridden.

To those who derogate the effectiveness of the Cohelan amendment I would ask how they would devise a more effective measure for getting the educational funds so badly needed into the schools before too much of the school year goes by to use it effectively. As I see it, this is the sole means available to expedite these funds.

The distinguished minority leader has said in opposition that passing this amendment would destroy the \$192.5 billion expenditure limitation we passed earlier this year. I would remind my colleagues, however, that we passed the ceiling subject to any increases or decreases in appropriations we might subsequently pass.

If we succeed in passing this amendment today, it will be an unprecedented victory. It will have great significance in opening a new avenue for expression of the will of this body over its Appropriations Committee. And it will have great significance in showing our determination to reorder our national priorities.

At long last, this body is exerting itself to change our national priorities. The increase we mandated in education through the Joelson amendment, the effectuation of that change through the Cohelan amendment today, the \$600 million appropriation we mandated in the water pollution appropriation—each of these actions demonstrated our determination to spend a greater proportion of our resources in areas of high national importance.

The consequence of these increases in vital areas is that the President, if he is determined—as I think he should be—to hold the line on overall governmental expenditures, will have to make cuts in less vital areas. That this message is getting through to the administration is best illustrated, I think, by the recent announcement by our Secretary of Defense that he is going to redefine our national security requirements for maintenance of military forces necessary to fight 1½ wars at any one time instead of 2½ wars as has been our previous policy. This will permit a tremendous reduction in marginal military expenditures, accomplishing exactly the kind of priorities readjustment that I and many of my colleagues feel is so important to our future.

I hope the President will go further to reexamine his ABM, SST, agricultural subsidies, and other similar decisions to spend vast sums in areas of marginal utility or, in my opinion, adverse consequence.

The lessons of today's actions should be extended even further, however, to the many other Government programs that are held in a state of suspended uncertainty because of our failure to act upon authorizations and appropriations before June 30, the end of our fiscal year.

In recent years, it has become the rule rather than the exception to fail to pass most appropriations by July 1. Our business is simply too complex to permit our meeting this early deadline.

As a result, many departments of Government, private agencies that depend on Government programs, businesses

that produce for the Government, school officials, Governors of States and mayors of cities, foreign agencies administering AID projects, all have the gravest difficulties planning their activities.

I am sure it costs the Government millions of dollars to pay for the slow-down and start-up costs of the many agencies that have to readjust their programs to fit our fiscal philandering.

For the future, I strongly recommend we consider changing our fiscal year to 12 months rather than 6 months in which to pass all our authorization and appropriation bills, a much more realistic time in view of the current complexity of our business.

The chairman of the Appropriations Committee asks us to defeat the Cohelan amendment in the name of preserving the orderly processes of this body. Is it, indeed, orderly process to fail to pass educational appropriations more than 2 months after schools dependent upon them have been in session? Is it orderly to pass continuing resolutions requiring school systems throughout the Nation to fire teachers and curtail programs when the House has already passed an appropriation permitting a substantial increase? I submit that this is the height of disorderly process—that we will reflect far more credit on the processes of this body if we give the schools the funds we have committed to them rather than to further disrupt their planning and operations.

I strongly urge adoption of the Cohelan amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. CORMAN).

Mr. CORMAN. Mr. Chairman, the equities of the matter have been adequately discussed. However, I was rather distressed with reference to two arguments. I thought I heard the ultimate when the minority leader indicated that if I voted for the Cohelan amendment I might not receive my October paycheck. I am sure that that would displease my creditors more than it would me. But, then when I heard that the greatly sanctified "Whitten amendment" might be at issue here, I thought we had reached an awfully low point in this committee.

When it is suggested further that this Nation is threatened by an "industrial-education" complex—a complex composed of those who have the interests of children at heart, then we have reached an even lower point in this debate.

I would remind my colleagues on the floor today that the complex of interests which urgently sought our support for the Cohelan amendment, and who now hope for its passage, did so on behalf of the multitudes of young people who have every right to be dissatisfied with decaying school systems, overcrowded colleges and underfunded research.

Mr. Chairman, I support the Cohelan amendment.

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

Mr. CORMAN. I yield to the gentleman from New York.

Mr. GILBERT. Mr. Chairman, I rise in support of the Cohelan amendment to the continuing appropriations resolu-

tion for fiscal 1970. I am one of the co-sponsors of the Cohelan amendment to fund the Office of Education at the \$2.8 billion level approved by the House of Representatives last July.

Mr. Chairman, this is a critical time of financial need for the improvement of educational opportunity and the quality of education, not only in my State of New York, but throughout the country. Our highest priority should be given to the support of education. I strongly urge my colleagues to join me in support of the Cohelan amendment so that important and critical programs will not be left unfunded.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, I rise in support of the Cohelan amendment. I wish to commend and congratulate our colleague for carrying on the fight so successfully waged by our former colleague, Charles Joelson.

This House not long ago voted to add to the appropriations for education approximately \$1 billion over the amount proposed by the Appropriations Committee. As a result of the fact that the Senate has not acted on the bill, schools now entering their third month will be faced with a situation where they will have to cut back existing school programs unless the continuing resolution permits the expenditures not at last year's rate or the modest increase recommended by the Appropriations Committee but at the rate which this House endorsed on July 30 when the Joelson amendment to the Labor-HEW appropriations bill was passed by a vote of 293 to 120.

I hope that we in this House will not be intimidated by the threat voiced by the distinguished minority leader to the effect that President Nixon may veto this bill. These threats have been made before and this House should never submit to them.

Some of those who are opposing the Cohelan amendment on grounds of economy did not hesitate to add more than a billion dollars to the defense budget and oppose any reduction of wasteful projects in that budget. Day after day, we in this House witness the twisted priorities of the Nixon administration begin given effect. At least in this most important area of education. Let the voice of this House state loud and clear that ours is a solid commitment to better education for the children of our country.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, it is a real temptation to support the committee's resolution because it provides \$79 million less for impacted aid than does the Cohelan amendment. I see that the committee resolution increases many of the titles of the act that had been cut down by the budget. Titles III and V-A of NDEA and titles II and III of ESEA will be funded at the same level as the Cohelan amendment. But even with that, and the arguments that have been made, I am still going to vote for the Cohelan amendment.

The reason is that vocational edu-

cation was seriously hurt by this continuing resolution; it was under Public Law 91-33, and it would be under this resolution.

I see this continuing resolution provides \$248 million for vocational education. The administration asked for \$279 million. But a \$100 million increase is necessary just for vocational education to put basic grants at the level they were last year, because of the amendments approved in the 1968 act.

Vocational education needs this additional money now.

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

The Chair recognizes the gentleman from Missouri (Mr. RANDALL).

Mr. RANDALL. Mr. Chairman, I support the Cohelan amendment because along with many other Members of this body I was a cosponsor of a continuing resolution which called for ratification of the Joelson amendment.

Today we seem to be in about the same place we were the latter part of July, when the Joelson amendment was made a part of H.R. 13111.

Arguments have been advanced today that if we want to do the orderly thing, we will support the Appropriations Committee and try to defeat this amendment whose purpose is to restore sorely needed funds for education. We are told, moreover, what we do here today may not be concurred in by the other body. Finally, we listened to the minority leader who seemed to indicate that the President would not be happy with us if we passed the Cohelan amendment, and could be so unhappy that if the funds were appropriated they might not be used.

Well, Mr. Chairman, the House of Representatives should act, rather than react. We should not chart our course in anticipation of what the other body might do or react to what may be indicated they intend to do or not do. The truth is they have done nothing on this subject since we passed H.R. 13111 in July. Their inaction should not be an example for us to follow. Similarly, whatever the Chief Executive does is his choice and option. The House of Representatives should not react to guesses or surmises what the President might do.

About 1 year ago, during the campaign, Mr. Nixon said repeatedly that funds for education deserve the highest priority. It would be unfair to charge that there is a difference between candidate Nixon and President Nixon. I have every reason to believe that he will expend the moneys appropriated for education, and I will continue to believe that until his actions prove otherwise.

Essentially we are right back where we were before the adoption of the Joelson amendment, that is whether each of us is willing to stand up to be counted as for the proposition that money spent for education is the very best investment that can be made in the future of America. At the time of the Joelson amendment we said an authorization bill amounted to a commitment, and that to fail to appropriate sufficiently meant we were renegeing on a promise we had made and shattering an image we had created.

Mr. Chairman, the issue is even clearer today because when we acted in July

we redeemed ourselves of the commitment. We provided funds for education. True, as of now, no appropriation bill has been enacted into law. We must have a continuing resolution because we are without an appropriation bill. But today if we become inconsistent and do a right-about-face on the Cohelan amendment which is the October edition of the Joelson amendment, then we do worse than renege. We raise doubts about the integrity of this body.

All we are talking about today is the same thing we were discussing the latter part of July, and that is the fact that there is nothing in the entire field of human endeavor more important than education when all is said and done, we are spending for the education of our youth, which is our most important resource.

If I may make reference once again to our President, when he was a candidate just a year ago he said:

Jefferson knew that the destiny of America was inseparable from education—that in the fulfillment of the promise of this new nation education would be the key . . . Education, long the key to opportunity and fulfillment, is today also the key to survival.

According to today's edition of the morning paper published in Washington, those were the words Mr. Nixon used a year ago when he was a candidate. According to that same source, he went on to pledge that—

My administration will be second to none in its concern for education.

I just cannot believe that those who quote the President that he will not spend the money if appropriated are right. I believe he will redeem the pledge that he made 1 year ago. Once again, let me repeat that this House should not react to what the President may do or not react to what the other body may do. We should be consistent, keep faith with what we did in July, and demonstrate the integrity of this body by passing the Cohelan amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Chairman, I have heard the debate, all of it, and I have felt that there is one important point that has not been mentioned, and I arise at this time in order to raise that point. I do so by asking the rhetorical question of what would happen if the Cohelan amendment became law, and then the Senate failed to adopt the Joelson amendment?

I say that would produce utter chaos for the educators in this country.

I further want to say, Mr. Chairman, that I voted for the Joelson amendment to H.R. 13111. I am voting against the Cohelan amendment. I think my vote for the Joelson amendment was the more responsible one at that time, and that my vote against the Cohelan amendment is the more responsible one now.

The CHAIRMAN. The Chair recognizes the gentleman from Montana (Mr. MELCHER).

#### CONGRESS IS TARDY TO SCHOOL

Mr. MELCHER. Mr. Chairman, two groups are not impressed by Congress' orderly process when it results in slowness, delay, and dilly-dallying in getting



bills processed and finally passed. One of those groups are the taxpayers when failure to act promptly and effectively ups the costs for local taxpayers. The other group that is not impressed is the schoolchildren and the schools. The school bells rang in late August and early September, and from that time right up until now, Congress has been marked "tardy."

Mr. Chairman, much of the "taxpayers revolt" which we know to be simmering and brewing in this Nation today is a consequence of rapidly increasing local property taxes.

Education, which is now largely dependent on local taxes, is almost always the first to be diminished and deprived when local taxes become excessive. This leads to the loss of elections to authorize essential bond issues and special levies for the schools.

When the Federal Government refuses to pay its share of education costs—and this is the cruel reality right now—the rising costs of education have to be made up at the local and State levels, or our children's education suffers accordingly.

In the State of Montana, the Federal Government paid \$15.5 million of our educational costs last year. This year, it was proposed to cut even this inadequate Federal share by \$3 million instead of increasing it at least enough to cover growth requirements to say nothing of putting it up to what the Federal partner ought to be paying.

It was proposed that the greatest tax collector of them all, Uncle Sam, cheat on his already inadequate disbursements to the schools for the children of the Nation.

I am proud of the fact that the House of Representatives voted to help more on the cost of education in all the States when it approved the Joelson amendment to the education bill. It is apparent the Senate will accept this, and possibly add even more. But we are continuing to let Uncle Sam cheat the schools by disbursing funds on the basis of a repudiated budget proposal.

We have the opportunity here today to make sure that the old 3-way partnership basis of educational support—Federal, State, and local—is quickly restored back toward its former basis and Uncle Sam again starts paying a somewhat fairer share.

The distress of high tax burdens—especially at the local levels which must make up whatever costs the other partners do not bear—can only be lessened and fairly distributed by spreading school costs equitably among all types of taxpayers and levels of government.

We have a long way to go to spread those costs equitably among all the partners, but approval of the amendment offered to the continuing resolution will at least start us in the right direction.

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon (Mrs. GREEN.)

Mrs. GREEN of Oregon. Mr. Chairman, the debate today has been based on the contention that what we do on the 30-day continuing resolution is going to affect the quality of education in every school in the United States for the entire year and for all the years

to come. This just is not making sense. We cannot do in 30 days what needs to be done in education.

The question is the orderly procedure. Certainly a vote to support the committee is not a rejection of the appropriation bill level of spending with the Joelson amendment, because the Committee on Appropriations of the House will go to conference with the committee from the other body on appropriations, and if my observations are correct the Senate is going to appropriate a larger sum than the House has. They have always done so. So that the minimum that we would have on a continuing basis over 12 months, or over 2 years, the minimum would be the House figure.

So I am urging support of the committee.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Mr. Chairman, most of the talk this afternoon has been directed at trying to prove what nobody has denied, and that is that education needs money.

There has also been an attempt to assume that adopting the Cohelan amendment will get them that money, and that just simply is not so. For example, the Oakland school today does not get a check each week from the Federal Government for title I or any of these other programs; they may get two or three checks a year and the department is not going to make a final allocation based upon a continuing resolution.

Oakland will not receive an additional check just because we pass the Cohelan amendment. It simply does not work that way. They are not going to get 10 cents additional. Besides, the difference between the amount in the regular continuing resolution and the Cohelan amendment is less than 1 percent of the local district's school budget and could not be as meaningful as alleged to have it 30 days sooner.

We prefunded 90 percent of the money last year and the principal attention should now be on getting the Senate to enact the bill we passed last July so we will know how much we are going to go above the administration's budget request.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. JONAS).

Mr. JONAS. Mr. Chairman, neither school districts nor educational institutions are going to get any money under the Cohelan amendment. The only possible way that they will get any money over and above what they had last year is if the bill the House passed on July 31 is enacted into law.

The gentleman from California says that he has about 50 Members of the other body signed up to support the Cohelan approach.

Let me respectfully suggest to him that if they will turn their guns on their colleagues in the other body and get that body to act on the appropriation bill that has been sitting over there since the first of August—that would be the best way to get additional funds for education. We are just engaging in an

exercise in futility if we adopt the Cohelan amendment to the committee action. This should be obvious when I remind you that the continuing resolution, whether it remains in its original form or is modified by the Cohelan amendment, will expire on November 30, 1969. It will not be effective after that date, whereas if all of you who support the Cohelan amendment, in this House and also in the other body, would spend your energy trying to persuade the other body to expedite action on the House-passed bill, much more could be accomplished for the cause of education.

Mr. PRICE of Texas. Mr. Chairman, I commend the gentleman from California (Mr. COHELAN) on his introduction of a joint resolution to fund the Office of Education at 1970 levels, and to make the funds available immediately. I, along with 265 other House Members cosponsored this resolution originally, and I urge the rest of my colleagues to support the proposal.

I believe, and I know that the other sponsors of this nonpartisan effort feel likewise, that the educational needs of our Nation cannot be deferred pending full congressional approval of the HEW appropriations bill for fiscal year 1970. As you will recall, in the latter part of last July, the House passed the HEW appropriations bill. Regrettably, the Senate has not completed action on the measure. As a consequence, the continuing appropriations resolution being considered today funds the Office of Education at 1969 levels, rather than at the higher level approved by the House last July.

In my view, the extra money called for the gentleman's amendment is desperately needed to enable our national educational system to keep pace with the social and technological changes in society. In school districts throughout the Nation, students do not partake of the increases in the accumulated knowledge of our times; neither do they benefit from technological advancements in the art of teaching.

Our Nation's young need the type of quality education that can enable them to successfully compete in a world that in this past year has witnessed Americans set foot on the moon, and heard reports of the activities of three Russian spacecraft locked together in orbit far above the earth. Our youth must also successfully compete in a world that will grow significantly smaller with the advent of the supersonic transport, for international air travel will become the reality for millions of people that it has been in the past for only a privileged few.

It is fundamental that the ability of our youth to succeed in today's fast-paced world depends, in substantial measure, on the quality of education they receive. Attainment of this quality can only be approached if students have access to well-stocked adequate library facilities, and can benefit from new technical teaching aids such as overhead slide projectors and other modern school equipment.

Books and equipment cost money, money that at the present time simply is not available for education purposes.

This is why the passage of this amendment is so vitally needed.

In perspective, Mr. Chairman, not only does the gentleman's amendment provide much needed funds for our educational system, it also affirms the sense of the Congress that the education of our young is truly one of our highest national priorities. In my opinion, this affirmation is one that Congress needs to make at this time.

Mr. MINSHALL. Mr. Chairman, I strongly favor the Cohelan amendment to assure our Nation's educators and schoolchildren that the pledge we made in July when we restored more than \$1 billion in educational funds was not an empty gesture.

The Cohelan amendment would bring funds in the continuing resolution to that amount by adding \$649 million.

Our school systems are on the edge of chaos because of the unprecedented delay by this Congress in approving appropriation bills. We have a commitment to the schools of this country which we must honor if they are to fulfill their academic obligations. If the amendment is not adopted vocational education and several other areas of education will grind to a halt.

The House must take the initiative in adding these badly needed funds to the resolution before us. Amply funded education programs are among the most urgent requirements in America today. We must not jeopardize them because of a legislative logjam on Capitol Hill. On July 29, 293 of us—and I was one who responded with an emphatic "aye"—voted for the Joelson amendment. Let us abide by that decision, let us reaffirm our determination to do all that we can to bring about a standard of excellence in our school systems, by supporting the Cohelan amendment today.

The CHAIRMAN. All time for debate on the amendment and all amendments thereto has expired.

The question is on the amendment offered by the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. COHELAN and Mr. MAHON.

The Committee divided, and the tellers reported that there were—ayes 177, noes 124.

So the amendment was agreed to.

Mr. MINISH. Mr. Chairman, as a cosponsor of House Joint Resolution 924, I am pleased to note the passage of the Cohelan amendment to House Joint Resolution 966. Both my resolution and Mr. COHELAN's amendment provide that the U.S. Office of Education be permitted to spend during fiscal year 1970 at the level of the House-passed HEW appropriation bill.

In his budget for the current fiscal year, the President proposed a \$400 million cut in education funds below last year's appropriation. Wisely, the House on July 31 increased education money by approximately \$1 billion over the administration's paltry request. The Senate has yet to consider the House measure and is unlikely to act for a number of weeks. In the meantime, we are already

almost 2 months into the current academic year and school systems and school children the country over are experiencing great difficulty in maintaining many worthwhile programs at adequate levels.

Among the important programs which will benefit if the spending level contained in the House-passed education bill prevails are library assistance, guidance and counseling services, vocational education, school equipment, higher education construction, NDEA student loan programs, and title I of the Elementary and Secondary Education Act. In my own State of New Jersey passage of the Cohelan amendment will result in an increase of almost \$10 million in education funds over the committee resolution, and an increase of more than \$25 million over the administration's request.

Mr. Chairman, the President has indicated his intention not to spend any education funds appropriated by Congress above his budget request. This disregard for the will of the Congress and the welfare of American children must not go unanswered. In order to meet our critical educational needs, it is essential that the progressive education stance of the House as expressed on July 31, and as reiterated today, be promptly confirmed by the Senate.

The Federal Government has committed itself to the development of excellence in education. Lack of leadership on the part of the present administration is no reason to abandon this vital commitment. The Congress must continue to assert itself in support of education.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Sec. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) November 30, 1969, whichever first occurs.

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

Mr. Chairman, if I may have the attention of the Members, I would like to explain what the motion to recommit will be. The motion to recommit is one which was in the committee, and was defeated by a tie vote. It will be to recommit with instructions to report the bill back to the House changing the date from "November 30, 1969" and inserting therefor "5 days subsequent to the sine die adjournment of the first session of the 91st Congress".

Mr. Chairman, we have gone through a long session here today, on this continuing resolution, with a great deal of debate and controversy, but everyone admits we will probably have to come back with another resolution if we make it November 30.

Under this amendment, whatever we vote out here today will continue until the sine die adjournment. The reason I have used the "5 days subsequent to sine die adjournment" is to give the President the opportunity to sign bills before this continuing resolution expires.

Mr. Chairman, we have had these continuing resolutions time and time again,

and we have had to come in and debate them. I believe many of us will be saying Merry Christmas to each other here before we adjourn, and I would hope the committee would support this motion so we can take care of other necessary business. We have set aside some very important business today, and we have taken almost the whole day to debate this continuing resolution. If we make this a resolution to continue to sine die adjournment, it will not be necessary for us to come in and interrupt other important legislation. We ought to be working here day and night and Saturdays and finish this session of Congress. I just cannot see any reason why we should continue to have to bring in continuing resolutions when we know the one we are passing today will not be sufficient, and we will have to bring in another.

Mr. Chairman, I urge the House to adopt this motion to recommit, so the continuing resolution will go until 5 days subsequent to the sine die adjournment.

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

Mr. Chairman, I feel committed to oppose the change in the date for the expiration of the continuing resolution. I believe we ought to stay by the November 30 date. This would tend to give the House and the other body a continuous awareness of the necessity of moving as rapidly as possible, on the various authorization and appropriation bills. Congress has a very considerable backlog of necessary work to attend to.

Moreover, Mr. Chairman, the other body has not acted on this continuing resolution, and the other body may very well accept the continuing resolution as proposed by the Committee on Appropriations.

While there are few who appreciate the agony of a controversy on a continuing resolution on which continued operation of much of the Government depends, it is a healthy exercise, in that we discuss the status of the fiscal affairs of the Government and the necessity for dispatching the important business of the Government.

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

Mr. MAHON. I yield to my friend, the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I urge that the House not adopt the motion to recommit.

Here are my reasons: We have no assurance, if this matter goes to conference and comes back, that it will not come back without the Cohelan amendment stricken out but with a time limitation that will carry us on past adjournment.

What we want is to get, as soon as possible—what all of those of you who voted for the Cohelan amendment wanted—is implementation of the Joelson amendment, which is identical to the Cohelan amendment.

But if the other body were to insist or agree to go with the House on an extension beyond 30 days but at the same time refuse to go with the House on the Cohelan amendment, those Members who supported the Cohelan amendment would be defeating the very purposes of their action.



I trust that the motion to recommit will be defeated.

Mr. MAHON. Mr. Chairman, I hope that when the motion comes on recommitment we will not change the date. I realize there are good arguments for tying the expiration of the resolution to the sine die adjournment date, or 5 days thereafter. But this question of the amendment just adopted is not over. We do not know what the other body may do. The House has worked its will and shown its preference for the reenactment of the so-called Joelson amendment. For the time being, we have to abide with this position. It will be up to the other body to work its will as we have worked ours.

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

Mr. Chairman, without getting into the merits or demerits of the action the House has just taken, I believe we have had a demonstration this afternoon of the chaos we are gradually getting ourselves into under present procedures.

As chairman of the Legislative Reorganization Committee I merely wish to say that we hope to have for the Members a copy of our proposed legislation within the next few days. We are proposing some changes in connection with the fiscal year.

I recognize this is somewhat controversial, but we have already held the hearings in which we have heard from the Administration, the Bureau of the Budget, in which they have come out very strongly in support of a change to a calendar year.

I recognize that there are some Members of this House who have other ideas. I am merely taking a few months of time to invite any who have strong feelings on this matter to make those views known to our committee.

I know the distinguished gentleman from Texas (Mr. MAHON) will be appearing, I assume shortly, before our committee to express certain views.

I should like to say in fairness to the Appropriations Committee, the distinguished chairman, the gentleman from Texas (Mr. MAHON) and the distinguished ranking minority member, the gentleman from Ohio (Mr. Bow), and all members of that great committee, that inherent in what we are proposing is no criticism of the Appropriations Committee per se. We recognize in many instances the great problem has been that authorizations have simply not proceeded in line with the needs in order for the Appropriations Committee to know exactly what would be authorized.

I might say that the committee has under consideration some language changes in the rule which would set some deadline at some point at which legislative committees would have to have completed their work in connection with the authorizing legislation or automatically set into motion a procedure whereby the Appropriations Committee could proceed without being subject to a point of order to appropriate for ongoing programs.

These are all matters that I think are terribly necessary if we are going to improve the procedures which are so essential if we are to do our work. I simply felt that it was timely to call this to the

House's attention because of the demonstration this afternoon of the difficulty which we run into primarily because of the procedures, which are getting worse and worse as time goes on.

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

Mr. SISK. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I generally concur in the idea of going to appropriations on a calendar year basis, but would it not be a little awkward in this field, I ask the gentleman from California, insofar as appropriations for school purposes are concerned, in that the school's generally start in September and go until June?

Mr. SISK. Let me say to my good friend from Missouri we recognize this cannot be done overnight. In fact, the proposal outlined by the Bureau of the Budget representing the administration position would call for about a 4-year period of changeover. Of course, we recognize a good many of the States today are on a fiscal year which is different from that of the Federal Government. In others there are some that are still on a calendar year basis. Of course, the point is that they would have to gear their operations and get them in line as far as Federal grants and Federal programs are concerned. For example, it was suggested that if the State goes on a fiscal year basis, the funds made available to the States on a variety of programs, education or otherwise, might be used within their fiscal year and would give them an additional 6 months leadtime. As I say, we are simply considering various approaches. As I said, my point at this moment is that we have seen a demonstration today where we need to do something in this area. Maybe this is not the answer, but our committee would welcome the advice of any Member on the subject.

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

Mr. SISK. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I wish to congratulate the gentleman. We have seen time and time again over a good many years that it was difficult to get the authorizations and appropriations completed by the end of the fiscal year. In this particular example that we have here dealing with education, this is only one of a great many where the Government and the agencies that had to deal with these programs cannot plan specifically.

Mr. SISK. I thank the gentleman.

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

Mr. Chairman, I heard the colloquy in opposition to the gentleman from Ohio's explanation of his motion to recommit. It is beyond me why anybody who supported the Cohelan amendment would be opposed to the motion to recommit. Since the Cohelan amendment carried on the teller vote, I guess that there is not any question but that it would carry on a record vote. That means we have put this behind us now and we might as well have the continuing resolution until after we adjourn. If the other body influences our conferees so they do not accept the Cohe-

lan amendment or something close to it, all we have to do is reject the conference report and they will go back again. I want to indicate my support of the motion to recommit as explained by the gentleman from Ohio. If the Cohelan amendment had not been adopted, I would have taken a different point of view, but now it is to our advantage to extend the continuing resolution till 5 days after adjournment.

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

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

Mr. COHELAN. I thank the gentleman for yielding.

Mr. Chairman, I would like to say to the Committee of the Whole House on the State of the Union that when this matter came up in the Appropriations Committee—the full committee—I voted to sustain the 30-day item contained in the bill. I think there have been some very good arguments advanced here this afternoon on both sides of the question, but I still hold to the idea that we should stick to the 30 day item, I believe on the basis of the arguments I advanced, that this will encourage the other body to act expeditiously.

Mr. QUIE. I can understand a member of the Appropriations Committee wanting to get along as best he can with the chairman of that committee.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I, personally, am persuaded that the logic of your argument should prevail and that the sensible procedure that we should follow at this point is to vote for the motion to recommit with the instructions by the gentleman from Ohio, whom I am glad is sitting down because I would not want him to fall down otherwise. I am persuaded and before I talk myself out of it, I thank the gentleman for yielding.

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

The Clerk will read.

The Clerk read as follows:

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in subsection (d) (2) of section 3679 of the Revised Statutes, as amended, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds or to permit the use, including the expenditure, of appropriations, funds, or authority in any manner which would contravene the provisions of title IV of the Second Supplemental Appropriation Act, 1969.

SEC. 104. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 105. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 106. No appropriation or fund made available or authority granted pursuant to

this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1969.

SEC. 107. Any appropriation for the fiscal year 1970 required to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, may be apportioned on a basis indicating the need (to the extent any such increases cannot be absorbed within available appropriations) for a supplemental or deficiency estimate of appropriation to the extent necessary to permit payment of pay increases granted pursuant to law to civilian officers and employees and to active and retired military personnel. Each such appropriation shall otherwise be subject to the requirements of section 3679, Revised Statutes, as amended.

SEC. 108. This joint resolution shall take effect November 1, 1969.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the joint resolution back to the House with an amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair (Mr. MILLS), Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 966) making further continuing appropriations for the fiscal year 1970, and for other purposes, had directed him to report the joint resolution back to the House with an amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the joint resolution and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

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

Mr. KYL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. KYL. Mr. Speaker, I demand tellers.

Tellers were refused.

So the amendment was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. BOW

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. BOW. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bow moves to recommit H.J. Res. 966 to the Committee on Appropriations with instructions to report the same back to the House forthwith, with the following amendment: On page 5, line 16, strike out "November 30, 1969" and insert in lieu thereof "five days subsequent to the sine-die adjournment of the first session of the 91st Congress."

Mr. MAHON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. Bow), there were—ayes 137, noes 116.

So the motion to recommit was agreed to.

Mr. MAHON. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report back the joint resolution (H.J. Res. 966) with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 5, line 16, strike out "November 30, 1969" and insert in lieu thereof "five days subsequent to the sine-die adjournment of the first session of the 91st Congress".

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

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

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

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

The joint resolution was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to revise and extend their remarks in the body of the RECORD in connection with the consideration of the House Joint Resolution 966.

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

There was no objection.

#### FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 13950) to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 13950, with Mr. STEED in the chair.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through section 1, ending on page 1, line 4. If there are no amendments to that section, the Clerk will read.

The Clerk read as follows:

#### DECLARATION OF PURPOSE

SEC. 2. Congress declares that—

(a) the first priority and concern of all in the coal mining industry must be the health and safety of its most precious resource—the miner;

(b) the occupationally caused death, illness, or injury of a miner causes grief and suffering, and is a serious impediment to the future growth of this industry;

(c) there is an urgent need to provide more effective means and measures for improving the working conditions and practices in the Nation's coal mines in order to prevent death and serious physical harm, and in order to control the cause of occupational diseases originating in such mines;

(d) the existence of unsafe and unhealthy conditions and practices in such mines cannot be tolerated;

(e) the operators of such mines with the assistance of the miners have the primary responsibility to prevent the existence of such conditions and practices in such mines;

(f) the disruption of production and the loss of income to operators and miners as a result of a coal mine accident or occupationally caused disease unduly impedes and burdens commerce; and

(g) it is the purpose of this Act to provide for the establishment of mandatory health and safety standards and to require that the operators and the miners comply with such standards in carrying out their responsibilities.

#### DEFINITIONS

SEC. 3. For the purpose of this Act, the term—

(a) "Secretary" means the Secretary of the Interior;

(b) "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between a place in a State and any place outside thereof, or within the District of Columbia or a possession of the United States, or between points in the same State but through a point outside thereof;

(c) "State" includes a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands;

(d) "operator" means any owner, lessee, or other person who operates, controls, or supervises a coal mine;

(e) "agent" means any person charged with responsibility for the operation of all or part of a coal mine or the supervision of the employees in a coal mine;

(f) "person" means any individual, partnership, association, corporation, firm, subsidiary of a corporation, or other organization;

(g) "miner" means any individual working in a coal mine;

(h) "coal mine" means an area of land and all structures, facilities, machinery, tools, equipment, shafts, slopes, tunnels, excavations, and other property, real or personal, placed upon, under, or above the surface of such land by any person, used or to be used in, or resulting from, the work of extracting in such area bituminous coal, lignite, or anthracite from its natural deposits in the earth by any means or method, and the work of preparing the coal so extracted, and includes custom coal preparation facilities;

(i) "work of preparing the coal" means the breaking, crushing, sizing, cleaning, washing, drying, mixing, storing, and loading of bituminous coal, lignite, or anthracite, and such other work of preparing such coal as is usually done by the operator of the coal mine;

(j) "imminent danger" means the existence of any condition or practice in a coal mine which could reasonably be expected to cause death or serious physical harm before such condition or practice can be abated;

(k) "accident" includes a mine explosion,



mine ignition, mine fire, or mine inundation, or injury to, or death of any person;

(l) "inspection" means the period beginning when an authorized representative of the Secretary first enters a coal mine and ending when he leaves the coal mine during or after the coal-producing shift in which he entered; and

(m) "Board" means the Federal Coal Mine Health and Safety Board of Review established by this Act.

#### MINES SUBJECT TO ACT

SEC. 4. Each coal mine, the products of which enter commerce, or the operations or products of which affect commerce, shall be subject to this Act, and each operator of such mine and every person working in such mine shall comply with the provisions of this Act and the applicable regulations of the Secretary promulgated under this Act.

#### TITLE I—GENERAL

##### HEALTH AND SAFETY STANDARDS; REVIEW

SEC. 101. (a) The Secretary shall, in accordance with the procedures set forth in this section, develop, promulgate, and revise, as may be appropriate, mandatory safety standards for the protection of life and the prevention of injuries in a coal mine, and shall, in accordance with the procedures set forth in this section, promulgate the mandatory health standards transmitted to him by the Secretary of Health, Education, and Welfare. No mandatory health or safety standard promulgated under this title shall reduce the protection afforded miners below that afforded by the standards contained in titles II and III of this Act.

(b) In the development of such mandatory safety standards, the Secretary shall consult with the Board, other interested Federal agencies, representatives of States, appropriate representatives of the coal mine operators and miners, other interested persons and organizations, and such advisory committees as he may appoint. In addition to the attainment of the highest degree of safety protection for the miner, other considerations shall be the latest available scientific data in the field, the technical feasibility of the standards, and experience gained under this and other safety statutes.

(c) The Secretary of Health, Education, and Welfare shall, in accordance with the procedures set forth in this section, develop and revise, as may be appropriate, mandatory health standards for the protection of life and the prevention of occupational diseases of coal miners. Such development and revision shall be based upon research, demonstrations, experiments, and such other information as may be appropriate. In the development of mandatory health standards, the Secretary of Health, Education, and Welfare may consult with appropriate representatives of the operators and miners, other interested persons, the States, advisory committees, and, where appropriate, foreign countries. Mandatory health standards which the Secretary of Health, Education, and Welfare develops or revises shall be transmitted to the Secretary, and shall thereupon be published by the Secretary as proposed mandatory health standards.

(d) The Secretary shall publish proposed mandatory health and safety standards in the Federal Register and shall afford interested persons a period of not less than thirty days after publication to submit written data or comments. In the case of mandatory safety standards, except as provided in subsection (e) of this section, the Secretary may, upon the expiration of such period and after consideration of all relevant matter presented, promulgate such standards with such modifications as he may deem appropriate. In the case of mandatory health standards, except as provided in subsection (e) of this section, the Secretary of Health, Education, and Welfare may, upon the expiration of such period and after consideration of all relevant matter

presented to the Secretary and transmitted to the Secretary of Health, Education, and Welfare, direct the Secretary to promulgate such standards with such modifications as the Secretary of Health, Education, and Welfare may deem appropriate and the Secretary shall thereupon promulgate such standards.

(e) On or before the last day of any period fixed for the submission of written data or comments under subsection (d) of this section, any interested person may file with the Secretary written objections to a proposed standard, stating the grounds therefor and requesting a public hearing by the Board on such objections. As soon as practicable after the period for filing such objections has expired, the Secretary shall publish in the Federal Register a notice specifying the proposed standards to which objections have been filed and a hearing requested, and shall refer such standards and objections to the Board for review in accordance with subsection (f) of this section.

(f) Promptly after any matter is referred to the Board by the Secretary under subsection (e) of this section, the Board shall issue notice of and hold a public hearing for the purpose of receiving relevant evidence. Within sixty days after completion of the hearing, the Board shall issue a report to the Secretary setting forth findings of fact on such matter and appropriate recommendations thereon and shall make such report public. Upon receipt of such report, in the case of mandatory safety standards, the Secretary may, upon consideration of the Board's findings of fact and recommendations, promulgate the mandatory safety standards with such modifications as he deems appropriate. Upon receipt of such report, in the case of mandatory health standards, the Secretary shall transmit such report to the Secretary of Health, Education, and Welfare who may, upon consideration of the Board's findings of fact and recommendations, direct the Secretary to promulgate the mandatory health standards with such modifications as the Secretary of Health, Education, and Welfare deems appropriate and the Secretary shall thereupon promulgate the mandatory health standards. In any instance in which either Secretary does not adopt the Board's recommendations, he shall publish his reasons therefor.

(g) Any mandatory standard promulgated under this section shall be effective upon publication in the Federal Register unless the Secretary specifies a later date.

(h) Proposed mandatory safety standards for surface coal mines shall be developed and published by the Secretary not later than twelve months after the enactment of this Act.

##### ADVISORY COMMITTEES

SEC. 102. (a) The Secretary may appoint one or more advisory committees to advise him in carrying out the provisions of this Act. The Secretary shall designate the chairman of each such committee.

(b) Advisory committee members, other than employees of Federal, State, or local governments, shall be, for each day (including travel time) during which they are performing committee business, entitled to receive compensation at rates fixed by the Secretary but not in excess of the maximum rate of pay for grade GS-18 as provided in the General Schedule under section 5332 of title 5 of the United States Code, and shall, notwithstanding the limitations of sections 5703 and 5704 of title 5 of the United States Code, be fully reimbursed for travel, subsistence, and related expenses.

##### INSPECTIONS AND INVESTIGATIONS

SEC. 103. (a) Authorized representatives of the Secretary shall make frequent inspections and investigations in coal mines each year for the purposes of (1) obtaining, utilizing, and disseminating information relat-

ing to health and safety conditions, the causes of accidents, and the causes of diseases and physical impairments originating in such mines, (2) gathering information with respect to health and safety standards, (3) determining whether an imminent danger exists in a coal mine, and (4) determining whether or not there is compliance with the mandatory health and safety standards or with any notice or order issued under this title. In carrying out the requirements of clauses (3) and (4) of this subsection, no advance notice of an inspection shall be provided the operator of a mine. In carrying out the requirements of clauses (3) and (4) of this subsection in each underground coal mine, such representatives shall make inspections of the entire mine at least four times a year.

(b) (1) For the purpose of making any inspection or investigation under this Act, the Secretary or any authorized representative of the Secretary shall have a right of entry to, upon, or through any coal mine.

(2) The provisions of this Act relating to inspections, investigations, and records shall be available to the Secretary of Health, Education, and Welfare to enable him to carry out his functions and responsibilities under this Act.

(c) For the purpose of carrying out his responsibilities under this Act, including the enforcement thereof, the Secretary may by agreement utilize with or without reimbursement the services, personnel, and facilities of any Federal agency.

(d) For the purpose of making any investigation of any accident or other occurrence relating to health or safety in a coal mine, the Secretary may, after notice, hold public hearings, and may sign and issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpoena served upon any person under this section, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Secretary or to appear and produce documents before the Secretary or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(e) In the event of any accident occurring in a coal mine, the operator shall notify the Secretary thereof and shall take appropriate measures to prevent, to the greatest extent possible, the destruction of any evidence which would assist in investigating the cause or causes thereof. In the event of any accident occurring in a coal mine where rescue and recovery work is necessary, the Secretary or an authorized representative of the Secretary shall take whatever action he deems appropriate to protect the life of any person, and he may, if he deems it appropriate, supervise and direct the rescue and recovery activity in such mine.

(f) In the event of any accident occurring in a coal mine, an authorized representative of the Secretary, when present, may issue such orders as he deems appropriate to insure the safety of any person in the coal mine, and the operator of such mine shall obtain the approval of such representative, in consultation with appropriate State representatives, when feasible, of any plan to recover any person in the mine or to recover the mine or to return affected areas of the mine to normal.

(g) If a miner or an authorized representative, if any, of the miners believes that a violation of a mandatory health or

safety standard exists, or an imminent danger exists, in a mine, he may notify the Secretary or his authorized representative of such violation or danger. Upon receipt of such notification the Secretary or his authorized representative may make a special investigation to determine if such violation or danger exists.

(h) At the commencement of any inspection of a coal mine by an authorized representative of the Secretary, the authorized representative, if any, of the miners at the mine at the time of such inspection shall be given an opportunity to accompany the authorized representative of the Secretary on such inspection.

#### FINDINGS, NOTICES, AND ORDERS

SEC. 104. (a) If, upon any inspection of a coal mine, an authorized representative of the Secretary finds that an imminent danger exists, such representative shall determine the area throughout which such danger exists, and thereupon shall issue forthwith an order requiring the operator of the mine or his agent to cause immediately all persons, except those referred to in subsection (d) of this section, to be withdrawn from, and to be prohibited from entering, such area until an authorized representative of the Secretary determines that such imminent danger no longer exists.

(b) If, upon any inspection of a coal mine, an authorized representative of the Secretary finds that there has been a violation of any mandatory health or safety standard but the violation has not created an imminent danger, he shall issue a notice fixing a reasonable time for the abatement of the violation. If, upon the expiration of the period of time as originally fixed or subsequently extended, an authorized representative of the Secretary finds that the violation has not been totally abated, and if he also finds that the period of time should not be further extended, he shall find the extent of the area affected by the violation and shall promptly issue an order requiring the operator of such mine or his agent to cause immediately all persons, except those referred to in subsection (d) of this section, to be withdrawn from, and to be prohibited from entering, such area until an authorized representative of the Secretary determines that the violation has been abated.

