We made this provision to cover not only 1 percent additional food sales tax but also the original 1-percent sales tax which had been in effect prior to the adoption of this revenue report. So that, actually, the very poorest families will get a greater benefit than they had before the revenue conference report was agreed to.

Mr. PROUTY. Mr. President, the pending conference report on the District of Columbia revenue bill is the result of many days of hearings in the House and Senate District Committees, extensive staff work and days of conference. The revenue bills passed by the House and Senate were dissimilar in many respects creating substantial problems for the conferees to overcome. The conference report is not the result of instant action and howling haste to put before the Congress a revenue bill for the District.

The District of Columbia, like all major urban centers, is faced with mounting financial needs and dwindling sources of revenue. To meet those needs some taxes had to be increased and new taxes levied on several categories which are not now taxed. The Federal payment to the District was raised from $90 million to $105 million and an additional $5 million was authorized to undertake new law-enforcement programs and to increase law enforcement in the District of Columbia.

While the authorizations provided for are substantially less than what the District has stated is essential and also short of what was provided for in the bill passed by the Senate, is it hoped that there will be sufficient funds to finance the continuing progress of the District.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 3, 1969

Mr. TYDINGS. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon Monday next.

The motion was agreed to; and (at 5 o'clock and 7 minutes p.m.) the Senate adjourned until Monday, November 3, 1969, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 30, 1969:

FEDERAL COMMUNICATIONS COMMISSION

Dean Burch, of Arizona, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1969.

Robert Wells, of Kansas, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1964.

AMBASSADORS

Thomas Patrick Melady, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

John F. Root, of Pennsylvania, a Foreign Service Officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ivory Coast.

INTER-AMERICAN DEVELOPMENT BANK

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

INSPECTOR GENERAL, FOREIGN ASSISTANCE

Scott Heuer, Jr., of the District of Columbia, to be Inspector General, Foreign Assistance.

Anthony Faunce, of Massachusetts, to be Deputy Inspector General, Foreign Assistance.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Robert E. Wieczorowski, of Illinois, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Samuel C. Adams, Jr., of Texas, to be an Assistant Administrator of the Agency for International Development.

IN THE COAST GUARD

The nominations beginning David A. Potter, to be lieutenant (junior grade), and ending Harlan D. Hanson, to be lieutenant commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 27, 1969; and

The nominations beginning Thomas W. Wolfe, to be captain, and ending Benedict L. Stabile, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 28, 1969.

HOUSE OF REPRESENTATIVES—*Thursday, October 30, 1969*

The House met at 12 o'clock noon.

The Reverend Robert S. Tate, Jr., First United Methodist Church, Austin, Tex., offered the following prayer:

O Thou in whom we live and move and have our being, be with us in this moment of pause lest we forget in our busyness that You are near. Voices are ever about us—some friendly, some critical, some buoyant with optimism, some cynical—and often our own voices speak so much and are silent so seldom that we are unaware of the messages we must hear.

We must hear the voice of mankind clamoring for peace. We must hear through the static the cry of mankind for justice, order, compassion, and a fresh opportunity for new life under more equal terms. We must hear the voice of the young who perplex and confuse us of another generation.

But even as the din of words assail our ears from a turbulent world, help us to hear Your voice asking, "What doth the Lord require of thee but to do justice, to love mercy, and to walk humbly with thy God?" And "What shall it profit a man if he gain the whole world and lose his soul?" And then, O God, put muscle in our faith and hands and heart that we may be doers of Thy word and not hearers only. We pray in the spirit of One who said, "I am the way, and the truth, and the life." 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. Sparrow, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1508. An act to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States.

ROBERT S. TATE, JR., D.D.

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

Mr. PICKLE. Mr. Speaker, I am proud to welcome to the House of Representatives Dr. Robert S. Tate, Jr., who serves as our Chaplain today.

Dr. Tate is pastor of the First Methodist Church in Austin, Tex., my home church. We are good personal friends, just as he has become a friend and counsel for thousands in Austin where he and his lovely wife, Ella Mae, and their children are loved by our citizens.

Dr. Tate has served this historic church in Austin with great distinction for more than 6 years. He is held in high esteem by the members of our church and by the people of Austin.

Dr. Tate comes from a family steeped in tradition of the Methodist Church and civic enterprise. His father was the former secretary general of the YMCA of San Antonio and Beaumont, Tex. His brother, Dr. Willis M. Tate, now serves as president of Southern Methodist University in Dallas, Tex.

Our Chaplain for this morning is a minister who practices what he preaches. He has served as minister in churches in Corpus Christi, San Antonio, and Austin—which is a full-time duty, as we all know.

In addition, however, he has found time over the years to be selected as one of the five outstanding young men in Texas by the Junior Chamber of Commerce in 1949. He served as president of the Corpus Christi Ministerial Alliance. He was chairman of the San Antonio Council of Churches Social Welfare Commission. Dr. Tate was president of the Texas Social Welfare Commission, and he is also a member of the Texas Board of Mental Health and Mental Retardation. Now he serves as a member of the board of directors of the American Social Welfare Association.