(c) (1) If, upon the inspection of a coal mine, an authorized representative of the Secretary finds that any mandatory health or safety standard is being violated, and if he also finds that, while the conditions created by such violation do not cause imminent danger, such violation is of such nature as could significantly and substantially contribute to the cause or effect of a mine accident, and if he finds such violation to be caused by an unwarrantable failure of such operator to comply with such mandatory health and safety standards, he shall include such finding in the notice given to the operator under subsection (b) of this section. Within ninety days of the time such notice was given to such operator, the Secretary shall cause such mine to be reinspected to determine if any similar such violation exists in such mine. Such reinspection shall be in addition to any special inspection required under subsection (b) of this section, or section 105. If, during any special inspection relating to such violation or during such reinspection, a representative of the Secretary finds such similar violation does exist, and if he finds such violation to be caused by an unwarrantable failure of such operator to comply with the provisions of the mandatory health or safety standards, he shall forthwith issue an order requiring the operator to cause all persons in the area affected by such violation, except those persons referred to in subsection (d) of this section, to be withdrawn from, and to be debarred from entering, such area until an authorized representative of the

Secretary determines that such violation has been abated.

(2) If a withdrawal order with respect to any area in a mine has been issued pursuant to paragraph (1) of this subsection, thereafter a withdrawal order shall promptly be issued by a duly authorized representative of the Secretary who finds upon any following inspection the existence in such mine of violations similar to those that resulted in the issuance of the withdrawal order under paragraph (1) of this subsection until such time as an inspection of such mine discloses no similar violations. Following an inspection of such mine which discloses no similar violations, the provisions of paragraph (1) of this subsection shall again be applicable to that mine.

(d) The following persons shall not be required to be withdrawn from, or prohibited from entering, any area of the coal mine subject to an order issued under this section;

(1) any person whose presence in such area is necessary, in the judgment of the operator, to eliminate the condition described in the order;

(2) any public official whose official duties require him to enter such area;

(3) any representative of the employees of such mine who is, in the judgment of the operator, qualified to make coal mine examinations or who is accompanied by such a person and whose presence in such area is necessary for the investigation of the conditions described in the order; and

(4) any consultant to any of the foregoing.

(e) Notices and orders issued pursuant to this section shall contain a detailed description of the conditions or practices which cause and constitute an imminent danger or a violation of any mandatory health or safety standard and, where appropriate, a description of the area of the coal mine from which persons must be withdrawn and prohibited from entering.

(f) Each notice or order issued under this section shall be given promptly to the operator of the coal mine or his agent by an authorized representative of the Secretary issuing such notice or order, and all such notices and orders shall be in writing and shall be signed by such representative.

(g) A notice or order issued pursuant to this section may be modified or terminated by an authorized representative of the Secretary.

(h) (1) If, upon any inspection of a coal mine, an authorized representative of the Secretary finds (A) that conditions exist therein which have not yet resulted in an imminent danger, (B) that such conditions cannot be effectively abated through the use of existing technology, and (C) that reasonable assurance cannot be provided that the continuance of mining operations under such conditions will not result in an imminent danger, he shall determine the area throughout which such conditions exist, and thereupon issue a notice to the operator of the mine or his agent of such conditions, and shall file a copy thereof, incorporating his findings therein, with the Secretary and with the representative of the miners of such mine, if any. Upon receipt of such copy, the Secretary shall cause such further investigation to be made as he deems appropriate, including an opportunity for the operator or a representative of the miners, if any, to present information relating to such notice.

(2) Upon the conclusion of such investigation and an opportunity for a hearing upon request by any interested party, the Secretary shall make findings of fact, and shall require that either the notice issued under this subsection be canceled, or that an order be issued by such authorized representative of the Secretary requiring the operator to cause all persons in the area affected, except those persons referred to in subsection (d) of this section, to be withdrawn from, and be prohibited from entering, such area until the Secretary, after a

hearing affording all interested persons an opportunity to present their views, determines that such conditions have been abated.

(i) If, based upon samples taken and analyzed and recorded pursuant to section 202 (a) of this Act, the applicable health standard established under section 202(b) of this Act is exceeded and thereby violated, the Secretary or his authorized representative shall find a reasonable period of time within which to take corrective action to reduce the average concentration of respirable dust to the miners in the area of the mine in which such standard was exceeded, and shall issue a notice fixing a reasonable time for the abatement of the violation. During such time, the operator of such mine shall cause samples described in section 202 (a) of this Act to be taken of the affected area during each production shift. If, upon the expiration of the period of time as originally fixed or subsequently extended, the Secretary or his authorized representative finds, based upon such samples or upon an inspection, that the violation has not been totally abated, he shall issue a new notice of violation if he finds that such period of time should be further extended. If he finds that such period of time should not be further extended, he shall find the extent of the area affected by the violation and shall promptly issue an order requiring the operator of such mine or his agent to cause immediately all persons, except those referred to in subsection (d) of this section, to be withdrawn from, and to be prohibited from entering, such area until the Secretary or his authorized representative determines through such test procedures conducted in such area as he may require, including production and sampling, that the violation has been abated.

#### REVIEW BY THE SECRETARY

SEC. 105. (a) An operator notified of an order issued pursuant to section 104 of this title, or any representative of miners in any mine affected by such order or any modification or termination of such order pursuant to section 104(g), may apply to the Secretary for review of the order within thirty days of receipt thereof or within thirty days of its modification or termination. The operator shall send a copy of such application to the representative, if any, of persons working in the affected mine. Upon receipt of such application, the Secretary shall cause such investigation to be made as he deems appropriate. Such investigation shall provide an opportunity for a hearing, at the request of the applicant or a representative of persons working in such mine, to enable the applicant and the representatives of persons working in such mine to present information relating to the issuance and continuance of such order.

(b) Upon receiving the report of such investigation, the Secretary shall make findings of fact, and (1), in the case of an order issued under subsection (a) of section 104 of this title, he shall find whether or not the imminent danger as set out in the order existed at the time of issuance of the order and whether or not the imminent danger existed at the time of the investigation, and (2), in the case of an order issued under subsection (b), (c), or (i) of section 104 of this title, he shall find whether or not there was a violation of any mandatory health or safety standard as described in the order and whether or not such violation had been abated at the time of such investigation, and upon making such findings he shall issue a written decision vacating, affirming, modifying, or terminating the order complained of and incorporate his findings therein.

(c) In view of the urgent need for prompt decision of matters submitted to the Secretary under this section, all actions which the Secretary takes under this section shall be taken as promptly as practicable, consistent with the adequate consideration of the issues involved.



(d) Pending completion of the investigation required by this section, the applicant may file with the Secretary a written request that the Secretary grant temporary relief from any other issued under section 104 of this title, together with a detailed statement giving reasons for granting such relief. The Secretary may issue a decision granting such relief, under such conditions as he may prescribe, only after a hearing in which all parties are given an opportunity to be heard.

FEDERAL COAL MINE HEALTH AND SAFETY  
BOARD OF REVIEW

SEC. 106. (a) The Federal Coal Mine Health and Safety Board of Review is hereby established. For the purpose of carrying out its functions under sections 107 and 111 of this title, the Board shall be composed of five members, hereafter referred to as "regular members", who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) For the sole purpose of carrying out the review functions set forth in section 101, and for carrying out the provisions of sections 401 and 412 of this Act and matters related thereto, there shall be included on the Board three additional members, hereafter referred to as "additional members", appointed by the President by and with the advice and consent of the Senate, at least one of whom shall have a public health background and the others of whom shall have a background, either by reason of previous training, education, or experience, in coal-mining technology. All additional members shall not have had any interest in, or connections with, the coal-mining industry for at least one year prior to their appointment.

(c) The terms of office of all members of the Board shall be five years, except that (1) the members of the Federal Coal Mine Safety Board of Review established under the Federal Coal Mine Safety Act, as amended, who are in office on the effective date of this Act, shall be regular members of the Board established by this title and their terms shall expire on the dates originally fixed for their expiration, and (2) a vacancy caused by the death, resignation, or removal of such a member prior to the expiration of the term for which he was appointed shall be filled only for the remainder of such unexpired term. A member of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(d) Members of the Board shall be, for each day (including traveltime) during which they are engaged in the business of the Board, entitled to receive compensation at the maximum rate of pay for grade GS-18 as provided in the General Schedule under section 5332 of title 5 of the United States Code, and shall, notwithstanding the limitations of section 5703 and 5704 of title 5 of the United States Code, be fully reimbursed for travel, subsistence, and related expenses.

(e) The regular members of the Board shall consist of one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators employing fourteen or fewer employees, one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators employing fifteen or more employees, one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of miners in mines employing fourteen or fewer employees, one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of miners in mines employing fifteen or more employees, and one person drawn from the public generally, who shall be Chairman of the Board. The Chairman shall not, within five years from his appointment as a member of

the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the mining of coal, or have regularly represented either coal mine operators or coal mine workers, or have been an officer or employee of the Department of the Interior. Similarly, while he is Chairman of the Board, he shall not have a pecuniary interest in, or be employed or engaged in, the mining of coal, or represent either coal mine operators or coal mine workers, or be an officer or employee of the Department of the Interior.

(f) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may hold hearings or conduct other proceedings at any other place. At the request of the operator of a mine involved in a hearing or proceeding before the Board, or of a representative of miners employed in such a mine, the Board may hold such hearings or conduct such proceedings on an application filed under section 107 of this title at the county seat of the county in which such mine is located or at any place mutually agreed to by the Chairman of the Board and such operator or representative. The Board shall have an official seal which shall be judicially noticed and which shall be preserved in the custody of the Secretary of the Board.

(g) The Board shall, without regard to the civil service laws, appoint and prescribe the duties of the Secretary of the Board and such legal counsel as it deems necessary. Subject to the civil service laws, the Board shall appoint such other employees as it deems necessary in exercising its powers and duties. The compensation of all employees appointed by the Board shall be fixed in accordance with chapter 53 of title 5, United States Code.

(h) For the purpose of carrying out its functions under sections 107 and 111 of this title, official action can be taken only on the affirmative vote of at least three regular members, except that, in any official action involving mines in which no more than fourteen individuals are regularly employed underground, the participation of the small mine operators' representative and small mine workers' representative shall be required, and in any official action involving mines in which more than fourteen individuals are regularly employed underground the participation of the large mine operators' representative and large mine workers' representative shall be required; but a special panel composed of one or more regular members, upon order of the Board, shall conduct any hearing provided for in sections 107 and 111 of this title and submit the transcript of such hearing to the entire Board for its action thereon. Such transcript shall be made available to the parties prior to any final action of the Board. An opportunity to appear before the Board or such panel shall be afforded the parties prior to any final action and the Board may afford the parties an opportunity to submit additional evidence as may be required for a full and true disclosure of the facts.

(i) Every official act of the Board shall be entered of record, and its hearings and records thereof shall be open to the public. The Board shall not make or cause to be made any inspection of a coal mine for the purpose of determining any pending application.

(j) The Board is authorized to make such rules as are necessary for the orderly transaction of its proceedings, which shall provide for adequate notice of hearings to all parties. The existing rules of the Federal Coal Mine Safety Board of Review shall constitute the rules of the Board until superseded or modified by the Board. For purposes of carrying out its functions under sections 107 and 111 of this title, three regular members of the Board shall constitute a quorum, and for carrying out its other functions, five members of the Board shall constitute a quorum.

(k) Any member of the Board may sign and issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(l) The Board may order testimony to be taken by deposition in any proceeding pending before it at any stage of such proceeding. Reasonable notice must first be given in writing by the party or his attorney of record, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce books, papers or documents, in the same manner as witnesses may be compelled to appear and testify and produce like documentary evidence before the Board, as provided in subsection (k) of this section. Witnesses whose depositions are taken under this subsection, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States.

(m) In the case of contumacy by, or refusal to obey a subpoena served upon, any person under this subsection, the Federal district court for any district in which such person is found or resides or transacts business, upon application by the United States, and after notice to such person and hearing, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Board or to appear and produce documents before the Board, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

REVIEW BY BOARD

SEC. 107. (a) Within thirty days after receipt of an order made pursuant to subsection (a), (b), (c), (h), or (i) of section 104, an operator may apply to the Board for annulment or revision of such order without seeking its annulment or revision under section 105 of this title. Within thirty days after the receipt of a decision made by the Secretary pursuant to section 105 of this title, an operator may apply to the Board for a review of the decision.

(b) The operator shall be designated as the applicant in such proceeding, and the application filed by him shall recite the order or decision complained of and other facts sufficient to advise the Board and the Secretary of the nature of the proceeding. The Secretary shall be the respondent in such proceeding, and the applicant shall send a copy of such application by registered or certified mail to the respondent and to the representative, if any, of the persons working in the affected mine. Immediately upon the filing of such an application, the Board shall fix the time for a prompt hearing thereof. The Board shall permit any interested person to intervene in such proceedings.

(c) (1) If the application is made to the Board directly from an order issued under section 104 of this title, the Board shall not be bound by any previous findings of fact by any representative of the Secretary, the burden of proof shall be upon the respondent, and evidence relating to the making of the order complained of and other pertinent matters may be offered by the parties to the proceeding.

(2) If the application is made to the Board from a decision issued under section 105 of this title, the record and the decision of the Secretary shall be received in evidence and the findings of the Secretary included in the decision shall constitute a prima facie case for the issuance of the decision complained of and the burden of rebutting such prima facie case shall be upon the applicant, but either party may adduce additional evidence.

(d) Upon conclusion of the hearing, the Board shall find, with respect to the order or

decision, whether or not the alleged imminent danger, violation of a mandatory health or safety standard, or the condition described in section 104(h)(1) existed at the time of issuance of such order and whether or not such danger or such violation existed at the time of filing the application, and shall issue a written decision incorporating such finding therein and affirming, vacating, modifying, or terminating the order or decision issued under section 104 or 105 of this title.

(e) Each decision made by the Board shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon issuance of a decision under this section, the Board shall cause a true copy thereof to be sent by registered or certified mail to all parties and their attorneys of record. The Board shall cause each decision to be entered on its official record, together with any written opinion prepared by any members in support of, or dissenting from, any such decision.

(f) Pending the hearing required by this section for review of an order or decision issued under section 104 or 105 of this title, the applicant before the Board may file with the Board a written request that the Board grant temporary relief from the order or decision, together with a detailed statement giving reasons for granting such relief. The Board may issue a decision granting such relief, under such conditions as it may prescribe, only after a hearing in which all parties are given an opportunity to be heard.

(g) In view of the urgent need for prompt decision of matters submitted to the Board under this section, all actions which the Board takes under this section shall be taken as promptly as practicable, consistent with adequate consideration of the issues involved.

#### JUDICIAL REVIEW

SEC. 108. (a) Any decision issued by the Board under section 107 of this title shall be subject to judicial review by the United States court of appeals for the circuit in which the affected mine is located, upon the filing in such court within thirty days from the date of such decision of a petition by the Secretary or by the operator aggrieved by the decision praying that the action of the Board be modified or set aside in whole or in part. A copy of the petition shall forthwith be sent by registered or certified mail to the other party and to the Board, and thereupon the Board shall certify and file in such court the record upon which the decision complained of was issued, as provided in section 2112, title 28, United States Code.

(b) The court shall hear such appeal on the record made before the Board. The findings of the Board, if supported by substantial evidence on the record considered as a whole, shall be conclusive. The court may affirm, vacate, or modify any decision or may remand the proceedings to the Board for such further action as it directs.

(c) Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, the court may, after due notice to, and hearing of, the parties to the appeal, issue all necessary and appropriate process grant such other relief as may be appropriate pending final determination of the appeal.

(d) The judgment of the court shall be subject only to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(e) The commencement of a proceeding under this section shall not, unless specifically ordered by the court, operate as a stay of the Board's decision.

#### POSTING OF NOTICES AND ORDERS

SEC. 109 (a) At each coal mine there shall be maintained an office with a conspicuous sign designating it as the office of the mine

and a bulletin board at such office or at some conspicuous place near an entrance of the mine, in such manner that notices required by law or regulation to be posted on the mine bulletin board may be posted thereon, be easily visible to all persons desiring to read them, and be protected against damage by weather and against unauthorized removal. A copy of any notice or order required by this title to be given to an operator shall be delivered to the office of the affected mine, and a copy shall be immediately posted on the bulletin board of such mine by the operator or his agent.

(b) The Secretary shall cause a copy of any notice or order required by this title to be given to an operator to be mailed immediately to a duly designated representative of persons working in the affected mine, and to the public official or agency of the State charged with administering State laws, if any, relating to health or safety in such mine. Such notice or order shall be available for public inspection.

(c) In order to insure prompt compliance with any notice or order issued under section 104 of this title, the authorized representative of the Secretary may deliver such notice or order to an agent of the operator and such agent shall immediately take appropriate measures to insure compliance with such notice or order.

(d) Each operator of a coal mine shall file with the Secretary the name and address of such mine and the name and address of the person who controls or operates the mine. Any revisions in such names or addresses shall be promptly filed with the Secretary. Each operator of a coal mine shall designate a responsible official at such mine as the principal officer in charge of health and safety at such mine and such official shall receive a copy of any notice, order, or decision issued under this Act affecting such mine. In any case, where the coal mine is subject to the control of any person not directly involved in the daily operations of the coal mine, there shall be filed with the Secretary the name and address of such person and the name and address of a principal official of such person who shall have overall responsibility for the conduct of an effective health and safety program at any coal mine subject to the control of such person and such official shall receive a copy of any notice, order, or decision issued affecting any such mine. The mere designation of a health or safety official under this subsection shall not be construed as making such official subject to any penalty under this Act.

#### INJUNCTIONS

SEC. 110. The Secretary may request the Attorney General to institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order, in the district court of the United States for the district in which a coal mine is located or in which the operator of such mine has his principal office, whenever such operator or his agent (a) violates or fails or refuses to comply with any order issued under section 104 of this title or decision issued under this title, or (b) interferes with, hinders, or delays the Secretary or his authorized representative in carrying out the provisions of this Act, or (c) refuses to admit such representative to the mine, or (d) refuses to permit the inspection of the mine, or an accident, injury, or occupational disease occurring in, or connected with, such mine, or (e) refuses to furnish any information or report requested by the Secretary, or (f) refuses to permit access to, and copying of, records. Each court shall have jurisdiction to provide such relief as may be appropriate: *Provided*, That no temporary restraining order shall be issued without notice unless the petition therefor alleges that substantial and irreparable injury to the miners in such mine will be unavoidable and such temporary re-

straining order shall be effective for no longer than seven days and will become void at the expiration of such period: *Provided further*, That any order issued under this section to enforce an order issued under section 104, unless set aside or modified prior thereto by the district court granting such injunctive relief, shall not be in effect after the completion or final termination of all proceedings for review of such order as provided in this title if such is determined on such review that such order was invalid.

#### PENALTIES

SEC. 111. (a) The operator of a coal mine in which a violation occurs of a mandatory health or safety standard or who violates any provision of this Act shall by order be assessed a civil penalty by the Secretary which penalty shall not be more than \$10,000 for each such violation. Each occurrence of a violation of a mandatory health or safety standard may constitute a separate offense. In determining the amount of the penalty, the Secretary shall consider the operator's history of previous violations, the appropriateness of such penalty to the size of the business of the operator charged, the effect on the operator's ability to continue in business, the gravity of the violation, and the demonstrated good faith of the operator charged in attempting to achieve rapid compliance after notification of a violation. No penalty shall be assessed under this subsection pending the final termination, expiration, or completion of all proceedings, administrative or judicial, for review of an order or decision under this title.

(b) Upon written request made by an operator within thirty days after receipt of an order assessing a penalty under this section, the Board shall afford such operator an opportunity for a hearing and, in accordance with the request determine by decision whether or not a violation did occur or whether the amount of the penalty is warranted or should be compromised.

(c) Upon any failure of an operator to pay a penalty assessed under this section, the Secretary may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found or resides or transacts business to collect the penalty, and such court shall have jurisdiction to hear and decide any such action.

(d) Whoever knowingly violates or fails or refuses to comply with any order issued under section 104(a) of this title or any final decision on any other order issued under this title shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six months, or by both, except that if the conviction is for a violation committed after the first conviction of such person, punishment shall be by a fine of not more than \$20,000 or by imprisonment of not more than one year, or by both.

(e) Whenever a corporate operator violates a mandatory health or safety standard of this Act, or violates any provision of this Act, any director, officer, or agent of such corporation who authorized, ordered, or carried out such violation shall be subject to the provisions of subsection (a). Whenever a corporate operator knowingly violates or fails or refuses to comply with any order issued under section 104(a) of this title or any final decision or any other order issued under this title, any director, officer, or agent of such corporation who authorized, ordered, or carried out such violation, failure, or refusal shall be subject to the provisions of subsection (d).

(f) Whoever knowingly makes any false statements or representations in any application, records, reports, plans, or other documents filed or required to be maintained in accordance with this Act or any mandatory health or safety standard of this Act



or any order issued under this Act shall upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six months, or both.

#### ENTITLEMENT OF MINERS

SEC. 112. (a) If a mine or portion of a mine is closed by an order issued under section 104, all miners working during the shift when such order was issued who are idled by such order shall be entitled to full compensation by the operator at their regular rates of pay for the period they are idled, but for not more than the balance of such shift. If such order is not terminated prior to the next working shift, all miners on that shift who are idled by such order shall be entitled to full compensation by the operator at their regular rates of pay for the period they are idled, but for not more than four hours of such shift. Whenever an operator violates or fails or refuses to comply with an order issued under section 104, all miners employed at the affected mine who would be withdrawn or prevented from entering such mine or portion thereof as a result of such order shall be entitled to full compensation by the operator at their regular rates of pay, in addition to pay received for work performed after such order was issued, for the period beginning when such order was issued and ending when such order is complied with, vacated, or terminated.

(b) (1) Compensation shall be paid under this subsection in respect of total disability of an individual from complicated pneumoconiosis which arose out of or in the course of his employment in a coal mine, and in respect of the death of any individual who, at the time of his death, was suffering from complicated pneumoconiosis which so arose. For purposes of this subsection, if an individual who is suffering or suffered from complicated pneumoconiosis was employed for ten years or more in a coal mine there shall be a rebuttable presumption that his complicated pneumoconiosis arose out of or in the course of such employment, but this sentence shall not be deemed to affect the applicability of the first sentence of this paragraph in the case of claims under this subsection on account of death or total disability of an individual when such individual has not worked for as much as ten years in a coal mine. For purposes of this subsection, any individual who suffers from complicated pneumoconiosis shall be deemed to be totally disabled.

(2) (A) Subject to the provisions of subparagraph (B), compensation shall be paid under this subsection as follows:

(i) In the case of total disability, the disabled individual shall be paid compensation during the disability at a rate equal to 50 per centum of the minimum monthly payment to which a Federal employee in grade GS-2, who is totally disabled is entitled at the time of payment under the provisions of Federal law relating to Federal employees' compensation (section 8112, title 5, United States Code).

(ii) In the case of death, compensation shall be paid to the widow at the rate the deceased individual would receive such compensation if he were totally disabled.

(iii) In the case of an individual entitled to compensation under clause (i) or (ii) of this subparagraph who has one or more dependents, his compensation shall be increased at the rate of 50 per centum of the compensation to which he is so entitled under clause (i) or (ii) of this subparagraph if such individual has one dependent, 75 per centum if such individual has two dependents, and 100 per centum if such individual has three dependents.

(B) Notwithstanding subparagraph (A), compensation under this paragraph shall be reduced by an amount equal to any payment which the payee receives under the workmen's compensation, unemployment

compensation, or disability insurance laws of his State, and the amount by which such payment would be reduced on account of excess earnings under section 203 (b) through (1) of the Social Security Act if the amount paid were a benefit payable under section 202 of such Act.

(3) (A) The Secretary of Labor shall enter into agreements with the Governors of the States under which the State will receive and adjudicate claims under this subsection from any resident of the State and under which compensation will be paid as provided by this subsection from grants made to pay compensation under this subsection. Such Governor shall implement the agreement in such manner as he shall determine will best effectuate the provisions of this subsection. The Governor shall make such reports to the Secretary of Labor, subject to such verification, as may be necessary to assure that Federal grants under this subsection are used for their intended purpose.

(B) The Secretary of Labor shall make grants under this subsection to States with which he has an agreement under subparagraph (A) in the amount necessary to enable them to pay the compensation required by this subsection.

(4) If the Secretary of Labor is unable to enter into an agreement under paragraph (3), or if the Governor of the State requests him to do so, he shall make payments of compensation directly to residents of such State as required by this subsection. The administrative provisions for carrying out the Federal employees' compensation programs which are contained in sections 8121, 8122 (b), and 8123 through 8135, title 5, United States Code, shall apply with respect to claims under this paragraph.

(5) No claim under this subsection shall be considered unless it is filed (1) within one year after the date an employed miner received the results of his first chest roentgenogram provided under section 203 of this Act, or, if he did not receive such a chest roentgenogram, the date he was first afforded an opportunity to do so under such section, or (2) in the case of any other claimant, within three years from the date of enactment of this Act, or, in the case of a claimant who is a widow, within one year after the death of her husband or within three years from the date of enactment of this Act, whichever is the later. Payment of compensation under this subsection shall commence with the date the claim is filed.

(6) No compensation shall be paid under this subsection to the residents of any State which, after the date of enactment of this Act, reduces the benefits payable to persons eligible to receive compensation under this subsection, under its State laws which are applicable to its general work force with regard to workmen's compensation, unemployment compensation, or disability insurance.

(7) For purposes of this subsection—

(A) The term "coal mine" includes only underground coal mines.

(B) The term "complicated pneumoconiosis" means an advanced stage of a chronic coal dust disease of the lung which (i) when diagnosed by chest roentgenogram, yields one or more large opacities (greater than one centimeter in diameter) and would be classified in category A, B, or C in the International Classification of Radiographs of the Pneumoconioses by the International Labor Organization, (ii) when diagnosed by biopsy or autopsy, yields massive lesions in the lung, (iii) when diagnosis is made by other means, would be a condition which could reasonably be expected to yield results described in clause (i) or (ii) if diagnosis had been made in a manner described in clause (i) or (ii).

(C) The term "dependent" means a wife or child who is a dependent as that term is defined for purposes of section 8110, title 5, United States Code.

(D) The term "widow" means the wife

living with or dependent for support on the decedent at the time of his death, or living apart for reasonable cause or because of his desertion, who has not remarried.

#### REPORTS

SEC. 113. (a) All accidents, including unintentional roof falls (except in any abandoned panels or in areas which are inaccessible or unsafe for inspections), shall be investigated by the operator or his agent to determine the cause and the means of preventing a recurrence. Records of such accidents, roof falls, and investigations shall be kept and the information shall be made available to the Secretary or his authorized representative and the appropriate State agency. Such records shall be open for inspection by interested persons. Such records shall include man-hours worked and shall be reported for periods determined by the Secretary, but at least annually.

(b) Every operator of a coal mine and his agent shall (1) establish and maintain, in addition to such records as are specifically required by this Act, such records, and (2) make such reports and provide such information, as the Secretary may reasonably require from time to time to enable him to perform his functions under this Act. The Secretary is authorized to compile, analyze, and publish, either in summary or detailed form, such reports or information so obtained. Except to the extent otherwise specifically provided by this Act, all records information, reports, findings, notices, orders, or decisions required or issued pursuant to or under this Act may be published from time to time and released to any interested person, and shall be made available for public inspection.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point. That is to line 12, page 44.

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

There was no objection.

#### AMENDMENTS OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. PERKINS: On page 5, strike out lines 5 and 6, and insert the following:

"(m) 'Panel' means the Interim Compliance Panel established by this Act."

On page 5, after line 13, insert the following:

#### "INTERIM COMPLIANCE PANEL"

"Sec. 5. (a) There is hereby established the Interim Compliance Panel, which shall be composed of five members as follows:

"(1) Assistant Secretary of Labor for Labor Standards, Department of Labor, or his delegate;

"(2) Director of the Bureau of Standards, Department of Commerce, or his delegate;

"(3) Administrator of Consumer Protection and Environmental Health Service, Department of Health, Education, and Welfare, or his delegate;

"(4) Director of the Bureau of Mines, Department of the Interior, or his delegate; and

"(5) Director of the National Science Foundation, or his delegate.

"(b) Members of the Panel shall serve without compensation in addition to that received in their regular employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Panel.

"(c) Notwithstanding any other provision of law, the Secretary of Health, Education,

and Welfare, Secretary of Commerce, the Secretary of Labor, and the Secretary of the Interior shall, upon request of the Panel, provide the Panel such personnel and other assistance as the Panel determines necessary to enable it to carry out its functions under this Act.

"(d) Three members of the Panel shall constitute a quorum for doing business. All decisions of the Panel shall be by majority vote. The chairman of the Panel shall be selected by the members from among the membership thereof.

"(e) The Panel is authorized to appoint as many hearing examiners as are necessary for proceedings required to be conducted in accordance with the provisions of this Act. The provisions applicable to hearing examiners appointed under section 3105 of title 5 of the United States Code shall be applicable to hearing examiners appointed pursuant to this subsection.

"(f) (1) It shall be the function of the Panel to carry out the duties imposed on it pursuant to sections 202 and 305 of this Act and to provide an opportunity for a hearing, after notice, at the request of an operator of the affected mine or the representative of the miners of such mine. Any operator or representative of miners aggrieved by a final decision of the Panel under this subsection may file a petition for review of such decision under section 106 of this Act. The provisions of this section shall terminate upon completion of the Panel's functions as set forth under sections 202 and 305 of this Act. Any hearing held pursuant to this subsection shall be of record and the Panel shall make findings of fact and shall issue a written decision incorporating its findings therein in accordance with section 554 of title 5 of the United States Code.

"(2) The Panel shall make an annual report, in writing, to the Secretary for transmittal by him to the Congress concerning the achievement of its purposes, and any other relevant information (including any recommendations) which it deems appropriate."

On page 6, line 4, strike "the Board, other".

On page 8, line 3, strike "by the Board".

On page 8, line 7, change the comma to a period and strike out all thereafter through the period on line 9.

On page 8, line 10, strike all through page 9, line 6, and substitute the following:

"(f) Promptly after any such notice is published in the Federal Register by the Secretary under subsection (e) of this section, the Secretary, in the case of mandatory safety standards, or the Secretary of Health, Education, and Welfare, in the case of mandatory health standards, shall issue notice of, and hold a public hearing for the purpose of receiving relevant evidence. Within sixty days after completion of the hearings, the Secretary who held the hearing shall make findings of fact which shall be public. In the case of mandatory safety standards, the Secretary may promulgate such standards with such modifications as he deems appropriate. In the case of mandatory health standards, the Secretary of Health, Education, and Welfare may direct the Secretary to promulgate the mandatory health standards with such modifications as the Secretary of Health, Education, and Welfare deems appropriate and the Secretary shall thereupon promulgate the mandatory health standards. In the event the Secretary or the Secretary of Health, Education, and Welfare determines that a proposed mandatory standard should not be promulgated or should be modified, he shall within a reasonable time publish his reasons for his determination."

On page 19, line 20, insert "(1)" after "(a)".

On page 20, after line 10, insert the following:

"(2) The operator and the representative of the miners shall be given written notice

of the time and place of the hearing at least five days prior to the hearing. Any such hearing shall be of record and shall be subject to section 554 of title 5 of the United States Code."

Beginning with line 15 on page 21, strike out everything down through line 24 on page 27.

And remember the sections which follow accordingly.

Beginning with line 1 on page 28, strike out everything down through line 19 on page 30.

And remember the sections which follow accordingly.

Beginning with page 30, line 21, strike all through page 31, line 14, and substitute the following:

"Sec. 108. (a) Any decision issued by the Panel under section 5 or the Secretary under section 105 of this Act shall be subject to judicial review by the United States court of appeals for the circuit in which the affected mine is located, upon the filing in such court within thirty days from the date of such decision of a petition by the operator or a representative of the miners aggrieved by the decision praying that the decision be modified or set aside in whole or in part. A copy of the petition shall forthwith be sent by registered or certified mail to the other party and to the Secretary or the Panel as appropriate, and thereupon the Secretary or the Panel, as appropriate, shall certify and file in such court the record upon which the decision complained of was issued, as provided in section 2112, title 28, United States Code.

"(b) The Court shall hear such petition on the record made before the Secretary or the Panel, as appropriate. The findings of the Secretary or the Panel, as appropriate, if supported by substantial evidence on the record considered as a whole, shall be conclusive. The court may affirm, vacate, or modify any such decision or may remand the proceedings to the Secretary or the Panel, as appropriate, for such further action as it may direct."

On page 31, line 18, after "appeal" insert the following: "from a decision of the Secretary or the Panel, as appropriate, except a decision from an order issued under section 104(a) of this title."

On page 32, line 2, strike out "Board's" and insert "Secretary's or Panel's".

On page 36, line 3, strike out "Board" and insert "Secretary".

On page 44, line 25, strike out "sections 105, 107, and 108 of".

On page 46, in lines 13 and 16, strike out "Secretary" and insert "Panel".

On page 47, in lines 5 and 8, strike out "Secretary" and insert "Panel".

On page 48, in lines 10 and 14, strike out "Board" and insert "Secretary of Health, Education, and Welfare".

On page 49, line 9, strike out ", the Board,".

On page 51, lines 22 and 23, strike "sections 105, 107, and 108 of".

On page 72, line 15, strike out "Secretary" and insert "Panel".

On page 72, lines 16 and 19, strike out "he" and insert "it".

On page 73, lines 8, 11, and 23, strike out "Secretary" and insert "Panel".

On page 73, lines 10 and 13, strike out "he" and insert "it".

On page 106, line 5, strike all through line 7, and substitute the following:

"Sec. 401. (a) The Secretary and the Secretary of Health, Education, and Welfare, as appropriate, shall conduct such studies, research, experiments, and demonstrations as may be appropriate."

On page 108, strike out lines 2, 3, 4, and 5 and insert the following: "tion (a), the Secretary shall distribute funds available to him under this section as equally as practicable between himself and the Secretary of Health, Education, and Welfare. Activities under this sec-".

On page 108, beginning in line 13, strike out "Such Secretaries shall consult and cooperate with the Board on specific projects and programs."

On page 108, line 24, strike out "Board" and insert "Secretary".

On page 109, in line 1, strike out "Board" and insert "Secretary", and strike out "it" and insert "him".

On page 109, line 2, after "sufficient" insert "for the Secretary of Health, Education, and Welfare".

On page 109, line 4, strike out "it" and insert "he".

On page 109, line 5, strike out "it" and insert "he".

On page 109, in line 7, strike out "Board" and insert "Secretary", and strike out "it" and insert "him".

On page 109, line 11, strike out "Board" and insert "Secretary".

On page 109, line 16, strike out "Board" and insert "Secretary".

On page 109, line 18, strike out "it" and insert "him and the Secretary of Health, Education, and Welfare".

On page 109, line 20, strike out "Board" and insert "Secretary", and strike out "it" and insert "him and the Secretary of Health, Education, and Welfare".

On page 109, line 22, strike out "Board" and insert "Secretary".

On page 114, line 22, strike out "The" and insert "Except as otherwise provided in this Act, the".

On page 117, line 8, strike out "Board" and insert "Secretary".

On page 117, line 15, strike out "Board" and insert "Secretary".

On page 117, line 16, strike "its" and insert "his".

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendments be dispensed with, that they be considered as read and printed in the RECORD, and that the amendments be considered en bloc, they are conforming amendments that run into other titles of the bill.

Mr. HALL. Mr. Chairman, I will be constrained to object to that unless there is some explanation about what at least the first amendment is and at least the constitution of the panel as read by the Clerk.

Mr. PERKINS. Mr. Chairman, I withdraw my unanimous-consent request. Let the Clerk read the amendments.

The CHAIRMAN. The Clerk will read. The Clerk proceeded to read the amendments.

Mr. ERLÉNBERG (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendments be dispensed with and that the amendments be considered as read and printed in the RECORD.

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

Mr. HALL. Mr. Chairman, reserving the right to object, I have had the chance now to see this particular amendment and I understand that it has been previously agreed to.

However, Mr. Chairman, I want to state that this damages the representative process when in this body we do as we did last week and have six amendments that are considered read and printed in the RECORD and accepted and passed without time for the individual Member to know the substance and with utterly no discussion.



In this case I believe it is all right, but I should like to serve notice that we cannot legislate and provide evidence of the House working its will under such tactics, so in the future I shall object unless there is either an explanation or the amendment is read.

Mr. Chairman, I withdraw my reservation.

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

There was no objection.

Mr. KYL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-eight Members are present, not a quorum. The Clerk will call the roll.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13950) to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes, had come to no resolution thereon.

#### PERMISSION FOR COMMITTEE ON THE JUDICIARY OR ANY SUBCOMMITTEE THEREOF TO SIT DURING GENERAL DEBATE TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary or any subcommittee thereof, may sit during general debate tomorrow.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I do not intend to object, it is my understanding that this has been cleared with the ranking minority member and that two subcommittees will be considering legislation involving bail reform on the one hand and the judgeship bill on the other hand.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

#### A VIETNAM WIDOW WRITES ABOUT THE MORATORIUM

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

Mr. RIVERS. Mr. Speaker, I think the Members of this House will be interested to know how one Vietnam war widow feels about the so-called "Day of Moratorium" which was conducted on October 15 and the "March of the Dead" on November 13 and 14. I am, therefore, including as part of my remarks a letter I received from Mrs. David P. Gibson.

The letter speaks for itself and requires no further comment from me.

I sincerely urge all Members of the House to read this noble woman's letter:

LAMBERTVILLE, MICH.,  
October 10, 1969.

HON. L. MENDEL RIVERS,  
Washington, D.C.

DEAR MR. RIVERS: I am writing to ask a favor. I understand that in the forthcoming anti-war October 15th "Day of Moratorium" and the November 13th-14th "March of the Dead" (to be held in Washington) that "these people," these pacifiers, these malcontents, these groups, and, yes, even some members of our Congress are going to carry on placards, are going to publicize, are going to have read into the Congressional Record the names of our soldiers killed in Vietnam. They are going to use these precious names to justify and support their position on Vietnam which ranges from rightful conscientious objection, to pacifism, to cowardice, to Communism, to treason, and even to support the Hanoi regime.

Well, I know an Infantryman who fought and died in Vietnam; he didn't fight because he was a warmonger or a hired assassin; he was fighting, and, yes, killing for the South Vietnamese people—he was fighting to protect them. He was killed a little over two years ago—and our soldiers are still desperately needed there. Only last week AP had a news photo of a Vietnamese family having to evacuate an area because our Marines were pulling out. No, the South Vietnamese are not yet ready to handle the war—maybe to really make them strong we might just have to win it for them.

This infantryman (one of the 40,000+ Vietnam war casualties), myself (his widow), and his six children feel a great love and sorrow for the families of South Vietnam. How could we leave the South Vietnamese people—if we would, that would be the tragedy of the Vietnam war.

I feel it is a terrible injustice to my husband and the cause he fought for (as a soldier, as an American, as a gentleman) that "these people" will carry his name, publicize his name, and have it read into the Congressional Record for purposes so contradictory to what he sincerely felt himself.

If there is a way that his name can be rescinded from "their" lists, I would appreciate your kind assistance. If not, may I say thank you for your magnanimous support of the United States soldier, his dependents, and his survivors.

With great admiration and kindest regards,

Sincerely,

Mrs. DAVID P. GIBSON.  
CATHERINE (8 years).  
DAVID II (7 years).  
ELIZABETH (7 years).  
JOHN (6 years).  
PETER (4 years).  
JENNIFER (2 years).

On behalf of Capt. David P. Gibson. U.S. Infantry, April 8, 1967, An Lao, South Vietnam.

Read that letter. You may want to think about it.

#### RELEASE OF A "SUPPRESSED" REPORT

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

Mr. HECHLER of West Virginia. Mr. Speaker, one of the real difficulties which advocates of stronger coal mine health and safety protection always confront is that the monopoly of facts is in the

hands of a small, select group of people. In a colloquy yesterday, I pointed out that the Bureau of Mines down through the years has been production oriented in its approach to coal mine health and safety, rather than employee oriented. All of us—every Member of this body—is concerned with coal mine safety. Yet our effectiveness is limited by the monopoly on facts. I believe these facts should be made available.

This is why I was very concerned that a study recently completed by the Bureau of Mines on how to reduce the amount of coal dust at the face of a mine was being kept from congressional and public view. I think it is unconscionable while legislation to limit coal dust is being debated that factual information should be withheld. Accordingly, I sent a telegram to the President late yesterday afternoon respectfully requesting that the Bureau of Mines study be released for consideration by this House when it debates the coal mine health and safety bill. I am gratified to report that I received a telephone call from Bryce Harlow's office indicating the report would indeed be released.

What this report demonstrates is that by the use of high-speed power exhaust fans at the face of a coal mine, it is indeed possible to reduce sharply and dramatically the amount of coal dust. I believe this report proves that if anything the coal dust standards and goals, and the timetable for achieving them, is very modest. So I hope there will be no tears shed over technological possibility or economic feasibility and we get our eye back on the main ball of how to protect the health and safety of the individual worker as a top priority. Finally, I trust that we have no more cases of suppressing information needed directly by Congress in making its legislative decisions.

The report follows:

#### THE EFFECT OF VENTILATION ON RESPIRABLE COAL MINE DUST

Recent experiments by the Bureau of Mines have indicated that increasing the ventilation rate and controlling the air flow pattern across the face would result in lower concentrations of respirable dust. This concept was also in accordance with the theory of small dust particle behavior and air motion.

To demonstrate the effectiveness of control ventilation, high pressure axial flow fans have been used in three mines, the Pittsburgh, Sewickley, and Pocohontas Seams. By maintaining air velocities between 70 and 100 feet per minute across the coal face, it was demonstrated that significant reductions in the concentration of respirable dust could be attained. In the mine in the Pittsburgh Seam, the average dust concentration was reduced from 5.72 to 2.56 mg/m<sup>3</sup> or a reduction of 65 percent. In the Sewickley Seam the mine had existing dust control procedures somewhat better than that normally encountered in coal mines. Here it was possible to reduce the dust concentration from 3.0 to 0.66 mg/m<sup>3</sup> or a reduction of 78 percent. In the latter case, however, there had been some reduction in production between the baseline experiment and the control experiment. However, when a correction for production deficiencies is made, the dust concentration would still be less than 1 mg/m<sup>3</sup>.

In the Pocohontas Seam a dramatic reduction was not attained. This particular seam is very friable and dust control is known to be a difficult task. Additionally, the incom-

ing air was badly contaminated. However, under these adverse circumstances, it was possible to reduce the average dust concentration from 5.6 mg/m<sup>3</sup> to 3.5 mg/m<sup>3</sup>.

Further studies are being planned and executed in other coal mines and the Bureau of Mines is purchasing an additional axial flow fan for experimental purposes.

Based on these limited studies, it would appear that it should be possible after further experience in mines using controlled ventilation, to reduce the respirable dust concentration to a value of 3 mg/m<sup>3</sup> and, in time, in certain mines to an even lower value. These calculations were based on the production rate of the mines. In the case of the Pittsburgh Seam experiment, production was approximately 500 tons per shift. In the other two seams, the production rate was approximately 200 tons per shift. It has not been possible as yet to study the effect of increased production on dust concentrations while maintaining the desired air flow across the face.

It is evident that before the results summarized herein can be generally applied, it will be necessary to develop equipment not now available to the industry, permit industry time to set up production facilities to manufacture this equipment, and to assure its distribution throughout the industry. More important, time is required to develop skills on the part of operators of mining machines and similar equipment which they do not now possess. We have found that one of the most sensitive factors in attaining low dust levels is the skill and attitude of the machine operator. In short, the best known technology is not a match for a poorly operated machine.

#### AMERICAN WOMEN MADE HOSTAGE

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

Mr. RARICK. Mr. Speaker, last week the Communist Premier of North Vietnam sent a telegram to his "Dear American Friends" wishing them success in their fall offensive against the American people.

Today we learn from one of his "dear American friends," New York attorney William Kuntzler, that the wives, mothers, and relatives of prisoners of war must deal through known Communists and subversives here at home as intermediaries with the enemy to even learn whether or not their men are held captive in North Vietnam.

The wives, mothers, and relatives of those missing men have already been told by the Communist negotiators in Paris that they must compromise their loyalty by participating in demonstrations in order to be given any consideration.

It is preposterous to believe that the American people are going to sit back in silence and tolerate the women of our fighting men placed in so cruel a dilemma. In order to aid the men to whom they are devoted, these desperate women would be compelled to ransom them by becoming unwilling tools of enemy propaganda.

Not only are our men held by Hanoi as hostages, but because we have shamefully abandoned them there, we also find their wives and mothers made hostage to Hanoi's Fifth Column in our own country.

When treason prospers traitors become heroes.

How long, America, how long?

I ask that my speech include local news releases and the Washington Report prepared by the American Security Council which identifies, by name, known Communists and other subversives aiding Hanoi in the United States.

[From the Washington Post, Oct. 28, 1969]

#### HANOI SAID TO PROMISE POW DATA

(By A. D. Horne)

North Vietnam has promised to give an American antiwar group the names of all U.S. prisoners it holds, the chief defense counsel at the Chicago riot conspiracy trial announced yesterday.

Attorney William M. Kunstler of New York said the New Mobilization Committee to End the War in Vietnam would begin to receive the names and "possibly other pertinent information" about the prisoners as soon as it had set up an office and staff to pass them on to the prisoners' relatives.

Kunstler, who flew to Paris over the weekend for a meeting with a North Vietnamese delegate to the peace talks, said at a Chicago news conference that he also was promised "a regular flow of mail" from the prisoners.

This mail, Kunstler said in a telephone interview, would be routed to addresses by the Mobilization office. The handling of relatives' mail to the prisoners was not discussed in his 2-hour meeting with Xuan Oanh, he said.

Oanh, a middle-rank member of the Hanoi delegation, has handled many of its public contacts, including meetings this fall with more than 20 wives of U.S. prisoners. The wives were seeking word on whether their husbands were alive.

Kunstler said the North Vietnamese were insistent that anyone who did not want to get prisoners' names and other information publicly could get it privately.

The attorney said the Mobilization Committee would meet next week in Chicago to decide on the staffing and location of the new office, and that one of its leaders would then go to Paris "to start the flow" of information.

All names will be provided, Kunstler said Oanh told him, "but maybe not at once."

David T. Dellinger, one of the Chicago defendants, said details of the new operation would be announced at a peace rally here on Nov. 15. Oanh had asked to see Dellinger and co-defendant Rennie Davis, but U.S. District Judge Julius J. Hoffman denied both men permission to leave the country and Kunstler went instead.

Dellinger called the North Vietnamese promise "a major friendly act," "a peace feeler" and "an attempt . . . to establish better relations with Washington."

The State Department reserved comment. Earlier in the day, the Defense Department had issued a statement calling it "indefensible" for North Vietnam to delay release of the prisoners' names.

The Pentagon lists 413 identified prisoners in North Vietnam; 918 others are carried as missing in Southeast Asia. About half the missing men are estimated to be prisoners in North Vietnam, making a total of 800 to 900 held there.

Both the State and Defense Departments repeatedly have urged Hanoi to make public a full list of men held, and to comply with the 1949 Geneva conventions to permit free flow of mail and inspections of prison camps by the International Committee of the Red Cross.

U.S. officials estimate that over the past five years letters have been received from only 110 of the prisoners, at a rate of two or three per year from those 110.

North Vietnamese spokesmen have denied any restrictions on the mail flow. However,

Kunstler said the prisoners had been allowed to write only "on certain specified holidays," and that Oanh had promised a "much more regular flow of mail."

Kunstler said the information to be given the Mobilization might cover the prisoners' health.

U.S. officials noted that Oanh also had promised the prisoners' wives information about their husbands, but that no family had reported receiving any.

In Paris, where Ambassador Henry Cabot Lodge has raised the prisoner issue at several sessions of the peace talks, the U.S. delegation has been told that wives can write the North Vietnamese delegation for information.

The officials suggested that this new promise, made through the U.S. peace movement, was evidence that Hanoi was "feeling the heat" on the prisoner issue. But they indicated the administration would welcome any information on the prisoners, and would make no move to interfere.

Sen. —, meanwhile said Congress should make clear to Hanoi that continued mistreatment of American prisoners can only produce "a stiffened U.S. attitude toward possible negotiations or withdrawals" from Vietnam. He urged Congress to endorse an International Red Cross resolution calling on all nations to abide by the Geneva Convention on the treatment of prisoners of war.

[From the Washington Report, Oct. 21, 1969]

#### MOBILIZATION FOR SURRENDER

(By William K. Lambie, Jr., administrative director)

As protests against the war in Vietnam rise across the country, Americans should become aware of the origins of these protests.

During the late Spring of 1969, a group of approximately 30 radical leaders of anti-war organizations issued a Call to a National Anti-War Conference to be held in Cleveland, Ohio, July 4-5, 1969. The Call was initiated for the most part by individuals associated with the National Mobilization Committee to End the War in Vietnam (MOBE), an organization which has functioned as a coalition for numerous anti-war groups operating throughout the country. Included among those persons who endorsed the Conference Call were such MOBE leaders as David Dellinger, Robert Greenblatt, Donald Kalish, Sidney Lens, Sidney Peck and Maxwell Primmack.

Functioning as the lineal descendant of A. J. Muste's November 8 Mobilization Committee for Peace in Vietnam, MOBE has a three-year history involving violence and civil disobedience. MOBE sponsored the October 21-22, 1967 demonstrations in Washington, D.C., during which time repeated attempts were made to close down the Pentagon. It also jointly planned and executed the disruption of the 1968 Democratic Party National Convention held in Chicago, and sponsored the demonstrations in the Nation's Capital on January 18-20, 1969 in protest over the inauguration of President Nixon.

In a determined effort to revive and strengthen agitational protest activities against U.S. military involvement in Vietnam, MOBE-oriented initiators of the Cleveland Conference believed that a more extensive formation of MOBE was required in order to establish an effective anti-war program. According to the published Call, the purpose of the Conference was to "broaden and unify the anti-war forces in this country and to plan co-ordinated national anti-war actions for the fall." The Conference was hosted by a MOBE-affiliated organization called the Cleveland Area Peace Action Council (CAPAC), a coordinating body of several dozen anti-war groups in Cleveland, in cooperation with the University Circle Teach-In Committee at Case Western Reserve University. The meetings were held



during the entire two-day period at the University's Strosacker Auditorium. Publicity for the Conference was arranged by several organizations including the Student Mobilization Committee to End the War in Vietnam, a group dominated by the Trotskyist Socialist Workers Party.

The Conference was attended by approximately 900 persons, many of whom were delegates from anti-war groups comprising individuals identified in sworn testimony as Communists, well-known Communist sympathizers and radical pacifists in their leadership. Among the more notorious organizations represented at the Conference, in addition to MOBE and CAPAC, were the Communist Party, U.S.A., W.E.B. DuBois Clubs of America, National Lawyers Guild, Chicago Peace Council, Southern California Peace Action Council, Veterans for Peace in Vietnam, Socialist Workers Party, Young Socialist Alliance, Student Mobilization Committee to End the War in Vietnam, Youth Against War and Fascism, Fifth Avenue Vietnam Peace Parade Committee, Women's Strike for Peace, and the Students for a Democratic Society. There were also in attendance persons representing so-called "GI underground newspapers" which are devoted to disseminating anti-war propaganda and to discrediting the U.S. Armed Forces.

A Steering Committee of about 20 to 30 members formed the ruling clique at the Conference. In effect, the Steering Committee was a self-appointed group composed mostly of Communists and radical pacifists with pro-Communist leanings who have participated in MOBE action projects in varying degrees. Members of the Steering Committee with Communist backgrounds included the following: Arnold Johnson, Public Relations Director and legislative representative of the Communist Party, U.S.A. (CPUSA); Irving Sarnoff, who has served as a member of the District Council, Southern California CPUSA; Sidney M. Peck, a former State Committeeman, Wisconsin CPUSA; Dorothy Hayes of the Chicago Branch, Women's International League For Peace and Freedom, who has been identified in sworn testimony in 1965 as a Communist Party member; Sidney Lens (Sidney Okun), leader of the now defunct Revolutionary Workers League; and Fred Halstead, 1968 presidential candidate of the Socialist Workers Party. Moreover, Steering Committee member David Dellinger, MOBE Chairman, declared in a May 1963 speech: "I am a communist, but I am not the Soviet-type communist."

The first day of activity was mainly devoted to speeches by MOBE officials and representatives of various groups. Among those who participated in the deliberations on July 4, 1969, were Jerry Gordon, Chairman, Cleveland Area Peace Action Council; Sidney Peck, MOBE Co-Chairman; Irving Sarnoff, Dellinger, LeRoy Wolins, leader of the Chicago branch, Veterans for Peace in Vietnam; Stewart Meacham, Peace Secretary, American Friends Service Committee; Mark W. Rudd, National Secretary, Students for a Democratic Society (SDS); Bill Ayers, SDS Education Secretary; Arnold Johnson, of the CPUSA; Jack Spiegel, once a Communist Party candidate for Congress in Illinois; David Hawk, Co-Coordinator, Vietnam Moratorium Committee; Douglas Dowd, New University Conference; and several persons representing Trotskyist organizations. In addition to Peck, Sarnoff, and Johnson, Wolins and Spiegel have been identified as members of the Communist Party.

There were a number of other individuals attending the Conference, in addition to those previously identified, who have been closely linked with activities of the Communist Party, U.S.A. or its front apparatuses. Some of these persons were Phil Bart, newly appointed Chairman, Ohio CPUSA; Jay Schaffner, W.E.B. DuBois Clubs of America; Charles Wilson of Chicago; Ishmael Flory,

Afro-American Heritage Association; Gene Tournour, National Secretary, W.E.B. DuBois Clubs of America; and Sylvia Kushner, leader of the Chicago Peace Council.

The Conference was well represented by a number of functionaries of the Socialist Workers Party (SWP) and its youth arm, Young Socialist Alliance (YSA). It is noteworthy that the Conference itself was marked by periods of dissension. At the outset of the Conference, it became apparent that the majority of those in attendance were affiliated with numerous anti-war groups operating under the domination of the Trotskyist SWP or YSA.

There were two principal issues at the Conference which were vigorously debated with respect to the nature of Fall anti-war demonstrations. First, the SWP essentially held that a Fall anti-war action should comprise only a massive, legal as well as peaceful march on Washington, with the sole demand of immediate withdrawal of the U.S. Armed Forces from Vietnam. This proposal brought about a split in the Steering Committee; however, it was defeated. David Dellinger and Douglas Dowd presented the majority proposal which called for the Steering Committee's support of a "Washington action" project together with the endorsement of the scheduled "Chicago action" originally planned by SDS for September 27, 1969. Interestingly, the SDS project extended the "Washington action" demand beyond troop withdrawals and advocated civil disobedience as a necessary part of the demonstrations.

Secondly, the other main source of disagreement which occurred at the Conference involved a proposal by SDS National Secretary Mark Rudd to plan the Fall anti-war actions to center around the Marxist-Leninist theme of an "anti-imperialist struggle." The SDS proposal was disapproved by the majority of the delegates who took the position that the Fall demonstrations should concern only the issue of the Vietnam War.

During part of the second and final day of the Conference, the delegates and observers attended workshop sessions which were devoted to the following topics in connection with proposed demonstration tactics: "November Washington Action," "September Chicago Action," "September Washington Action," "August 17 Summer White House Action," "October 15th Vietnam Moratorium," "GI's and Vets," and "Third World." The plenary session reconvened during the afternoon of July 5, 1969 at which time the Steering Committee introduced a "majority-minority" resolution for approval. The Communist-oriented Guardian of July 12, 1969 stated that the resolution was "vague" and gave "support" to "all factions and covered up all political differences. The resolution said next to nothing about the Chicago demonstration except that negotiations would be held. The unity resolution was accepted with little discussion." The Conference resolution agreed to endorse or assist in organizing a series of anti-Vietnam war action projects commencing during the month of August and terminating with the November 15, 1969 demonstration in Washington, D.C.

The Conference resolution specifically adopted the following actions:

- (1) Support a mass march on President Nixon's Summer White House at San Clemente, California on August 17, 1969.
- (2) Endorse an enlarged "reading of the war dead" demonstration in Washington, D.C. in early September 1969.
- (3) Support plans of the Vietnam Moratorium Committee for a "moratorium on campuses" on October 15, 1969.
- (4) Support the September 27, 1969 demonstration in Chicago sponsored by SDS in opposition to the Vietnam War and to protest the trial of "The Conspiracy" scheduled to commence on that day.
- (5) Support a "broad mass legal" demonstration around the White House in Wash-

ington, D.C. on November 15, 1969 which will include a march and rally in other areas of the city. An associated demonstration will be planned for the same date on the West Coast.

The Conference agreed to form a bicameral organization to effectively launch the Chicago and Washington actions. Two Co-Chairmen and two project directors were designated to be responsible for the Chicago demonstration slated for September 27, 1969. They were: Sidney Lens and Douglas Dowd, Co-Chairmen; and Renard (Rennie) C. Davis and Sylvia Kushner, Project Directors. With respect to the Washington action scheduled for November 15, 1969, the Conference selected Sidney Peck and Stewart Meacham to administer that project; Fay Knopp and Abe Bloom were to be Project Directors. In an effort to develop both the Chicago and Washington actions in a related manner, David Dellinger was selected by the Cleveland Conference to be a liaison coordinator between both proposed demonstrations.

The Conference claimed that it selected a "new, broadly-based" National Steering Committee of approximately 30 individuals to "implement the program of action." Prior to the adjourning, the Steering Committee adopted a new name for the organization which was to be responsible for planning and directing the Fall demonstrations. It was designated the New Mobilization Committee To End the War in Vietnam. However, in actuality, the MOBE-oriented Steering Committee composed of key MOBE officials, simply decided to drop the name National Mobilization Committee and substitute a new but similar title. Therefore, the New MOBE succeeded the "old" National MOBE with the leadership of the latter remaining virtually intact. The New MOBE has characterized itself as a "new anti-war coalition" which will "carry forward the work of the old National Mobilization Committee" to "affect the inclusion of a wider social base among GI's, high school students, labor, clergy and third world communities." It simply added overt support from the Communist Party and Socialist Workers Party to create a "united front" approach.

Since the staging of the National Anti-War Conference in Cleveland in July 1969, New MOBE has increased the size of its Steering Committee. It has also instituted a number of organizational changes in planning for the Fall demonstrations. One such change brought about the withdrawal of New MOBE support for the SDS-sponsored Chicago action which was re-scheduled from September 27 to October 11, 1969. New MOBE re-scheduled its Chicago action to October 25, 1969. The reason for this change was the fact that New MOBE leadership felt apprehension over the SDS project which they deemed foolhardy and destined for a collision course with the Chicago Police Department. In effect, New MOBE viewed that its participation in such an "adventurous" project of outright confrontation would be detrimental to both New MOBE and the entire anti-war movement at this time.

An evaluation of the Conference by the Socialist Workers Party provided a revealing insight into the effectiveness of the Conference from a Communist viewpoint. The SWP declared: "The attendance at the conference, the serious political debate, the program mapped out and the spirited note on which the sessions ended offer every promise that the anti-war movement is on the road to one of the biggest things this country has ever seen."

The distinguished Senators and Congressmen, TV commentators, newsmen, columnists, professors and others who have described the Vietnam Moratorium as "responsible dissent" have, in fact, lent Moratorium whatever "responsibility" it has. In most cases, they have acted from the laudable desire for peace but without first check-

ing the facts. They have failed to ask the key question, "What kind of peace?"

North Vietnam's Prime Minister, Pham Van Dong, has no illusions. He knew precisely what he was saying when he addressed his letter in support of the Moratorium to his "Dear American Friends."

#### STUDENT MOBILIZATION COMMITTEE TO END THE WAR IN VIETNAM

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

Mr. ICHORD. Mr. Speaker, one of the most active organizations in behalf of the fall offensive which included the Vietnam moratorium, the November marches and strikes, and other demonstrations and disruptions which are planned has been the Student Mobilization Committee—SMC. SMC is the student counterpart of the New Mobilization Committee Against the War in Vietnam—MOBE. The New Mobilization Committee has substantially the same membership as the old mobilization committee which was headed by Dellinger, Hayden, and Davis. As would be expected, SMC is represented on the steering committee of MOBE in at least two instances. And it has apparently begun to fill the political vacuum on college and high school campuses this year left by the factional breakup of the Students for a Democratic Society.

An article entitled "Student Group Backs All War Protests" which appeared on page A-8 of the "Washington Post" of October 21, 1969, contained comments of SMC Executive Secretary Carol Lipman who estimated that more than 1,500 SMC chapters have already been established on campuses in all 50 States. According to this article, Lynn Glixon, SMC regional organizer, stated that SMC chapters are active on most of the major college campuses and at 45 high schools and junior high schools in the Washington, D.C. area. She further stated that organization has begun even in elementary schools and specifically mentioned that a SMC chapter is in the process of being formed at the Ben W. Church Elementary School in the District of Columbia.

The SMC has called for a "national student strike" on November 14, 1969, to "show there is massive student solidarity against the war." This action is planned as a buildup to a major antiwar demonstration planned for November 15, 1969, in Washington, D.C. Local colleges, universities, and high schools are being subjected to organizing campaigns and some school administrators have even provided time and space for meetings. These campaigns are centered on "freedom of speech and expression" and sold as an extension of the "public discontent" with the policies of the present administration toward the war in Vietnam.

Many students and their parents question the activities and motives of the SMC but find it difficult to combat the glib assertions of the organizers. Perhaps a look at the background of some of the principal SMC activists appearing locally would prove helpful. Carol Lipman and Danny Rosenshine from New York

City and Don Gurewitz from Cleveland are presently in the Washington, D.C., area specifically to organize SMC activities.

Carol Lipman is national executive secretary of the SMC, which has its national headquarters in New York City. Local offices are maintained at 1029 Vermont Avenue NW. During 1968 she served as editor of *Young Socialist*, a monthly publication of the Young Socialist Alliance—YSA. The YSA is the youth affiliate of the Socialist Workers Party, a Trotskyist Communist splinter group which has been cited by the Attorney General as subversive. She has worked for YSA in Boston, Chicago, Detroit, and New York City before coming to Washington, D.C. Having held national officer positions with YSA, she would also be a member of the parent Socialist Workers Party—SWP. She is also a member of the steering committee of MOBE.

Danny Rosenshine has likewise been active for several years with YSA in Detroit, Cleveland, and New York City before coming to Washington, D.C. He presently serves on a full-time basis as YSA national organizer, having previously been national field secretary. He traveled to Cuba in 1960 with a group sponsored by the Fair Play for Cuba Committee. In 1962 he attended the Soviet-dominated eighth World Youth Festival in Helsinki, Finland, and subsequently toured the Soviet Union. In early 1969 he returned from spending several weeks in Cuba. *The Militant*, published by SWP, issue of March 21, 1969, carried an article captioned "Forty Campus Dates Set for Speaker on Cuba," listing speaking engagements arranged for Rosenshine. His speeches predictably praised the Cuban brand of communism as practiced under Fidel Castro and at the same time condemned the U.S. Government. In late 1968 he was on a speaking tour of New Jersey, New York, and Connecticut, also advertised in *The Militant*. His topic at that time was "From Student Revolt to Socialist Revolution."

Don Burewitz grew up in the Washington, D.C., area but has been residing in the Cleveland area attending school in recent years. He has been active in the antiwar movement, served as leader of the SMC in Cleveland, and also participated in the affairs of the YSA and SWP. In addition to serving as a national organizer for the SMC in its recruiting campaign in the Washington area, Gurewitz is also serving on the Washington Action Committee of the New Mobilization Committee To End the War in Vietnam, which is coordinating the demonstration scheduled for November 15, 1969, in Washington, D.C.

All prominent SMC leaders have a similar background of activities and membership in the YSA and SWP.

Lipman, Rosenshine, and Gurewitz have all written articles for *The Militant* and *Young Socialist*. Both Rosenshine and Lipman have served on the editorial board of *Young Socialist*. The September 1969 issue of "Young Socialist" contains a lengthy article entitled "YSA Program for the Campus Revolt," proclaimed a statement of the National

Executive Committee of YSA. A poster-type counterfold contains a likeness of "Che" Guevarra and the slogan "Smash Capital Now." Other articles include "Where Is America Going?" by Ernest Mandel, a leading European Trotskyist revolutionary who spoke at dozens of U.S. college campuses on a tour last fall.

The June 27, 1969, issue of "The Militant" contains an article by Charles Bolduc, national chairman, YSA, entitled "Why Revolutionaries Belong in YSA." This article makes the point that YSA supports the Cuban revolution; the struggle for socialist democracy in Eastern Europe; the antiwar movement; the black liberation struggle and the revolutionary nature of revolution for socialism in the United States and other advanced capitalist countries.

The Militant regularly carries recruiting ads for YSA under such headings as "Fan the Flames of Discontent—Join YSA."

Consideration of the foregoing development raises several questions. Is SMC promoting political dissent and protest, or revolution? Is the action proposed and organized by SMC an affirmation of the political system of this Nation, or designed to further the aims and objectives of those who would destroy this Nation? Should the activities be condoned as legitimate expression of the attitudes of the youth of this country, or condemned as the workings of a disciplined cadre of revolutionaries seeking to deceive American youth? Is SMC, controlled as it obviously is by YSA, seeking merely to exercise freedom of political expression, or is SMC actually seeking to destroy the political system?

Students, parents, and faculty at our local schools should answer for themselves the above questions before endorsing or countenancing the activities of SMC.

#### SECRETARY OF DEFENSE FINDS TIME TO CONCERN HIMSELF WITH HEALTH CARE PROBLEMS

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

Mr. MICHEL. Mr. Speaker, all of us in the Congress are well aware of the tremendous contributions to the concept of improved health care made by Secretary of Defense Laird while he served as the ranking Republican member of the Subcommittee on Appropriations for the Department of Health, Education, and Welfare.

While he has handled the awesome burdens of the Office of Secretary of Defense with the quality of excellence that characterized his service in the Congress, he still somehow finds time to concern himself with health care problems, as evidenced by his remarks on Sunday, October 26, at the Marshfield Clinic in Marshfield, Wis., and on Monday, October 27, at the dedication of the Marathon County Workshop for the Handicapped at Wausau, Wis.

In his address Secretary Laird pointed out that the Department of Defense is formulating a plan for opening up serv-



ice hospitals to maximize the opportunities to utilize in civilian life the valuable medical skills possessed by many servicemen. He further states that the Department of Defense is cooperating with other agencies to make the helicopter a flying ambulance here in the United States as it is in Vietnam.

Mr. Speaker, the texts of Secretary Laird's remarks on these two occasions follow:

REMARKS OF HON. MELVIN R. LAIRD, SECRETARY OF DEFENSE, AT MARSHFIELD CLINIC, MARSHFIELD, WIS., OCTOBER 26, 1969

We who look on Marshfield as home are proud of this Clinic. Its development to its present size and scope gives eloquent testimony to the devotion and skill of the many people who have labored to make this clinic a medical facility that ranks with the best in the nation.

Because the Marshfield Clinic and St. Joseph's Hospital are so impressive, I was particularly eager to bring the nation's top health officer, Bob Finch, the Secretary of Health, Education, and Welfare, here today so that he might get a first-hand look at these facilities and hear the success story directly from those responsible for its operation. I wanted him to see that what I've been telling him about the Clinic is not an inflated claim of a hometown booster.

Bob Finch and I are here because we feel deeply the urgency of the problem of improving health care throughout the nation. Despite the miraculous advances that have been made in conquering disease, despite the fact that Americans enjoy a higher standard of medical care than the people of any other nation in the world, the nation faces serious problems in the field of health—particularly in the delivery of health services to people.

One of the greatest bottlenecks is the shortage of skilled personnel. There are not enough doctors, nurses, and other trained personnel to take care of today's needs, and the outlook for tomorrow is grimmer.

I feel the Defense Department can make an important contribution toward easing this problem. Some 30-35,000 military personnel who are qualified medical technicians or technologists—trained and experienced during their period of military services—re-enter civilian life each year. They include a vast galaxy of talent in 40 different skill categories as varied as a radio-isotope technician to a renal dialysis technician. By bringing together in some way these trained men and the jobs in civilian life in the field of health services for which they are qualified, I believe we can help to improve health care and avoid a waste of skill and training.

Consequently, I have directed the Assistant Secretary of Defense for Manpower, Roger Kelley, to develop a plan that will maximize the opportunities to utilize in civilian life the valuable medical skills possessed by many servicemen. I can assure you that we will move promptly to devise and implement this plan.

This is but one of several steps which the Defense Department is taking to make more widely available the special know-how that it possesses in the field of health care. We have a study under way called the New Generation of Military Hospitals which is designed to improve service and reduce cost in the operation of such institutions. The results of this study will, I believe, have an important impact on hospitals of the future, civilian as well as military, leading to better health facilities in the future for the entire nation.

We also plan to draw upon our battlefield experience in the use of helicopters for the speedy evacuation of the wounded to places where care is available. By use of the helicopter we have saved many from death and from disability in Vietnam. The same means

of swift transfer of accident victims from the scene of the accident to medical facilities can reduce the accident toll here at home.

If present trends continue, more than 56,000 Americans are expected to be killed and two million to be injured on our highways this year. In remote and rural areas, the death rate is four times greater than in urban areas because of delay in administering emergency medical treatment and transporting victims to medical facilities. According to one authority, at least 25 per cent of the 170,000 Americans who will suffer permanent disability this year in highway accidents could escape disability if they had proper care shortly after their accidents.

In order to reduce the frightful toll of death and disability on the highway, we in the Department of Defense have joined with Bob Finch's Department of Health, Education, and Welfare and other Federal agencies to form a committee that is now studying means of making the helicopter a flying ambulance here at home as it is in Vietnam. We have great hopes for the potential benefits we can obtain from applying what we have learned in Vietnam to the medical emergency we face here at home.

Speaking of home, it is good to be back in Marshfield again. I congratulate all associated with the Marshfield Clinic and St. Joseph's Hospital for what you have accomplished. I shall continue to watch—and encourage—your progress in the important work you are doing.

REMARKS OF SECRETARY OF DEFENSE MELVIN R. LAIRD BEFORE THE DEDICATION OF THE MARATHON COUNTY WORKSHOP FOR THE HANDICAPPED, WAUSAU, WIS.

Those of us who have watched the growth of the Marathon County Workshop for the Handicapped since its beginnings five years ago have reason for special pride and satisfaction today.

Five years ago the only home the Workshop had from which to operate was a station wagon. Today we dedicate a building of 16,000 square feet as the new home in which the greatly expanded activities of the Workshop are to be carried on.

The Marathon County Workshop for the Handicapped has indeed come of age.

Physical facilities that men use for their activities take on a symbolic character. They become symbols of the qualities of mind and heart evidenced in the activities which take place within their walls.

This building which we dedicate will be a symbol of compassion, generosity, love, hope, and determination. For these are the qualities that will fill this structure as it is used as a place to learn and to work.

This building also symbolizes a great American tradition—the tradition of voluntary private action at the local level to help our neighbors. There is Federal money in these facilities—and I was happy to have been able to play some part as a member of Congress in securing the Federal funds that were made available to provide this new home for the Workshop. But what particularly pleases me is that today's dedication is one of the many concrete results of an amendment I was able to attach to an Appropriations bill back in 1964 which permitted private donations to be mingled with State funds in making up the State's share of the program. Two-thirds of the money that made this building possible was privately subscribed. That is a gratifying statistic to me because many people back in 1964 felt that the Laird Amendment would not produce the kind of results that I am proud today to see embodied in the Marathon County Workshop for the Handicapped. This Workshop was conceived, developed, and is being operated by private individuals, supported voluntarily by the people of this County acting in the American spirit of neighborliness.

One of the things that President Nixon is trying to encourage and expand is problem-solving by voluntary action at the local level. The Workshop is an example of this type of activity. We did not wait for Washington to get around to providing this facility for us. We did not leave the planning or its execution to an agency of the Federal Government. We who live in this section of Wisconsin saw some of our neighbors in need of help, and we acted to provide this help.

The great social and economic problems which plague our Nation will not be solved by Government alone. They will be solved only if the kind of privately-initiated and privately-directed cooperative effort on the local level, represented by the Marathon County Workshop for the Handicapped, is duplicated, magnified, and intensified from one end of the Nation to the other.

I want to pay tribute to Peter DeSantis and to all others who have made the Workshop the success it has become. I need not recount this success story in detail, but let me mention a fact that gives one measure of the Workshop's accomplishments. This Workshop has been the entrance chamber to productive lives for 160 people so far. The earning power of these people has increased from zero to \$500,000. There is no adequate measure of the gain in confidence, satisfaction, and self-respect that this transformation has brought to these individuals.

The past accomplishments of the Workshop are, I am sure, going to be exceeded year after year. As we dedicate this building, we wish for all who deserve credit for bringing the Workshop from infancy to maturity long years of fruitful service in the future.

#### EUROPEANS VIEW SALT TALKS

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

Mr. FINDLEY. Mr. Speaker, our allies in Western Europe are not the least bit nervous over the strategic arms limitations talks scheduled to begin November 17 in Helsinki. They seem to be thoroughly confident their interests will be protected fully by U.S. negotiators.

The relaxed attitude was very evident during the just concluded sessions in Brussels of the North Atlantic Assembly, and it was in marked contrast with concern I had noted in sessions in earlier years.

For the first time German, Italian, and French parliamentarians seemed to be completely at ease discussing privately the forthcoming talks. In earlier years they had shown anxiety about the course of bilateral talks between the super powers. This was especially evident in the comments of German delegates who said they felt their government had not been treated with proper consideration during the negotiations by the Johnson administration leading to the Nuclear Nonproliferation Treaty. Italian, French, and British delegates had expressed similar concern.

In the North Atlantic Assembly just concluded a new confidence was clearly present. In my view this restoration of European confidence in U.S. negotiators stands as a significant achievement of the Nixon administration. It results from two main factors:

First. A series of NATO-wide private consultations held earlier this year in Brussels in preparation for the SALT talks. Our allies were impressed with the

thoroughness and candor of the three-part series of day-long discussions which were spaced over a period of several weeks.

This was a marked change from the SALT talk consultation plans made by the Johnson administration. I learned in Brussels that only a single 3-hour discussion had been tentatively scheduled.

Second. The caution with which the Nixon administration has discussed both publicly and privately the prospect of SALT talks. The rhetoric has been restrained with notes of optimism carefully balanced with caution.

These factors give substance the pledge President Nixon made during his February trip to Europe, during which he promised close consultation with our NATO allies on all matters vital to European security.

#### OCTOBER 28 DESIGNATED AS OFFICIAL "DAY OF BREAD"

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

Mr. SEBELIUS. Mr. Speaker, President Nixon has declared today, October 28, 1969, as an official "Day of Bread" and asked that all Americans join with other nations of the world in observing this occasion.

As the representative from the Nation's leading wheat-producing area, the "Big First" District of Kansas, I am pleased and honored to take part in these international ceremonies.

This important day is part of an international observance of Harvest Festival Week, a worldwide promotion of greater international cooperation and understanding with the Christian philosophy of breaking bread together as the underlying theme.

Wheat and wheat products, most commonly bread, are man's oldest crop and cultivated food. Wheat provides more nourishment for the peoples of the world than any other food; it is a basic staple for almost a billion people. Today, we express man's gratitude for this bounty and the annual harvest of farm and field. Americans have good reason to be thankful for this bounty—an abundance that has made possible a standard of living unrivaled in the history of the world.

However, I think it is even more significant that we observe this international theme of "breaking bread together" at this particular time because, as a nation, we are also seeking to achieve peace. Perhaps our greatest tool for peace is our willingness to share our abundance with those who are less fortunate.

The history of mankind has one main theme of concern—man's search for the "staff of life" and personal freedom. As we take part in these international activities today, let us do so with the knowledge that the bounty of the American wheat farmer not only provides the people of America with bread, but also is helping to fight the war against worldwide hunger. Let us hope these efforts might be continued and expanded. In satisfying man's search for the "staff of life," it may well be we can also end the search for world peace.

#### TIMES ATTACK ON SENATOR LONG UNINFORMED AND UNWARRANTED

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

Mr. WAGGONNER. Mr. Speaker, the New York Times has as its motto, "all the news that's fit to print." But if an editorial blast in the October 24 issue at Louisiana Senator RUSSELL LONG is any example of their reason or logic, that slogan should be amended to read, "all the news that fits our point of view."

They sniped at Senator Long for having worked to restore the 7½ percent cut the House unwisely made in the oil depletion allowance. The fact that the Senator's Finance Committee only restored part of the cut is referred to as "Senator Long's defeat."

The Times, lacking any honor itself, refuses to believe anyone else can have any. To the writer of this editorial, it is inconceivable that Senator Long has fought to restore the depletion allowance cut simply because his years of representing an oil-producing State have convinced him that the depletion allowance of 27½ percent is not a tax loophole but a legitimate deduction rightly due the oil industry.

The thought processes of the Times are as confused in this instance as they were when it tried to convince their readers that Fidel Castro was not a Communist, but a simple agrarian reformer.

Senator Long represents Louisiana and he represents commonsense when he defends the oil depletion allowance. With these two as his constituents, he cannot go wrong.

#### ROGERS ASKS HOUSE ARMED FORCES COMMITTEE TO INVESTIGATE DEFENSE OF SOUTHEAST UNITED STATES

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

Mr. ROGERS of Florida. Mr. Speaker, I have been informed today that 12 EC-121 picket planes used to patrol the straits between Florida and Cuba are being deactivated.

Bluntly put, this means that south Florida and the southeastern part of the United States has no proper and effective defense against enemy invasion by air.

Not 1 month ago a Cuban Mig penetrated our defense system and landed at a military base. Two reasons were given: The plane flew so low that our radar did not pick it up except briefly, and then it was not identified; and second, because we had no picket plane in the air to act as visual support to the inadequate radar.

I wrote the chairman of the House Armed Services Committee and asked for an investigation into this obvious and serious breach in our national security. His reply was that he was aware of the situation and that the Armed Forces were aware of the situation.

Judging from the announcement from the Defense Department, concerning the cutbacks, the Pentagon does not fully understand the situation. Without picket planes in the air to supplement the radar system, Florida and the southeastern section of the United States are subject to penetration by low-flying aircraft almost at will.

I am concerned that the Armed Services Committee is willing to let the Cuban Mig incident pass by without an investigation. The incident is obvious proof that Florida and the southeast, although situated geographically only 90 miles from an unfriendly power, represents the weakest link in our national defense system.

I am again requesting the Armed Services Committee to investigate this situation.

The Defense Department is well aware that planes can fly under our radar into Florida. I cannot comprehend the apparent elimination of picket planes for Florida.

I have stated previously that industry has developed radar that is capable of tracking a Mig or a Mig-sized rocket at takeoff from Havana. The cost of installation of this radar would be approximately \$3 million.

Unless this advanced radar is installed to replace the picket planes, I intend to personally appeal to the President. For without air surveillance supplementing our radar, or without an advanced radar system, the United States is not properly prepared to defend against an air invasion from the Caribbean or the Gulf of Mexico.

#### THE DESTRUCTION OF "AMERICA THE BEAUTIFUL"

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

Mr. TIERNAN. Mr. Speaker, the November 4, 1969, issue of Look magazine has several articles dealing with the destruction of "America the Beautiful."

One of the most poignant essays is entitled "Why Must They Die?" and was written by a 9-year-old girl, Lillie Leonard. Lillie tells of the senseless slaughter of baby seals in Canada and Alaska, the possible extinction of the bald eagle as a result of DDT, the hunting of polar bears from airplanes, the poaching of alligators, the poisoning of the kit fox, and again the result of DDT on brown pelicans.

Mr. Speaker, those of us in responsible positions have known that these things have been going on for years. But sometimes it takes the honesty and perception of a child's eye to truly see the horror and danger involved.

I urge all of my colleagues not only to read this article but to think about it. It is not a very pretty thought.

The article follows:

A LITTLE GIRL ASKS "WHY MUST THEY DIE?"  
(By Lillie Leonard)

Every spring this happens in Canada and in Alaska also, when the seals are first born and the mothers are nursing them on the ice. One of the hunters has just killed a baby and the mother has come after him,



and he's pulled out a knife. Then he starts running. On the right, it's a picture of the baby seal that's just been killed and skinned and the mother is looking at it. At a museum, I saw some seal skins on the wall. But it sure is horrible to see the real baby killed and just lying on the ice. It would be good if the baby seals could swim because then they could get away and not many would be caught. This way is much too unfair. I know the mother feels sad, because what if a man came along and killed your baby and skinned it also and left it there for you to look at? When I first saw this picture, I thought it was the worst thing I had ever seen. I started to cry also, and my friend Becky cried too.

We talked about it should be illegal, and wished that the mothers would catch the hunters and bite them hard. But that is cruel, too, and there's enough of that in the world. Another bad thing about the world is that many, many animals are becoming extinct, and here are five of those animals on this page. [Photos not printed in RECORD.]

The bald eagle is becoming extinct mostly because of DDT. It lives near seas and bays and eats a lot of fish. Well, the DDT is used for spraying mosquitos and little bugs. It gets into the water and what happens is it gets into the plankton and the copepods eat the plankton and the small fish eat the copepods and the large fish eat the small fish and the eagle eats the large fish and, each time, the DDT is multiplied by 20. My friend Seth's father [ecologist Sterling Bunnell] explained this to me—how the bald eagle gets so much DDT. Once he gets it, the eagle is in for it. He may even go into convulsions. But the main problem is that the eggs break or won't hatch or the babies don't survive. I love that bird. It's my favorite one. Now, the polar bear is being wiped out because it has no place to hide when hunters come in airplanes. It's just another way of being unfair to animals.

I saw a stuffed polar bear at a car dealer's, and I don't think the man who shot it is anything brave—just another talk-a-lot car dealer. The alligator is my favorite animal, and it's becoming extinct because of poachers. I've seen on TV men poaching them, and it's a lot like the seals. Alligator skin is a fine thing for bags and shoes and purses. I want to tell everybody to stop buying alligator skin so the poaching will stop. The problem with the kit fox is that people put out poison mostly for rodents and also for coyotes, and the kit fox eats it because he is not a suspicious animal. He is a graceful, cute little fox who is very, very useful and who eats rodents. The poison is bad, and the animal may have to suffer 20 days before he dies. The brown pelican has mainly the same problem as the bald eagle, because its eggs are getting too thin and won't hatch. They aren't spraying DDT where the pelican lives but Seth's father says the whole ocean is getting polluted with DDT that comes from the farms on the rivers.