The First Methodist Church in Austin is located acrcss the street from the State capitol, and in many respects Dr. Tate can be called the minister of Texas Governors. Many State officials find comfort and solace within the halls of this great church led by this outstanding minister.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Because he believes in getting things done, Dr. Tate would be classified as an activist in church circles. He believes in doing things for the common man as described to us in the Good Book.

Dr. Tate's voice is eloquent with compassion and understanding as shown by this prayer this morning.

In order that my colleagues may know more about the accomplishments of this outstanding minister, I include for the RECORD some of his pertinent biography. I know that many of you will wish to meet and visit with Dr. Tate—a pipe-smoking, deep-thinking, progressive minister who believes we should do good as we preach good.

The biography follows:

THE REVEREND ROBERT S. TATE, JR., D.D.

Born: Dallas, Texas, October 31, 1914.

Education: San Antonio Public Schools; McCallie School, Chattanooga, Tenn.; Southern Methodist University, A.B. 1936; Duke University, B.D. 1939; Southwestern University, D.D. 1964.

Married: Miss Ella Mae Starcke, 1940.

Children: Carol Lee (Mrs. Robert D. Forrester), Margaret Ann (Mrs. Michael S. Ezzall), Robert S., III, Jennye Sue.

Assignments: Served as minister of the Alamo Heights Methodist Church, San Antonio, Texas, from June, 1950 until his present assignment. He came to San Antonio from Corpus Christi, where he was minister of the Oak Park Methodist Church for five years. Earlier years were spent at Bastrop, Woodsboro, and Pettus.

Present Assignment: Minister, First Methodist Church, Austin, Texas, September, 1963.

Organizations:

Corpus Christi: 1945–1950, served as President, Corpus Christi Ministerial Alliance; Co-Chairman, National Christian and Jews Roundtable; Chairman, La Retama Public Library; Chairman, Mayor's Civic Improvement Committee; Chairman, City Charter Commission; Chairman, Mary McLeod Bethune Day Nursery; Member of the Corpus Christi Rotary Club.

San Antonio: 1950–1963, served as President, Board of Directors, Y.M.C.A., 1957–1959; Chairman, Juvenile Advisory Committee, 1954–1962; President, Alamo Heights Chamber of Commerce, 1954–1955; Member, Board of Directors, Bexar County Association for Mental Health, 1953–1963; Chairman, San Antonio Council of Churches Social Welfare Commission, 1956–1958; Chairman, American Social Health Committee of Bexar County, 1958–1963; Member, Board of Trustees, Southwest Texas Methodist Hospital, 1958–1963; Member, Commission on World Service and Finance of the Southwest Texas Annual Conference of The Methodist Church, 1964; President, Bexar County Legal Aid Society, 1959–1963.

Austin: 1963, Member, Board of Directors, Wesley Foundation at University of Texas; Member, Board of Directors, Golden Age Home, Lockhart, Texas.

State: President, Texas Social Welfare Association, 1955–1958; Member, Board of Directors, Texas Association for Mental Health, 1956–1964, 1966; President, Texas Association for Mental Health, 1962–1963; Regional Chairman, American Social Health Association, 1960; Member, Governor's Committee on the Eradication of Tuberculosis, 1963; Member, General Planning Committee for Comprehensive Statewide and Community Mental Health Programs, 1963–1965; Member, Governor's Board, Texas Youth Council, 1965; Member, Texas Board of Mental Health and Mental Retardation, 1965–1971.

National: Member, Board of Directors, American Social Health Association, 1961; Member, Council on Legislation and Public Policy of Mental Health and Mental Retardation, 1967–1969; Delegate, National Association for Mental Health, 1960–1963, 1965–1966; Delegate, Jurisdictional Conference of The Methodist Church, 1964; Member, AD HOC Committee on White House Conference on Children and Youth, 1970.

Clubs: Lambda Chi Alpha.

Honors: Selected the outstanding young man of Corpus Christi in 1949; Selected one of five outstanding young men in Texas by Junior Chamber of Commerce in 1949; Citation—Lane Bryant Award, 1957; Listed in Who's Who of the South and Southwest.

Siblings: James F. Tate, Brown Williamson Corporation, Louisville, Ky.; Dr. Willis M. Tate, President, Southern Methodist University, Dallas, Texas.

Parents: The late Mr. and Mrs. Robert S. Tate. Mr. Tate was formerly General Secretary Y.M.C.A., of San Antonio and Beaumont, Texas.