This is a warning to all life because it means the DDT will be soon killing many fish and birds and animals and people too. I wish somehow all this could stop, but I don't really think it will.

#### THE PRESIDENT'S NOVEMBER 3 ADDRESS

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

Mr. FULTON of Tennessee. Mr. Speaker, it is noted in this morning's Washington Post that President Nixon will, today and tomorrow, remove his coat as the Nation's leader and temporarily replace it with the mantle of leader of the Republican Party.

The President is to speak this evening in Virginia and again tomorrow in New Jersey in behalf of Republican gubernatorial candidates.

This activity on the part of the President is not only proper but desirable. The issues and problems which face the country should be discussed at appropriate times in constructive political terms before the people. These elections are an appropriate time and there is no better spokesman for his party and its candidates than President Nixon.

However, there should be no confusion as to when President Nixon or any President is speaking as a spokesman for a partisan point of view and when he speaks to the people as a Nation and as their President.

While no such confusion exists in connection with the President's political schedule over the next 2 days, there is a growing concern over the potential political implications of his upcoming November 3 address to the Nation on Vietnam.

As I stated on this floor last week, it seems to me that the timing of the President's talk is particularly inappropriate in view of the fact that the following day general elections are to be held in several States and Vietnam is an issue to a degree in almost every one of them.

This is no hastily announced address by the President caused by some late development of national importance such as the address to the Nation given by the late President Kennedy during the Cuban missile crisis.

Nor is it to outline some legislative program which had been earlier promised, such as the President's message on welfare reform.

The announcement of the November 3 talk came quickly upon the heels of the Vietnam moratorium which had such an impact on the Nation. This was more than 2 weeks ago.

It seems curious that November 3 was chosen at that time. Certainly, if the President feels he must report to the people or if he has information justifying the talk, then he had it when the date was chosen, and he could have well delivered his remarks by now.

When I first commented on the timing of the address last week, it was my expressed view that the choice of November 3 and the political implications which could be drawn from it were simply an oversight by the President's advisers.

If the talk is not rescheduled in the light of the political haze which now surrounds it, then whatever the President has to say is going to be measured, at least in part, by the political yardstick.

This, it seems to me, is most unfortunate. Partisanship is no substitute for statesmanship in the conduct of foreign affairs, and it would be tragic if the President's remarks are delivered in an atmosphere tainted with the suspicion of partisanship.

It is still not too late to reschedule the address, and I hope that the President will do so. The President has asked for nonpartisan support for his policy for bringing peace to Vietnam. I believe, therefore, that the people have a right to expect that in carrying out these pol-

icies the President would make every effort to avoid any possible hint of making the war an issue or instrument for political gain.

#### MERCHANT MARINE SPEECH

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

Mr. SCHADEBERG. Mr. Speaker, the President's program for revitalizing our merchant marine must not be lost in a fog of indecision or delay. Our merchant fleet has already dropped from first place on the high seas at the close of World War II down to sixth place.

It has become the American way—to let our merchant fleet go to pot with hulks rotting away, some mothballed and some just abandoned. No replacements worth mentioning have been made in years.

We need our merchant marine in time of peace, for shipping is an important part of a nation's total prosperity.

We need a strong merchant marine even more, for national defense security. Surely we have not forgotten what happened at the start of World War II, when we did not have a merchant fleet worthy of the name.

In case some of our younger colleagues do not know, we were so hard up for ships to move men and supplies we resorted to using old, wornout excursion ships as troop carriers and fishing trawlers and private yachts as escort vessels. We even sent our men out in these buckets on that sea-hell of a run to Murmansk and back.

Many didn't make it—not because they were sunk by U-boats, but because they were too old and slow—some were so top-heavy they just capsized.

Hog Island freighters of a sea-generation further back than World War II were pressed into service. Some of our ships at that time were so unseaworthy that the standing joke was:

We'll get there just as long as the worms or teredos in her bottom keep on holding hands so she'll stay together.

Thanks to the Liberty and Victory ships we built a merchant fleet in record time. But these vessels were never meant to last for years. They were only stop-gap ships but they did their job, heroically and well—just like the men who made up the crews.

But they have long become obsolete. The United States again, following history's cycle, fell back so far as a merchant marine power is concerned. We now trail Great Britain, Japan, Russia, Liberia, and Norway—a sad sixth.

The cry has always been that cargoes can be shipped cheaper when not in vessels under the American flag. Cheaper, at the time, perhaps, but not in the long run. It is false economy to think that we can use foreign bottoms to ship our goods because in doing so we are sacrificing our merchant ships and merchant mariners.

And if the time comes again when we need a merchant fleet in a hurry, if we have another full scale war—and God help us if we do—we will not have the time to build a new merchant fleet again.

The Germans stopped at Dunkirk—and the Japanese did not follow up their first strike at Pearl Harbor. That gave us time, then. Precious little time it was, but it was time enough to build that remarkable fleet of Liberties, Victories, and the others—fast bottoms for fast work. With them we kept our freedom.

Now, the President has proposed that we take a gradual and sensible course in rebuilding our Merchant Marine. As he put it, to "replace the drift and neglect of recent years and restore this country to a proud position in the shipping lanes of the world."

Three-fourths of our merchant vessels are at least 20 years old and if things continue the way they are going, much of our present fleet will have to be scrapped.

Both Government and industry share the blame for this lag in shipping and both must now make an effort to correct it or we will all go down the drain, as far as shipping is concerned.

President Nixon's new program is a long-range one, to build 300 vessels in 10 years.

One of the first steps to cut down building costs, as suggested, would be to standardize design. That was done in earlier wars—as witness the Hog Islanders and the Liberties.

Another proposal is to pay subsidies to shipbuilders, rather than ship operators, as at present. That direct payment should encourage building by improving designs and in other ways minimizing costs.

In the matter of insurance the Federal Government would insure shipping policies in much the manner that GI loans are guaranteed.

The problem of wages for merchant marines can be met with a proposal suggested by the President.

The new approach is not to have the taxpayers pay the difference between what American sailors get and foreign merchant mariners get, but the Government would compare foreign wages with prevailing wage levels in several sectors of the American economy. Then a subsidy policy would be tied to this level and it is hoped this would reduce subsidy costs and promote further efficiencies.

Another important part of the program would eliminate the programs in which shipowners pay back the Government for shipbuilding subsidies. The new plan would end that. This money would go back into the Government coffers in the form of corporate taxes.

The administration has called on everyone involved, from labor leaders, minority groups, secretaries of chambers of commerce, shipbuilders, and ship operators—everyone concerned—to get to work and stop the scuttling of our merchant marine. Let Congress join them in a new area in maritime history; let us join them and the President of the United States in taking our rightful place on the ocean shipping lanes of the world; not in sixth place, but at the lead, in first place. We were there once.

The early wealth of this Nation was founded on sea commerce.

Our merchant fleet is now down to 950 ships and most of them are ready, or nearly ready for retirement. In strength, as I noted, we are sixth in the world—a

notch under the Soviet Union and Russia has already embarked on a massive program to enlarge its merchant fleet.

American ships carried nearly 60 percent of this country's foreign trade right after World War II and now we have dropped to about 6 percent.

The leader of the Shipbuilders Council of America, Edwin Hood has been quoted as saying that—

Precious time has been lost by previous Administrations to contend with the ever-accelerating obsolescence of the American Merchant Marine.

He said the shipbuilders would have little trouble meeting a schedule of building the programed 30 ships a year. That industry turned out 5,000 ships in a crash program during World War II, in 4 years.

Thus far there has been no objection from the major parties involved. Maritime leaders, naturally, are reported to be enthusiastic about the new program.

Union leaders are reported to have expressed pleasure about the desire to do something about the merchant marine situation.

I strongly urge our favorable action. The Congress already has evidenced a desire to help our merchant marine—shipbuilders and operators—and the unions are for it—the Lord knows we need it, so, as the old shipmaster used to say:

Let's set the jib and get underway.

Let us follow President Nixon's leadership on the high seas without delay. Our security demands it, our commonsense knows it.

#### SPACE HOAX REVEALED—EUREKA STUDENT EXPOSES RUSSIANS

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

Mr. DON H. CLAUSEN. Mr. Speaker, a 17-year-old student, Ronald Titus of Eureka, Calif., has discovered that a news photo issued by the Soviet Union to explain their triple-spaceship mission earlier this month is actually from an American space company's 1962 magazine advertisement.

To tell the story of this young man's studied observations and ultimate discovery, I am inserting in the RECORD at this point, a front-page story which appeared in the October 23 edition of the Eureka, Calif., Times-Standard.

Certainly, this young space enthusiast has proven once again that it is great to live in a country which has the courage and honesty to visually portray its space efforts on live television, regardless of the consequences, for the entire world to see.

The article follows:

[From the Times-Standard, Oct. 23, 1969]  
EUREKA STUDENT EXPOSES RUSSIANS: SPACE HOAX REVEALED—ORBIT PHOTO FROM U.S. AD

There are going to be some red faces in the Russian space laboratories today, all because of 17-year-old Ronald Titus of Eureka.

Titus has exposed what must be the strangest event of all time in the Russian-U.S. space race.

The Eureka High School senior discovered that the drawing used by the Soviet Union

to explain its three-spaceship orbit of last week is exactly the same drawing which appeared in a 1962 advertisement by a U.S. company, published in Scientific American magazine.

There is no question about it. The drawings are nearly identical, even to the shading. The Russians added some labels on the various components of the space spectacular, and for some reason eliminated part of the picture showing a scientist walking through a door inside their "space platform."

Other than that, the pictures are the same: perspective, shading, detail—everything.

#### IN SPACE AD

The original picture appeared on page 91 of the February, 1962 edition of Scientific American, a decidedly non-Communist publication. The advertisement is for the Sperry Co. of Great Neck, N.Y., and promotes the firm's Orbital Launch Operations.

Titus, who is interested in space happenings and saves all his newspapers dealing with them, spent noon hour of Oct. 21 glancing at this particular copy of Scientific American. He stopped at the Sperry ad, and thought it looked familiar, so he took the magazine home and compared it to page 1 of the Oct. 13 Times-Standard. Acting on the advice of teacher Ellis Williamson, he brought the evidence of his strange find into the newspaper office.

"I thought it was funny that the Russians would use a picture from an American company," Titus said. "I don't know how they got it, though, I doubt that they have special spies to get pictures from magazines."

#### PICTURE FROM TASS

The Russian photo was carried on the United Press International Unifax photo network when the Russians announced their triple-orbit event. It was supplied by Tass, the Russian news agency, according to UPI.

The Sperry ad in Scientific American was almost a preview of the mission. It said, in part, "Orbital Launch Operations will call for the highest system capabilities the nation can muster, in virtually every technology known."

"A space station must be orbited, piece by piece, with crews and their subsistence complex to assemble and man it—followed by a scientific laboratory that will become the launch facility in orbit, where the parts of the orbital launch vehicle then will be assembled."

According to Associated Press on Oct. 13, "The Yugoslav news agency Tanjug, known for its reliable informants in Moscow, reported a total of seven cosmonauts will construct a space platform that will be used as an orbiting laboratory and possibly as a launching pad for deep space probes. . . . The informants also have hinted that a permanent platform in orbit would be visited periodically to check scientific instruments or to station a crew aboard for a time."

#### SOME QUESTIONS

Many questions could be asked about Titus' discovery. How did the Scientific American drawing make its way into Russian space files, to be pulled out seven years later? Why was the drawing used at all, unless the Russians believed the "coincidence" would go unnoticed? Does the Sperry Company have any inside knowledge?

Perhaps the most interesting question, however, is on the entire truth of the Russian space reports.

Were they really up there at all?

#### CONVERSION OF POST OFFICE DEPARTMENT INTO GOVERNMENT-OWNED CORPORATION

The SPEAKER. Under previous order of the House, the gentleman from Iowa (Mr. GROSS) is recognized for 10 minutes.



Mr. GROSS. Mr. Speaker, in my remarks on Monday, I warned that Members could expect a massive, well-financed propaganda campaign in support of conversion of the Post Office Department into a Government-owned corporation.

That campaign is now underway, led by the Citizens Committee for Postal Reform, Inc., with a bankroll of more than \$180,000. Apparently the committee feels that with money and pressure, the decision of the House Post Office and Civil Service Committee rejecting the corporation idea can be reversed.

Sponsors of this lobbying group, of course, have every right to their opinion, but I am one member of the Post Office and Civil Service Committee who deeply resents the tactics they are using. Let me quote briefly from the committee's newsletter of October 23, 1969:

The enemies of true postal reorganization have begun to trot out their piecemeal and inadequate Post Office Department bills under the banner of "total reform."

I challenge the author of that statement to step forward and accuse me to my face of being an "enemy of true postal reorganization" and interested only in "piecemeal and inadequate" reforms in the Post Office Department.

At another point in the committee's newsletter, certain remarks are attributed to the committee's cochairs, former Postmaster General Lawrence F. O'Brien and former Senator Thruston B. Morton; remarks which represent a scurrilous attack against the gentleman from New York (Mr. DULSKI), the chairman of the House Post Office and Civil Service Committee. I quote from the newsletter:

They (O'Brien and Morton) criticized a half-hearted measure (H.R. 4) sponsored by Congressman Thaddeus J. Dulski as "an example of pseudo-reform masquerading under the name of the genuine article."

This is completely inaccurate and uncalled for. Having participated in virtually every session of our committee in the consideration of postal reform legislation, starting in April, I can say without hesitation that no person in or out of Congress is more interested in postal reform than the gentleman from New York.

Both Mr. DULSKI and I seek meaningful postal reform, and I am pleased to report that our committee is making progress toward that goal, despite the vicious propaganda campaign being waged by the so-called citizens committee.

Moreover, the question immediately arises as to why former Postmaster General O'Brien did not seek postal reform legislation when he was Postmaster General. The record shows that he appointed a "task force" to study the subject in 1966. This "task force" reported to him early in 1967 and he immediately stamped a "confidential" label on the report.

Perhaps one of the reasons was that the report held that a basic reform should be to get the Post Office Department out of politics. Although he had ample time to put a meaningful reform bill before Congress, O'Brien, as Post-

master General, was apparently too busy giving political advice to President Johnson and immersing the Department in politics.

Now, with the greatest of ease, he has the effrontery to castigate those who are attempting to do what he left undone.

Reading on in the citizens committee's newsletter, we find this:

It (H.R. 4) doesn't take the post office out of partisan politics.

In its present form, I can report that H.R. 4 does take the postal service out of partisan politics by reason of an amendment offered by me which the committee adopted.

Despite an unspent nest egg of \$182,-816.89 available to the citizens committee on October 1, the newsletter has the unmitigated gall to seek even more money from an unsuspecting public in an appeal under the heading "Dollars for Progress."

I urge citizens to reject this appeal, for dollars to a high-powered lobbying outfit will not buy good postal reform legislation. I also urge my colleagues to reject the pressures which will be applied as the result of the citizens committee's unfair propaganda tactics.

Then let us get on with the job of writing meaningful postal reform legislation.

#### CRIME: THE PROBLEM AND THE RESPONSE OF GOVERNMENT

The SPEAKER pro tempore (Mr. MATSUNAGA). Under a previous order of the House the gentleman from Alabama (Mr. EDWARDS) is recognized for 30 minutes.

(Mr. EDWARDS of Alabama asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, the various governmental bodies—Federal, State, and local—are entrusted with one of the most basic responsibilities of government: to provide for the safety of the citizens. In recent years, due to various problems, and a lack of commitment on the part of the former administration, crime is rampant. In many areas the average citizen no longer feels safe to walk the streets, leave his property unattended, or even, at times, go to sleep. A vast array of safeguards and a constant vigilance must be maintained to feel at least moderately secure. Yet this is no guarantee that the individual will be free from harm or loss.

The crime problem has outstripped the resources available to the various governments to fight it. What is now needed is a national commitment to fight crime. On the national level a strong effort to curtail and eventually eliminate the growing menace of organized crime can only be initiated by forceful Federal action. On the State and local level, the very personal threat to the safety and security of every citizen and his property must be met by increased effectiveness of the local law enforcement officer and of the tools which he has available to fight crime. In many

cases, assistance from the Federal Government in developing programs, establishing new procedures and tools, and correcting deficiencies in Federal law is urgently needed.

In 1967, I criticized the Johnson administration for failure to meet the crime problem head on. At that time I listed five areas in which the Government was remiss. They were:

First, the reduction of the activities of the Justice Department's Organized Crime and Racketeering Section;

Second, failure of the administration to reveal vital information regarding the activities of organized crime;

Third, Supreme Court decisions that made law enforcement more difficult, and failure of the Johnson administration to be concerned about this situation;

Fourth, failure of the Johnson administration to act on the National Crime Commission recommendations; and

Fifth, the attitude of the Johnson administration to sweep the whole problem under the rug in hopes that it might go away.

At the same time I made several recommendations that I felt would be major steps toward solving the crime problem. They were:

First, intensified operations of the Organized Crime and Racketeering Section of the Justice Department;

Second, improved collection and greater use of criminal intelligence by law enforcement offices around the country;

Third, establishment of a permanent joint congressional committee on organized crime to provide continuing congressional action in this area; the committee also would be charged with making recommendations to update and make uniform the Criminal Code;

Fourth, greater interest on the part of the Justice Department in actually enforcing the law; and

Fifth, use of wiretapping to the greatest advantage under existing guidelines and proper and strict controls.

Perhaps it would be useful to evaluate the actions of the Nixon administration to date in the light of my criticisms and recommendations as just outlined.

First, the Nixon administration has stepped up the activity of the Justice Department's Organized Crime and Racketeering Section in accordance with my recommendations in 1967, thus reversing the Johnson administration policy. But the Nixon administration has gone a step further. A special Federal-State racket squad was established in New York City, where five of the 23 Cosa Nostra families operate. In this highly-concentrated organized crime area, cooperation among Federal, State, and local officials is the only hope for overcoming the syndicate operations. In addition, the President has authorized the establishment of 20 Federal racketeering field offices across the Nation. This is the kind of national commitment needed to meet the vast threat of the organized crime syndicate on a nationwide basis.

Second, the Attorney General's office has begun a program through which State and local law enforcement personnel can exchange information on the

most effective tactics for fighting organized crime on the local level. In addition, a computerized organized crime intelligence system is being developed to house detailed information on the personalities and activities of organized crime nationally. It is hoped that this system will serve as a model for similar State intelligence banks.

Third, Attorney General Mitchell has said on numerous occasions that his Department will definitely enforce the law of the land. To cite just a few examples, Operation Intercept has been most successful in curtailing the inflow of dangerous drugs into the country, and the recent Federal, State, and local cooperative effort in the Washington area which resulted in the arrest of some 40 persons on narcotics charges is a hopeful sign of similar future results.

Fourth, the President has authorized the Attorney General to use wiretapping with proper safeguards to monitor the activities of organized racketeers. This will be an important tool in catching the higher-ups of the criminal world.

Of my five recommendations in 1967, four were within the realm of the Executive and President Nixon has acted favorably on these. He has shown a keen understanding of the crime problem and is putting this knowledge into action.

He has called crime the major domestic crisis and has indicated his every intention of doing something about it. But better than just a lot of words, he has taken what action he could under existing legislation and made substantial proposals to Congress to take even greater action against crime.

Now Congress must enact these proposals and provide the funds necessary to implement them in the fight against crime. At last we have had sound legislation proposed so that the spiraling crime rate can be stopped. Let us not let these important tools in the battle against crime go unused. Congress must act now and stop delaying this much needed legislation.

These efforts are primarily national in scope and directed against the nationally organized crime syndicates. What is being done and must be done about the so-called street crimes—the crimes that touch everybody in a personal way? To answer this, one must examine the root causes of such street crimes and the catalysts for continued growth and expansion of crime in this category. And it is here that the interrelation of organized crime and street crime can be seen.

Gambling and narcotics are the chief sources of income for the racketeers, and gambling and narcotics are the chief reasons for much of the current street crimes. Much of the serious crime—which is concentrated in the inner city and slum areas—is directly related to the criminal's desire and outright need for money. This may be the result of insufficient income to meet a family's needs or, as is more often the case, may be the result of a need for money to purchase drugs or pay gambling debts. Much of the money poured into welfare programs is funneled right out of the pockets of the poor and into the coffers of the under-

world syndicates through numbers rackets, gambling houses, bookkeeping operations, narcotic sales, and loan sharking. The poor are the greatest victims of the organized crime racketeers and in turn have the highest incidence of criminal activity among their groups.

Thus in combination with our efforts to curtail and eliminate organized crime, this Nation must have a solid commitment to choke off the sources of income of the racketeer. And in so doing much of the street crime will also decrease.

Narcotics is perhaps the chief factor in the rise in robbery and theft. These crimes against property are frequently accompanied by crimes against the person such as assault and battery and rape. Once hooked on hard drugs such as heroin a drug addict must come up with \$100 to \$200 or \$300 a day to feed his habit. Since the underworld fence will pay only about one-tenth to one-third of the value of the stolen goods, the drug addict must steal thousands of dollars worth of goods to buy his drug from the underworld narcotic salesman. On either end the crime syndicate bosses come out on top. And in any case, the loser is always the taxpayer who must pay the costs in increased law-enforcement activity and judicial proceedings, the insurance purchaser who faces rising rates, and the business operator who suffers declining profits.

Efforts in this area of street crime must be on a national level in some instances, but the greatest thrust must come from the State and local law enforcement agencies. On the national level the President has taken numerous steps to curtail the flow of drugs into the United States. The Departments of Justice and Health, Education, and Welfare have offered assistance to State and local law enforcement agencies and public and private organizations working on social improvement projects in hopes of eliminating the root causes of drug addiction and discontent on the part of the urban poor. Many State and local agencies are actively pursuing programs to aid the drug addict to kick his habit and eliminate the incidence of criminal repeaters.

On the national scene, the Nixon administration has put forth many legislative proposals to aid the local law-enforcement officer to perform his duties more effectively. Among them is furnishing technical assistance and financial help in training programs, Federal aid for State and local public information programs to alert the average citizen to ways he can aid the law enforcement officer, and fostering cooperation and coordination between States and between communities to avoid costly duplication of effort and expense.

This massive effort on the part of Federal, State, and local authorities is a step in the right direction and a start toward curtailing and eventually eliminating the crime problem. But this is not something that can be accomplished in 1 year or in one administration lifespan. It must be a national goal over many years on a level of magnitude equal or exceeding that given the space program. There can be no greater threat to a democracy than the lack of internal safety. And there can be no surer means of destroying

our country than by failing to give a solid national commitment to the curtailing and eradication of crime in all forms.

Whether this national commitment is put into effect and whether it is successful depends on the Congress. Under the Democratic administration of recent years, the Congress, dominated by the same party, was loathe to get moving on the crime issue. Now the Republican administration has made sound proposals to put the brakes on the spiraling crime rate.

In the spirit of President Nixon's recent message to Congress, I would hope that Congress will go even further in the fight against crime. Not only should this Congress give prompt consideration to the many proposals to fight crime put forth by the Nixon administration, but Congress should also strengthen the law and fill the gaps created by various Supreme Court decisions that have tied the hands of the law-enforcement officer. Only Congress can act effectively and provide the long-range answers.

While we still may need a Joint Committee on Organized Crime, the Pepper committee is in fact filling some of the needs which prompted my original call of the joint committee. The Pepper committee is performing a useful service. But in the final analysis, we must untie the hand of the policeman so that he can apprehend the criminal. Our judicial system has made it rather tough on the policeman to do his job. The result is that criminals go free because of minor technicalities in procedure, or, often they are released on bail only to commit numerous crimes before ever coming to trial.

If there is to be improvement in our judicial criminal procedures, legislation must be enacted to speed up the time it takes to bring a criminal to trial. This may call for action on the Federal and State level to revamp outmoded criminal court procedures and to increase the number of judges trying cases. Much legislation has been introduced to bring about these reforms. But Congress must take action on these bills. They do not serve any purpose sitting in the file drawer of the committee.

The rise in crime can be stopped. The criminal can be eliminated. But the responsibility for such tasks is not one man's alone. Rather it calls for a concerted action on the part of the President, the Congress, the State, and local legislative bodies and every citizen interested in making the streets safe for his children. We must once again be able to feel secure in our homes and communities. These tasks are not insurmountable, but they require a national commitment on the part of each and every American. I urge the Congress to act now.

#### PERSONAL EXPLANATION

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

Mr. LOWENSTEIN. Mr. Speaker, on September 29 and for several hours on October 9, I was detained on official business and unable to be present on the



floor. I would like the RECORD to show that had I been present at those times I would have voted in favor of House Resolution 556, extending authority to set interest rates on mortgages to veterans; House Resolution 555, creating joint labor-management trust funds for scholarships and child care centers; and H.R. 7737, the Educational Television and Radio Amendments of 1969; and against the recommittal of H.R. 7737.

#### A TRIBUTE TO BOB HOPE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOSMER) is recognized for 20 minutes.

Mr. HOSMER. Mr. Speaker, America's most durable and beloved comedian, Bob Hope, will depart soon for his annual Christmas tour of American military bases around the world. This year, his journey will take him first to Europe and then to South Vietnam and the Far East.

But before he leaves, the people of the city of Long Beach and the State of California will pay tribute to this great American with a huge testimonial dinner on Thursday, November 13.

At the dinner, Bob will be presented with the "DELBA" Award, presented annually by the Downtown Long Beach Associates, one of the city's outstanding business organizations. The city itself, the State, and other national and local leaders will join in this tribute to California's favorite adopted son.

In the past, the DELBA award has gone to Danny Thomas, Jimmy Durante, John Wayne, and others—21 in all—who have made outstanding contributions through their talents to our way of life. When Bob Hope's name is added to the rolls of the winners, the DELBA award certainly will take on added significance.

The testimonial also will include keys to the city of Long Beach, which will be presented to Bob by Mayor Edwin Wade; a citation from the State legislature; and another, most unique tribute. The first suite in the new Queen Mary Hotel being constructed aboard that famous ship now permanently located in Long Beach Harbor will be named the "Bob Hope Suite." Subsequent suites will be named for Sir Winston Churchill, King Edward VIII, and others.

It is particularly fitting for Long Beach to repay some of the kindness which Bob has so generously showered on the city for so many years. Only three times since 1948 has Bob not gone overseas at Christmas time to entertain American servicemen. On those occasions—Christmas Day 1951, 1952, and 1953—he entertained patients at the Long Beach Veterans Hospital.

Bob certainly has reached the pinnacle of success in his profession. He now claims he only does the things he enjoys doing. Judging from that, I would say there apparently is nothing he doesn't like.

In addition to his annual Christmas trips, he is still shooting movies and television shows, doing benefits and college shows, sponsoring his famous Desert Charity Golf Classic and a variety of other pastimes. Perhaps a few clues to

the tireless energy of this remarkable man can be found in the colorful history of his career.

He was born Leslie Townes Hope in Eltham, England, May 29, 1903, the fifth of a stonemason's seven sons. When he was four, his father, William Henry Hope, brought his family to Cleveland, Ohio. On December 20, 1920, by virtue of his father's naturalization, Bob—the name by which the world would later know him—and his six brothers also became U.S. citizens.

In Cleveland, Hope attended Fairmount Grammar and Junior High Schools and, later, during his years at East High, he worked as a delivery boy, a soda fountain clerk, a shoe salesman, and when he left high school he went to work for a motor car company. The following year he had earned enough money to take dancing lessons from a couple of local instructors and even took over the classes for one of his teachers in 1922.

Hope also tried amateur boxing under the name of Packy East and worked briefly as a newspaper reporter. His first professional stage appearance was in a Fatty Arbuckle show with George Byrne. It was a hastily put together dancing act just for Arbuckle's Cleveland appearance. But the famed Hollywood comedian liked it and was instrumental in getting them booked into a tabloid show, "Hurley's Jolly Follies." They danced, did comedy bits and Hope sang in the show's quartet and doubled on the saxophone.

After their second season with Hurley, Bob and Byrne broke in vaudeville in Detroit. Months later they were auditioned before an unusual panel of "judges" consisting of Eddie Dowling, Kate Smith, Ruby Keeler, Smith and Dale, and other established stars. They were so successful that they were signed for the show, "The Sidewalks of New York."

After "Sidewalks" closed, Hope and Byrne opened a new act in Newcastle, Ind. Opening night, Hope was asked to announce to the audience that a certain group would appear at the theater the following week. His introduction was so funny that when he had finished, he had a new act worked out. Shortly afterward, he and his partner split up, and Bob was a "single."

Through a friend he was booked into the Stratford Theater in Chicago for 3 days—and he stayed 6 months. Then followed more vaudeville until 1932 when he finally hit Broadway in "Ballyhoo." After that there was a succession of New York hits: "Roberta" in 1933, "Say When" in 1934, "Ziegfeld Follies" in 1935, and "Red, Hot, and Blue" in 1936.

Hope's radio career was launched when he was a guest on Rudy Vallee's Thursday night program, and in 1938 he became the star of his own radio show. Throughout the next 18 years, Hope performed in 1,145 radio programs for a variety of sponsors at NBC studios, at military bases around the country, and did many special broadcasts for the Armed Forces radio network.

On June 8, 1950, he signed a long-term television contract with NBC and made his TV debut Easter Sunday of that year. He has since starred in more

than 225 television programs, in his own series of comedy specials, and as guest star on other variety shows.

During Bob's appearances in "Roberta" on Broadway, a friend introduced him to singer Dolores Reade, and soon after they were married. They have four adopted children: Linda, born in July 1939; Anthony—Tony—born in July 1940; Honorah—Nora—born in August 1946; and William Kelly Francis—Kelly—born in July 1946.

He did his first radio show for servicemen in March 1941, at March Field—Air Force Base—Calif. After that, with the exception of two shows he did at the NBC studios in Hollywood—when he could not leave home because of illness—he did his regular Pepsodent radio show at Army, Navy, and Marine bases until June 1948. Throughout the war and the Korean conflict, he traveled more than a million miles entertaining more than 10 million troops in every corner of the globe. He appeared at almost every military base in the United States and overseas, and at many he became an annual visitor.

Hope began what was to become a Christmas custom for the comedian in 1948 when he went to Berlin at the request of then Air Force Secretary STUART SYMINGTON to put on several shows for the GI's involved in the airlift. The following year Hope and a troop of Hollywood performers entertained GI's in Alaska. In successive years, he took entertainment troops to the Pacific in 1950, to England in 1954, to England and Iceland in 1955, back to Alaska in 1956, the Orient in 1957, Europe in 1958, Alaska again in 1959, the Caribbean, including Cuba's Guantanamo Base, in 1960, Newfoundland and Greenland in 1961, the Far East again in 1962, Europe and North Africa in 1963, and for the past five Christmases he and his troops have performed in war-torn South Vietnam, as well as Thailand, Guam and the Philippines.

He has received nearly 800 awards and citations for his humanitarian and professional efforts. Last year he became the first honorary member of Harvard's Hasty Pudding theatricals. He has also received the Herbert Hoover Memorial Award from the Boys Club of America and the B'nai B'rith "Man of the Year" award.

His awards also include the USO Gold Medal from President Johnson; the Congressional Gold Medal from the late President Kennedy; the Medal of Merit, presented in behalf of the U.S. Government by President Eisenhower; the Peabody Award; a special Oscar, an Emmy; Philadelphia's Poor Richard Award; innumerable plaques for war bond service from the Treasury Department; the top civilian awards given by all three services, Army, Navy and Air Force; and the Murray-Green AFL-CIO Award. He also received the highest honors the broadcasting industry's International Radio and Television Society and National Association of Broadcasters can bestow.

He has given four command performances for Britain's royal family, in December 1948, 1954; October 1962; and November 1967. He has been presented with nine honorary university degrees:

LL.D. from the University of Wyoming; doctor of humane letters from Georgetown University, Washington, D.C.; LL.D. from Quincy, Ill.; L.H.D. from Monmouth College, N.J.; L.H.D. from Whittier College, Calif.; L.H.D. from Pennsylvania Military College; LL.D. from Northwestern University, Evanston, Ill.; L.H.D. from Southern Methodist University, Texas; D.F.A. from Brown University, Providence, R.I.; and a L.H.D. from Ohio Dominican College, Columbus, Ohio.

Hope has written six books—"They've Got Me Covered," "I Never Left Home," "So This is Peace," "Have Tux, Will Travel," "I Owe Russia \$1,200," and the most recent about his entertainment tours in Vietnam—"Five Women I Love."

Mr. Speaker, it is a personal pleasure for me to join with the many citizens of Long Beach, the State of California, and the Nation in paying tribute to Bob Hope for all he has done for our country and for each of us individually.

#### RIDDING THE NATION OF GOB PILES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, I am introducing today a bill, cosponsored by 24 of our colleagues, calling for an investigation and study into methods of utilizing wastes known as "gob" and "culm" resulting from the mining and processing of bituminous and anthracite coal.

Gob piles are common in every coal mining region of the United States and although there has been considerable study in my own State, it is in reality a national problem and deserves attention by the Federal agency created expressly to handle such coal related problems—the Office of Coal Research in the Department of the Interior.

These waste piles are made up largely of refuse coal; that is the residue after the cleaning process; rock; impurities such as slate, sulfur, pyrite; and debris common in the mining industry such as broken machinery, and just plain junk. It has been estimated that in the anthracite area alone more than 900,000 cubic yards of gob is piled over 12,000 acres of land. One bituminous State is known to have over 500 such piles with one giant mass that is 2 miles long, 5 stories high, and 100 feet wide.

It is obvious that as the demand rises for higher quality and cleaner coals, the refuse piles will grow proportionately. Something must be done now to prevent the environment surrounding our coal mining areas from being further polluted by this industrial waste.

The piles will not disappear without some study having been conducted as to the uses of their material content. Suggestions have been made already concerning potential uses as a fuel; however, taking advantage of this suggestion is limited by the availability of a market, by increasingly restrictive pollution regulations and by transportation charges which limit their movement. It has also been suggested that the material be uti-

lized in the manufacture of brick and cinderblock; as cinder for winter snow and ice control; as a roadbuilding substance; as a chemical raw material; and for filling abandoned strip pits.

One source close to the mining industry has told me that as of now, there is no intrinsic value in the piles which would justify a commercial venture. I am not willing to give up quite so easily and for that reason, my colleagues and I are asking the Office of Coal Research to put its considerable talents into the problem to perhaps find a solution. Gob piles are a health, safety, and esthetic hazard. We believe that given proper attention we can begin to eliminate the blight from the surface of our land.

Mr. Speaker, those members from both sides of the aisle who have joined me in a drive to find ways to eliminate gob piles—include: FRANK M. CLARK, ROBERT J. CORBETT, JOHN H. DENT, DANIEL J. FLOOD, JAMES G. FULTON, JOSEPH M. GAYDOS, KENNETH J. GRAY, ALBERT W. JOHNSON, JAMES KEE, JOSEPH M. McDADE, ROBERT H. MOLLOHAN, WILLIAM S. MOORHEAD, THOMAS E. MORGAN, ARNOLD OLSEN, CARL D. PERKINS, MELVIN PRICE, FRED B. ROONEY, GEORGE E. SHIPLEY, JOHN M. SLACK, HARLEY O. STAGGERS, FRANK A. STUBBLEFIELD, WILLIAM C. WAMPLER, J. IRVING WHALLEY, and GUS YATRON.

The sponsors would naturally welcome additional support and we therefore urge other Members to join us. I have been in touch with top UMWA officials and industry spokesmen and they are behind this effort; and my conservationist friends sense a genuine need for this legislation. I feel that additional support will come from other segments as the need for action comes into focus and is increasingly evident.

#### SPIRO SPEAKS

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, I for one would like to "stand up and be counted," along with many other Americans, who wish to place themselves "four square" in the corner of the Vice President of the United States, SPIRO T. AGNEW.

This honorable man, who believes in "telling it like it is," has found, as have many others, that what he says, and how he is quoted, do not always "jibe," due perhaps to an individual hearing deficiency, or a deliberate attempt to raise doubts.

I think it is fair to ask, if the reference by the Vice President to the leaders of the so-called "moratorium" as "impudent snobs," was any more offensive than those same leaders' printed comments calling the President of the United States a "pig" and a "fascist"? I think not.

Those of us who have come to know Vice President AGNEW well, can attest to his integrity, his basic selflessness, his devotion to his country, and his unstinting desire to maintain in this Nation, every man's right to responsible freedom of speech, himself included.

In the current edition of Newsweek magazine, Stewart Alsop, sets down a

most revealing and thought provoking interview with the Vice President. I recommend its reading to all.

The article follows:

[From Newsweek magazine, Nov. 3, 1969]

#### SPIRO SPEAKS

(By Stewart Alsop)

WASHINGTON.—What follows was excerpted from six double-spaced pages of notes on a talk last week with Vice President Spiro T. Agnew. It is an attempt to catch the flavor of the Vice President's manner of talking and thinking. The flavor seems worth trying to catch, and not only because Mr. Agnew is again in the news, with his famous speech about those "impudent snobs." There is another reason—the fact that Spiro T. Agnew could, quite conceivably, be President one day. There is a third reason, too.

*Office in Old State, huge fireplace, gilded mirror, eagles on doorknobs, the works. Vice President reading blue-covered booklet with stars and seal, marked The President's Daily Briefing—the CIA intelligence summary. Face pink, healthy-looking, hand carefully manicured, French cuffs with gold cuff links, small, controlled smile. Talks easily with air of candor. Looks as though he'd been dieting. Rather Presidential-looking—a casting director would instantly choose Agnew over Nixon for role of Modern President.*

He himself instantly brings up the subject of the "impudent snobs" speech:

"You know, there's a certain humor in the situation. They land on me for a few words out of context, but the other side can attack, and no matter what language they use, there's no criticism . . .

"Yes, I wrote the speech myself. I never submit my speeches to anyone. I did that speech on a Saturday, and there were not many people around . . . the trouble was, nobody paid any attention to what I really said . . .

"You have Ed Muskie asking why we won't stop testing MIRV's and Ed Brooke saying we're responsible for the strategic arms race. I was trying to answer that sort of thing . . . We've built no ICBM's since 1967, no nuclear submarines since 1965 . . . The Russians have 64 ABM's already, more than we'll have in 1974. They're building 100 ICBM's this year alone, and they're building nuclear submarines just as fast as they can. Yet you have these statesmen blaming us for the strategic arms race. That's what I meant by masochism . . . I've seen dozens of editorials about my speech, and not one line about this subject.

"I suppose if you want to get a point across, you say it in exciting language, and then bland out everything else . . . Of course, if you use punchy language, you're automatically attacked for intemperance. But that risk is counterbalanced by the attention you get for what you say. If you can get your thought through to people, it can be worth the risk . . . If I had it to do again, I'd still deliver the speech just as I wrote it."

Agnew on the young:

"There is a fascination among young people with demonstrations as a means of communication. I have a theory about that. There is a direct relationship between the popularity of confrontation with young people, and the fact that they were brought up on television, not books. They're conditioned to action and emotion, not words. This is a perfectly natural thing—every day, they see action, violence, confrontation on television, and they are naturally more conditioned to action than logic. But there is a danger there.

"Young people who become involved, often for very salutary reasons, in a demonstration or confrontation, tend to become caught up in the event itself, emotionally, tend to be carried away by mob psychology . . . that is the danger . . ."

Agnew on his own generation gap:



"My 14-year-old daughter, Kim wanted to wear a black arm band to school, to demonstrate against the war. I told her I had no objections if she really understood the facts. So I took a lot of time to tell her how we got involved in Vietnam, and the situation there, and so on. She said, 'I understand what you're saying, but I don't agree.' So I explained the whole situation again, about the 1954 accord, and the 1962 accord, and she said, 'All right, but why not just get all of them out of there?' So I said, 'Kim, I have given you the arguments for not just getting out, and you just haven't given me a logical argument against it. So [here voice rises in parental authority] *there will be no black arm band and no participation in a demonstration.*'"

"Well, there was the usual crisis, and I guess some mutual trauma, but after that, I think, I was nicer than usual to her, and she was nicer to me . . . I think kids keep pushing these days, to find authority, that they need authority at some point, and when they don't get it they're unhappy . . ."

Agnew on politics, George Wallace, and the South:

"I hope I'm still a politician, though some people might dispute it [small smile]. I've just come back from the South, and I'm sure now most of the people in the South don't want George Wallace. They didn't really want George Wallace in 1968, but they felt they had no alternative. They didn't really know who Nixon was—all they knew was that he was a professional politician who'd been around the track before. Now they've seen the President in action. I'm sure they feel more confidence with Nixon than with Wallace."

"I made a speech the other day in Jackson, Mississippi—2,400 people at a hundred a plate, the biggest political gathering in the state's history . . . In the South, the politicians have been caught in a cross fire, between George Wallace on the right, and Ed Muskie or George McGovern on the left. In 1968, they felt they had no place else to go but Wallace. But that's no longer true. Most people in the South, as elsewhere, want to be somewhere near the middle of the spectrum . . ."

"We've made it clear that we will not support a racist policy . . . But there have been steps taken which the South understands and appreciates. Revenue sharing, for example . . . And we recognize the Supreme Court decision against artificial segregation, but we also recognize that the decision does not mean artificial integration . . . Wallace can't get off the ground now . . . I think the President can retain his support in the South, and I think he can retain his general support in the rest of the country . . ."

*More talk about Vietnam, politics, and daughter Kim (who must be a strong character) which the Vice President puts off the record, and talk ends.*

The third reason it is worth trying to understand the way Spiro T. Agnew talks and thinks is that he is a more formidable political figure than those who laugh at him realize. What he says may not be particularly original or profound. But he is formidable, all the same, because his style of speech and thought precisely mirrors the style of the "Middle Americans" who make up the great majority of the American electorate, and who will therefore elect the next President. After all, a lot of them have their Kims to worry about, too.

**GEN. WILLIAM C. WESTMORELAND'S SUPERB ADDRESS: "STAND UP FOR FREEDOM"**

(Mr. DORN asked and was given permission to extend his remarks at this point in the Record and to include an address by Gen. William C. Westmoreland.)

Mr. DORN. Mr. Speaker, Gen. William C. Westmoreland delivered an outstanding address in my hometown of Greenwood to the annual Kiwanis ladies' night banquet on Tuesday, October 21, on the Kiwanis International theme, "Stand Up for Freedom."

I commend to my colleagues in the Congress and to every citizen in our country General Westmoreland's timely and superb address on this occasion:

REMARKS BY GEN. W. C. WESTMORELAND

Ladies and Gentlemen, I am happy to be back among fellow Carolinians.

To me, you are home folks and this is home. I want you to know that what I learned here as a boy in my home, school, church, and boy scout troop has helped me wherever I have been and in whatever I have done since I left the Citadel to enter the Military Academy.

There is something fundamental about this place and its people that has been good for most of us. I want to return to this thought in a moment.

I am also pleased to be among Kiwanians tonight. I remember how proud my late father was to be a member of the Spartanburg Kiwanis Club. As for myself, I remember well my first speech in public. I was fifteen, and I spoke to the Kiwanis Club of Spartanburg. It must have been a mighty poor speech, for it has taken 40 years for a Piedmont Kiwanis Club to invite me back.

My father and mother, my school, church, and scout troop tried to teach me to be constructive, to be positive rather than negative, to build rather than tear down. Your club motto is "We Build". So I guess I have tried to be a Kiwanian in spirit during my life.

I would like to share with you tonight some thoughts brought to mind by your motto. I'd like to begin by saying that this spirit of building is vital to the preservation of freedom in America and elsewhere in the world.

Our nation did not grow. It was built by people dedicated to building a new life in a new land. Always the goal has been self-determination and the right to be free.

The building blocks in our history are well known to us. It is significant in our consideration of them that, in large part, the builders of our country and protectors of our freedom have been young people.

Just the other day I was re-reading the story of the Declaration of Independence and the United States Constitution. As I read, the more interested I became. I suddenly remembered how young many of the signers of the Declaration of Independence were, particularly the South Carolinians. Both Lynch and Rutledge were in their late twenties. Heyward and Middleton were in their thirties.

I think it is good to pause and reflect on the words of the Declaration of Independence from time to time. In fact, all Americans should reread those eternal thoughts to rekindle their patriotic spirit. Time has not tarnished, instead has brightened those ideas, ideas that the rights of man, bestowed upon him by God, are supreme, that the government exists solely to secure those rights, and only through the consent of the governed.

The Declaration of Independence clearly implies that Freedom requires an obligation. Truly, freedom is not free. It requires individual effort and positive action. In addition, the Declaration of Independence does not guarantee happiness for all men. Nor does it say that man is guaranteed the right to happiness, but rather, he is guaranteed the right to pursue happiness. Happiness is not a gift. Instead, it is something to be sought by each individual. Through individual effort, collective progress occurs.

While reading further, I rediscovered that the most eager supporters of the Constitution were also young men, men such as Madison, McHenry, and Morris, all of whom were close to thirty-five. King and Hamilton were thirty-two and another well-known South Carolinian, Charles Pinckney, was only twenty-nine. Even though Pinckney lived later to disclaim the Constitution, he was initially one of its most staunch supporters.

They were responsible for framing a document unique in history—

A document which ends forever the need for revolution . . .

A living document which capitalizes on man's intellect and reasoning ability . . .

A document which provides orderly and peaceful means for national growth and progress . . .

A document which calls for political evolution, not revolution.

The men who wrote the Declaration of Independence and who drafted the Constitution have worthy successors today. Many of them have worn the uniform of our country.

We now have a new type of hero, our astronauts. We are proud of them and the many scientists, engineers and workers who have brought honor to our country by their spectacular exploits in space. Many in our space team are young men.

I think I know the youth of America as well as anyone, for I have served with so many of them. It may come as a surprise to some who have been following the reported exploits of young people the past few months to hear me stand up strongly for our young people, that is for most of them.

The ones I know best, of course, are the hundreds of thousands who have served and are now serving in Vietnam. These men have joined the people of the Republic of Vietnam to fight a war and at the same time build a nation where—as in our own—people may exercise the right to determine their own destiny. There they face an enemy with no respect for life or liberty, an enemy which will insure only one unalienable right—the right to pursue communism.

It is important to emphasize here that in Vietnam we are not tearing a country apart. We are building a nation. The way we go about it is easy to understand. As progress is made on the battlefield, there will be less for Americans to do on the battlefield. As the South Vietnamese grow stronger, we diminish our involvement in proportion. We call this "Vietnamization". We look forward to the day when Vietnamization will be total, but we dare not say now when that will be.

In my view, Vietnamization is well on its way. Already it has proved to be a sound and viable policy which deserves the support of the American people.

I am personally concerned by the continual protest against those who accept the responsibilities of leadership and who are doing their utmost to bring about an honorable peace. Just the other day, during the moratorium, I heard a young soldier in Vietnam being interviewed. When asked what he thought about it, he replied, "Well, I don't know . . . all of us out here from the general down to me are against war as such, but it seems to me that this thing helps the enemy more than it helps me."

Outbursts and derision should not be against our national policies, arrived at through constitutional means. In my opinion, if the demonstration of last Wednesday had been in support of our President, peace would be nearer at hand.

No one despises war more than the vast majority of moral military men who have seen it firsthand, who know its real tragedy and horror, who—like you—wish with all their hearts that war could be forever banned from the face of the earth. And yet, throughout recorded history, after every war, the soldier has been attacked. I recall so well Kipling's words:

"It's Tommy this, an' Tommy that, an' 'Chuck 'im out, the brute!' But it's 'Savior of 'is country,' when the guns begin to shoot."

Today it would seem that the words "patriotism", "the Defense Establishment", "law and order", "draft", "obedience", "responsibility" have become odious. Indeed, in the Free World, many misguided people advocate smashing our shields, calling in our lookouts, destroying our swords and quenching our watch fires. They advocate this while outside the bear and the tiger watch and wait.

Just recently I returned from Europe when I visited the United Kingdom. I spoke with some community leaders there who were puzzled, perplexed and confounded by the havoc and bloodshed in Ireland. They questioned, "Where did we go wrong? What have we done that citizens of the same country and of the same race, differing only in religion, should fight and destroy property and one another?" Had it not been for the forces of law and order—the British military and local police—Belfast may well have burned to the ground.

The Irish, whose love of joy, freedom and independence are known throughout the world, allowed hatred to cloud their reason. Yet this is a country where respect for individual liberty preceded by four centuries one of England's greatest contributions to mankind, the Magna Carta, out of which grew the individual's right to legal protection, to trial by jury and the right not to be deprived of liberty except by the law of the land.

Could this happen in the United States of America? I believe that it can. We have seen something like it in the smoke and fire of the long hot summer of 1968. Yes, the enemy got into the outskirts of Saigon, but in Washington our own citizens tried to destroy our capital city.

One of our leading periodicals said a couple of weeks ago that "These are revolutionary times" . . . that profound changes in existing institutions and customs are demanded. Now, not all revolutions are undesirable; not all revolutionaries are wicked. But it is up to us to sift out that which would threaten our way of life and deal with it according to the law of the land. No one can undertake this sifting-out process better than people like you—people dedicated to building rather than destroying, people who will not forget the first building blocks of our American democracy, the Declaration of Independence and the Constitution.

At the time of the last meeting of the Constitutional convention, Ben Franklin said that he consented to the Constitution because—and I quote—"I expect no better, and because I am not sure that it is not the best."

Time has not proven Franklin wrong. Alfred North Whitehead, the great English philosopher, more recently observed that there are only three times in the history of the Western world when statesmen consciously took hold of historic destinies: Periclean Athens, Rome under Augustus and the founding of the American Republic.

The American experiment must continue as the greatest moving force in the world. It must continue to be the example for the world of what freedom really means.

Ladies and gentlemen, if America is going to survive the ravages of time better than Athens and Rome, we as a people must look back to the foundations of Western heritage: the Judaeo-Christian ethic, the Magna Carta, the Declaration of Independence, our Constitution. We must not only reaffirm our beliefs, we must put them into practice.

According to General MacArthur, "religion and patriotism have always gone hand in hand, while atheism has invariably been accompanied by radicalism, communism, bol-

shevism and other enemies of free government." MacArthur's words ring as true today as they did 25 years ago.

When our forefathers put the Constitution together as a dynamic instrument, they were well aware that change is the vehicle to progress. But they also knew that change must be brought about in an orderly manner through reason and that it must be controlled and guided, guided largely by ethical and moral standards and fundamental principles. Without such guidelines change goes out of control and often results in retrogression rather than progression.

Today we are changing at such an accelerated rate that in many cases our pace has outrun our reason. We as a people experience difficulty in relating to the fundamentals of our way of life. Consequently, we face great problems, both as people among people and a nation among nations. Our biggest problems appear to involve young people who, as the pace quickens, are actually further away from America's traditional values than we were in our youth when the pace was slower.

And yet, as I visited Fort Gordon today and saw our fine young men under training, when I heard these young ladies from Lander College sing tonight and when I saw the boys and girls from your Key Club, I knew that they were like most of our youth, youth represented by young servicemen and women I have seen around the world, young Americans who know that freedom is not free, young Americans who know that freedom requires individual responsibility.

The problems which face us—young and old, both as individuals and collectively—must be met head-on.

Drugs and narcotics.  
Permissiveness.  
Glorification of Dissent.  
Degradation of Patriotism.  
Racial Problems.  
Disregard for Law and Order.  
Indifference.

And, those who choose to influence by intimidation or temptation.

If our standards of decency and morality are abandoned, then we will be in trouble. If the search for honesty, truth and justice ever becomes supplanted by material goals, our nation will be doomed.

Our form of government, with its checks and balances, permitted us to survive crises in the past. I am certain that we are resilient enough to survive this one.

However, we must conquer our problems by turning back to those fundamental principles guaranteeing life, liberty and the pursuit of happiness, those principles which Sophocles declared over twenty-four centuries ago as being "unchangeable, unwritten laws of heaven."

We as citizens, young and old, must exercise a collective sense of responsibility and consideration for others as well as self.

We must stand up and sound off for decency, patriotism, democracy and freedom. In short, we must put into practice the motto of Kiwanis—Stand up for Freedom.

#### INTERNATIONAL BANKERS—THE MONEY-CHANGERS MOLD HISTORY

(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 American people are becoming more and more concerned over the condition of their money.

Unfortunately, the U.S. currency left the control of the Congress many years ago to become but another pawn in the international control mechanism of the United Nations Organization. See U.N.

Monetary and Financial Conference, Bretton Woods, N.H., 1944, which can be found in "International Conciliation," published by Carnegie Endowment for International Peace.

It is tragic that citizens of other countries have more control over the buying power of the U.S. dollar than the American citizens' elected officials to whom the Constitution entrusted this power. In fact, the international bankers are aware that they can influence national elections in any country by manipulations in the value of currency.

An interesting series of columns on money has appeared in the local Washington newspaper which I include as part of my remarks:

[From the Washington (D.C.) Evening Star, Oct. 20, 1969]

**MONEY—A NEW EPOCH: CENTRAL BANKERS HOPE TO FIND A WAY TO MANAGE POLITICIANS**

(By J. A. Livingston)

Late July and early August in Paris were sultry—enervating.

Americans longed for air conditioning.

Frenchmen who didn't have to cater to tourists, operate factories, take care of international trade, or run the government fled to the mountains or the seashore for their precious holidays.

Suspense, nervousness prevailed—especially among businessmen and bankers.

What would happen to the franc? Would its price be lowered?

Julien-Pierre Koscul, senior vice president for Europe of the First National City Bank of New York and a former official of the Bank of France, offered a unique theory.

Yes, he thought, the price of the franc would have to be lowered. "You know," he said, "if the franc is to be devalued, the ideal time is August when labor leaders are on vacation, when everybody influential is away, and no one expects it."

#### LEADING QUESTION

That gave me my leading question—to bankers, businessmen, government officials. "If devaluation were to come, would it be in August?"

Invariably, the answer was, "No, not till after the German elections. It takes time to prepare for devaluation."

On Friday, Aug. 8, President Georges Pompidou of France stumped the prophets. After the markets were closed, he announced an 11.1 percent devaluation of the franc.

He did not wait for Germany. He did not delay, hoping for a deal—franc down, mark up.

Pompidou wanted to call his own shots. He was versed in banking, economics and the guiles of speculators and businessmen. He had been an executive at the powerful banking house of Rothschild.

French monetary reserves—gold, foreign currencies and drawing power on the International Monetary Fund—were falling day by day. Hastily devised exchange controls couldn't stop normal business precautions.

French importers speeded up payments abroad. If the franc were reduced in price, they would have to pony up more francs to obtain the necessary marks, guilders, or dollars to meet their bills. In the case of German invoices, French purchasers stood to lose doubly, if the mark were raised in price.

On the opposite side of transactions, foreign purchasers of goods from France delayed paying. They waited for devaluation of the franc. Then they would make a foreign exchange profit.

Pompidou could not undo the rise in wages, costs and prices which had followed the May-June, 1968, riots and strikes in Paris. He could not make French industry more



efficient and competitive overnight. But at least he could stop the bleeding of French reserves.

He could make the price of the franc look "right"—tenable—to foreigners. He could improve sales of French goods abroad by devaluing the franc, thereby making it possible for French exporters to quote lower prices.

The decision, though a surprise, was an anticlimax. Therefore, it went off smoothly. Speculators, bankers, and business men had expected it. They merely mistimed it.

With equal suddenness, Chancellor Kurt Kiesinger of Germany, decided that the 25-cent mark, four to the dollar, was not "immer und ewig"—always and eternal.

#### UNCERTAINTY RECALLED

As finance ministers and governors of central banks met in Washington on Monday, Sept. 29, for the annual meeting of the International Monetary Fund, they were deeply concerned about the German elections: Who would come out on top—Kiesinger or Foreign Minister Willy Brandt?

If Brandt won, they had no doubt: That mark would be revalued. That is what they wanted.

But if Kiesinger won . . .

Foreign exchange markets decided the issue. Money flooded into Frankfurt. The Bundesbank was swamped with dollars it didn't want, couldn't handle.

Kiesinger reacted.

But instead of revaluing the mark—setting a definite price, as the French had done with the franc—he tore it loose from the dollar. The mark became a floating currency. This violated IMF rules. It annoyed the French. But it was accepted as an interim expedient.

"King Canute" economics had failed again. Politicians can delay doing what has to be done but they can not roll back economic tides forever.

The outstanding King Canute failure in postwar money management occurred in the United States. A date to remember is Dec. 5, 1965—a Sunday.

President Johnson was recovering from a gall bladder operation in Texas. That evening the Federal Reserve Board summoned reporters to announce that the discount rate had been raised to 4½ percent from 4 percent. The vote was four to three.

#### JOHNSON REGRETFUL

The next day Johnson said: "I regret, as do most Americans, any action that raises the cost of credit, particularly for homes, schools, hospitals and factories."

For months thereafter, Secretary of the Treasury Henry H. Fowler evinced displeasure. Why couldn't FRB chairman William McChesney Martin and the board, have waited until the President had sent his State-of-the-Union and budget message to Congress?

Martin had been chafing. Vietnam was absorbing more and more materials and manpower. The budget deficit was increasing. Inflationary forces were gathering momentum.

He long had urged a tax increase. But to no avail. A request to Congress to raise taxes would have invited full-scale debate on the Vietnam war. And higher taxes might slow economic growth—cause some unemployment. The President didn't want that.

In 1966, as the Federal Reserve kept credit tight, interest rates rose. Mortgage money dried up. Housing collapsed. The term mini-recession popped into the economic lingo.

But Martin had made his last stand. He and the Federal Reserve Board were prisoners of Vietnam escalation. Johnson did not ask Congress for a tax increase until the summer of 1967. Congress did not act until 1968.

#### DOLLAR CHEAPENED

Meanwhile, the Reserve Board became the cheapener of the dollar instead of its guard-

an. It provided the credit—the lending power—to finance enlarging budgetary deficits. No central bank can refuse to finance its government. And when it does, it adds to the money supply, extends purchasing power, and becomes an "engine of inflation."

The U.S. boom had undesirable side effects. U.S. imports rose much more sharply than exports. The U.S. balance-of-payments deteriorated. The richest nation in the world was compelled to pay its bills with dollar IOUs—deficit dollars.

Johnson could no longer say that the dollar is "as good as gold." Nor could Chairman Martin.

This brings us to an irony. Triumphant, the members of the International Monetary Fund have created "paper gold"—Special Drawing Rights—as a substitute for and supplement to gold bullion. The SDRs are designed to buy time for and to perpetuate the Bretton Woods system. Yet, at the instant of triumph, central bankers are debating among themselves: Must the system be changed to be saved?

Three principles governed Bretton Woods. First: The dollar would always be exchangeable for gold at \$35 an ounce. Today, this is adhered to in theory, but not in practice. The unmortgaged U.S. gold stock is only about \$10 billion.

Consequently central bankers hesitate to exchange dollars for gold. Were they to knock too often on the gold window of the Federal Reserve Bank of New York they would find it closed. They would have to accept the dollar.

A U.S. embargo on gold would topple the international monetary system. It would derange world trade. No responsible central banker or finance minister wants that. Paradox: Fear of disrupting the system keeps the system going!

Second: Prices of currencies would be fixed relative to the dollar and hence to one another. These firm relationships were the heart of the Bretton Woods system. If the prices of currencies bob up and down, so would prices of groceries and automobiles. Consumers wouldn't accept this. Businessmen wouldn't like it. Politicians couldn't survive the economic uncertainties such fluctuations would create.

Third: Though the parities, the prices of currencies were fixed, they were not immutable. If a country's competitive position changed for the worse, if it suffered a prolonged balance-of-payments deficit, the Bretton Woods articles proposed lowering the price of the currency. Conversely, if a country has a prolonged balance-of-payments surplus, an increase in the price of the currency was contemplated.

But such adjustments are a politician's nightmare.

The Government that devalues a currency confesses failure.

The government that raises the price of its currency cannot expect hometown hurrahs. Revaluation hurts exporters. It is likely to cause some unemployment.

Some central bankers have concluded that they must find a way to manage politicians. In that way, maybe they will be able to manage money.

By manipulating changes in exchange rates, they hope to lead presidents and prime ministers and legislators into economic policies which will achieve the best mix among four hard-to-reconcile objectives:

1. Economic growth; 2. Price stability; 3. High employment; 4. Balance-of-payment equilibrium.

#### STRUGGLE FOR POWER BY CENTRAL BANKERS (By J. A. Livingston)

Have you ever observed that when people are troubled—at their wit's end—they want to talk?

This was impressed on me during my

three-month tour of financial capitals this summer. The men who manage the world's money are not satisfied with the system. They are groping to change it. But they are not sure how.

Many government and central bank officials openly expressed misgivings. And for quotation! Something they had never done before!

They were anxious to let officials of other nations—and particularly of the United States—know that all has not worked as dreamed at Bretton Woods, N.H., 25 years ago.

Why the United States?

#### DOLLAR IS THE KEY

Erik Hoffmeyer, a former professor of economics who now heads the Danish National Bank, put it in three sentences: "Your country is the strongest in the world industrially. The dollar is the key currency. The United States must take the lead in any basic modification of the monetary system."

Hoffmeyer and two other central bankers already have declared that the Bretton Woods system is too rigid: Greater flexibility would foster world prosperity, enhance international trade, and reduce speculative assaults against weak currencies.

Hoffmeyer's associates in "modification" are Wolfgang Schmitz, president of the Austrian National Bank, and Guido Carli, governor of the Bank of Italy. They propose the "crawling peg," which can be defined as "flexibility in small doses."

They reached their conclusions separately—independently. When I told Schmitz in Vienna and Carli in Rome that Hoffmeyer was of their mind, each seemed surprised. I had seen Hoffmeyer previously in Copenhagen.

Under the Bretton Woods formula, a central bank keeps the price of its currency stable. It limits deviations from parity to one per cent up or down. The range of a currency with a 50 cent parity would be 49½ cents to 50½ cents. Usually, central bankers confine fluctuations to less than that.

The crawling peg would add leeway—scope. The usual proposal is to let a currency's price rise or fall as much as 2 percent a year. A currency with a 50 cent parity could crawl up to 51 cents and down to 49 cents.

#### CONTEST OF POWER

The crawling peg, sometimes called the "dynamic peg," is more than a foreign exchange mechanism. It is a strategy in a contest of power—money managers versus politicians. Fluctuations in currencies, if wide enough, will cause fluctuations in prices in grocery stores. They'll change the level of employment in some industries.

Consequently, presidents, prime ministers, and parliaments cannot be indifferent to movements in the price of money.

By subtle changes in the price of money, central bankers hope to prod politicians into making "correct" budgetary decisions.

But all is not rah-rah for the "crawling peg."

At the American Bankers Association monetary conference in Copenhagen in June, an official of the International Monetary Fund described the "crawling peg" as a "can of worms. All other currencies will be crawling up and down on the dollar and you will never know which one will come out on top of the mess."

This official is not alone. But he may have to eat his unappetizing metaphor.

He reports to the 113 members and 20 executive directors of the IMF. He can influence their decisions. But he must find a consensus. And too often, the consensus is the United States! It has put up the most money—24 percent—and wields 21.6 percent of the votes.

Until this year, the U.S. "consensus" was Bretton Woods—nought else. Then, at the IMF annual meeting, Secretary of the Treasury David M. Kennedy said the United States

would consider new techniques to eliminate "unnecessary rigidities."

#### EVENTS RESHAPE TRENDS

Events—the fundamental weakness of the dollar—have reshaped the U.S. attitude. The dollar ties the Bretton Woods monetary system together. The prices of other currencies—their parties—are linked to the dollar.

When the mark was worth 25 cents and the franc 20 cents, their respective exchange rates were four and five to the dollar and 1 to 1½ to one another.

When the franc was devalued to 19 cents or 5.6 to the dollar, and the mark remained at four to the dollar, the new mark-franc "rate" became 1 to 1.37.

After the German elections the mark was cut loose from any parity. Its exchange rate fluctuated vis-a-vis the dollar and other currencies. This breached the Bretton Woods principle of fixed parities. But it was accepted by IMF members as a necessary expedient.

Relative to the French franc, the Italian lira, the British pound, the dollar has been—and is—strong. But its strength is based on district. Frenchmen, Britons, Italians constantly fret: Will their currencies be devalued? The dollar is their refuge from fear.

When the Soviet army invaded Czechoslovakia, the dollar advanced in price. Europeans, nervous about war, rushed to dollars for sanctuary. Even Germans, notwithstanding preeminent strength of the mark at that time.

#### DOLLAR IOU'S USED

But the dollar has not been consistently strong relative to the Swiss franc, German mark, Netherland guilder. The United States has been meeting its debts with dollar IOUs. It has been running a chronic balance-of-payments deficit—an "intractable deficit," says Milton Gilbert, economist for the Bank for International Settlements.

Year after year U.S. foreign purchases of goods and services and capital expenditures have exceeded sales and income from abroad. The United States may be lean and thin in cartoonists' eyes, but to economists he resembles more and more John Bull. He is the rich man who consumes more than he can pay for.

The shocker is the U.S. trade balance. In 1964, U.S. exports exceeded imports by about \$7 billion. This surplus has shrunk to about \$1 billion. Edwin Stopper, head of the Swiss National Bank, thinks the shrinkage is due to "structural change."

In the postwar period, American companies built branch factories inside the Common Market's tariff wall. Initially, these subsidiaries imported machinery and supplies from the U.S. This boomed American exports.

But soon, the subsidiaries were obtaining supplies in Europe. Oops, a double reverse! American subsidiaries, which were importers of goods made in the U.S.A., began competing with American companies by selling goods to the U.S.A.

Exported American technology and know-how also contributed to the deterioration in the U.S. trade balance. Foreign companies—with modernized machinery and management techniques—have been able to undersell or outstyle U.S. companies. Witness the foreign car invasion, led by Volkswagen.

#### CHANGE NOTED

A decade ago, imports of manufactured goods by the U.S. came to about half of U.S. exports of manufactured goods. Today, manufactured imports have climbed to about 80 percent of U.S. manufactured exports. The U.S. industrial lead—its supremacy in manufacturing—is far from what it used to be.

Arthur F. Burns, counselor to President Nixon, is aware of this. The President, Secretary of the Treasury David M. Kennedy, and members of the Council of Economic Ad-

visers are concerned with the implications: Perhaps the dollar is an overvalued currency. Perhaps, its parity—vis a vis—European currencies and the Japanese yen—is too high.

No one can know for sure. But the persistent deficit in the U.S. balance-of-payments—accentuated by the drop in the export surplus—leads to such an inference, if not conclusion.

And so the dollar—once the international strong boy—has become a question mark and source of worry.

Normally, if a currency is overvalued, if its price is too high, the remedy is specific: Reduce the price, lower its parity. But the medicine for the franc or the pound is not the medicine for the dollar. The dollar is unique.

In Frankfurt, Otmar Emminger, a director of the German Bundesbank, told me: "When a person says that the parity of the dollar must be changed, he really means that the parity of other currencies must be changed. The dollar doesn't move relative to other currencies. Other currencies move relative to it."

"A change in the price of gold to alter the parity of the dollar would only create more difficulties, more anxiety. If the U.S. Treasury boosted the price of gold by 5 percent, to reduce the parity of the dollar, people would begin to wonder: Will the gold price be increased again? That would renew speculation in gold. It would create instability."

Besides: An increase in the price of gold would lower the price of dollar in theory. But would it actually?

If other countries kept their currencies tied to the dollar, there'd be no dollar devaluation. This would merely reinforce the commonly accepted notion that the world is on a dollar standard, doesn't like it, and doesn't know what to do about it.

#### IS U.S. DOLLAR OVERPRICED AND HOW CAN IT BE LOWERED?

(By J. A. Livingston)

Guido Carli, governor of the Bank of Italy, makes no bones about what might undo the international monetary structure: The dollar.

For far too long the United States has been administering charity on the cuff. Carli puts this carefully, diplomatically. Economists will grasp his meaning. But to most persons, his phraseology will seem bureaucratic:

"We should inquire whether in time, the U.S.A. will be able to acquire, on the basis of the present exchange parity of the dollar surpluses of good and services of a size corresponding to the volume of its capital exports and unilateral transfers."

That translates into: Will the U.S. continue to pay its bills with deficit dollars—dollars the world already has in overabundance?

Carli recognizes that the United States has worldwide responsibilities—military, social, economic. These commitments result in large outflows of dollars—some by direct grants, some as loans.

Nations customarily pay for such outflows with goods and services—with surplus exports. But the United States has not been able to do so in recent years.

#### PROBLEMS OUTLINED

Hence Carli's misgivings: Is the dollar overpriced—

If so the problem is: How can its price be lowered?

Carli would use the "crawling peg."

But, as noted in yesterday's article, critics of the crawling peg fear the "can-of-worms effect." One currency, like the German mark, will crawl up. That tends to lower the dollar's price vis-a-vis the mark. It will improve the United States export position in trade with Germany.

But other currencies, the franc and the pound, for example, crawl down—in the

scramble for exports. This impairs the U.S. balance of payments. And this has been the prevalent postwar tendency.

This downcrawl endangers the monetary system. It threatens the dollar, which is both the linchpin and the marriage broker in international trade.

The price of the dollar determines the price at which a German or French importer can afford to buy U.S. goods. Likewise, it fixes the price at which a German or French exporter can afford to lay down goods in the United States.

Economies drift apart—like people. The wage, price, and cost structures of nations rarely develop similarly.

Technical advances—improvements in plant and equipment—enable some nations to achieve big gains in efficiency.

#### COSTS OUT OF LINE

In some countries unions push up wages faster than in other countries. Costs get out of line.

And political preferences vary. Some governments foster expansion with budgetary deficits—inflation. Politicians let costs rise rather than boost taxes.

This happened in the United States from 1965 through 1968. In contrast, in Germany, government officials are inflation wary. Seared deep in the German ethos are the two mark wipe-out after World Wars I and II.

If a nation piles up balance-of-payments deficits—if it fails to meet its bills and losses gold or other reserves—then internal policies must be adjusted.

Consumption must be slowed down. Exports must be increased relative to imports. Prices must be prevented from rising as rapidly as prices in other countries.

Conversely, if a nation consistently runs a balance-of-payments surplus, as Germany, then it should pursue expansionist policies to increase its imports. If it doesn't, if it adds to its reserves year after year, it "gives away" manhours and materials. It swaps resources (goods and services) for gold and dollars IOUs. It deprives consumers of the fruits of their labor.

Consistent balance-of-payments surpluses are not necessarily an index of good management, good husbanding of resources. On the contrary!

President Charles de Gaulle followed such an austerity course to build up French gold resources. This deprivation, this holding back of income from the French people, sowed some of the discontent which led to the General's downfall.

When all else fails, when internal adjustments are too difficult, international marriage counselors advise: Change the price of the currency!

A country that has been losing reserves, cuts the price.

A country that has been gaining reserves, raises the price.

Let's go through the arithmetic of why.

Let's take France as an example, using round numbers. The French franc was devalued from about 20 cents to 18 cents. A French manufacturer who formerly sold an item in the U.S. for \$1 (or five francs) now can sell it for 90 cents and still earn the same number of francs. Therefore French exports ought to increase.

And French imports will be likely to decrease. An American manufacturer who formerly charged \$1 or 5 francs for an item laid down in Paris would now have to get 5.6 francs for it to earn a dollar. So the price would rise in France.

Revaluation reverses this process. It tends to boost export prices, hence decreases sales abroad. Simultaneously, it makes it possible for foreigners to sell goods at lower prices.

The founders of the Bretton Woods agreements foresaw that currencies might have to be revalued or devalued. But they did not reckon with political psychology.

Far too often and for far too long, govern-



ment officials are likely to procrastinate—put off hard-to-made financial decisions. Out of line economic distortions widen. Finally, a crisis change in the price of a currency is dictated—by the speculative rush of funds from money center to money center.

Therefore, some central bankers are leaning toward flexibility in small doses.

Jelle Zijlstra, president of the Netherlands Bank, and Otmarr Emminger, of the German Bundesbank, have come out for a one-way crawling peg—up only. Let the IMF grant central banks authority to make minor revaluations.

Erick Hoffmeyer, chairman of the Danish National Bank, Wolfgang Schmitz, president of the Austrian National Bank, and Carl advocates a two-way movement. They know that heads of government will never give them authority to make big changes—5 percent or 10 percent. But minute changes—say 2 percent a year, or one-half of one percent per quarter—might be conceded.

#### FREE RATES FAVORED

Many economists, particularly those of the laissez-faire, free-market University of Chicago school, think this is tiddley-winks. They advocate freely floating exchange rates. Let supply and demand determine the price of currencies.

The ebb and flow of imports and exports, the movement of tourists to and from a country, and the availability of income from capital will fix the price of nation's currency day to day. Such changes in price will, in turn, interact on trade, tourism, and capital flows. Market forces—not decisions of government officials—will raise and lower purchases and sales abroad.

But central bankers reject "let the market decide."

Hoffmeyer says "As a professor, I explored such a system. But could it work? Would government officials let it? Government officials consistently intervene in their own bond markets to influence the level of interest rates. "Is it likely they will give up control over the price of their currencies, which for big trading nations, determines the cost of living?"

Sir Maurice Parsons, deputy governor of the Bank of England, is convinced that floating exchange rates would have an adverse effect on world trade.

Businessmen with foreign bills to pay buy insurance against a change in the price of currency. This is called "forward cover." Thus, importers can know in advance what they will have to pay for the goods they buy and therefore the prices at which they can afford to sell.

This insurance—in periods of stability when there are no devaluation or revaluation scares—is usually slight. The central bank maintains the price of a currency—the fluctuation—within a 1 percent band. Therefore, the risk of loss is minimal.

"In a floating rate system," says Sir Maurice, "the cost of forward cover would rise significantly and might become intolerably high."

#### SPECULATORS FEARED

Why? Because there'd be no established bottom or top price for a currency—no 1 percent band. Sellers of insurance would increase their rates.

Advocates of floating rates argue, "No, this is banker talk."

Speculators would intervene on both sides of the market. And there are always buyers and sellers of currencies—businessmen who need marks or dollars and businessmen who have marks or dollars to sell.

Consequently, if economic conditions are stable, floating exchange rates will be stable. If economic conditions are unstable, then no exchange rates—fixed or unfixed—are stable. The free marketeers offer this clincher: Float-

ing rates speed the process of adjustment, of regaining intermarital stability.

To Harold Lever, newly-named Minister of State in the Ministry of Technology and former financial secretary of the British Treasury, "This is seminar economics—fine in the classroom but not for the real world." And that's likely to be the case in any studies made in the IMF.

Modification of the Bretton Woods system will be a tortuous process. The men who "marage the world's" money are groping and divided.

They are not certain that greater exchange flexibility will give them influence over government decisions. Nor are they satisfied that the crawling peg will help to "price the dollar right" if it's overvalued.

Neither consensus, conviction, nor compromise is immediately probable.

But they do want and they are anxious to find some way to control the whiplash of money from nation to nation, as doubts and distrust surround currencies—sometimes the franc, sometimes the lira, sometimes the pound and even at times, the dollar.

#### THE EURODOLLAR LIES OUTSIDE AUTHORITY OF CENTRAL BANKS

(By J. A. Livingston)

It's not in Webster's Third New International (1961 edition) but you'll find it in the big Random House (1966) dictionary.

"When I'm asked about it, my eyes glaze over," says Herbert Stein, a member of President Nixon's Council of Economic Advisers and an expert on fiscal and monetary affairs.

The Soviet Union and the Eastern European satellites can claim credit for its origin.

British monetary restrictions gave it a great push forward.

In about a dozen years, it has swelled into an undirected force which whips across national boundaries beyond the administrative powers of the men designated by their governments to manage the world's money, men of the stature of William McChesney Martin Jr., chairman of the Federal Reserve Board; Karl Blessing, head of the German Bundesbank, which often has been in the center of its vortex; Guido Carli, ingenious and innovative governor of the Bank of Italy.

#### "VULNERABLE, VALUABLE"

Dr. Edwin Stopper, president of the Swiss National Bank, refers to it simultaneously as a "vulnerable sector of the monetary front," and a valuable source of liquidity on the "doorstep of central banks."

And Pierre Andre, chief of the foreign department of the National Bank of Belgium, spoke feelingly when he observed: "It has compromised the autonomy of central banks."

What is it? It's the Eurodollar.

It developed perchance. All nations which engage in international commerce maintain accounts in U.S. banks. And, as trade expands, their need for dollars increases. Why?

Because the dollar is the work money of the world. It pays bills in England, India, France, South America, Hong Kong, and even behind the Iron Curtain, where it is welcomed.

#### REDS SUSPICIOUS

But Iron Curtain officials are cautious and suspicious. Though they need dollars in case of emergency, they like to keep dollar balances in American banks at a minimum. In a diplomatic crisis, the United States government could stop payment of the funds.

Soviet officials found a circumvention. Instead of keeping large sums on deposit in U.S. banks, they maintained dollar deposits in British, French, or Swiss banks. A new twist! They didn't convert their dollars into British pounds or French francs or Swiss francs.

Thus were Eurodollars born.

Let's trace how this might come about.

Suppose an American buys \$1 million worth of pelts at the Leningrad auction. He pays by check on the Chase Manhattan Bank in New York. The Russian fur enterprise deposits the check in a dollar account, say, in Barclay's Bank, London. This increases the Barclay's balance at the Chase and it also puts the Soviet's million beyond American reach.

#### BECOMES A SCREEN

Barclay's becomes a screen between the United States and the Soviet government. The United States might block a Soviet deposit at the Chase or some other U.S. bank. But how could the Treasury or the Chase smell out Soviet funds among Barclay's deposits? Didn't the Roman Emperor Vespasian prove to his protesting son that "Money has no odor?"

To understand what the Eurodollar is, it's well to know what it isn't. If a Frenchman in Paris or the Volkswagen Co. in Germany has a deposit with the Morgan Guaranty Trust Co., of New York, these are not Eurodollars. They are ordinary deposits in a U.S. bank, on which the Frenchman or Volkswagen can draw checks even as you and I draw checks against our deposits.

But suppose Volkswagen withdraws its dollar balance in Morgan and puts it in a dollar account at the Commerzbank of Germany. That creates a Euro-deposit. Volkswagen exchanges its right to draw on Morgan for a right to draw dollars on Commerzbank. Commerzbank, in turn, gains a deposit at Morgan which it can retain there or transfer to some other American bank.

#### NEVER LEAVE UNITED STATES

Now we come to what is wondrously complex, so complex that many bankers don't realize it: The dollars which create Eurodeposits, never leave the United States. They always remain as deposits here and even can belong to Americans. But a foreign bank is always the intermediary between the real owner of the deposit and the U.S. bank.

Moreover, as a Eurodeposit finances trade, investment, or speculation around the world, it moves from one foreign bank to another or from a foreign bank to a commercial borrower. On this "money-go-round," it can also shift from one U.S. bank to another. Thus, Eurodollars never leave the United States. They function in international limbo.

British necessity gave Eurodollars purpose. In late 1957 and early 1958, the Bank of England restricted the use of sterling by British banks in financing non-British export-import transactions. London bankers squirmed. Horrors! This was traditional business they couldn't afford to lose. Then, serendipity! British banks used Eurodollars to finance this trade!

#### ADVANTAGES FOUND

Eurodollars would have evolved without the Russians. Sometimes, foreign companies found it more advantageous to borrow dollars from banks than their own currencies—especially when interest rates in the United States were lower than in Europe. So they sought dollars.

European bankers soon discovered that, by taking Eurodollar deposits, they could lend such dollars at a profit. And wealthy Italians, Frenchmen, oil-rich Middle East sheiks, and others, including Americans, have kept dollar nest-eggs outside their own countries. When banks in Zurich, Paris, or London bid for such deposits, they got them!

Money is money in all languages and nations. Soon Eurodeposits were made in currencies other than the dollar, notably the German mark (Euromark) and the Swiss franc (Eurofranc), and "Eurocurrency" and "Euromoney" joined Eurodollar in modern banking terminology. But dollars comprise 85 percent of Euromoney, hence the colloquial term "Eurodollar" to describe the entire market.

## SHARE SHOOTS UP

In recent years, the dollar share has shot up like this:

Year:	Size of Euro-dollar Market* (billions)
1964	\$9.0
1965	11.5
1966	14.5
1967	17.5
1968	25.0
1969**	30.0

\* Estimates for 1964 through 1968—Bank for International Settlements.

\*\* Guesstimate as of August 31.

Okay! So how big is \$30 billion? What is this \$30 billion?

Think of an international poker game. The major players—the United States, Japan, West Germany, Great Britain, the Netherlands, Belgium, France, Italy and other nations—have stacks of chips in front of them. These are their monetary reserves—gold, foreign currencies including dollars, and drawing power on the international Monetary Fund.

The chips today amount to about \$75 billion. The American stack is \$16 billion, Germany's \$10 billion, Japan's \$3 billion, industrial Europe's about \$30 billion.

The Eurodollar pool equals the chips of all the major countries in Europe! And any player can call on Eurodollar chips if he loses too many international pots.

## IMPACT IS NOTED

If a nation has a balance-of-payments deficit, and its reserves run down, its interest rates are apt to rise. In contrast, interest rates in a country "in the chips" are apt to fall.

And since money, unlike water, flows up instead of down, Eurodollars are apt to flow from banks in "surplus" countries to banks in "deficit" countries. In this way the Eurodollar market is an economic equilibrater.

But it also can be a destabilizer. Instance: Belgium. During 1967 and 1968, the National Bank of Belgium made credit plentiful and cheap to stimulate domestic economic expansion. But President Nixon pursued a tight-money, high-interest rate policy in the United States.

Nixon's object: To curb inflation.

American commercial banks were squeezed. They borrowed Eurodollars to meet demands of customers. Eurodollar interest rates climbed from 7 percent to 10 percent and momentarily touched 13 percent. Whoosh! exit Belgium's control over its economic destiny.

## "RENTED" THESE DOLLARS

Belgian bankers, businessmen and speculators converted Belgian francs into dollars outside Belgium in the Euromarket. Belgian banks even borrowed from the National Bank, converted the Belgian francs into dollars, and then "rented" these dollars in the Euromarket.

In a year, the foreign exchange holdings of Belgium shrank from \$792 million to \$358 million. Belgium had to draw on its reserves at the international Monetary Fund. Thus were chips drained from the main poker game in the Eurodollar pool.

Nor was Belgium alone in fighting New York's massive pull. Italian banks used capital, which might have stimulated Italian industry and trade, in the Euromarket. The governor of the Bank of Italy ordered Italian banks to withdraw \$800 million from the Eurodollar market.