CONFERENCE REPORT ON H.R. 12982, DISTRICT OF COLUMBIA REVENUE ACT OF 1969

Mr. McMILLAN submitted the following conference report and statement on the bill (H.R. 12982) to provide additional revenue for the District of Columbia, and for other purposes:

CONFERENCE REPORT (H.R. REPT. NO. 91–604)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12982) to provide additional revenue for the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "District of Columbia Revenue Act of 1969".

TITLE I—AMENDMENTS TO THE DISTRICT OF COLUMBIA SALES AND USE TAX ACTS

SEC. 101. Subsection (a) of section 114 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2601, par. 14(a)) is amended by adding at the end thereof the following new paragraphs;

"(8) The sale of or charges for admission to public events, including movies, musical performances, exhibitions, circuses, sporting events, and other shows or performances of any type or nature, except that any casual or isolated sale of or charge for admission made by a semipublic institution not regularly engaged in making such sales or charges shall not be considered a retail sale or sale at retail.

"(9) The sale of or charges for the service of repairing, altering, mending, or fitting tangible personal property, or applying or installing tangible personal property as a repair or replacement part of other tangible personal property, whether or not such service is performed by means of coin-operated equipment or by any other means, and whether or not any tangible personal property is transferred in conjunction with such service.

"(10) The sale of or charges for copying, photocopying, reproducing, duplicating, addressing, and mailing services and for public stenographic services.

"(11) The sale of or charges for the service of laundering, dry cleaning, or pressing of any kind of tangible personal property, except when such service is performed by means of self-service, coin operated equipment."

SEC. 102. Subsection (b) of section 114 of the District of Columbia Sales Tax Act is amended—

(1) by striking out paragraph (1),

(2) by redesignating paragraph (2) as paragraph (1),

(3) by redesignating paragraph (3) as paragraph (2) and by inserting before the period at the end of that paragraph a comma and the following: "except as otherwise provided in subsection (a) of this section", and

(4) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SEC. 103. Subsection (b)(3) of section 116 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2601, par. 16(b)(3)) is amended to read as follows:

"(3) The amount separately charged for labor or services rendered in installing or applying the property sold, except as provided in section 114(a) of this title."

SEC. 104. Section 125 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602) is amended to read as follows:

"SEC. 125. A tax is imposed upon all vendors for the privilege of selling at retail certain tangible personal property and for the privilege of selling certain selected services (defined as 'retail sale' and 'sale at retail' in this title). The rate of such tax shall be 4 per centum of the gross receipts from sales of or charges for such tangible personal property and services, except that—

"(1) the rate of tax shall be 2 per centum of the gross receipts from (A) sales of food for human consumption off the premises where such food is sold, (B) sales of or charges for the services described in paragraph (11) of section 114(a) of this title, and (C) sales of medicines, pharmaceuticals, and drugs not made on prescriptions of duly licensed physicians, surgeons, or other general or special practitioners of the healing art;

"(2) the rate of tax shall be 5 per centum of the gross receipts from sales of or charges for any room or rooms, lodgings, or accommodations, furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients; and

"(3) the rate of tax shall be 5 per centum of the gross receipts from sales of (A) spiritous or malt liquors, beer, and wines, and (B) food for human consumption other than off the premises where such food is sold."

SEC. 105. Paragraph (b) of section 127 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2604(b)) is amended to read as follows:

"(b) On each sale of food for human consumption off the premises where such food is sold where the sales price is from 13 cents to 62 cents, both inclusive, 1 cent; on each such sale where the sales price is from 63 cents to $1.12, both inclusive, 2 cents; and on each 50 cents of the sales price or fraction thereof of such sale in excess of $1.12, 1 cent."

SEC. 106. Paragraph (o) of section 128 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2605(o)) is amended by striking out "whether or not".

SEC. 107. (a) Subsection (a) of section 147 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2624 (a)) is amended to read as follows:

"SEC. 147. (a) Any person who fails to file a return, who files a false or incorrect return, or who fails to pay the tax to the District within the time required by this title shall be subject to a penalty of 5 per centum of the amount of tax due if the failure is for not more than one month, with an additional 5 per centum for each additional month or fraction thereof during which such failure continues, not to exceed 25 per centum in the aggregate; plus interest at the rate of 1 per centum of such tax for each month or fraction thereof during which such failure continues; but the Commissioner may, if

he is satisfied that the delay was excusable, waive all or any part of the penalty. Unpaid penalties and interest may be collected in the same manner as the tax imposed by this title. The penalty and interest provided for in this section shall be applicable to any tax determined as a deficiency."

(b) Subsection (b) of such section is amended by striking out "The certificate of the Collector or Assessor, as the case may be," and inserting in lieu thereof "The certificate of the Commissioner".

SEC. 108. Subsection (a) of section 201 of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2701(a)) is amended by adding at the end thereof the following new paragraphs:

"(6) The sale of or charges for admission to public events, including movies, musical performances, exhibitions, circuses, sporting events, and other shows or performances of any type or nature, except that any casual or isolated sale of or charge for admission made by a semipublic institution not regularly engaged in making such sales or charges shall not be considered a retail sale or sale at retail.