This isn't new, the coursing of capital from low- to high-interest centers. What is new is the mass involved, the ease with which the money moves, and the problems it visits on central bankers.

## FORMERLY SUBJECT TO RULES

Prior to the Eurodollar market, if a Belgian wanted to put money in London, he con-

verted Belgian francs into pounds; or if he wanted to put money in Paris, he converted Belgian francs into French francs.

His deposit was in the currency of the country in which it lodged, hence subject to the rules, regulations and decisions of that country. Moreover, the Belgian's ability to get pounds or francs initially was subject to the regulations of the National Bank of Belgium.

But Euromoney lies outside the compass of central bank authority, including that of the Federal Reserve System.

Fred H. Klopstock, manager of the international research department of the Federal Reserve Bank of New York, points out that central banks have "gone to great lengths to prevent banks and corporations" from using Eurodollars contrary to domestic monetary objectives.

## MULTINATIONAL FIRMS

But: "The international economy is dominated by multinational corporations financed by banks whose networks of branches and affiliates stretch over several countries."

Consequently, controls are ineffective unless all nations have mutually reinforcing regulations which they apply with equal rigidity. And they don't.

Therefore, some central bankers don't think it's useful to try to impose controls. They realize that resourceful corporate treasurers and bankers will find escape routes.

Major American banks perfected Eurodollar artistry during the 1966-67 credit crunch. U.S. banks encouraged their foreign branches in London and elsewhere to bid for Eurodollars. Then the branches lent those dollars back to parent banks.

Some U.S. banks, lacking foreign branches, borrowed directly from European commercial banks. Total borrowings shot up from \$1.7 billion in January 1966 to more than \$4 billion by the end of the year.

## EURODOLLAR MARKET HANDLES CHIPS IN

## WORLD POKER GAME

(By J. A. Livingston)

Jacques J. Polak, economic counselor to the International Monetary Fund told me: "There are no Eurodollar experts."

No wonder Jane Sneddon Little wrote in the May-June economic review of the Federal Reserve Bank of Boston that "the operations and impact of the Eurodollar market here and abroad are just beginning to be understood."

In London, the nerve center of the Eurodollar market—about 75 percent of the Eurodollar deposits are lodged there—I made it a point to visit branches of American banks.

At the larger, long-established institutions, such as Bankers Trust, Morgan Guaranty, and Chase Manhattan, the men in charge talked briskly, easily about the ins, outs and origins of the Euromarket.

But among smaller and newer American branch banks, a trading, buy-sell psychology prevails. Understanding is so limited that "Euromoney," a new magazine published in London, has invented "Herbie." He writes to "Dear Mom" in America that his boss is upset. The bank sent him to London to produce Eurodollars. Now the bank wants to know "Where are they?"

Then he asks Mom: "Why come to London to look for dollars? You might as well go to the U.S. to look for tea and muffins."

## EURODOLLAR BACKGROUND

Not many bankers, Europeans or American, are aware that American Good Samaritanism helped to structure the Eurodollar market.

At the end of World War II, the United States had most of the international poker chips. In 1947, United States gold was at an all-time high—\$24.7 billion. The rest of the western world had only \$10 billion and was in desperate need of machinery and material to rehabilitate after the war.

The United States filled the buying power gap, the so-called "dollar gap," with Marshall

aid, loans, and economic "outwardism." Americans were encouraged to travel and invest abroad and buy foreign goods. The U.S. government welcomed balance-of-payments deficits—the loss of chips—for about a dozen postwar years.

Good Samaritanism became an insidious habit.

U.S. losses in the international poker game persisted long after the dollar shortage ended. The U.S. pile of good chips slipped below \$20 billion in 1959, below \$15 billion in 1965 and then to \$10 billion, excluding \$1 billion transferrable to the International Monetary Fund under a repurchase agreement. The gold holdings of other nations rose to about \$28 billion, reversing the relationship of 1947.

Result: The world had too many, instead of too few, dollars. Further result: European central bankers hesitated to swap surplus dollars for gold. This would displease the U.S. Treasury.

## INGENUITY IS SAVIOR

Ingenuity came to the rescue! Central bankers "recycled" their winnings. They made it attractive for their commercial bankers to use surplus dollars in the Eurodollar market. This was done by offering protection against foreign exchange loss at low cost. This enabled the banks to lend the dollars to customers or other banks at a profit.

At times, the dollar holdings of the Bundesbank and the Bank of Italy approached or exceeded their gold holdings. Politicians might criticize: Why dollars—why not gold? By pumping dollars into commercial banks, the central banks did not expose their full dollar commitments.

At first, recycling supplied cheap dollars. During most of the Kennedy-Johnson years, a German or Italian or Dutch enterprise could borrow Eurodollars at rates below those at home and then convert the dollars into pounds or marks or lire—whatever currency was required.

Soon, the world grew accustomed to these dollars, couldn't get on without them, bid for more and more of them. The Euromarket thus became entrenched as a source of credit. Marius W. Holtrop, former head of the Netherlands Bank, complained: "The U.S. exports inflation."

The vagaries of the Eurodollar market—first it exports inflation to Europe then it exports high interest rates—causes central bankers to think and rethink: What risk, what danger, does this \$30-billion-dollar pool of free-flowing funds entail?

The first fear was "multiple expansion" of loans. Banks might treat Eurodollar deposits as normal deposits and, as a group, create say, \$5 in loans for every \$1 deposited. This is considered safe in normal banking.

For example, if an American bank makes a loan, it writes up—creates—a deposit. The customer spends the deposit by writing checks. These checks are deposited by the recipients in banks. Some might even be re-deposited in the customer's own bank. The money, the deposit, stays in the banking system. This permits banks to pyramid loans against deposits, because loans create deposits.

## HOW IT WORKS

Euroloans don't obey these domestic rules. A Eurodeposit lent in London might be converted in marks in Frankfurt, guilders in Amsterdam, lire in Milan, or used as dollars in New York.

Moreover, if Eurodollars were used to purchase American securities from Americans who in turn deposited the proceeds in an American bank, the Eurodollars would disappear. The deposit would belong to an American resident and be lodged with an American bank.

Banks have been cautious in expanding Eurodeposits into loans. This doesn't mean, however, that double, triple and quadruple lending may not take place.

A London bank might lend to a German bank. The German bank might lend to an



Italian bank, which lends in turn to a London branch of an American bank. But these are not true loans—merely transfers of the same deposit from one bank to another at a higher rate of interest at each stage.

There is a second risk. In Amsterdam, the head of the foreign department of a major commercial bank said: "Europeans are very happy, but it is short-term happiness. Order books are full. Profits are high. But the fuel is short-term Eurodollar credits. I can't escape the feeling that we're on top of a volcano."

He was afraid that Eurodollar deposits, which are usually of one-, three-, or six-month duration, might be put to long-term use. Indeed, banking groups in London have used Eurodollar deposits to make five-, seven-, and ten-year loans.

At first, these term loans were made at a fixed interest rate—say 8½ percent. At the time, bankers might have been paying 7 percent for Eurodeposits. If interest rates turned down, as the bankers expected, profit margins would widen. Instead, interest rates rose! Today the income accounts of bankers who bet heavily on lower Eurorates don't make good reading.

Five- and seven-year term loans are still being made. But interest rates now are ratcheted. Every six months the interest charge will rise or fall with the going rate on the Euromarket.

Bankers, however, are still taking a risk. They have to be able to renew their deposits (reborrow Eurodollars) every three or six months. This worried the Amsterdam banker. Supply might change. The Eurodollar pool might contract. Then bankers depending on a continuing supply of Eurodeposits might be in trouble.

#### CATASTROPHE UNLIKELY

But such a catastrophe is unlikely. To be sure, a series of genuine U.S. balance-of-payments surpluses might draw funds out of the Eurodollar market. Also, Eurodollar holders might make massive investments in U.S. stocks or bonds. Then Eurodollar deposits would disappear.

But the flow of dollars to the U.S.—in such circumstances—would eliminate the need for U.S. government restrictions on corporate investing and bank lending abroad. Funds would be easier here. So U.S. banks would be able to put funds back into the Euromarket. At a profit, of course!

And, if money still were tight in the United States, the Bank for International Settlements, the Federal Reserve Bank, and other central banks could unite to supply the much-needed dollars. They've done this in the past.

There is a third danger. Some big Eurodollar user may be unable to meet obligations when due. Then confidence might congeal.

Holders of Eurodollars might run into U.S. Treasuries or other gilt-edged U.S. securities. The Euromarket, which today is so mobile that funds can be transferred hourly from bank to bank and place to place by cable or Telex with a confirmation by memorandum, would be frozen.

But the Euromarket would not be the cause. From ancient times, there have been weak links in the banker-borrower chain. Walter Bagehot observes in his great work, "Lombard Street," that the first instinct of bankers during a panic is to hoard. That is as counterproductive as crowding the aisles in a theater fire.

If Eurocredit reach panic tightness, central bankers would have only one choice: To loosen the Euromarket by putting funds back into it.

And what if the opposite happened? Suppose the flight from the dollar occurred. Suppose the Euromarket was inundated with dollars. In that case, declares Stopper, central banks would have to restore confidence by purchasing "large amounts of dollars."

#### BANKERS HOLD REINS

In Eurofinance as in domestic finance, the same basic rule applies: Central bankers are the ultimate reservoir of confidence—the last-resort buyers and sellers, users and lenders, of money.

There's an old saying: "Seven per cent Bank Rate will draw gold from the world, 10 per cent from the Moon." When the World was on the gold standard and London was the world's monetary center, the Bank of England could bring funds to London by making money tight and raising interest rates.

New York now pulls the money strings. By making money tight, the Federal Reserve sucks funds out of European central and commercial banks into the United States. And volatile Eurodollars expedite—speed—the process. But it is the same process.

However, there is this difference. The Eurodollar market is not directly subject to the regulatory power of the Bank of England, Federal Reserve System or other central banks. It is a market over which central bankers feel unsure of their mastery. That's why Stopper calls it a "vulnerable sector on the monetary front."

This drawback is also a virtue. The Eurodollar market is the international Lombard Street—the broadest free market for money in the world. It is a competitive, efficient market, in which money changes hands at tiny differentials in interest rate—sometimes as low as one-sixteenth of a per cent.

Day by day and month by month, the demand for Eurodollars registers the hopes and fears, the confidence and doubt, and the expansionary and recessive decisions of corporations, investors, speculators and bankers.

The Eurodollar market does this through the services it performs—not only in establishing interest rates, not only in putting chips in and taking chips out of the international poker game, but also in communicating to presidents, prime ministers, finance ministers and parliaments what money "thinks" about governments, economies, paper currencies, and particularly the dollar.

#### RISKING RECESSION VIEWED AS KEY TO STABLE CURRENCY

(By J. A. Livingston)

"To you, foreign trade is the icing on the cake. To us, it's bread and butter. You're insensitive to it. We pulsate with it."

The speaker, an official in a highly industrialized nation in Europe, asked not to be identified. Yet he spoke for every European finance minister and central banker.

He is worried, like the others, about the persistent failure of the United States to pay its foreign bills. Paradoxically, he is worried because the U.S. trade surplus, which reached a high of \$7 billions in 1964, has fallen to about \$1 billion annually.

U.S. imports have soared faster than U.S. exports. This has kept the European boom going.

But European central banks, notably the Bundesbank and the Bank of Italy, got stuffed with deficit dollars they have been forced to "play make-believe with." That's the phrase of Milton Gilbert, economist for the Bank for International Settlements.

Central bankers are practical men. They know they can't demand gold at \$35 an ounce from the United States. The United States hasn't enough gold to pay up. No one wants an embargo—an "out to lunch" sign on the gold window at the Federal Reserve Bank of New York.

That would unhinge the Bretton Woods monetary system, the system which has muddled through the Berlin Airlift, the Korean war, major government and social shifts in Europe, and now Vietnam.

It is the system that has fostered a three-

fold increase in world trade in 20 years. It can't be all bad.

To sustain the system, members of the International Monetary Fund voluntarily refrain from asking for U.S. gold. This preserves the fiction that the dollar is convertible into gold. And the members of the IMF have reinforced the fiction by creating \$9.5 billions of paper gold over a three-year period. This will give the United States time to correct its balance-of-payments deficit.

But paper gold can be misused. The United States can overwhelm nations with paper gold even as with deficit dollars.

Participants in the plan are not obliged to accept more than twice their own allocations and the prospective U.S. allocation dwarfs that of other nations.

Alone, the U.S. can exhaust the combined obligation of Belgium, France, and Germany to accept SDRs. It can sop up 68 percent of the entire Common Market obligation.

Yes, the paper-gold obligation is reciprocal. The United States is required to accept other nation's paper gold up to twice its own allocation. But if the United States runs a trade balance deficit, it will be paying out, not taking in, paper gold.

Besides, nations can withdraw from the plan. And they will, if a French official's characterization is accurate. "It's a scheme to avoid the real problem—the dollar deficit."

#### UNITED STATES HOLDS REINS

Then he added: "Only Americans can tackle the problem. We can't discipline you. We tried. All Europe can't discipline you. We don't have the muscle."

What does that mean? Simply this: The U.S. accounts for 16 percent of world trade—far more than any other nation. If U.S. imports slump, the world feels it. The saying, "If the U.S. sneezes then Europe catches pneumonia!" isn't obsolete. Europeans tremble at the thought of a U.S. recession.

Yet, foreign commerce accounts for only 4 percent of the U.S. Gross National Product.

In contrast, in most industrialized countries, jobs depend on foreign commerce. Foreign trade accounts for 17 percent of the Gross National Product in Germany and the United Kingdom, 35 percent in Holland, 25 percent in Switzerland, 10 percent in Japan, and so on.

A bland sentence in the 1969 annual report of the Bank for International Settlements is aimed at the U.S. "No international monetary system will work properly unless countries are prepared to follow domestic policies that are compatible with the maintenance of external equilibrium."

Between the lines that means: If the U.S. balance of payments is in persistent disorder, the international monetary system will be in disorder. That's because the dollar is the world's work money and standard of value. It holds the system together.

And if the U.S. balance of payments is in equilibrium, almost any international monetary system will work. The United States then will have the economic and financial strength to extend credit to nations in deficit. Or it can deny credit.

#### POWER PLAY

The U.S. is powerful enough financially to discipline other nations. Other nations can discipline the U.S. only by converting dollars into gold. That they dare not do.

The dollar is still the world's most acceptable money. Especially in a social or political crisis.

When World War II ended, only the United States could supply war-ravaged nations with food, machinery, and materials to keep going and rebuild.

When Soviet troops marched into Czechoslovakia in August 1968, holders of French francs, British pounds, Italian lire, Dutch guilders, yes, even German marks, scurried into the dollar for political sanctuary. When

disorders arise anywhere in Europe, the dollar is the haven.

Experience warrants this. Only the dollar and the Swiss franc have not been devalued since Hitler marched into Poland. The French franc has depreciated more than 95 percent. The Hitler mark was virtually wiped out.

#### VERY GREAT WEALTH

The United States is very rich. Public and private U.S. investments abroad exceed \$135 billion. They bring in gross annual income from profits, dividends and interest of \$8 billion a year. Foreign investments in the U.S. of \$81 billion earn about \$3 billion. So the annual flowback to the U.S. is close to \$5 billion annually. It has doubled since 1960.

Undoubtedly, earnings of American subsidiaries will increase. The rise in income will offset the devastating decline in the U.S. trade surplus. Over the years it will help to right the U.S. balance of payments. This is what the men who manage the world's money—both here and abroad are hoping for.

In the final analysis, money is as money does. And any holder of dollar knows that even if he can't turn in dollars for gold, he can get merchandise—plenty of it.

But money in the U.S. has been doing badly.

And if the dollar buys less and less year by year, it becomes a depreciating asset. The Bank for International Settlements alludes to this: "It seems likely that the monetary system will continue to operate under somewhat uncertain and unstable conditions. And one waits to see by experience if Gresham's Law will operate, and, if so, what bad money will drive out good—gold, dollars, or SDRs."

The inference is that gold will be the preferred asset. Central bankers will hold on to the metal. Does it not sell for \$40 an ounce in the free market as against the \$35 monetary price? They will be wary of dollars and U.S. paper gold. They will think of Vissering.

President Nixon not only must stop inflation, but he must roll back expectations of inflation. Jelle Zijlstra, president of the Netherlands Bank and a former prime minister, said to me: "The worst characteristic of prolonged inflation is that it tends to perpetuate itself. It becomes part of the industrial and social environment and thus governs people's behavior."

"Consequently, breaking the back of inflation is the major economic problem today—not only in the U.S. but in the world. My concern is that nations, because no one wants a deep recession as a cure for inflation, will start refloating before the expectation of inflation gets out of people's minds."

A high official in the Johnson administration, now a partner in a Wall street investment firm, surprised me by saying: "The Nixon administration isn't doing badly. It's doing what it has to do. There'll be an economic lull—a plateau. Maybe a year. Maybe two years. But no decline."

"That's how we're investing our own money. That's how we're advising our companies, our clients. We're not worried about the intervening plain. We see the green hill beyond."

He could have added "and the world."

Walter Bagehot's most quoted dictum is: "Money won't manage itself." Men have to manage money. To do so, they have to manage themselves.

Unless the United States stops the inflation spiral, nations will erect barriers—controls—against the dollar.

The world, which has prospered on liberalized trade and convertibles currencies will regress. Economic nationalism will revive high tariffs, import quotas, export subsidies, and monetary restrictions.

Central bankers don't want that. They will take more dollars if they have to. They will accept U.S. paper gold too. If only they can spy progress . . .

"We are a monetary community," says Edwin Stopper, president of the Swiss National Bank. "We can always find intermediate solutions in order to gain time for permanent solution."

And what is the permanent solution?

To use a hackneyed phrase, it's a "sound dollar"—a dollar that doesn't lose value in the shops month by month and year by year—a dollar which, when put in a U.S. savings bond, will be worth more after a year instead of less—a dollar which reflects a high national morality, which people can rely on and central bankers are willing to accept because they consider it as good as "paper gold" and gold bullion.

If inflation isn't stopped, bad money will drive out good. Central bankers will queue up for U.S. gold. Bretton Woods will break down. And paper gold will be paper.

Nixon has no choice: He has to find a "permanent solution" to "unstable and uncertain" monetary conditions. He has to make the dollar what it once was—as good as gold. He has to risk—a recession.

[From the Washington (D.C.) Post, Oct. 25, 1969]

#### BONN'S TOP TRADE PARTNERS VIEW REVALUATION WITH RELIEF

(By Jonathan C. Randal)

PARIS, October 24.—The revaluation of the mark was greeted with relief today by Germany's major trading partners.

Particularly cheered were the United States, Britain and France, whose deficit economies had counted on an upward revaluation of the mark to increase the competitiveness of their own products.

But in the arch-conservative world of international finance, such every day commercial interests were overshadowed by relief that a major world currency had abandoned the potentially contagious experiment with a floating exchange rate.

#### SMALL COUNTRIES DISSENT

The only dissent came in muffled form from such countries as Switzerland, Austria and the Netherlands, a sizable share of whose foreign trade is with Germany. All three issued statements denying they intended to follow Germany's lead and revalue their own currencies.

But observers suggested that these countries were prime targets for the hot money which has been bottled up in Germany pending revaluation and may seek new opportunities with the opening of trading Monday.

The lesson of the long D-mark crisis seemed to be that politicians cannot fool the marketplace forever.

Both former French President de Gaulle and former German Chancellor Kiesinger opposed changes in the parties of their respective currencies for political reasons. Both failed.

In the process, they weakened the economies of their countries—in France by playing out foreign reserves to defend the franc, in Germany, by allowing potentially inflationary conditions to grow.

#### BREATHING SPACE

On a more immediate level, the mark revaluation provided needed breathing space for the franc, the pound and, indirectly for the dollar.

France devalued the franc 12.5 per cent in August with a hope of revaluation of the mark in mind. Added to the French devaluation, the German devaluation of 8.5 percent gives France a theoretical trade advantage of 21 per cent on the German market.

As for Britain, which has achieved a trade balance surplus for the last two months, the mark revaluation should further encourage the trend by making British exports more competitive on third markets.

U.S. pleasure was conditioned by the relief provided the pound, which in recent years

has tended to be the first line of defense for the dollar reform.

Monetary reformers were heartened by the triumph of common sense inherent in the revaluation and the lack of crisis which had accompanied the nearly month-long period when the mark's value was allowed to float.

Without claiming victory for the partisans of tinkering with traditional monetary policy, the experiment did represent a victory of innovation over conventional wisdom.

From other sources there were these reactions:

The U.S. Treasury issued this statement welcoming Bonn's decision: "Today's action by the German government should resolve in a constructive manner the principle cause of uncertainty that has existed in the exchange market."

The International Monetary Fund said: "The government of Germany has proposed and the IMF has concurred in a change in the par value of the Deutschmark to be effective Oct. 26, 1969, at 6 p.m. Washington time."

Revaluation of the mark is expected to boost the price of German cars and other products on the U.S. market. A spokesman for Volkswagen of America, Inc., told Dow Jones news service the revaluation "necessitates a review of our pricing and may mean an increase in the suggested retail list prices of our vehicles here."

In Japan, official sources expressed fears that the German action might force pressures for revaluation of the yen, currently 337 to the dollar.

#### GERMANY REVALUES CURRENCY: BRANDT CABINET BOOSTS MARK BY 8.5 PERCENT

(By Dan Morgan)

BONN, October 24.—The new Bonn government ended an 11-month guessing game tonight by ordering an 8.5 per cent revaluation upward of the German mark.

The rate, somewhat higher than expected either by economists or speculators, was described by Economics Minister Karl Schiller as "courageous but not adventurous", a "golden mean" intended to serve as the cornerstone for a stability program.

As of Sunday midnight, a dollar will buy 3.66 marks, instead of four. Looking at it another way, it will take 27.3224 cents instead of a quarter to buy a mark. Figured that way the parity change amounts to 9.28 per cent.

Those hardest hit by the revaluation are German farmers and certain export branches, but Schiller announced that discussions would begin Monday in the Common Market on compensating farmers, and the government would keep close tabs on industries which are unable to make the grade because of the move.

Its general effect is to make German export goods relatively more expensive on the world market and to reduce the incomes of farmers.

The announcement from Schiller ended months of frustration during which he and his fellow Social Democrats tried unsuccessfully to get the conservative Christian Democrats, just ousted from government, to accept revaluation.

In announcing the cabinet's decision tonight, Schiller threw the words of former Finance Minister Franz Josef Strauss back in his face. Strauss had opposed the action.

"Stability hurts," he said. "Stability demands sacrifices."

The other side of revaluation is its contribution toward breaking the runaway boom and insurgent inflation which caused economists and the Central Bank in Frankfurt to advocate the step for months.

The new rate was greater than that expected by speculators, who had been bidding around 3.70 at noon today. Since Sept. 29, when the mark was allowed to float freely without intervention by the Central Bank, the currency had gone from four to one to



about 3.725 on an average—which Schiller said was a "de facto revaluation of about 7.5 per cent."

The novel experiment of floating the currency—dreaded and condemned by many orthodox bankers and economists—actually worked quite well.

#### BANK'S INFLUENCE

The credit for this was given to the discreet action of the Central Bank, which moved in to buy marks, or to offer to buy them, at indicated prices. This exerted a stabilizing effect on the markets, without returning to the rigid support system. However, the Bundesbank stands to lose money on the deal since the dollars in its reserves will be worth 8.5 per cent less.

The measures announced today left both Bonn and the Bundesbank in Frankfurt free to impose further measures as they feel necessary, but Schiller emphasized that this was essentially a welcome turn towards a "market economy," which was aimed at getting away from monetary tinkering.

The type of measures to help farmers was also left open today by the cabinet, which met with Chancellor Willy Brandt at the helm and Bundesbank president Karl Blessing attending.

The priority for the cabinet today, other than fixing the new parity, was selling the measures to the Common Market Commission and making peace with that group after the recent row over farm prices.

The commission is angry because Bonn imposed tariffs on farm imports earlier in the month in clear violation of the Market's common agricultural pricing policy.

In the Common Market Monetary committee's acceptance is the problem of support for the German farmer. Conceivably the government could continue to impose the tariffs against Common Market wishes. But most informed observers thought that direct subsidies would be chosen.

Economics Ministry sources said each per cent of revaluation would mean a \$50-million-a-year loss for farmers. Bonn has been hopeful that the European commission will aid in a three-year formula for offsetting the losses.

#### "GREEN DOLLAR" PROBLEM

The heart of the problem is the "green dollar"—the Common Market unit equal to a dollar with which European farmers are reimbursed. With revaluation, German farmers will receive less money for their products.

The debate within Germany is whether the revaluation is coming too late to stop inflation.

One respected economic council of elders in Bonn said this week that it definitely would not unless vigorous expansion policies were ordered, including an end to the Central Bank's restrictive money policies, which have pushed up interest rates.

One fear was that too steep a parity change would have repercussions on the Swiss franc and Dutch guilder, which could be the new targets of some of the \$2.8 billion in speculative funds estimated to be invested in Germany at the moment.

With the mark rate settled, speculators might be tempted to bet on the revaluation of those solid members of the world currency family.

Foreign governments are hopeful that the mark change will reduce West Germany's mammoth trade surplus. However, other expert observers noted that by tradition German businessmen, always fearful of domestic recessions, hold on to their export markets at all costs—even at temporary sacrifices. Thus the foreign trade boom has not been even dented by the 4 per cent export tax applied last November as a temporary measure to curb the surplus.

#### FRENCH MINISTER PREDICTS EASING

PARIS, October 24.—Post devaluation austerity measures in France could be eased in

the next few months, according to Finance Minister Valéry Giscard d'Estaing.

He denounced speculation of a second French devaluation as "an outrage to intelligence" at a bankers' dinner here last night.

#### YUGOSLAVIA WELCOMES CAPITAL FROM WESTERN COUNTRIES: SOCIALIST NATION MAKES UNPRECEDENTED MOVE FOR FREE WORLD FUNDS (By Jan Nugent)

Western capital, famous for following trade routes to unlikely places, will soon be financing projects in a Communist country in the hope of turning a neat profit.

The free world funds will be combined with Yugoslavian money to finance joint ventures in that country. The project will be the first official merger between private, foreign funds and Communist-owned capital in a Socialist state.

The vehicle for this unique experiment between East and West is a new investment company called International Investment Corporation for Yugoslavia.

Capital in the new company will be provided by 12 Yugoslav banks, a group of 38 European, American and Japanese financial institutions, and the World Bank's International Finance Corporation.

Although the banks plan to contribute a relatively modest total of \$12 million, the project is precedent-setting in several respects.

For one thing, its acknowledged purpose is to solicit foreign private capital for investment in a Communist country.

For another, the resulting enterprises will be jointly managed by Yugoslavian and foreign officials. There will be a true equity partnership between foreign and Yugoslav interests, with both sharing any profits produced.

#### SOCIALIST MARKET ECONOMY

Although several of the Communist nations have mused aloud about such an experiment, Yugoslavia, the Socialist nation which has made the most liberal economic reform, made the first move.

The Yugoslavs call theirs a "Socialist market economy." Their companies compete and are owned by the employees—both laborers and management—who direct operations through a worker's council. Business enterprises needing money must borrow from banks, since the state no longer supplies funds for that purpose.

Anthony M. Solomon, former U.S. assistant secretary of State for economic affairs, will head the IICY. Zoran Zagar, a leading Yugoslav banker, will serve as executive vice president.

#### INVESTS OWN CAPITAL

The new company will develop potential joint ventures in Yugoslavia to interest foreign private enterprise, and also help Western companies wanting to share in a business concern there.

Solomon said IICY will identify and select projects, bring partners together, and assist in financial planning and arrangements.

It will also invest its own capital and borrow funds to extend loans to clients, underwrite capital requirements, issue stand-bys and provide guarantees.

The national groupings of banks sponsoring the new corporation were selected to ensure that no country wields disproportionate size or influence.

U.S. shareholders in IICY are: Chase Manhattan International Investment Corp., Girard International Investment Corp., Marine Midland International Corp., and Philadelphia International Investment Corp.

They have agreed in principle to supply a total of \$1.5 million. The sponsoring Yugoslav banks will supply \$3 million, United Kingdom financial institutions \$1 million, Continental Europe \$4 million and Japan \$500,000. IFC has agreed to supply up to \$2 million.

All projects assisted by IICY are to be of economic priority to Yugoslavia and profitable to shareholders, the IFC said.

#### "WE PERHAPS HAVE 10 YEARS LEFT," THANT SAYS

UNITED NATIONS—U.N. Secretary General U Thant, a self-proclaimed optimist, delivered yesterday the most pessimistic assessment of the state of mankind he has uttered in 7½ years as a world figure.

"I do not wish to seem overdramatic," he said in his calm Burmese singsong, "but I can only conclude from information available to me as secretary general that the members of the United Nations have perhaps 10 years left in which to subordinate their ancient quarrels and launch a global partnership to curb the arms race, to improve the human environment, to defuse the population explosion, and to supply the required momentum to world development efforts."

"If such a global partnership is not formed within the next decade," he continued somberly, "then I very much fear the problems I have mentioned will have reached such staggering proportions that they will be beyond our capacity to control."

The setting for this jeremiad was in strong contrast to its content. Thant faced a semi-circle of establishment figures—including John D. Rockefeller III, and assorted bankers, diplomats and professors—in a mellow, oak-paneled conference room in the U.N. basement.

He was talking to an unofficial conference on the second U.N. development decade—an effort to raise the pace of investment, of the world during the 1970s.

Thant's basic theme was that mankind is posturing and wasting time while the world smolders rather than burns.

Candid as usual, Thant admitted that the U.N.'s first development decade, now nearing an end, had fallen short of providing living standards "compatible with minimum human dignity" in poor nations.

Economic specialists here believe the technical goal of the first decade, a 5 per cent rate of growth, may be achieved in the have-not lands. But they point out that its effect had been badly diluted by population growth, uneven distribution of capital and income, and retrenchment of investment policies in Moscow and Washington.

Thant in his speech blamed rich and poor countries alike for the shortcomings of the first development decade.

He accused the wealthy industrialized lands of the West—and of the Soviet bloc—of "faltering political will . . . in the field of international aid."

#### URBAN RENEWAL BUILDING NEW SLUMS

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, last week the House of Representatives completed action on the far-reaching housing and urban development bill. The Congress, with little direction from the administration, wrote its own \$4.9 billion housing bill. It took cooperation on both sides of the aisle and I believe that we have written a bill which goes a long way in providing the needed programs and funds to aid our cities.

Unfortunately, there is a provision in this housing bill which will provide nothing but trouble for our cities which are attempting to renew their poor areas and provide the needed housing for low- and

moderate-income families. The so-called Weicker amendment would require that all urban renewal projects include as many low- and moderate-income family housing units as the area had before the renewal plan was begun.

As the distinguished gentleman from Ohio (Mr. ASHLEY) stated on the floor last week, this amendment will ruin and end the ambitious urban renewal programs as we know them. Mr. ASHLEY further stated that there are some 2,600 urban renewal projects in existence today and that not one-tenth of 1 percent of these projects would go forward if the Weicker amendment is put into effect. One of the important aspects of the urban renewal program in seeking to renew our cities is to reduce the high population density and provide recreational space and new park space. It is necessary to demolish some units and not replace them on a one-for-one basis.

At the present time we have on the statutes a provision which states that in an urban renewal plan at least 50 percent of the plan must provide housing for low- and moderate-income families. This amendment would insist upon a one-for-one replacement taking away the opportunity of lowering the densities of our poorer cities and providing no means of providing our inner city people with housing outside of the inner city. The sole intent of Mr. WEICKER's amendment is to lock into the cities those people who are already living there, thus stifling attempts to ease the density and the despair that breed the troubles we are witnessing today. There is no human element in this amendment.

If this amendment stands, business will be excluded from urban renewal projects, there will be fewer parks, fewer recreational facilities, and no diverse economic or social mix. This amendment is shortsighted and vindictive.

I include an editorial that appeared in the Chicago Sun-Times yesterday on this matter following my remarks:

#### DON'T BUILD NEW SLUMS

It is true that urban renewal across the nation too often has meant "urban removal" for poor people. Although the law requires relocation assistance for families displaced by urban renewal, there seldom is enough housing to go around.

Still, we would advise Congress to view carefully a proposal which sailed through the House Thursday.

The proposal, an amendment to a \$4.9 billion housing bill, would require that all urban renewal projects include as many low and moderate income housing units as the area had before renewal.

It is an attractive concept. But there is a danger. Such one-for-one rebuilding could mean substitution of a new high-density neighborhood for an old high-density neighborhood. The plumbing might be better, but the slum problems would largely remain.

Urban renewal, when it works right, is supposed to create a better balanced, more livable city for everyone, rich and poor alike. This means more revenue-producing business properties certainly, but it also means more parks, fewer homes per neighborhood, and a more diverse human mix. This goal should not be set aside in the interest of a short-range solution to the housing shortage.

There are other routes. For example, if Congress would just fund the Housing Act passed last year, private builders would have

an incentive for putting up more low and middle income homes in both city and suburbs.

In fact, Rep. Lowell Weicker, Jr. (R.-Conn.), who sponsored the questionable amendment, said later he wouldn't object to spreading the housing around, just so it was built someplace. We believe Congress should work in that direction rather than try to replace old slums with new ones.

#### THE MARITIME PROGRAM

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I am most happy to associate myself with Chairman GARMATZ' remarks regarding the new maritime program submitted to us for consideration. It is long overdue and I am hopeful that it will bring a solution to at least some of our more pressing problems.

The essential ingredient, of course, is money, but I am pleased to see that the administration is looking toward a reduction in both construction and operating differential subsidies. With respect to the latter, the experience of Sealand in operating across the Atlantic successfully without subsidy gives hope that this burden can be substantially reduced in the future in other areas, thus freeing funds for the construction of more ships.

The prospective reduction in the construction differential subsidy places a substantial responsibility on the shipyards to upgrade their facilities so that they may compete more successfully with foreign builders. I am confident that American experience in evolving production techniques will prove equally applicable here and that the prospect of continuing business will induce the yards to make the necessary large expenditures to reduce building costs.

The provision in the program for extension of tax deferral privileges to all ship operators is necessary to see that sufficient amounts of private funds are made available for shipbuilding to match Government expenditures. This particular privilege has all too long been limited to the subsidized lines, and the small unsubsidized companies that probably need it most have not been able to avail themselves of this assistance in accumulating funds for new ship construction, with the result that very few ships have been constructed by this group. I am confident that this provision alone will be most productive and in fact testimony before the committee at previous hearings has indicated that it will generate very substantial new funds, which in turn will be reflected in numbers of new vessels.

The emphasis on development of nuclear ships is most encouraging, particularly in view of the fact that new types of container and barge ships demand very high horsepower engines which can be evolved more efficiently through the use of nuclear power. I feel that renewed emphasis on this particular type of propulsion will enable us to maintain our lead in the development of new types of ships. I should note, however, that the necessary legislation to achieve these ends has not as yet been

submitted to the Congress and that it is too early to give unqualified endorsement to the program. I am confident however, that the administration will prepare the necessary legislation promptly and that the committee under Chairman GARMATZ will proceed immediately to its consideration.

#### MORRIS KAPLAN—EDITOR AND COMMUNITY LEADER

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, it is with a great deal of pleasure and delight that I rise today on the floor of the House of Representatives to pay tribute to Morris Kaplan, the outstanding editor and publisher of the Lawndale News and the West Side Times. These excellent weekly newspapers are produced at Mr. Kaplan's offices located at 3453 West 26th Street in the Seventh Congressional District of Illinois which I have the honor to represent.

Morris Kaplan has just completed 30 years of service as a publisher and editor of community newspapers in my community. The Lawndale News, and its sister newspaper the West Side Times circulate in the heart of Chicago and the Pilsen neighborhood which are both located in my congressional district.

Mr. Kaplan has been a highly regarded leader in our city of Chicago and in my community for over 30 years. During this span of service, through the medium of his newspapers, Morris Kaplan has impressed upon the people some of the civic responsibilities they must face in order to build a better community in which to rear and educate their children. He has been a fighter and a champion in seeking solutions to alleviate many of the problems that have confronted the people of my area.

At the annual meeting held recently in Chicago of the Lawndale-Crawford Historical Association, Mr. Kaplan was the principal speaker, and was honored for his many years of service to the community.

I want to call to the attention of my colleagues the speech he made on that occasion wherein he discussed his philosophy of community newspapers; the early history of community newspapers in towns and villages throughout America before the advent of the large city newspaper; the tremendous part played and the contribution made by these newspapers in the social, economic, and political life of the communities they serve; the many challenges these community newspapers faced; and the great pressures that exist which a community newspaper must meet in order to survive and to continue in operation.

Morris Kaplan has met all of these challenges, he continues to meet these challenges, and he is continuing to serve his community with dedication and devotion to the cause of the people.

I take this opportunity to congratulate him and to extend to him my best wishes for abundant good health and continued service to the people of our community.



Mr. Speaker, I would like to include at this point in the CONGRESSIONAL RECORD the text of Morris Kaplan's speech, which follows:

I think it is conceded now by thoughtful people that there is a place in the community for a neighborhood newspaper, but it remains for each publisher, each editor, to establish to the satisfaction of the community in which he publishes, that his paper deserves that place.

Some weeks after choosing as the title for my talk tonight, "The Place of the Neighborhood Newspaper in the Community," I sat down to think about what I was going to say. I searched back in my memory through the almost three decades of publishing a newspaper for the Lawndale community and remembered many a day when I had doubts about whether there was a place in this community for my neighborhood newspaper.

Those doubts, I am happy to say, have long since vanished. The response to the editorial and advertising policies which I introduced and maintained despite many kinds of pressure has been gratifying.

Neighborhood newspapers are a phenomenon of the 20th century. Previously there had been papers for small areas, generally villages or towns that were apart from a large city. They had their own governments, their own business districts, their own social life. All these were catered to by the weekly paper of old.

Then came the growth of metropolitan cities with their large daily newspapers. These papers paid little or no attention to what went on in the neighborhoods that made up the city, except when a major crime or fire attracted the city editor's attention. The metropolitan daily's impersonality was vastly different from the warm, human attention to the details of daily living in the community that characterized the village weekly. As the city grew it annexed areas that had been independent municipalities, and with the annexations came the village papers being published in them. These were actually the first neighborhood papers.

It was not until some years after the annexations that the first true neighborhood newspapers were founded in Chicago. Usually they started as shoppers financed by a group of stores in a small outlying shopping area. The merchants felt they could not afford to pay the high advertising rates of a daily paper that covered the entire city and suburbs. The shopping papers were composed almost completely of advertising. Occasionally there were small spaces left open because some merchant did not have his copy ready or decided he did not wish to cooperate in the venture. These open spaces were filled with household hints or recipes. In every instance, however, it was not long before the merchants publishing shopping papers found it an onerous task to handle all the details that go with the job—such as the rivalry for position in the paper, the difficulty in collecting for ads, the complaints about poor delivery. After a while the one or two merchants who had taken it upon themselves to manage the operation decided they were devoting too much time without compensation and without the gratitude of their fellow merchants—to an activity which took them away from their own businesses.

As failure of the project appeared imminent, some advertising man or small merchant who saw a greater chance for profit in operating the shopper than in continuing his own marginal business would step into the breach and take over the shopper. These were in most cases the first publishers of what eventually became neighborhood newspapers. They were not newspapermen, they had had no training in writing for or editing newspapers. Their interest was solely in selling advertising. But as these

new publishers continued printing and delivering their ads—with a few recipes and household hints interspersed—they were asked by sewing circles and church groups to run little notices of meetings and activities. This led to a report on a wedding or birth, a vacation trip or a party—and before long the little items brought to the publisher by readers of his shopper started to crowd out the recipes.

The new publisher saw that this interest in what was going on in the neighborhood provided greater readership for his advertisers, better results, and the opportunity to sell more advertising. It was then he decided to employ a girl or boy fresh out of high school, who had perhaps worked on the high school newspaper, to handle these news items.

Thus was born today's newspaper.

As Morris Janowitz in his book, "The Community Press in an Urban Setting," says, "The community newspaper arose out of predominantly commercial requirements connected with the decentralization of the central business district, but which in turn have led the community newspaper to serve a wider range of unanticipated social, political and affectual needs."

Today there are still many neighborhood newspaper publishers whose sole interest is the advertising department, their training has been as salesmen or advertising copy writers. But there are a great many more publishers who came into the field as editors, with schooling in journalism schools or in the editorial departments of larger papers preceding their ventures into community journalism. And it is these latter men who have been responsible for transforming the onetime shopper into a newspaper comparable on its own level to any metropolitan journal.

I am happy to say that the Lawndale News, which circulates in Lawndale-Crawford, and its sister paper, the West Side Times, which circulates in the Heart of Chicago and Pilsen neighborhoods directly east, are of the newer breed—they are papers operated by a person whose principal interest has been the quality of the news content, because he was trained first as an editor.

After 43 years of editing and publishing neighborhood newspapers in Chicago and suburbs—and there are few others around today with a comparable record of longevity in the field—I take as great interest in and get as much satisfaction today from producing a good, readable newspaper as at any time in the past.

R. E. Park, in his book, "The Immigrant Press and Its Control," said "Very few publishers of the foreign-language press have learned to take the detached and impersonal attitude of the American newspaper man toward the contents of the paper they print. They do not quite accept the philosophy of the editor who said he was "willing to print anything that God would let happen."

Commenting on this statement, Janowitz says, "Park makes a remarkable observation on the attitude of the publisher toward his paper, an observation which suggests application to the community press."

However, this deep concern for the editorial columns has created its own problems that deserve a little discussion. I know of no newspaper or periodical which has been successful for any length of time without advertising. Those papers which have attempted to operate with circulation income as the sole source of revenue—thus hoping to eliminate the ever-present pressure of advertising dollars on editorial policy—have invariably failed. Some have given up quickly, others after a long struggle. Therefore, there is no question that advertising is the lifeblood of publishing. But to the publisher whose only interest has been the volume of advertising he could sell, the news columns are a necessary evil. He does not concern himself much

with the professional competence of his editorial help, nor with the quality of their work as it appears in the columns of his paper.

Of one thing I have always been convinced: it is not necessary to write down to people to make oneself understood. There is no secret about the fact that the average educational level of this community's residents—as in any working class community—is considerably below the level of let's say Oak Park or Evanston, Beverly Hills or West Rogers Park. But this has never led me to use language in our news columns any different from that which I used when editing a paper in Berwyn, South Shore or Rogers Park. It is my belief people, without their realizing it, can be brought up to the level we establish, rather than our coming down to their level.

We take great pains to assure the accuracy of our news stories. I have made as many as half a dozen phone calls only to get a name spelled correctly or a correct address. In fact, only this morning I made four calls to establish the right address for a story. This does not mean we don't make mistakes, of course. We simply spend much time and effort in attempting to avoid them, even though, in many instances, practically nobody would have known the difference.

Nearly everything we receive in our office is rewritten, most often to improve the writing and make it more concise and exact. We check many of the facts contained in this kind of material before using it. A common complaint made by persons sending in material for publication is that we have shortened it greatly and taken out all the little personal touches which they had put in. They don't seem to understand that much of what they put in the story is of no interest to anybody except their small circle of relatives and friends. We try to keep the paper interesting to everybody who reads it. Publishing what will appeal to only a few people is no way of doing that.

During my years as a publisher there have been many occasions when I have been forced to make a choice between catering to advertising pressure or following a course which I knew was in the best interests of my readers. I remember once some years ago that I was called in by one of my best advertisers and warned that if I persisted in publishing photographs picturing Negroes—who lived in an area about three blocks from this businessman's location—he would discontinue his advertising. At that time the area to which he referred was a so-called changing neighborhood, with Negroes and whites split about 50-50. Our paper circulated to every home—regardless of color or race. I tried to convince this man that we were reporting on the activities of our readers—from whom our advertisers expected to get business—and that it was in the advertisers' best interest for the paper's content to appeal to all its readers. He was adamant. It was his theory that publishing news about Negroes was tantamount to inviting them into the neighborhood, which he naturally opposed. Finally, I left after assuring him that I had no intention of changing my editorial policy, although I would regret very much losing his advertising as a result.

Several weeks later I received a phone call from the business man. Without referring to our last conversation, he asked whether I would come over to pick up an ad for the following week's paper. When I got to his offices, he greeted me with some colorful language I cannot repeat here, but he handed me the ad. Never again did he bring up the subject of editorial content, and he continued to advertise regularly in the paper until his death some years afterward. As an aside, now, many years later, the Negroes in that area still live three blocks away from that business—no closer.

This was an example of direct pressure by

an advertiser who threatens to cancel his own advertising. Sometimes they go further and threaten to talk to other advertisers and convince them not to use the paper also, I am happy to say that most of this is just talk. The publisher who will not knuckle under easily finds that these threats are not made effective.

There is another, somewhat more subtle kind of pressure, intended to change the publisher's thinking about a controversial subject. Some of those here may recall a few years ago when Negro children for the first time were transferred into one of the previously all-white elementary schools in South Lawndale. Several neighborhood groups, led by a man now dead, began a noisy campaign to get the order of the Board of Education rescinded, mounting a march on the Board's offices, holding inflammatory mass meetings—in short, doing all the things that groups of this kind criticize the Black militants for doing now.

Some of the people engaged in this campaign were advertisers and civic leaders who could be influential in swaying prospective advertisers to disassociate themselves from The Lawndale News. However, it was my belief that they were making a mistake in their tactics. The columns of The Lawndale News reflected this belief. I went to one of the mass meetings called for the purpose of organizing the march downtown on City Hall and the Board of Education. The district superintendent of schools had also been invited to this meeting. When he attempted to explain the problems confronting the Board of Education—overcrowding in some schools and underuse of facilities in other nearby schools—he was hooted down by the angry crowd that filled the hall. Speaker after speaker then followed, arousing the audience by emotional appeals to their passions, rather than their minds. The chairman asked me to come forward to the microphone, although I had not come with any intention of speaking. I wished only to observe, so that I could report accurately on the meeting.

My suggestion that the organizations sponsoring the mass meeting attempt to meet with representatives of the Board of Education to discuss in a quiet, rational manner the subject at issue and means for its solution, met with boos and catcalls, whistles and shouts of "go home". I was called a "nigger lover" and worse. The next day there began a whispering campaign among merchants on 26th street that I was a Communist and therefore my paper was sympathetic to the "communists and niggers" who were invading our schools. There were not very subtle references in the columns of the other paper in the neighborhood to my opposition to the "holy crusade" for which that paper was the voice.

The march on city hall took place. It had no effect. Finally, representatives of the protesting organizations sat down and talked to schools' officials and an agreement was made that was satisfactory to the community leaders. For awhile afterwards, representatives of The Lawndale News were kept from attending meetings of civic groups as punishment for our unwillingness to yield to the pressures by hot-headed partisans. Eventually this eased, although even today, years later, there is bias by some elements of the business community against The Lawndale News and its publisher.

The late Leo Lerner, a North Side Neighborhood newspaper publisher with whom I was once associated for a good many years, liked to tell a story which may have some relevance:

"An Austrian officer," Lerner said, "was talking with a captured Serbian peasant. The officer said, 'Why do you fight us . . . peaceful people?' 'We fight for bread,' replied the peasant. 'Why do you fight us?' 'We fight for honor,' said the officer. 'It is odd,' said the peasant, 'that each of us fights for that which he does not have.'"

There is a little history I would like to relate. For a great many years I wrote a signed editorial column headed "To the Point" that appeared in the left hand column on page one. In it I expressed my opinions on many subjects, some of local import, others having to do with national and international affairs. Because I am a person with strong convictions, some of these opinions were very controversial. I would get hot reactions from people with equally strong convictions who did not agree with me. Sometimes they would take the form of comments scrawled on the margin of the page torn out of the paper. Usually this type was unsigned, because it was scurrilous and even threatening, stooping to anti-Semitic and obscene vituperation. When we changed to the tabloid format and then started to publish twice weekly, the time that I could devote to the research and thought required in preparing and writing these columns became very limited. So I stopped writing the column. I could have taken other people's opinions and put my name on them—a practice indulged in by some editors—but I could see no point in this kind of dishonesty. You should know, by the way, that there are all kinds of organizations with their own axes to grind, from the National Manufacturers Assn. to the National Red Cross, and from the privately owned Public Utilities concerns to the Republican or Democratic party, which send out editorials to the press, all ready to print, if the publisher is so inclined. Of course, he is not expected to reveal that the thoughts are not his own.

Some people have questioned why we do not endorse candidates for public office. I have a simple answer—it is because we do not know enough to make an honest choice. The large metropolitan newspapers, with their political editors who devote full time to people in office and those aspiring to office, have the facilities to learn the backgrounds of candidates and know a great deal about the records of those who have held office. They have myriads of reporters to run down the truth of adverse information. All this, when collated, can be used in determining endorsements prior to election day. I wish it were not so, but must admit that we do not have the same ability to gather information that would underpin an honest endorsement. There are neighborhood newspapers which have made a practice of endorsing candidates who buy large ads before elections. Or else they endorse cronies of the publisher. And there are neighborhood newspapers which, like the Chicago Tribune does, will endorse any candidate of the political party they favor. And there are also a very small handful of neighborhood newspapers in some other parts of Chicago with staffs large enough to get the information required to make an honest choice.

There's one function of the local paper that most people forget about until they decide to make use of it themselves. It's a sort of universal information agency. People call us at all hours of the day or night, Saturdays, Sundays and holidays, to ask us the answers to an amazing variety of questions. The reason I know they call us at night, on weekends and holidays is because I frequently am in our office at those hours and answer the phone. Because a paper like the Tribune or Sun-Times that publishes seven days a week and has people on hand in its offices at all hours is available on the phone whenever one thinks of it, people expect us to do the same.

Who is our state senator? What hours is the Field Museum open? Who should I call at City Hall to complain about garbage not being picked up? Can I get a copy of your paper from August 1951? It had a story about my son in it. Who was mayor of Chicago in 1912? These are a very small sample of the kinds of questions people expect us to answer on a moment's notice.

They come to us for auto license applica-

tions, to let friends know that a relative has died, for extra copies of the paper that reports on the birth of a new grandchild, so they can be sent to family friends all over the country. There is an almost never-ending stream of people coming into the office or calling on the phone to ask for aid of one or another kind. Sometimes we can offer advice on where to get the aid, or else we use the paper's columns as a means of getting the aid for them.

I would like to return to the question of the place of the neighborhood newspaper in the community.

1. The paper serves as a medium for the merchant, the man offering services, the person seeking to sell real or personal property, the firm seeking employees, or anyone with a commercial message of some kind—to reach within his trading area those who are the potential users of his goods or services. How well the paper performs that function is dependent on a number of factors. Is it well printed in legible type with attractive illustrations? Does it print and circulate in an efficient manner the maximum number of copies for the area served. Does it charge for that service a reasonable price, sufficient however to allow for funds with which to operate a good editorial department?

2. The paper serves also as a medium for civic, political, fraternal, religious, social, educational, athletic groups to reach the people in the community with news of their activities, and with requests that others join them in these activities.

3. The paper serves as a medium for readers to express their opinions on a multitude of subjects, including their reactions to what is being printed in the paper.

4. The paper also brings to the community more greatly detailed reports of events which may get a couple of lines or a paragraph in the metropolitan daily. It covers political news of local candidates or office holders, prints news of crime, fires and other events occurring within the paper's circulation area. Or else in which people living in the area are involved.

5. The paper reports on the ongoing need for the community to maintain itself against the onslaughts of sloth, deterioration, carelessness and neglect that are common to inner city communities. It tells what is being done to meet that need. We have to help our readers to get the willpower to fight. We have to inspire our readers to deeds that require unusual efforts and sacrifice.

6. And finally, the neighborhood newspaper is a medium for the publisher and his editor—occasionally they are not one and the same—to express their opinions on any and every subject that interests them. And it must not be forgotten that opinions are not necessarily only what is printed as an editorial. The choice of news stories, their length and the prominence of the position in which they are placed are as much an opinion as is an editorial labeled as such.

May I say in closing that the place of the neighborhood newspaper in the community is that of a warm personal friend to the reader, a knowledgeable adviser to the politician and advertiser, and a source of livelihood and immense personal satisfaction to the publisher.

There will always be freedom of the press, so long as we publish a newspaper so fair and so good that our freedom will be automatically guaranteed by the local community of appreciative readers.

#### HELPING TO CLOSE THE GENERATION GAP

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

Mr. GERALD R. FORD. Mr. Speaker,



as an example of what the Nixon administration is doing to help close the so-called generation gap and to listen to the sincere views of concerned young Americans I am pleased to place in the RECORD the text of an address given at Wisconsin State University yesterday by our friend and former colleague, Secretary of Defense Melvin R. Laird.

ADDRESS BY HON. MELVIN R. LAIRD, SECRETARY OF DEFENSE

GOOD MORNING, FELLOW STUDENTS: It is a pleasure and privilege for me as Secretary of Defense to have this opportunity to visit with you today. I am particularly pleased that the Secretary of Health, Education, and Welfare, Bob Finch, will be here to keynote the day's activities at our luncheon meeting.

I am even more pleased that Secretary Finch will join me in our General Session at 11:10 this morning when all of you will have an opportunity to exchange ideas through a question and answer period on the great issues of the day.

As you know, this is the third Youth Leadership Workshop that I have been privileged to co-sponsor with the Wisconsin State University at Stevens Point. As a Congressman, I had a deep and abiding interest in maintaining strong communication lines with the young people in my Congressional District. I found these conferences very beneficial to me in carrying out my responsibilities in Washington, because they gave me an insight into what young people were thinking, what was bothering them and what they thought we in Government might do about it. This Youth Leadership Workshop was only one of several activities that I engaged in as a Congressman to keep the communication lines open but I always considered it the highlight of my Congressional activities.

Now as Secretary of Defense I am even more interested, if that is possible, in keeping the lines of communication open and flowing. I do not believe that there is any reason for a communication gap or a generation gap between public officials and the young people of America. Since becoming Secretary of Defense I have had several opportunities to meet with young people in Washington and especially with the interns who were assigned to my own Department of Defense and to other parts of the Executive Branch. One of these meetings in particular involved a televised discussion with a group of approximately 40 students from throughout the Government last summer. I can tell you that their questions were some of the toughest I have faced as Secretary of Defense although I might revise my thinking after today's visit with you. The pleasures of the Secretary of Defense may be few and far between, but I can say categorically that today's activities in which I will have an opportunity to visit with all of you and to exchange ideas is one of the major highlights of my first year in this new job.

We hear a lot these days about dissent and much less about discussion. The free and open discussion that will mark our get-together today and the Workshop sessions that you will have with outstanding leaders from several walks of life constitute a reaffirmation of my belief that we do not have to have a communication gap or a generation gap in this country.

The President set the tone in his Inaugural Address when he said that "We cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices."

What I want to do most of all today is to listen and to learn from your ideas and your comments. I also hope that in the dialogue we will have today that I will be able to contribute to a better understanding on your part of some of the policies we are pursuing in the Nixon Administration.

As the father of two sons and a daughter I am not without the benefit of some counsel on a continuing and sometimes persistent basis about the viewpoints of our young people on the critical issues that face all of us—the need for peace, the need for building a better America in our cities, in our suburbs and in our rural areas, the need to improve our environment and, in general, the need for finding and applying better ways to do things in America in the areas of health, education and welfare. Bob Finch will be talking to you, in his keynote address at lunch, about some of the approaches to solving our domestic problems that we hope the Nixon Administration will be able to implement both through favorable Congressional action and through Executive action. For now, let me simply say that several of the most pressing issues that face our country will be the subject of your workshop sessions this morning and this afternoon with the outstanding authorities who have come here to participate in this Youth Leadership Workshop. I would like to introduce them to you now:

Congressman Clement J. Zablocki (D. Wis.).

Mrs. Ruby G. Martin, Washington Research Project of the Southern Center for Studies in Public Policy.

Dr. William H. Meckling, Executive Director of the President's Commission on an all volunteer armed force.

Justice Bruce S. Belfuss of the Wisconsin Supreme Court.

Roland Evans, columnist.

Dr. Miller Upton, President of Beloit College.

As I turn the meeting over to the President of Wisconsin State University here at Stevens Point, Lee Dreyfus, let me leave you with a final thought. Two years ago at the Youth Leadership Workshop I told your predecessors that we in the older generation are not necessarily satisfied with what is going on in America. I said that we must give young people in the United States the same kind of opportunity that we who are in positions of responsibility have—that we must give young people an opportunity to be heard and to discuss the basic issues that are causing so much concern not only with one another but with the leaders of our country. That is what the Laird Youth Leadership Workshop was all about when I was your Congressman and that is what it is all about today. I hope that each of us will look upon this opportunity as a challenge to take a forward step together toward the achievement of a better understanding that can only come through better communication. That is the only viable way to a better America.

#### PROPOSED MORATORIUM ON TESTING OF THE MIRV MISSILE SYSTEM

(Mr. COHELAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. COHELAN. Mr. Speaker, on July 2 of this year Congressman ANDERSON and myself introduced a resolution urging a moratorium on testing of the MIRV missile system. This resolution was introduced with 108 bipartisan cosponsors.

The advent of multiple warheads could open a whole new and potentially devastating phase in the arms race. A large number of Members in both Houses of Congress recognized this fact.

The ultimate key to U.S. disengagement with MIRV is, of course, an agreement with the Soviet Union on arms limitation. The resolution I introduced contemplated such limitations and called for prompt negotiations with the U.S.S.R.

to reach agreement on limiting both offensive and defensive strategic weapons. In the interim, the resolution called for a halt in testing of MIRV so long as the Soviets do so.

I am extremely relieved to learn that a definite date has been agreed upon for strategic arms limitation. I am mindful that these negotiations could continue for a long time, and that the November 17 meeting in Helsinki is but the first tentative step toward fixing the breadth and subject matter of the SALT program.

Now that the talks are a reality MIRV testing must be halted. It may be months or even years before final agreement is reached on the disposition of the multitude of weapons systems in the United States and Soviet arsenals. During this time it is incumbent upon us to refrain from any actions inconsistent with the spirit of the arms limitation negotiations.

A resumption or continuation of MIRV flight tests would, during the pendency of the SALT negotiations, be a severe detriment to successful agreement.

Now more than ever it is vitally important that the MIRV moratorium resolution be heeded and observed.

The door to deescalation of the arms race has been opened. The United States must not, by any precipitous action, be the one to close it.

I enclose an editorial from the Washington Post of October 27, 1969:

#### THE SALT TALKS: A BEGINNING

It is good news that the United States and the Soviet Union have at long last agreed on a time and a place for the opening of the talks on limiting offensive and defensive strategic weapons. There was good news of another kind, as well, in Secretary Rogers' press conference remarks on the subject. For in an international negotiation of this kind, there is much ongoing internal negotiation to be accomplished too—negotiation within each government and among its separate competitive parts, each of which tries, quite naturally, to assert its particular interest and make that interest controlling in the government position as a whole. We surely have much to learn, in the prolonged and extremely difficult talks ahead, as to how the weight falls within the Administration's specially designated negotiating team and how that reflects the larger reality within the Administration itself. But for the moment there is much reassurance to be had from the fact that Secretary Rogers not only appeared as the President's spokesman on this question, but that he spoke with eminent good sense.

Mr. Rogers' remarks were low-key, easy-going, uncontentious, and above all practical. Unlike those who have conveniently forgotten the Administration's own six-month postponement of the talks in their eagerness to tax the Soviet Union with unconscionable delay, Secretary Rogers affably observed, "I'm not sure that it would help any to speculate on the reason for the delay since June. They probably wonder why we delayed from the time our Administration came into office until June—and we did it because we wanted to review the situation carefully. I think that they probably have problems of one kind or another and they have now decided to have the talks." He bashed no drums and clanged no cymbals concerning either the hopes or the fears that must necessarily attend such an exercise, pointing out that "we should not confuse the beginning of talks with success," and stressing that what we sought was a "limitation agreement [that is] mutually advantageous." His rationale for seeking such an agreement cut through a lot of misleading rhetoric on the alleged interconnection

or "linkage" of this problem with all other outstanding issues between the U.S. and the Soviet Union:

"We are not talking about detente, or anything else. We are talking about whether it makes sense for the two of us to continue to spend immense amounts of money for the next five, or ten, or fifteen years on strategic weapons and end up at the end of that time in the same relative position—or whether it would be wiser to use the money for some other purpose. . . . I think they are serious about it. You can always be wrong but at the moment I would say that their attitude is serious and that they intend to approach it in the same attitude we do."

Tone apart, two particular points of substance deserve comment. One is that the decision to hold a preliminary conference to set things in motion, while remaining flexible about its form and content, probably was wise; it would be good if whatever mutual procedural wrangling and wrestling might develop could be separated in some degree from the substantive talks that follow. The other is that, while declining to disclose any moves the U.S. might be expected to make in Helsinki, Secretary Rogers showed himself not inhospitable to the idea of working out a bilateral freeze or moratorium on MRV tests in these preliminary sessions. Such an arrangement may or may not come to pass, but gaining control over the rapid development of these destabilizing weapons should surely rank high on the Administration's agenda. They are the weapons on which the clock is ticking.

#### EDUCATION—THE KEY TO SURVIVAL

(Mr. COHELAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. COHELAN. Mr. Speaker, today this House will have the opportunity to vote on a continuing resolution for the Office of Education. I will offer an amendment to allow the Office of Education to expend funds at the previously House-passed levels. The urgency and necessity of the full funding for education programs is widely recognized both in this Chamber and the Nation at large. I was gratified to see that the Washington Post again took a strong editorial position favoring the full funding for education. The editorial points out that education has been treated as a pesky poor relation in the striving for limited resources.

It is interesting to note that the Nation which prides itself as being the most powerful and well endowed is now taking second place to many of the nations of Europe in education. The present administration is not unaware of the need for more expenditures in education. Indeed, a task force commissioned by the President himself recommended enormous increases in education. It seems to me that each Member should support the House-passed level as a modest but necessary contribution to a balanced and quality education.

[From the Washington Post, Oct. 28, 1969]

#### EDUCATION—"THE KEY TO SURVIVAL"

"Jefferson knew that the destiny of America was inseparable from education—that in the fulfillment of the promise of this new nation education would be the key. . . . Education, long the key to opportunity and fulfillment, is today also the key to survival."

So said Richard Nixon just a year ago when he was a candidate for the presidency. And he went on to pledge that "my administration will be second to none in its concern for education."

There has been no discernible movement to redeem that pledge. Indeed, in the fierce competition for attention and for federal funds in a period when economy is an administration watchword, education has been treated as a pesky poor relation. The President has come forward with a dramatic new welfare proposal; but he has displayed only indifference to the urgent educational needs set forth by a distinguished urban education task force. He has proposed immense expenditures for a new maritime program designed to "replace the drift and neglect of recent years and restore this country to a proud position in the shipping lanes of the world"; but when the House of Representatives during the summer enlarged by a billion dollars the meager appropriation he requested for federal aid to education, he opposed the increase and threatened not to spend it if the Senate should endorse the House action.

The President and his Secretary of Health, Education and Welfare persuaded one of the ablest and most thoughtful educators in the country, Dr. James E. Allen Jr., to leave the New York State superintendency of education and come to Washington as U.S. Commissioner of Education. But Dr. Allen has been accorded scant influence since he came here, as though the administration desired a symbol of excellence rather than a promoter of it.

This country, a pioneer in mass public education, is now second to many of the countries of Europe in literacy, the most elementary index to educational attainment. Calling last month for a campaign to eradicate illiteracy in America, Commissioner Allen pointed to the shameful fact that in large city school systems in this country up to half of the students read below expectation and that about half of the unemployed youth between the ages of 16 and 21 in this country are functionally illiterate.

"Drift and neglect" have been much more—and much more seriously—the portion of the public schools in this country than of the merchant marine. For nearly half a century on one pretext or another—two world wars, two Asian interventions, a depression, an inflation—the public schools of this country have been allowed to sink further and further in arrears of the demands made upon them. School construction has not kept pace with a growing school population; the number and the caliber of teachers—and of the counselors and equipment required to complement the teachers—have lagged increasingly behind the known needs of school children.

The management of public schools is, and should be, a local responsibility. But the long neglect of the school system can be repaired only through a dramatic program of federal financial aid; the resources are simply not now available at the local level. More important still, the drive and innovation and planning for a revitalization of the public schools must come on a nationwide basis.

With the need for federal aid so urgent and so great. It is a tragedy to hear from within the administration phlegmatic talk about concentrating on research instead of on action. It is true, of course, that intensive study of educational needs and aims must continue constantly. But the schools themselves—and the children whose childhood opportunities for education can never recur—cannot now wait upon research. There are plenty of pressing and undubitably constructive uses for the billion dollars of additional money a concerned Congress wants to apply to public education. There is plenty of knowledge in the U.S. Commissioner's office to put that money effectively to work at once.

#### AMERICA'S COAT OF ARMS—AN OIL DERRICK RAMPANT ON A FIELD OF CASH

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

Mr. PODELL. Mr. Speaker, our hopes for tax reform of a substantial nature lie dead, done in by the Senate Finance Committee, acting at the behest of America's oil and gas industry. The House had cut both foreign and domestic depletion allowances from 27½ percent to 20 percent, the absolute minimum of reform. Many in this House, myself among them, grudgingly accepted such partial tax relief. We hoped to at least make a start in eroding accumulated oil industry tax privileges, simultaneously affording some aid to the average taxpayer. Now the Senate Finance Committee has voted to restore much of what the House cut, leaving both foreign and domestic depletion allowances at 23 percent. Such an act is unacceptable. I consider it a legislative miscarriage, boldly offered and blatantly delivered. Our attempts at tax reform have been treated as a joke. Now they are turned into a knife aimed at enlarging oil industry preference at public expense.

The Senate Finance Committee maintained depletion allowances for more than 100 other minerals intact, after the House cut most of them by a quarter. House depletion changes would have raised an added \$400 million annually in taxes from extractive industries—mostly oil and gas. This has now been scaled down to \$155 million, a cut of nearly two-thirds. Again all Americans will be forced to subsidize oil profits abroad and at home. This winter we shall all be made to pay double the going world price for every oil product. It can only be compared to picking the pocket of a person who has just been run over by a truck.

This, however, was still not enough. The depletion allowance permits oil and gas companies to deduct 27½ percent of gross income from earnings before computing taxes. They cannot, however, deduct more than 50 percent of pre-tax earnings. This provision was softened by permitting firms or individuals with gross oil or gas revenues of less than \$3 million to use the depletion allowance for up to 65 percent of their earnings. This is public sanction of increased tax evasion by the rich with a vengeance.

Almost all so-called independent producers, who are not a part of worldwide integrated oil companies, will slide neatly under this new \$3 million limitation. Compared to a major oil company, the individual who grosses up to \$3 million annually from oil or gas is small potatoes. But compare him to the average taxpayer, and he is massive privilege, indeed, this, then, is the added privileged group aided by the Senate Finance Committee. These operators, many of whom are already millionaires, do everything from extracting oil from the ground to marketing it at retail prices. In effect, the public has been told to shut up or else worse will follow. It makes as much



sense as Mrs. Mao Tse Tung applying for D.A.R. membership.

The Senate even raised a similar 50 percent limitation to 70 percent for gold, silver and copper producers, who now receive a 15 percent depletion allowance. Under it poverty-stricken copper giants like Anaconda, Kennecott, Phelps-Dodge and American Smelting and Refining will save \$10 to \$25 million annually in taxes.

Here then we have the spectacle of a group of Senators, mainly from oil States, ignoring the outspoken will of the mass of our citizens. Our tax system is a masterpiece of inequities. The country has demanded reform, which the House attempted to give it, in part. Now the Senate Finance Committee has blatantly attempted to stifle and suppress what we have painfully managed to accomplish. I believe we are witnessing a deliberate attempt to destroy the entire tax reform bill.

The only historical comparison that can be drawn with this emerging abortion of a measure is the Hawley-Smoot Tariff. When need was greatest for swift tariff reductions, a privilege-oriented Congress produced the highest tariff schedules in American history up to that time. In this instance, demand for tax relief and erosion of accumulated oil tax privilege has been answered by a legislative nose-thumbing unmatched in modern times. The measure is becoming as festooned with amendments as a Christmas tree is with ornaments. A meaningful House-Senate conference will be impossible, almost guaranteeing no bill at all. To call this tax justice or relief is to try and pass off the Manhattan Telephone Directory as the Revised Statutes.

Soon now, this legislative abortion will be wrapped in shiny tinsel, passed by the Senate and sent back to the House with somber ceremony and howls of self-congratulation. It will be accompanied by a 2-minute ovation and 50 empty speeches, then sent to the House for decent burial. Mr. Speaker, a hard-hitting grocery advertisement would make more sense than this deliberate warping of the legislative process. This Congress, if it affixes its seal of approval to such a measure, will dissipate its diminishing share of national faith at an unprecedented rate. I shall vote against any compromise such as that already emerging from the Senate Finance Committee. I hope the majority of my colleagues will do the same. Yet this, of course, will accomplish the goals for which the oil and gas industry has been so ardently and expensively lobbying.

Nonetheless, in the moment of victory, they have sown the seeds of their eventual defeat. A time of complete reform and total reckoning with this industry cannot be much longer delayed, even by their massed billions. The public has at last been enlightened as to the extent and depth of how much the oil and gas industry has been getting away with at the expense of us all. No industry in the land has abused its power more or shown such corporate blindness. They can best be compared to steel moguls of the last century, or coal barons of Theodore Roosevelt's day.

During the Pullman strike, Mark

Hanna was supposed to have said to George Pullman:

Pullman, any man who won't meet his workers at least part of the way is a damn fool.

Any industry which enjoys as much power and profits as the oil and gas industry does should have yielded to the commonsense call for at least some reform. This the oil industry, in its collective nonwisdom, has refused to do.

Mr. Speaker, dire fates are promised looters, dissenters, radicals, and effete intellectuals. Those who laugh at and ridicule legitimate requests of the people are presumably safe, and will be rendered testimonial dinners by the oil and gas industry.

#### THE NEWLY-CREATED GENERAL SERVICES PUBLIC ADVISORY COUNCIL

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

Mr. BLACKBURN. Mr. Speaker, the newly-created General Services Public Advisory Council met for the first time late last week. This national Panel was created by Administrator Robert L. Kunzig to more fully involve the public in the affairs of the General Services Administration, the multibillion dollar agency that acts as the business manager of the Federal Government.

It pleases me greatly to note that one of the 16 members of the council is from Georgia. He is Mr. John T. Wiley of Decatur. He is the assistant vice president of Southern Bell Telephone & Telegraph Co.

Mr. Wiley is to be highly commended for donating his valuable time to the cause of good government. Of course, public service is nothing new for this gentleman. He is a member of the Atlanta Chamber of Commerce and has served as a director of Junior Achievement of Greater Atlanta, the United Fund, March of Dimes, and the American Heart Association. He is currently a director of the Georgia Agribusiness Council and is vice chairman of Governmental Department of the Georgia State Chamber of Commerce. Wiley is a member of the Atlanta Athletic Club, the Commerce Club, and the Gridiron Secret Society.

Mr. Wiley's vast experience will contribute much to the Council.

Mr. Speaker, it should also be noted that the creation of the General Services Public Advisory Council is another step in President Nixon's drive to make the Federal Government more responsive to the American people.

#### SALT TALKS AND MIRV

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

Mr. ANDERSON of Illinois. Mr. Speaker, I am greatly encouraged by the announcement that the Soviet Union has finally accepted the American invitation to begin talks on the limitation of strate-

gic weapons. It was announced this past weekend that preliminary talks will begin in Helsinki, Finland, on November 17, 1969.

This is especially good news to those of us in the Congress who have expressed grave concern over the delay in strategic arms limitation talks—SALT—and the growing possibility of a new escalation in the arms race. The fact is that today we and the Russians are roughly at parity in terms of nuclear weapons and that we are both capable of destroying each other several times over. It would be sheer folly for either country to devote huge sums to the production of new and more horrible weapons when these resources could instead be devoted to peaceful purposes. There is a real need in this country today to divert these funds into domestic programs—programs designed to meet the crises of our cities, schools, and environment. And I understand that the Soviet Union is faced with a very similar problem.

As one of the principal sponsors of a House resolution proposing a mutual moratorium on multiple warhead missile testing, I am hopeful that a mutual MIRV test freeze will be one of the first items of agreement at the preliminary discussions. Secretary Rogers has pointed out that the SALT talks could last for several years. Unfortunately, we do not have that kind of time if we are truly interested in halting the deployment of MIRV since our own test series will be completed by mid-1970. And once MIRV is deployable it will be virtually impossible to control by agreement due to the complex problems of inspection that would be involved. We would thus be off to the races again as we both embarked on a costly and dangerous new arms buildup. It has been variously estimated that MIRVing our own land- and sea-based missiles will cost between \$10 and \$20 billion.

But I think people are deceiving themselves if they look on MIRV as only an unnecessary expenditure that will ultimately leave us where we now are—at a plateau of relative balance and stability. Two factors are being overlooked in such an assessment. First, during the buildup there are bound to be asymmetrical moments when the balance of power will be upset and the risks of a nuclear exchange will, therefore, be greatly increased. And second, when both sides have MIRVed their missile force will still not have the stability which we enjoy today because there will be a distinct incentive for a nation to strike first with its MIRV force: since each MIRVed missile will in theory be capable of knocking out several missile silos, in time of crisis the edge will obviously be with the side which attacks first. While I realize that our own MIRV is not intended as a counterforce weapon, the fact remains that, with increased accuracy and yield, it has such a potential. And the Russians will be basing their judgments not on our intentions, but on our capabilities.

For these reasons, I think it would be mutually advantageous for both us and the Russians to call a halt to MIRV development while there is still time. A mutual MIRV test freeze, based on na-

tional means of verification, should be agreed to at the earliest possible date, and a formal agreement involving other means of inspection should be placed at the top of the SALT agenda. This proposal has the support of one-fourth of the House membership and nearly half of the Senate membership. It has been termed by President Nixon as "a very constructive proposal."

I think President Nixon has been wise in rejecting calls for a unilateral American halt in MIRV testing. Not only would this have been dangerous, but it would have encouraged the Russians to delay even further the commencement of SALT talks while they continued to develop their own MIRV system. The subject of arms limitation must be approached in a spirit of mutuality. Unilateral actions based on blind faith and trust would only generate distrust, fear and suspicion in the longrun and jeopardize the chances for a meaningful and mutual arms control agreement.

I am sure I am joined by many of my colleagues in this body in hoping that the administration will seek to halt the development of MIRV by proposing to the Russians that we both discontinue our testing immediately and work for an agreement to stop the "mad momentum" of the arms race.

At this point in the RECORD I include an editorial appearing in yesterday morning's Washington Post, entitled, "The SALT Talks: A Beginning." I am also including the transcript of the press conference with Secretary of State Rogers on the subject of SALT talks.

The materials follow:

[From the Washington Post, Oct. 27, 1969]  
THE SALT TALKS: A BEGINNING

It is good news that the United States and the Soviet Union have at long last agreed on a time and a place for the opening of the talks on limiting offensive and defensive strategic weapons. There was good news of another kind, as well, in Secretary Rogers' press conference remarks on the subject. For in an international negotiation of this kind, there is much ongoing internal negotiation to be accomplished too—negotiation *within* each government and among its separate competitive parts, each of which tries, quite naturally, to assert its particular interest and make that interest controlling in the government position as a whole. We surely have much to learn, in the prolonged and extremely difficult talks ahead, as to how the weight falls within the Administration's specially designated negotiating team and how that reflects the larger reality within the Administration itself. But for the moment there is much reassurance to be had from the fact that Secretary Rogers not only appeared as the President's spokesman on this question, but that he spoke with eminent good sense.

Mr. Rogers' remarks were low-key, easy-going, uncontentious, and above all practical. Unlike those who have conveniently forgotten the Administration's own six-month postponement of the talks in their eagerness

to tax the Soviet Union with unconscionable delay, Secretary Rogers affably observed, "I'm not sure that it would help any to speculate on the reason for the delay since June. They probably wonder why we delayed from the time our Administration came into office until June—and we did it because we wanted to review the situation carefully. I think that they probably have problems of one kind or another and they have now decided to have the talks." He

bashed no drums and clanged no cymbals concerning either the hopes or the fears that must necessarily attend such an exercise, pointing out the "we should not confuse the beginning of talks with success," and stressing that what we sought was a "limitation agreement [that is] mutually advantageous." His rationale for seeking such an agreement cut through a lot of misleading rhetoric on the alleged interconnecting or "linkage" of this problem with all other outstanding issues between the U.S. and the Soviet Union:

"We are not talking about detente, or anything else. We are talking about whether it makes sense for the two of us to continue to spend immense amounts of money for the next five, or ten, or fifteen years on strategic weapons and end up at the end of that time in the same relative position—or whether it would be wiser to use the money for some other purpose. . . . I think they are serious about it. You can always be wrong but at the moment I would say that their attitude is serious and that they intend to approach it in the same attitude we do."

Tone apart, two particular points of substance deserve comment. One is that the decision to hold a preliminary conference to set things in motion, while remaining flexible about its form and content, probably was wise; it would be good if whatever mutual procedural wrangling and wrestling might develop could be separated in some degree from the substantive talks that follow. The other is that, while declining to disclose any moves the U.S. might be expected to make in Helsinki, Secretary Rogers showed himself not inhospitable to the idea of working out a bilateral freeze or moratorium on MIRV tests in these preliminary sessions. Such an arrangement may or may not come to pass but gaining control over the rapid development of these destabilizing weapons should surely rank high on the Administration's agenda. They are the weapons on which the clock is ticking.

SECRETARY ROGERS' NEWS CONFERENCE OF  
OCTOBER 25, 1969

Following is the State Department's release of Secretary of State William P. Rogers' News Conference, which is authorized for direct quotation:

Secretary ROGERS. Ladies and gentlemen, I thought that it might be helpful to get together with you in view of the announcement that was made in the White House at 11:00 o'clock, because I thought you might have some questions on this subject. I will do my best to give you the information that you would like to have.

Q. Mr. Secretary, could you amplify a little bit on what will be treated at the preliminary discussions?

A. And secondly, will you tell us if there's a possibility that President Nixon and the Soviet Premier, Mr. Kosygin, might formally open the second phase of serious negotiations on the substantive issues?

A. On the second part of the question, I think the answer is no, there is no present intention of any procedure of that kind, and I don't believe that it will happen.

A. As far as the preliminary talks themselves are concerned, we expect that they will be exploratory in nature. The purpose of the preliminary talks is to have a free discussion about how the negotiations can be conducted.

Now, we are approaching these talks very seriously. Certainly, it's as serious a matter as we have in our nation today, and I think that the Soviet Union's attitude is the same. Certainly they say that they are very serious about these talks.

So we want to discuss how we can best approach the talks in a serious, businesslike way that will be productive.

Q. Mr. Secretary.

A. Yes.

Q. These talks have been put off time and

time again. What do you think is different now about this time? Why did the Russians agree now?

A. Well, I don't know—and I'm not sure that it would help any to speculate on the reason for the delay since June. They probably wonder why we delayed from the time our Administration came into office until June—and we did it because we wanted to review the situation carefully.

I think that they probably have problems of one kind or another and they have now decided to have the talks.

Q. Mr. Secretary, on the question of MIRV, is it the intention of this Government to propose a freeze, a moratorium, or some other device to halt MIRV testing at the beginning of this conference so that substantive issues can be dealt with through a moratorium or a freeze?

A. Well, as President Nixon said in June, we are obviously considering the whole question of MIRV tests and possible moratorium on the tests; and that will be one of the subjects that will be considered when we start these talks.

I think that it's a complex situation. Now that the talks are scheduled to start on the 17th, why we will consider how we approach that subject.

We certainly don't intend to have any public discussion as we go along on each one of these issues. It's too serious a business. We're going to try as much as possible to conduct these negotiations in private.

Now, obviously, we'll keep our NATO Allies informed of the progress, and we'll keep Congress informed. But as much as possible, we want to do this in private and the Soviet Union indicates that that's their intention too.

Q. Mr. Secretary, I don't understand what you mean by saying you don't intend to have a public discussion because the issues are too serious.

A. Well, I mean, at each step of the negotiation, obviously, we will have a discussion. Eventually the public will know. But while we are talking we think it's better to do it in a private session; and we would hope that with some exceptions they will be private sessions. Do I make myself clear?

Q. Yes.

But could I ask one more follow-up question?

A. But let me say on that point, Mr. High-tower, that as I said, we will keep Congress advised, and we will keep the appropriate committees fully advised of the general approach that our Government is taking. And we'll keep our allies advised.

But we don't want to have each one of these negotiating sessions a public session, because it's a very complex subject, and we think it's so serious that it should be conducted in a businesslike atmosphere. And when it's appropriate to advise the public, we will.

Q. So you expect some public information to come out from time to time. But the negotiations, as such, are to be private.

A. That's correct.

Q. Yes.

At what level do you plan to open the talks?

A. Well, we have our delegation, that we have already announced, that is prepared to go to Helsinki on the 17th. The Chairman of that is Ambassador Gerard Smith, the Alternate Chairman is Philip Farley, there's Paul Nitze, and General Allison, Llewellyn Thompson, and Dr. Harold Brown.

Q. Mr. Secretary, I'm not quite clear on whether there's going to be one meeting in Helsinki, or a series of meetings in Helsinki, that are ended by the ending of the preliminary talks—and then the beginning of the actual talks somewhere else? Or is it all going to run together?

A. Well, we can't predict it for certain. But I think it will run something like this:

We would expect that preliminary discus-



sions in Helsinki will run for several days, maybe a few weeks, and at that time a decision will be made about a permanent site. And also, decisions will be made about how best to conduct the permanent negotiations—how many should attend, how many should be private, and whether there should be an agenda or not have an agenda—those things.

In other words, the purpose of the preliminary talks is to work it out so that we are not arguing about details and we get right down to the business of serious negotiations when we get to the permanent talks.

Q. Mr. Secretary, is there any thought on our part of proposing some sort of limitation on anti-ballistic missiles? Or does it appear that the decision of both governments to proceed with limited deployment precludes this?

A. Mr. Scall, we are not going to discuss in advance, and hopefully not while the negotiations are being conducted, specific proposals that we are going to make.

I think I should say that the negotiations will include both offensive and defensive strategic weapons. And as you know, under NPT Treaty, we have an obligation to do that, and we are going to fulfill that obligation.