"(7) The sale of or charges for the service of repairing, altering, mending, or fitting tangible personal property, or applying or installing tangible personal property as a repair or replacement part of other tangible personal property, whether or not such service is performed by means of coin-operated equipment or by any other means, and whether or not any tangible personal property is transferred in conjunction with such service.

"(8) The sale of or charges for copying, photocopying, reproducing, duplicating, addressing, and mailing services and for public stenographic services.

"(9) The sale of or charges for the service of laundering, dry cleaning, or pressing of any kind of tangible personal property, except when such service is performed by means of self-service, coin-operated equipment."

SEC. 109. Subsection (b) of section 201 of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2701(b)) is amended—

(1) by striking out paragraph (1),

(2) by redesignating paragraph (2) as paragraph (1),

(3) by redesignating paragraph (3) as paragraph (2) and by inserting before the period at the end of that paragraph a comma and the following: "except as otherwise provided in subsection (a) of this section", and

(4) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively.

SEC. 110. Section 212 of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702) is amended by striking out the last sentence and inserting in lieu thereof the following: "The rate of tax imposed by this section shall be 4 per centum of the sales price of such tangible personal property or services, except that—

"(1) the rate of tax shall be 2 per centum of the sales price of (A) sales of food for human consumption off the premises where such food is sold, (B) sales of the services described in paragraph (9) of section 201(a) of this title, and (C) sales of medicines, pharmaceuticals, and drugs not made on prescriptions of duly licensed physicians, surgeons, or other general or special practitioners of the healing art;

"(2) the rate of tax shall be 5 per centum of the sales price of sales of any room or rooms, lodgings, or accommodations, furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients; and

"(3) the rate of tax shall be 5 per centum of the sales price of sales of (A) spiritous or malt liquors, beer, and wines, and (B) food for human consumption other than off the premises where such food is sold."

SEC. 111. The amendments made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

TITLE II—MOTOR VEHICLE EXCISE TAX

SEC. 201. Subsection (j) of section 6 of the District of Columbia Traffic Act, 1925 (D.C. Code, sec. 40–603(j)), is amended by striking out "3 per centum" and inserting in lieu thereof "4 per centum".

SEC. 202. The amendment made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

TITLE III—AMENDMENTS TO DISTRICT OF COLUMBIA CIGARETTE TAX ACT

SEC. 301. Subsection (a) of section 603 of the District of Columbia Cigarette Tax Act (D.C. Code, sec. 47–2802(a)) is amended by striking out "3 cents" and inserting in lieu thereof "4 cents".

SEC. 302. (a) Except as otherwise provided, the amendment made by section 301 shall apply with respect to cigarette tax stamps purchased on or after the effective date of this title, which shall be the first day of the first month which begins on or after the thirtieth day after the date of the enactment of this Act.

(b) In the case of cigarette tax stamps which have been purchased prior to the effective date of this title and which on such date are held (affixed to a cigarette package or otherwise) by a wholesale, retailer, or vending machine operator, licensed under the District of Columbia Cigarette Tax Act, such licensee shall pay to the Commissioner (in accordance with subsection (c)) an amount equal to the difference between the amount of tax represented by such tax stamps on the date of their purchase and the amount of tax which an equal number of cigarette tax stamps would represent if purchased on the effective date of this title.

(c) Within twenty days after the effective date of this title, each such licensee (1) shall file with the Commissioner a sworn statement (on a form to be prescribed by the Commissioner) showing the number of such cigarette tax stamps held by him as of the beginning of the day on which this title becomes effective or, if such day is a Sunday, as of the beginning of the following day, and (2) shall pay to the Commissioner the amount specified in subsection (b).

(d) Each such licensee shall keep and preserve for the twelve-month period immediately following the effective date of this title the inventories and other records made which form the basis for the information furnished to the Commissioner on the sworn statement required to be filed under this section.

(e) For purposes of this section, a tax stamp shall be considered as held by a wholesaler, retailer, or vending machine operator if title thereto has passed to such wholesaler, retailer, or operator (whether or not delivery to him has been made) and if title to such stamp has not at any time been transferred to any person other than such wholesaler, retailer, or operator.

(f) A violation of the provisions of subsection (b), (c), or (d) of this section shall be punishable as provided in section 611 of the District of Columbia Cigarette Tax Act (D.C. Code, sec. 47–2810).

TITLE IV—FEES FOR MOTOR VEHICLE REGISTRATION AND INSPECTION AND FOR MOTOR VEHICLE OPERATORS' PERMITS

SEC. 401. Section 2 of title IV of the District of Columbia Revenue Act of 1937 (D.C. Code, sec. 40–102) is amended—

(1) by striking out "$1" and "50 cents" in paragraph (3) of subsection (b) (relating to fees for duplicate registration certificates and identification tags) and inserting in lieu thereof "$2" and "$1", respectively;

(2) by striking out "$1" in paragraph (4) of subsection (b) (relating to fees for special use certificates and identification tags) and inserting in lieu thereof "$3";

(3) by striking out "ten days" in such paragraph (4) and inserting in lieu thereof "twenty days";

(4) by inserting immediately after "Commissioners" in such paragraph (4) the following: ", except that in the event such certificate and tags are necessary for use in complying with vehicle inspection regulations made pursuant to the authority contained in section 7 of the Act approved February 18, 1938 (D.C. Code, sec. 40–207), prior to completion of the registration of such vehicle or trailer, the fee shall be $2"; and

(5) by striking out "$1" each place it appears in subsection (d) (relating to fee for transfer of registration) and inserting in lieu thereof in each such place "$2".

SEC. 402. Section 3 of title IV of such Act (D.C. Code, sec. 40–103) is amended—

(1) by inserting immediately before the period at the end of subsection (a) (relating to registration fees) the following: ", and in the event the markings on any such tag are specially ordered by the person to whom the tag is to be issued and such markings are other than those in a regular series, a reservation fee of $25 and an annual fee of $10, in addition to all other fees which may be required, shall be charged for such specially ordered tag";

(2) by striking out "three thousand five hundred" in the paragraph designated "Class A" of subsection (b) (relating to registration fees for passenger motor vehicles) each place it appears and inserting in lieu thereof in each such place "three thousand four hundred", and by striking out "$22" and "$32" and inserting in lieu thereof "$30" and "$50", respectively;

(3) by striking out, in the paragraph designated "Class B" of subsection (b) (relating to registration fees for trucks, tractors, and certain commercial automobiles) "$40", "$44", "$52", "$60", "$68", "$74", "$84", "$96", "$122", "$142", "$172", and "$202", and inserting in lieu thereof "$53", "$59", "$69", "$80", "$91", "$99", "$112", "$128", "$163", "$191", "$229", and "$269", respectively;

(4) by striking out in the paragraph designated "Class C" of subsection (b) (relating to registration fees for trailers), "$8", "$12", "$20", "$32", "$46", "$60", "$74", "$92", "$122", "$152", and "$182", and inserting in lieu thereof "$11", "$16", "$27", "$43", "$61', "$80", "$99", "$123", "163", "$203", and "$243", respectively; and

(5) by striking out in subsection (d) (relating to division of registration fees between Highway Fund and General Fund) "sixty-four" and "seventy-four" and inserting in lieu thereof "forty-two" and "forty-seven", respectively.

SEC. 403. The first section of the Act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938 (D.C. Code, sec. 40–201), is amended by striking out "$1" and inserting in lieu thereof "$3".

SEC. 404. Section 6 of the District of Columbia Traffic Act, 1925 (D.C. Code, sec. 40–603), is amended (1) by striking out "$5" in subsection (a) (relating to fee for restoration of suspended or revoked permits and privileges) and inserting in lieu thereof "10", and (2) by striking out "$1" in subsection (d) (relating to fees for titling and retitling) and inserting in lieu thereof "$5".

SEC. 405. Subsection (a) of section 7 of the District of Columbia Traffic Act, 1925 (D.C.

Code, sec. 40–301(a)), is amended (1) by striking out "$3" in paragraph (1) (relating to fee for operator's permit) and inserting in lieu thereof "$12", and by striking out in such paragraph "three years" and inserting in lieu thereof "four years"; and (2) by striking out paragraph (4) and inserting in lieu thereof the following:

"(4) In the event an operator's permit or a learner's permit issued under the authority of this section is lost or destroyed, or requires replacement for any reason other than through error or other act of the Commissioner not caused by the person to whom such permit was issued, such person may obtain a duplicate or replacement permit upon payment of a fee of $2."

SEC. 406. Section 3 of the Motor Vehicle Safety Responsibility Act of the District of Columbia (D.C. Code sec. 40–419) is amended by inserting immediately before the period at the end of subsection (a) the following: ", including rules and regulations assessing reasonable fees to reimburse the District of Columbia for the cost of reinstating licenses and registrations suspended under the authority of this Act, such fees not to exceed the amount of $10 for the reinstatement of a license or registration, or both a license and registration".

SEC. 407. The amendments made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

TITLE V—AMENDMENTS TO THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

SEC. 501. (a) Clauses (4) and (5) of section 23(a) of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25–124(a)) are each amended by striking out "$1.75" and inserting in lieu thereof "$2.00".

(b) Section 23(c)(1) of such Act (D.C. Code, sec. 25–124(c)(1)) is amended by striking out "tenth" and inserting in lieu thereof "fifteenth".

(c)(1) The first sentence of section 40(a) of such Act (D.C. Code, sec. 25–138(a)) is amended by striking out "$2.00" and inserting in lieu thereof "$2.25".