Chalmers?

Q. Could I clarify something—some of the answers you have given?

You are going to Helsinki to have a preliminary meeting of a few days to a few weeks. Now that is essentially to work out the techniques of how you have a longer range, more permanent meeting.

Does that mean that in the preliminary meeting there will be no possibility of discussing a substantive question such as the freeze of MIRV while we're having the permanent meeting?

A. No.

Q. That could happen at the Preliminary Meeting?

A. Yes, yes.

We are not going to exclude any subject from discussion at the preliminary meetings, and I don't want to be in any rigid position about how long these preliminary talks are going to last, or how we're going to discuss it. Our attitude is quite flexible.

And I think the Soviet Union's attitude is the same.

We're serious about this, and we want to conduct the negotiations in a businesslike manner, and we hope that we can avoid long arguments about the agenda, and which item will come first, and whether there's a limitation on what we can talk about, and so forth.

If we can have a more reasonable, flexible approach to negotiations, and if we can talk back and forth, and dot it with a serious intention in mind—then it's possible that these talks can be productive.

Q. Mr. Secretary, can you give us an idea—at least what you anticipate what the general course of things is apt to be—whether you want to—whether you prefer to start with existing weapons systems and then proceed to—

A. No, I don't want to get involved in how we're going to do it—which we're going to take up first, and so forth.

Q. Mr. Secretary, I don't think that Helsinki was our original preference, as far as the site is concerned. Do you have another preference for the permanent site of the talks?

A. Well, I'm glad you raised that question, because there has been some misunderstanding about it. And let me tell you exactly how it developed:

In my discussions with Ambassador Dobrynin in June, I think it was June 11th, I said that we were ready to have talks, and that we would be prepared to have talks within a month. And I listed these places as possible sites for the talks: Geneva, Vienna, and Helsinki.

Now we did suggest Helsinki, and when Ambassador Dobrynin responded the other day, he selected Helsinki, and that was one of the places that we had suggested.

We have left open the question of the final site, and he was willing to do that, because there are some problems of communication and availability of space and other things. It's possible that some other site would be better.

We look with favor on Vienna, for example, but we are not excluding the possibility of Helsinki as the final site.

But the reason I mentioned it that fully is we didn't have any argument about the site. Helsinki was a site that we proposed. Later on, we indicated we thought maybe Vienna would be better for the reasons I mentioned, but we had no dispute about the site.

Q. Mr. Secretary, can you give us a more clear definition of the term "strategic arms"? Does this include, for example, land based intermediate ballistic missiles?

A. No, I think I'll leave that to the negotiators. That's a subject that they will have to discuss when they get there.

Q. How does China's growing strategic power fit in, long range, with these negotiations with the Soviet Union? And the threat, presumably, to both countries?

A. Well I don't think, at the moment, they are relevant. They haven't progressed far enough, and I think if we can work out something that is constructive from the standpoint of the two superpowers that we can deal with China's problem later on.

Keep in mind that the word that was used was "curbing" in this release—"Limitation" or "curbing"—and even if we are successful at working out an agreement, both the Soviet Union and the United States are going to be way ahead of China for many years to come.

Q. Mr. Secretary, could you, for the benefit of the public, estimate how long you think these talks might take place?

A. No, I wouldn't want to do that.

I try to resist doing that. I noticed the other day in "Meet the Press" I made a mistake and did indicate that I thought that the answer that the Soviets would give us would be within two or three months.

So far, I've been batting pretty well, and I'm not going to make any further predictions.

Q. Mr. Secretary, who do you expect will lead the Soviet Delegation? And have you any indication either from reading the Soviet press, or in any other way, what their attitude is toward things like a MIRV moratorium, or an ABM—

A. We do not know who is going to head their Delegation. At one time it was thought that Mr. Kuznetsov would be the Chairman, but I think that he's in China now, in negotiations there, so we're not sure. And Ambassador Dobrynin did not tell me.

He did say that he thought their delegation probably would be about the same size as ours, five or six.

Q. What mechanism will be used for consulting the NATO Allies? Will they be contacted individually, or collectively?

A. Well, I think it depends, of course, upon what the consultation consists of.

I would think, generally speaking, we'll do it through the NATO organization in Brussels, but not necessarily. I don't want to be confined to that as a possibility.

In our discussions here—notification of our NATO Allies that the talks were going to start—we notified the Ambassadors in Washington.

Q. Mr. Secretary, there is bound to be speculation that the beginning of these talks may have a larger meaning. Do you think that this might be the beginning of an era of negotiations?

A. Well, let me see if I can answer your question: I think this is an important step

that is consistent with the President's policy of an era of negotiation, and it could be a very important negotiation. It's possible it's one of the most important negotiations our country has been involved in. And certainly, it could be one of the most important that we ever undertook with the Soviet Union.

On the other hand, we should not confuse the beginning of the talks with success of the talks, necessarily—there is quite a difference.

These talks could be abortive, they could be fruitless, or they could be highly successful in terms of mankind. And those things will be determined by the talks, themselves.

So whereas we are pleased that the Soviet Union has agreed to have these talks—we think it is a good step—we also have to be quite conscious of the fact that the mere start of the talks, themselves, is not what counts. What counts, is how successful they are.

Q. Mr. Secretary, if these talks are successful, could they lead to a form of nuclear parity between the United States and the Soviet Union?

A. Well, words like "parity" I think are apt to be confusing.

What we hope that we can do is negotiate an arms limitation agreement which will keep us in the same relative position that we are now—and which can be verified.

Now in order to accomplish the first part of that formula, we have to be sure that the limitation agreement is mutually advantageous, that neither side gets an advantage because of the agreement.

Secondly, we have to be sure that the agreement can be verified, because if it can't and one side can cheat, then it certainly is not a viable agreement.

Now these things are very difficult matters to handle, and I don't think anybody should be confused about the fact that they are difficult. They are complex, there's mutual suspicion, the subject matter itself is very involved, and so we have to proceed with the hope that we can achieve some success—but with the full realization that it's not going to be easy.

Q. Mr. Secretary, it's almost exactly a year ago today, I believe, that Nixon, then a candidate, gave a speech in which he said he would approach such negotiations only on the grounds that the United States would be negotiating from a position of superiority.

Now, at this point does the Administration feel that it's going into these talks in a position of superiority, or rough equality, or however you want to characterize it—with the Soviet Union?

A. Well I don't, as you know, I think he's used the term "sufficiency" and I think that we feel now that this is an appropriate time to enter these discussions and enter them seriously, with the hope that we can arrive at an agreement that will be mutually advantageous. And I don't want to characterize what we think. We think this is the right time to do it, and I think the Soviet Union does, too.

Q. Will you take a question on Lebanon?

A. I'll take it—[Laughter.] No, I'm sorry, I don't want to get involved in anything else this morning.

Q. By "agreement" as the objective, are you speaking of the treaty that would be submitted to the Senate for ratification?

A. Well, I think that if we have an agreement, a very confidential agreement, we are thinking in terms of the treaty. Yes. And I think that that is the most likely outcome, assuming we reach an agreement.

On the other hand, I wouldn't want to be frozen in that position, because it's possible that we would want to have some kind of an agreement of a limited nature, that would not require a treaty.

But in any event, I want to make it clear that if we did something other than by way of treaty, that we would keep Congress con-

stantly advised, and consult with them, and be sure that it met with their approval, and we would keep our allies advised.

In other words, I think the chances are that the agreement would be in treaty form; but I wouldn't want to necessarily be frozen in that position.

Q. Mr. Secretary, having talked with Ambassador Dobrynin, how do you characterize the Russian attitude? They are willing to talk, but are they enthusiastic, cautious, what can you tell us about that?

A. Well, I had long talks with Mr. Gromyko on this subject, in New York. We talked three times for three or four hours' duration, total; and I would characterize his attitude as serious.

He gave me the impression that the Soviet Union is serious about these talks. He didn't indicate that they were entering the talks, or about to enter the talks for purposes of propaganda, and that their attitude was about the same as ours. It's a realistic attitude.

We are not talking about detente, or anything else. We are talking about whether it makes sense for the two of us to continue to spend immense amounts of money for the next 5, or 10, or 15 years on strategic weapons and end up at the end of that time in the same relative position—or whether it would be wiser to use the money for some other purposes.

Now that's just a matter of hardware.

If we can work out that kind of an agreement so that each of us feel it's to our advantage to enter that kind of an agreement, and we're satisfied that the agreement can be verified so that neither side can cheat—then it makes sense to do it.

So, I think they are serious about it. You always can be wrong but at the moment I would say that their attitude is serious and that they intend to approach it in the same attitude that we do.

Q. Mr. Secretary, do you expect, sir, that the initiation of these talks will, itself, affect the general pattern of East-West relations? As these talks proceed, will they have, in your judgment, a relationship to the conduct of international affairs as a whole—in the Middle East, for—

A. Well, let me say this: They are not conditional in any sense of the word.

We haven't laid down any conditions for these talks.

I suppose that when you're talking with the representatives of the Soviet Union in any field, it does tend to improve the relations somewhat—especially if the talks seem to be succeeding.

Now, we are talking with them on NPT, for example. We hope that they will ratify NPT.

We are talking with them in Geneva about Seabeds Treaty—and those discussions have gone rather well.

We are going to talk with them further about chemical and biological warfare limitations.

So I suppose that all of those things tend to improve the atmosphere between the Soviet Union and the United States.

But I don't think anybody should be misled. The mere fact that those talks seem to be going well doesn't necessarily mean other things are going to go well. We would hope that they will, but I think that the invasion of Czechoslovakia demonstrated that point. Just prior to the invasion of Czechoslovakia, there was a feeling of detente in Europe, that things were going very well between the United States and the Soviet Union—between East and West—and unfortunately, that invasion of Czechoslovakia changed that.

So to summarize, I think that it does tend, slightly to improve the atmosphere, but we shouldn't be euphoric about the fact that we are having talks.

Q. Mr. Secretary, in view of that, the question about Viet-Nam, which may relate to

this, has the fact that you have said we are de-escalating in Viet-Nam had an effect on the Soviet attitude toward these talks?

A. Well as I say, I don't know what's had an effect on the Soviet attitude. There's no way of knowing for sure. I can speculate, but I don't think my speculation is worth any more than anyone else's.

Q. Thank you.

Q. You could try, sir. [Laughter.]

A. Well, I would rather read about it. [Laughter.]

Q. Mr. Secretary, do you expect the United States and the Soviet Union to enter these preliminary discussions with formal, substantive proposals on the 17th of November?

A. Well, I wouldn't think that we would start out that way, no. As I say, I think these talks will be exploratory.

I don't rule out, as Mr. Roberts asked, whether we rule out any discussion of substantive matters.

The answer to that is no.

But I wouldn't think that would be the way the discussions would start.

Q. Mr. Secretary, do you have any indication of what the Soviet position will be in terms of willingness, or lack of willingness, to agree to things like a MIRV moratorium, or some agreements on ABM?

A. No.

Q. Thank you, sir.

#### COAL DUST CAN BE SHARPLY REDUCED

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, it is now possible, feasible, technologically, and economically within reason to make a drastic reduction in the amount of coal dust at the working face of a coal mine. This fact is very dramatically illustrated in the Bureau of Mines Technical Progress Report entitled "Studies on the Control of Respirable Coal Mine Dust by Ventilation," to which I referred earlier today on the floor.

The substance of this report reveals the results of cooperative tests with industry in five bituminous coal mines. In a release dated October 28, the Bureau of Mines states that "improved ventilating methods were used to reduce the concentration of respirable dust, the cause of 'black lung' disease." A high-pressure auxiliary fan in ventilating the working face resulted in a very marked reduction in the coal dust level after careful tests. At an early date, I shall make available the backup statistical data on which this report was based.

I believe this report has great significance in relation to our debate over the proper dust standard to be included in the pending coal mine health and safety legislation. It is highly unfortunate that certain unidentifiable sources within the Nixon administration felt that this report should be suppressed instead of made publicly available. Only after I sent a telegram to the President late Monday urging that he direct the Department of Interior to spring loose this report did it see the light of day. I would certainly hope, Mr. Speaker, that the administration would be more active in the future in suppressing coal dust rather than suppressing reports.

The text of this report is so significant

that it should be available for the consideration of all Members. It follows:

[Bureau of Mines Mineral Industry Health Program, Technical Progress Report 19, October 1969]

#### STUDIES ON THE CONTROL OF RESPIRABLE COAL MINE DUST BY VENTILATION

(By D. S. Kingery,<sup>1</sup> H. N. Doyle,<sup>2</sup> E. J. Harris,<sup>3</sup> M. Jacobson,<sup>4</sup> R. G. Peluso,<sup>5</sup> J. B. Shutack,<sup>6</sup> and D. P. Schlick<sup>7</sup>)

[Figures and illustrations referred to in text cannot be reproduced in the RECORD]

#### ABSTRACT

Experiments initiated by the Bureau of Mines on August 26, 1969, and recent work of others, have demonstrated the effectiveness of ventilation for controlling concentrations of respirable coal mine dust. Substantial reductions in dust concentrations have been attained by increasing the volume and rate of air movement across the face and by controlling the airflow pattern.

Ventilation experiments conducted by the Bureau using high-pressure fans as auxiliary ventilation units showed that face-generated dust could be effectively controlled in five mines employing continuous mining machines. Additional data was obtained on industry installations in two mines using similar ventilation systems. By maintaining an airflow approaching 100 fpm across the entry, the experimental system reduced the concentration of respirable dust by factors as great as 6.4. In all mines where the system was used the face-generated dust concentrations were reduced to below 3 mg/m<sup>3</sup>. Total respirable dust in two cases was above the 3 mg/m<sup>3</sup> value because of the dust content of the intake air. In some mines, depending upon the type of coal being mined and other dust control factors in use, it was possible to obtain concentrations of less than 2 mg/m<sup>3</sup>.

Although the technology for the application of the dust control system investigated is readily available, it is evident that additional engineering studies should be made in each mine where the system is to be applied.

Conditions in some mines may require a modification of the system. On the basis of the Bureau's experience to date, further studies will be made so that the various engineering parameters encountered in underground coal mining can be evaluated.

#### CONCLUSIONS

The following conclusions can be made from this investigation:

1. Controlled face ventilation employing a high-pressure auxiliary fan together with other components of the system will substantially reduce the concentration of respirable coal dust at the working face of underground coal mines. By maintaining an airflow from 70 to 100 fpm across the entry, results showed in all instances that the average respirable dust concentration at the continuous miner was reduced to less than 3 mg/m<sup>3</sup>. Total respirable dust in two cases was above the 3 mg/m<sup>3</sup> value because of the dust content of the intake air. In some instances, however, respirable dust concentrations were reduced to less than 2 mg/m<sup>3</sup>.

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2. Through proper engineering design of the auxiliary and main ventilating system of the mine, the hazard due to methane will also be reduced.

3. Because of the effects of concentrations of respirable dust in the incoming air the system investigated, by itself, is not a complete solution to the respirable dust problem. For the system to be totally effective, dust controls must be applied at dust generating points in the incoming air passage ways.

#### INTRODUCTION

Pneumoconiosis, a respiratory disease which is caused by inhaling fine particles of coal mine dust, is recognized as a major occupational health problem in underground bituminous-coal mines. Consequently, the Bureau of Mines has launched a major effort to find ways for controlling respirable coal mine dust. Studies by the Bureau and other mining research agencies have indicated that the efficient use of water and ventilation represent the fundamental approaches to effective dust control. Although water sprays on mining machines have beneficial effect as a suppression measure for total airborne dust, current spray techniques have little effect on dust in the respirable range.

Calculations based on the theory of small particle behavior and air motion indicated to Bureau investigators that an airflow of between 70 and 100 fpm across the entry should result in significantly lower dust concentrations.

After analyzing engineering studies by the Bureau of Mines and the industry, it became apparent that a method for achieving the desired entry velocity was by using a high-pressure auxiliary fan and by maintaining the end of the exhaust tubing about 5 feet from the face. This assertion was supported by the following concepts:

1. Adequate airflow at the face confines coal mine dust generated ahead of the operator and captures dust particles. Dust can then be transported by the system and discharged into the return entry, where it can be treated or collected.

2. Previous studies conducted by the Bureau demonstrated the effectiveness of ventilation for the control of methane released at the working face. Similar techniques could be effective for dust control.

#### METHOD OF INVESTIGATION

The Bureau's investigation was centered upon the use of an auxiliary high-pressure axial-flow direct-driven fan with variable pitch blades. The original estimated power requirements were from 20 to 40 hp. An approved fan with such requirements was not available and could not be quickly supplied by a manufacturer. Therefore, two fans, operating in parallel, each with horsepower sufficient to produce 5,000 cfm, and a fan with a 10-hp motor capable of producing 9,900 cfm, were used in the first experiment. This series was conducted in a mine where coal was being extracted by a continuous miner, from the Pittsburgh coalbed, averaging about 6 feet in height.

Although favorable results were obtained in this initial study, the fans used could not produce the desired entry velocities originally specified by Bureau engineers. A second study was conducted using a 60-hp auxiliary fan from the Bureau's experimental mine in order to obtain higher entry velocities. Because of the fan's size and power requirement, it could only be used in mines capable of accommodating it. In the second mine studied, coal was extracted with a continuous miner from the Sewickley coalbed averaging 50 to 54 inches in height. Subsequent studies were conducted in mines in the Pocahontas No. 3 and No. 4, and Illinois No. 6 coalbeds.

Dust measurements were made according to standard Bureau procedures. For the purpose of this report, samples collected with

an MRE instrument contained in the instrument package mounted on the continuous miner were used as a basis for comparison. It would have been desirable to use a personal sampler on the machine operator as the reference point. However, in some mines studied, the machine operators performed multiple tasks, requiring several different operators for each machine on a given shift. Therefore, the operator's exposure could not be used for obtaining representative data. Baseline studies of respirable dust concentrations were made wherever possible in the Bureau's studies, to establish the effectiveness of the ventilation system being tested.

Figure 1 illustrates the system used throughout this investigation.

#### VENTILATION THEORY<sup>8</sup>

Following the introduction of continuous mining equipment to the bituminous coalfields, increased production rates and rapid face advance led to increased frequency of methane ignitions from improper or poor face ventilation. As a part of a program to reduce this hazard, the Bureau of Mines obtained information relative to airflow patterns developed in the immediate face area by various combinations of ventilation methods and devices. Following these studies basic systems of air control were devised for dilution and removal of methane face emissions without accumulations of high concentrations in the occupied face region. Methane control and dilution was in all cases achieved by planned air circulation.

Although continuing progress has been made in face ventilation techniques, dust loading in the face atmosphere clearly indicates that ventilation systems now used are often inadequate to maintain respirable dust concentrations within acceptable limits.

Settling rates of airborne particulates less than 10 microns in diameter show that dust in the respirable size range may be transported for great distances by air currents. Because respirable dust generated at the face is transported by the air stream, ventilation techniques originally designed to control distribution and accumulation of methane face emissions can be used to confine, capture, and remove airborne dust produced at the face.

The theory for the control of coal mine dust is that dust particles smaller in size than 10 microns tend to behave in the same manner as a gaseous contaminant such as methane. Thus, the control of respirable dust is a function of the volume and velocity of air moving across the coal face. Another requirement is to maintain the zone of contaminated air as close to the face as possible to minimize the exposure of face workers.

Bureau studies on methane control methods have revealed definitive airflow patterns. These patterns are shown in figures 2 and 3. At the start of the investigation, information given on figure 2 was used to determine that exhausting air from the face in sufficient volume to assure a sustained velocity approaching 100 fpm across the entry, would result in minimizing the concentration of respirable dust. Diagrams shown on figure 3 established the need for maintaining the tubing within 5 feet of the coal face.

Experiments performed at the Bureau's experimental coal mine related horsepower requirements to air velocity and air volume under a variety of operating conditions as shown in figure 4.

<sup>8</sup>Luxner, James V. Face Ventilation in Underground Bituminous Coal Mines—Airflow and methane distribution patterns in immediate face area-line brattice. BuMines Rept. of Inv. 7223, 1969, 16 pp.

<sup>9</sup>Dalzell, R. W. Face Ventilation by Line Brattice and by Auxiliary Fans. Oral presentation at the National Safety Council, Chicago, Illinois, October 27-30, 1969.

From the data incorporated in figure 4 it was estimated that for entries having a 56 sq. feet area, a 15-hp, high-pressure, auxiliary fan, used in conjunction with a 20-inch diameter tubing, would be required to minimize the concentration of respirable coal mine dust; for entries of 96 sq. ft., a 30-hp, fan used with 24-inch tubing would be required to achieve the same result. In both cases noncollapsible tubing is specified, due to the effects of high exhaust pressures generated by the system.

Based upon this investigation and past Bureau experience, where conditions of extreme methane liberations override respirable dust control requirements, both dust and gas control objectives can be met by using a machine-mounted diffuser blower and an auxiliary fan system, as illustrated in figure 5.

For the ventilation system investigated in this study to be effective, these criteria must be met:

1. Intake to the exhaust system must be maintained within 5 feet of the face, and the volume of air induced by the system must be adequate in providing a minimum velocity of 70 fpm across the entry.

2. Recirculation of methane and respirable dust must be prevented by insuring that the volume of air being delivered to the crosscut is in excess of the demand of the exhaust system.

3. Coal should not be permitted to accumulate at the tail of a continuous mining machine, thereby restricting airflow, nor should other obstructions be permitted to restrict the airflow.

4. Incoming air should be relatively free of respirable dust.

#### DUST SAMPLING

Dust sampling instrument packages were placed in strategic areas—one on the continuous mining machine, and another in the intake airway.

To obtain comprehensive data on dust concentrations, these packages contained a variety of sampling equipment, including long-running midget impingers, personal samplers, total airborne dust samplers, and MRE instruments. In addition, personal samplers were placed on the machine operator.

All gravimetric samplers were operated continuously and provided integrated values for the full face shift. To determine interim or cyclic values, long-running midget impingers collected periodic samples. Thus, by relating midget impinger to respirable gravimetric samples, it will be possible to discern mining practices which result in unusually high dust concentrations.

#### SUMMARY OF FIELD CONDITIONS

Studies were conducted in developing sections of five mines using continuous mining machines in five coalbeds of three different States.

Coalbed height varied from 48 to 72 inches in the Bureau's tests. These tests were conducted in the Pittsburgh, Sewickley, Pocahontas No. 3 and No. 4, and Illinois No. 5 coalbeds. Water applied by sprays at rates varying from 5 to 15 gallons per minute was monitored by Bureau engineers using meters installed in the supply line.

In the tests fan pressure and air quantity ranged from 3.75 inches of water at 5,000 cfm to 15 inches of water at 15,000 cfm. In one instance, fans were employed in parallel systems. The exhaust systems tested produced air face velocities from 35 to more than 100 fpm. At each mine the maximum practical size tubing ranging from 18 to 24 inches was used in order to obtain maximum airflow volumes.

#### DISCUSSION OF TEST RESULTS

These experiments demonstrate that in the mines studied it is possible to attain a substantial reduction in concentrations of respirable coal mine dust; the respirable-dust-

concentration-reduction factors range from 1.7 to 6.4. The mines studied represented, in our opinion, difficult dust problems, either due to the type of coal being mined or for other reasons. In all mines studied production rates did not deviate significantly from

normal during the survey period as indicated in table 1. The study was limited to mines employing continuous mining machines. The technology of the ventilation system described here should be applicable to all types of underground coal mining.

TABLE 1.—BASIC DATA ON MINES STUDIED

Mine	Coalbed	Bed height (inches)	Production (raw tons)				Shifts surveyed	
			Normal ventilation		Improved ventilation		Number of shifts	
			Average	Range	Average	Range	Normal ventilation	Improved ventilation
A.....	Pittsburgh.....	78	536	384-600	540	490-660	4	7
B.....	Sewickley.....	54	210	150-225	178	165-204	3	3
C.....	Pocahontas No. 4.....	78	190	108-228	160	128-204	6	6
D.....	Pocahontas No. 3.....	52	332	144-480	330	252-404	9	5
E.....	Illinois No. 6.....	72	370	342-396	460	387-648	2	5

Figure 6 presents Bureau results obtained by measuring the respirable dust concentration on the continuous mining machine at a point near the operator. Mines A through E are studies conducted entirely by the Bureau. In these mines dust studies were made before and after the ventilation system was in operation. Mines F and G are mining industry installations using in general the techniques described in this report with the notable exception that the fans used in the industry installations had less capacity than the one used by the Bureau of Mines. Also, baseline dust data was not available for these two mines.

In all mines studied, the incoming air was contaminated with respirable dust. Based on the assumption that it is possible to minimize this contamination by dust control or suppression at the appropriate dust generation points, the data shown in figure 7 was derived by subtracting the dust load of incoming air from the concentration of the respirable dust measured on the continuous mining machine. By using the adjusted concentrations for respirable dust, all average concentrations—with one exception in which the velocity of incoming air was only 35 fpm because of the small-size fans—were below 2 mg/m<sup>3</sup>.

Uncontaminated intake air is necessary for respirable dust control. Actual measurements have shown dust concentrations in intake air ranging from one-half to over 2 milligrams of dust per cubic meter of air. Respirable dust particles will remain a part of the air current until either collected or dissipated by some method. Such coal dust contaminant sources are usually from open coal dumping stations, coal transfer points, uncovered coal trips, belt transportation systems, and roadways. These contaminant sources should be placed on separate air splits if possible or the air velocities passing over such points reduced.

Adequate air volumes at the face for coal dust control may require extensive and expensive modification and improvements in the primary ventilating system. These may be new air shafts and new fan installations, increasing the number of air courses, both intake and return, and other methods to reduce the mine resistance.

Because this report presents only the timely first results of the Bureau's investigations, engineering tables showing all gravimetric and midjet impinger concentrations, production rates, water control data, and a detailed description of mine conditions have not been included. A Bureau of Mines information publication containing comprehensive data is being prepared.

## AMENDMENT NO. 10

Mr. Speaker, the data contained in this report, which points the way toward a reduction of the dust level, fully justifies a new effort to bring down the coal dust

level at a much faster rate than we had heretofore felt possible. We have progressed far beyond the point where we can afford to be satisfied with a dust level of 3.0 milligrams per cubic meter. Not only is the dust level of 3.0 milligrams medically unacceptable, but we now have the means within our power to push for an attainable goal far below that amount—a goal which we must work toward if we really believe that pneumoconiosis can be conquered.

I have an amendment which I plan to offer when the occasion arises, which follows:

## AMENDMENT NO. 10—LOWERING THE DUST STANDARD FOR EACH MINER

On page 47, line 10, strike all through the period on line 18, and insert:

"(3) Within 6 months after the operative date of this title, the Secretary of Health, Education and Welfare shall publish a schedule in the *Federal Register* reducing, as technology improves, the level of respirable dust concentrations in the mine atmosphere to which each miner is exposed below the 3.0 milligrams of respirable dust per cubic meter of air established by paragraph (2) of this subsection to such lower level, as he determines to be medically acceptable to prevent new incidences of pneumoconiosis and to prevent any further development of such disease.

## JUDICIAL REVIEW AMENDMENT

Mr. Speaker, because the judicial review amendment which I plan to offer was not printed in the *RECORD* yesterday, I furnish the text of this amendment for the benefit of Members:

## AMENDMENT NO. 9—JUDICIAL REMEDY

On page 117, after line 17, insert: Title IV—Judicial Remedy.

"Sec. 501. Any miner in a coal mine subject to this Act who shall suffer personal injury in the course of his employment as a result of the gross negligence of the operator, may, at his election, maintain an action for damages, at law, with the right of trial by jury, against the operator of the coal mine, and in such action all statutes of the United States modifying or extending the common-law right or remedy in cases of personal injury to railway employees shall apply; and, in case of death of any coal miner as a result of any such personal injury, the personal representative of such coal miner may maintain an action for damages at law, with the right of trial by jury, against the operator of the coal mine, and in such action all statutes of the United States conferring or regulating the right of action for death in the case of railway employees shall be applicable. Jurisdiction in such actions shall be under the court of the district in which

the operator resides or in which his principal office is located. This section shall not preempt any existing State statutes or other provisions of this Act which provides for compensation for coal miners. Any recovery obtained under this section shall be reduced by any amounts received under such compensation statutes."

## PRESIDENT NIXON'S MARITIME PROGRAM

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

Mr. PELLY. Mr. Speaker, I was happy to hear, at long last, a maritime program announced by the President. It has been a long time coming. In fact, it has been since 1958 when a program to meet the problem of block obsolescence was called for.

It is especially good to witness the careful study that went into the program to revitalize our merchant marine. The President's program closely follows the one he outlined in a speech in my hometown of Seattle last September when he was a candidate for the Presidency.

But, it also reflects the extremely able and intelligent approach to our maritime problems by the new Maritime Administrator Andrew Gibson. I am highly impressed by the capabilities that have been demonstrated by Mr. Gibson. Supported by the Secretary of Commerce in preparing this plan, he overcame strong opposition.

This maritime program is not just a means of constructing 300 new ships; it is a method of reducing subsidies presently paid to keep our merchant ships in competition on the high seas.

The President's plans call for the construction of ships of new, modern design and with a capability of replacing two, three, or as many as five of the present-day World War II-type cargo carriers in our fleet. The new vessels are expected to require a lower construction subsidy and hopefully can greatly reduce the operating subsidy now being paid by our Government. This operating subsidy in 1968 alone totaled \$174,834,000.

And, by the President's plan of letting multiship contracts it is hoped the price per ship can be greatly reduced.

Another vital concern is the balance-of-payments effect. The program is anticipated to have the potential of a positive \$2 billion effect on our balance of payments over the next 10 years.

The effect this can have on employment throughout the land is immeasurable at this point, but once a labor force is mustered and combined with the technology our shipyards possess, America's flag once again will return to its rightful place on the high seas.

Mr. Speaker, I highly commend the President for his maritime program.

## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. BYRNE of Pennsylvania (at the request of Mr. BARRETT), for Tuesday, October 28, 1969, on account of illness.

To Mr. PUCINSKI, from October 29 through November 6, 1969, on account of official business.



**SPECIAL ORDERS GRANTED**

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GROSS, for 10 minutes, today, and 30 minutes, tomorrow.

Mr. EDWARDS of Alabama, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. HUNT) and to revise and extend their remarks and include extraneous matter:)

Mr. WYATT, for 15 minutes, on October 28.

Mr. HOSMER, for 20 minutes, today.

Mr. SAYLOR, for 15 minutes, today.

(The following Members (at the request of Mr. ALEXANDER); to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. MIKVA, for 60 minutes, on November 5.

**EXTENSION OF REMARKS**

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MICHEL and to include an editorial.

Mr. PHILBIN in five instances and to include extraneous matter.

Mr. YATES to revise and extend his remarks made on the continuing resolution.

Mr. PETTIS to extend his remarks immediately following those of Mr. COHELAN today.

Mr. MAHON to revise and extend remarks made in Committee of the Whole and to include tables and other extraneous material.

Mr. COHELAN to revise and extend remarks made in Committee of the Whole and include extraneous material including tables.

(The following Members (at the request of Mr. HUNT) and to include extraneous matter:)

Mr. CONTE.

Mr. PETTIS.

Mr. LUKENS.

Mr. HOSMER.

Mr. ZWACH.

Mr. BOB WILSON in four instances.

Mr. UTT.

Mr. HANSEN of Idaho.

Mr. BUSH in two instances.

Mr. SCHADEBERG.

Mr. TALCOTT.

Mr. BROWN of Ohio.

Mr. GUDE.

Mr. BROYHILL of Virginia in four instances.

Mr. SCHWENDEL.

Mr. BROWN of Michigan.

Mr. PELLY.

Mr. CUNNINGHAM in five instances.

Mr. BURKE of Florida.

Mr. MESKILL.

Mr. FULTON of Pennsylvania in five instances.

Mr. ASHBROOK.

Mr. HORTON.

Mr. DUNCAN.

Mr. FINDLEY.

(The following Members (at the re-

quest of Mr. ALEXANDER) and to include extraneous matter:)

Mr. EILBERG in two instances.

Mr. BIAGGI.

Mr. POWELL.

Mr. STEED.

Mr. RARICK in two instances.

Mr. SIKES in six instances.

Mr. WALDIE in two instances.

Mr. FRASER.

Mr. KYROS.

Mr. CONYERS in six instances.

Mr. WILLIAM D. FORD in two instances.

Mr. GREEN of Pennsylvania in three instances.

Mr. CHARLES H. WILSON in two instances.

Mr. HEBERT.

Mr. KASTENMEIER in two instances.

Mr. HUNGATE.

Mr. BURKE of Massachusetts.

Mr. ANDERSON of California in two instances.

Mr. LOWENSTEIN in three instances.

Mr. FASCELL in two instances.

**SENATE BILLS REFERRED**

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1. An act to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs; to the Committee on Public Works.

S. 11. An act to reinforce the federal system by strengthening the personnel resources of State and local governments, to improve intergovernmental cooperation in the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the temporary assignment of personnel between the Federal Government, and State and local governments, and for other purposes; to the Committee on Education and Labor.

**BILLS PRESENTED TO THE PRESIDENT**

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 5968. An act to amend the act entitled "An act to provide for the establishment of the Frederick Douglass home as a part of the park system in the National Capital, and for other purposes," approved September 5, 1962;

H.R. 9857. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, to authorize an increase in license fee, and for other purposes;

H.R. 9946. An act to authorize and direct the Secretary of Agriculture to execute a subordination agreement with respect to certain lands in Lee County, S.C.; and

H.R. 11609. An act to amend the act of September 9, 1963, authorizing the construction of an entrance road at Great Smoky Mountains National Park in the State of North Carolina, and for other purposes.

**SENATE ENROLLED BILLS SIGNED**

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 210. An act to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; and

S. 1689. An act to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes.

**ADJOURNMENT**

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 9 minutes), the House adjourned until tomorrow, Wednesday, October 29, 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:

1291. A letter from the Secretary, the Foundation of the Federal Bar Association, transmitting the annual audit report of the Foundation for the fiscal year ended September 30, 1968, pursuant to the provisions of Public Law 662, 83d Congress; to the Committee on the District of Columbia.

1292. A letter from the Secretary of the Air Force, transmitting a report on military construction contracts awarded by the Department of the Air Force without formal advertisement for the period January 1 through June 30, 1969, pursuant to the provisions of section 804 of Public Law 90-110; to the Committee on Armed Services.

1293. A letter from the Secretary of the Interior, transmitting the annual report for calendar year 1968 on the Federal Metal and Nonmetallic Mine Safety Act, pursuant to the provisions of section 20 of the act; to the Committee on Education and Labor.

1294. A letter from the Comptroller General of the United States, transmitting a report on medicare payments for services of supervisory and teaching physicians at Cook County Hospital, Chicago, Ill., Social Security Administration, Department of Health, Education, and Welfare; to the Committee on Ways and Means.

**PUBLIC BILLS AND RESOLUTIONS**

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL of Maryland:

H.R. 14544. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT:

H.R. 14545. A bill to make available to veterans of the Vietnam War all benefits available to World War II and Korean conflict veterans; to the Committee on Veterans' Affairs.

By Mr. CONYERS:

H.R. 14546. A bill to provide that Federal assistance to a State or local government or agency for rehabilitation or renovation of housing and for enforcement of local or State housing codes under the urban renewal program, the public housing program, or the model cities program, or under any

other program involving the provision by State or local governments of housing or related facilities, shall be made available only on condition that the recipient submit and carry out an effective plan for eliminating the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

H.R. 14547. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

H.R. 14548. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.R. 14549. A bill to provide for the protection of children against physical injury caused or threatened by those who are responsible for their care; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 14550. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in the monthly benefits payable thereunder, with a minimum primary benefit of \$80, to liberalize the earnings test, and for other purposes; to the Committee on Ways and Means.

By Mr. STEED:

H.R. 14551. A bill to amend title 5, United States Code, to include as creditable service for civil service retirement purposes service as an enrollee of the Civilian Conservation Corps, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 14552. A bill to amend title II of the

Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. WAGGONER:

H.R. 14553. A bill to protect the privacy of the American home from the invasion by mail of sexually provocative material, to prohibit the use of the United States mails to disseminate material harmful to minors, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of Illinois (for himself, Mr. DELANEY, Mr. DORN, and Mr. MCKNEALLY):

H.R. 14554. A bill to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

By Mr. BUSH:

H.R. 14555. A bill that section 481(a)(2) of the Internal Revenue Code of 1954 be amended; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 14556. A bill to facilitate the movement of persons and goods in interstate commerce, and to aid in eliminating the burdens on interstate commerce which result from lack of adequately coordinated transportation facilities in many parts of the United States, through a comprehensive program of Federal assistance to States and localities to aid in the provision of such facilities; to the Committee on Ways and Means.

By Mr. SAYLOR (for himself, Mr. CLARK, Mr. CORBETT, Mr. DENT, Mr. FLOOD, Mr. FULTON of Pennsylvania, Mr. GAYDOS, Mr. GRAY, Mr. JOHNSON of Pennsylvania, Mr. KEE, Mr. MCDADE, Mr. MOLLOHAN, Mr. MOORHEAD, Mr. MORGAN, Mr. OLSEN, Mr. PERKINS, Mr. PRICE of Illinois, Mr.

ROONEY of Pennsylvania, Mr. SHIPLEY, Mr. SLACK, Mr. STUBBLEFIELD, Mr. STAGGERS, Mr. WAMPLER, Mr. WHALLEY, and Mr. YATRON):

H.R. 14557. A bill to require an investigation and study, including research, into possible uses of solid wastes resulting from mining and processing coal; to the Committee on Interior and Insular Affairs.

By Mr. DEVINE:

H.J. Res. 975. Joint resolution authorizing the President to proclaim the week of February 8-14 as "National Angel Flight Week"; to the Committee on the Judiciary.

By Mr. DANIEL of Virginia:

H. Res. 600. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HELSTOSKI:

H.R. 14558. A bill for the relief of John and Libera Chimenti; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 14559. A bill for the relief of Angelina do Carmo; to the Committee on the Judiciary.

H.R. 14560. A bill for the relief of Manuel De Freitas and his wife, Raquel De Jesus Ferreira Freitas; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 14561. A bill for the relief of the heirs at law of Jiro Kunisaki and Ellen Kishiyama, his daughter; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### SECRETARY HICKEL SPEAKS ON POLLUTION TO EXECUTIVES

#### HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Tuesday, October 28, 1969

Mr. BOGGS. Mr. President, on October 23 and 24, the Department of the Interior sponsored in Washington the National Executives' Conference on Water Pollution Abatement.

This excellent program attracted several hundred executives from across the Nation, Canada, Europe, and Japan to listen to speeches on the problems and solutions to water pollution. This proved to be one of the most successful conferences of this type ever held, as the speakers included the presidents of such companies as E. I. du Pont de Nemours & Co., International Harvester Co., Ontario Paper Co., Ltd., United States Steel Corp., as well as other top executives both from the United States and Europe.

At an evening session on October 23, the participants listened to remarks by the Secretary of the Interior, the Honorable Walter J. Hickel. I believe that this speech, which I also had the honor to hear, should be read by every American concerned about the need for water pollution abatement. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SECRETARY OF THE INTERIOR WALTER J. HICKEL BEFORE THE NATIONAL EXECUTIVES' CONFERENCE ON WATER POLLUTION ABATEMENT, WASHINGTON HILTON HOTEL, WASHINGTON, D.C., OCTOBER 23, 1969

It is a tragedy that business and government must come together—to solve a problem that should not exist.

There is no place for pollution in the United States and in the World.

But there is no place in this World that it does not exist.

President Nixon, in speaking to the United Nations called "protecting our environment" one of the five areas of concern to everyone.

The President said:

"Increasingly, the task of protecting man's environment is a matter of international concern.

"Pollution of air and water, upsetting the balance of nature—these are not only local problems, and not only national problems, but matters that affect the basic relationships of man to his planet."

Here in the United States we have overloaded the water that sustains us with so many wastes nature cannot handle them.

We have seriously upset the balance that sustained our environment for millions of years.

It is time that we—as individuals, business and government helped solve the problems we made for nature.

You have come here to examine the problems and exchange experiences and ideas.

I am here charged with the responsibility of eliminating existing pollution.

And preventing any future pollution.

I have come here charged with the responsibility of insuring that our children will live in an environment free from the destruction that we have done to nature.

I knew—when I accepted the responsibilities of serving as your 38th Secretary of the Interior, that the job would be tough.

But I want to tell everyone of you here tonight that we are condemning our children—and our children's children—if we don't do the job before us.

Some of the most blatant sources of pollution in the United States are in our urban areas—the cities and their suburbs.

And today, 140 million Americans—seventy per cent of all our citizens—live on less than two per cent of our land.

By the Year 2000, this urban population probably will grow to 270 million.

Municipal and industrial waste already totals over 18 billion gallons a year.

But we must see these pollution figures diminished—and finally stopped altogether.

But this will not be possible unless we finally start anticipating problems—instead of just reacting to them.

Let me give you a local example:

I think most of you here know that the elimination of air pollution is in the Department of Health, Education and Welfare—not in Interior.

And yet, among the many of you who flew into Washington for this Conference, how many of you know that the jets that flew you here, dump 35 tons of solid wastes in just one day as they approach and depart Washington's airports? That's a lot of smog... and I'm afraid much of it ends up in our waters.

My point: pollution—of all kinds—is related.

All industry, large or small—in fact, all