(2) Paragraph (1) of such section is amended by striking out "10th" and inserting in lieu thereof "15th".

SEC. 502. (a) Except as otherwise provided in this title, the amendments made by section 501 shall apply with respect to—

(1) alcohol, spirits, and wines imported or brought into the District of Columbia or manufactured, and

(2) beer sold or purchased for resale,

on and after the effective date of this title, which shall be the first day of the first month which begins on or after the thirtieth day after the date of the enactment of this Act.

(b) In the case of alcohol, spirits, and beer which have been purchased prior to the effective date of this title and which on such date are held by a holder of a retailer's license issued under the District of Columbia Alcoholic Beverage Control Act, such licensee shall pay to the Commissioner (in accordance with subsection (c)) an amount equal to the difference between the amount of tax imposed by such Act immediately prior to the effective date of this title on the amount of alcohol, spirits, and beer so held by him, and the amount of tax which would be imposed by the District of Columbia Alcoholic Beverage Control Act on such effective date on an equivalent amount of alcohol, spirits, and beer.

(c) Within twenty days after the effective date of this title, such licensee (1) shall file with the Commissioner a sworn statement (on a form to be prescribed by the Commissioner) showing the quantity of alcohol, spirits, and beer held by him as of the beginning of the day on which this title becomes effective or, if such day is a Sunday, as of the beginning of the following day, and (2) shall pay to the Commissioner the amount specified in subsection (b).

(d) Each such licensee shall keep and preserve for the twelve-month period immediately following the effective date of this title the inventories and other records made which form the basis for the information furnished to the Commissioner on the sworn statement required to be filed under this section.

(e) For purposes of this section, alcohol, spirits, and beer shall be considered as held by a holder of a retailer's license if title thereto has passed to such holder (whether or not delivery to him has been made) and if title has not at any time been transferred to any person other than such holder.

(f) A violation of the provisions of subsection (b), (c), or (d) of this section shall be punishable as provided in section 33 of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25–132).

TITLE VI—AMENDMENTS TO THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

SEC. 601. (a) Section 4 of title I of article I of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1551c) is amended as follows:

(1) Paragraph (l) of such section is amended to read as follows:

"(l)(1) The term 'capital asset' means property defined or treated as a capital asset under the Internal Revenue Code of 1954.

"(2) For the purpose of computing for any taxable year the tax imposed under this article with respect to sales or other dispositions of property referred to in subparagraph (1), the provisions of the Internal Revenue Code of 1954 relating to the treatment of gains and losses (other than the alternative tax imposed by section 1201 of such Code) shall apply."

(2) Paragraph (m) of such section is amended by inserting immediately before the colon preceding the first proviso the following: ", except that in the case of any such distribution any part of which for purposes of the income tax imposed under the Internal Revenue Code of 1954 is deemed to constitute a capital gain, such part shall be deemed to constitute a capital gain for purposes of the tax imposed by this article".

(3) Paragraph (aa) of such section is repealed.

(b) Title III of such article is amended as follows:

(1) Section 2(a) of such title (D.C. Code, sec. 47–1557a) is amended by striking out "other than capital assets" and inserting in lieu thereof "including capital assets".

(2) Paragraph (11) of section 2(b) of such title is repealed.

(3) Paragraph (4) of section 3(a) of such title (D.C. Code, sec. 47–1557b) is amended by striking out subparagraph (C) and inserting in lieu thereof the following:

"(C) of property not connected with a trade or business, if such losses arise from fire, storm, shipwreck, or other casualty, or from theft, except that in the case of an individual, a loss described in this subparagraph shall be allowed only to the extent that the amount of loss to such individual arising from each casualty, or from each theft, exceeds $100.

For purposes of the $100 limitation of subparagraph (C), a husband and wife making a joint return for the taxable year in which the loss is allowed as a deduction shall be treated as one individual. No loss described in this paragraph shall be allowed if, at the time of filing the return, such loss has been claimed for inheritance or estate tax purposes."

(4) Paragraph (6) of section 3(b) of such title is repealed.

(c) Title XI of such article is amended as follows:

(1) Section 1 of such title (D.C. Code, sec. 47–1583) is amended to read as follows:

"SEC. 1. BASIS FOR DETERMINING GAIN OR LOSS.—The basis for determining the gain or loss from the sale or other disposition of property shall be the same basis as that provided for determining gain or loss under the Internal Revenue Code of 1954."

(2)(A) Section 2 of such title (D.C. Code, sec. 47–1583a) is amended to read as follows:

"SEC. 2. COMPUTATION OF GAIN OR LOSS.—The gain or loss, as the case may be, from the sale or other disposition of property, including the amount realized and the amount recognized, shall be determined in the same manner provided for the determination of gain or loss for Federal income tax purposes under the Internal Revenue Code of 1954."

(B) The item in the table of contents of such article relating to section 2 of title XI is amended to read as follows:

"SEC. 2. Computation of gain or loss."

(3)(A) Sections 3 and 5 of such title (D.C. Code, secs. 47–1583b, 47–1583d) are repealed.

(B) The items in the table of contents of such article relating to such sections 3 and 5 are repealed.

(4) Section 6 of such title (D.C. Code, sec. 47–1583e) is amended to read as follows:

"SEC. 6. DEPRECIATION.—The basis used in determining the amount allowable as a deduction from gross income under the provisions of section 3(a)(7) of title III of this article shall be the same basis as that provided for determining the gain from the sale or other disposition of property for Federal income tax purposes under the Internal Revenue Code of 1954."

SEC. 602. Paragraph (5) of section 2(b) of title III of article I of the District of Columbia Income and Franchise Tax Act of 1947 (47–1557a) is amended to read as follows:

"(5) COMPENSATION FOR INJURIES OR SICKNESS.—To the extent not otherwise specifically excluded from gross income under this title, amounts excluded from gross income under sections 104 and 105 of the Internal Revenue Code of 1954."

SEC. 603. (a) Title XII of article I of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, secs. 47–1586—47–1586n) is amended (1) by redesignating sections 14 and 15 as sections 15 and 16, respectively, and (2) by inserting after section 13 the following new section:

"SEC. 14. DECLARATIONS OF ESTIMATED TAX BY CORPORATIONS AND UNINCORPORATED BUSINESSES.—(a) DECLARATION OF ESTIMATED TAX.—Every corporation and unincorporated business required to make and file a franchise tax return under this article shall make and file a declaration of estimated tax at such time or times and under such conditions, and shall make payments of such tax during its taxable year in such amounts and under such conditions, as the District of Columbia Council shall by regulation prescribe. In the case of the taxable year beginning in 1970, such regulations may not require payment before the last day on which a return for such taxable year is required to be filed under section 3(a) of title V of this article of an aggregate amount of estimated tax for such year in excess of one-half of such estimated tax.

"(b) FAILURE BY CORPORATION OR UNINCORPORATED BUSINESS TO PAY ESTIMATED TAX.—(1) ADDITION TO THE TAX.—In case of any underpayment of estimated tax by a corporation or an unincorporated business, there shall be added to the tax for the taxable year an amount determined at the rate of 6 per centum per annum upon the amount of the underpayment (determined under paragraph (2) for the period of the underpayment (determined under paragraph (3)).

"(2) AMOUNT OF UNDERPAYMENT.—For purposes of paragraph (1), the amount of the underpayment shall be the excess of—

"(A) the amount of the installment which would be required to be paid if the estimated tax were equal to 80 per centum of the tax shown on the return for the taxable year or, if no return was filed, 80 per centum of the tax for such year, over

"(B) the amount, if any, of the installment paid on or before the last date prescribed for payment.

"(3) PERIOD OF UNDERPAYMENT.—The period of the underpayment shall run from the date the installment was required to be paid to whichever of the following dates is the earlier—

"(A) the 15th day of the fourth month following the close of the taxable year; or

"(B) with respect to any portion of the underpayment, the date on which such portion is paid.

For purposes of this paragraph, a payment of estimated tax on any installment date shall be considered a payment of any previous underpayment only to the extent such payment exceeds the amount of the installment determined under paragraph (2)(A) for such installment date.

"(c) OVERPAYMENT; CREDIT OF TAX.—Overpayment resulting from the payment of estimated tax for a taxable year in excess of the amount determined to be due upon the filing of a franchise tax return for such taxable year may be credited against the amount of estimated tax determined to be due on any declaration filed for the next succeeding taxable year or for any deficiency or nonpayment of tax for any previous taxable year. No refund shall be made of any estimated tax paid unless a complete return is filed."

(b) That part of the table of contents of such article relating to title XII is amended—

(1) by inserting after the item relating to section 13 the following: "SEC. 14. Declarations of estimated tax by corporations and unincorporated businesses.

"(a) Declaration of estimated tax.

"(b) Failure by corporation or unincorporated business to pay estimated tax.

"(1) Addition to the tax.

"(2) Amount of underpayment.

"(3) Period of underpayment.

"(c) Overpayment; credit of tax.";

(2) by striking out "SEC. 14" and inserting in lieu thereof "SEC. 15"; and

(3) by striking out "SEC. 15" and inserting in lieu thereof "SEC. 16".

SEC. 604. (a)(1) Section 2 of title VII of article I of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1571a) is amended by adding at the end thereof the following new sentence: "The minimum tax payable shall be $25.00."

(2) Section 3 of title VIII of such article (D.C. Code, sec. 47–1574b) is amended by adding at the end thereof the following new sentence: "The minimum tax payable shall be $25.00."

(b) Title XIV of such article is amended as follows:

(1) Section 1 of such title (D.C. Code, sec. 47–1591) is amended by striking out subsection (a), and by striking out "(b)".

(2) Section 7 of such title (D.C. Code, sec. 47–1591f) is amended to read as follows:

"SEC. 7. PENALTY FOR FAILURE TO OBTAIN LICENSE.—Any person who violates section 1 of this title shall be fined not more than $300, and each day that such violation continues shall constitute a separate offense. All prosecutions under this section shall be brought in the District of Columbia Court of General Sessions on information by the Corporation Counsel or any of his assistants in the name of the District."

SEC. 605. (a) Title VI of article I of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, secs. 47–1567—47–1567d) is amended by adding at the end thereof the following new section:

"SEC. 6. CREDIT FOR SALES TAX PAID.—

"(a)(1) For the purpose of providing relief to certain low-income residents of the District for sales tax paid on purchases of groceries, there shall be allowed to an individual a credit against the tax (if any) imposed by this article in an amount determined in accordance with the following table:

"If the adjusted gross income is:	The credit shall be the product of the number of personal exemptions allowed an individual on his return under section 2 of this title times—
"Not over $2,000	$6.00.
"Over $2,000, but not over $4,000	$4.00.
"Over $4,000, but not over $6,000	$2.00.

"(2) For purposes of paragraph (1), in determining the number of personal exemptions allowed an individual on his return under section 2 of this title—

"(A) there shall be excluded any exemption based on age or blindness,

"(B) there shall be included one additional exemption in any case in which an exemption of $2,000 is allowed for a head of family or a married person living with husband or wife, and

"(C) there shall be excluded any exemption for any person who is an inmate or resident patient of a publicly owned and operated institution for an aggregate or more than 183 days of the taxable year.

"(b) If the amount of credit allowed an individual by subsection (a) for a taxable year exceeds the amount of tax (computed without regard to such subsection but after allowance of any other credit allowable under this article) imposed under this article on such individual for such taxable year a refund shall be allowed such individual to the extent that such credit exceeds the amount of such tax.

"(c) No credit (or refund) shall be allowed to an individual under this section unless—

"(1) such individual files a return under this article for a taxable year of not less than twelve months,

"(2) such individual maintained his place of abode within the District for the entire taxable year of twelve months, and

"(3)(A) in the case of an individual who is required to file a return under title V, a return is filed by such individual within the time prescribed in section 3 of such title, or

"(B) in the case of an individual who is not required to file a return under such title, a return is filed by such individual under this section not later than the fifteenth day of the fourth month following the close of such taxable year.

In the case of an individual described in paragraph (3)(B), the Commissioner may grant a reasonable extension of time (but not more than six months) for filing a return under this section whenever in the Commissioner's judgment good cause exists therefor.

"(d)(1) A husband and wife filing separate returns for a taxable year for which a joint return could have been made by them may claim between them only the total credit (or refund) to which they would have been entitled under this section had a joint return been filed.

"(2) No individual for whom a personal exemption was allowed on another individual's return shall be entitled to a credit (or refund) under this section."

(b) The table of contents of such article is amended by adding at the end of the part of such table relating to title VI the following: "SEC. 6. Credit for sales tax paid."

SEC. 606. The amendments made by sections 601, 602, and 604(a) of this title shall apply with respect to taxable years beginning after December 31, 1968. The amendments made by sections 603 and 605 of this title shall be effective with respect to taxable years beginning after December 31, 1969. The amendments made by section 604(b) of this title shall apply with respect to calendar years beginning after December 31, 1969.

SEC. 607. Nothing in the amendments made by this title shall be construed to have the effect—

(1) of increasing or decreasing the amount of District of Columbia income or franchise tax determined for any taxable year beginning before January 1, 1969, or

(2) of authorizing or requiring in the determination of District of Columbia income or franchise tax for any taxable year beginning after December 31, 1968, the inclusion in gross income of any gain, or the deduction from gross income of any loss, from the sale or other disposition in a taxable year beginning before January 1, 1969, of any property.

TITLE VII—FEDERAL PAYMENT AUTHORIZATION

SEC. 701. Section 1 of article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, sec. 47–2501a) is amended (1) by striking out "June 30, 1969" and inserting in lieu thereof "June 30, 1970", and (2) by striking out "the sum of $90,000,000" and inserting in lieu thereof "not to exceed $105,000,000".

SEC. 702. For the fiscal year ending June 30, 1970, there is authorized to be appropriated to the District of Columbia, in addition to any other amounts authorized to be appropriated to the District of Columbia for such fiscal year, not to exceed $5,000,000 to enable it to undertake new law enforcement programs authorized by law after the date of the enactment of this Act or to otherwise increase the effectiveness of law enforcement in the District of Columbia.

TITLE VIII—GENERAL PROVISIONS

SEC. 801. The office of Director of Public Safety in the Executive Office of the Commissioner of the District of Columbia (created by Organization Order Numbered 8, dated April 18, 1968) is abolished. No funds appropriated for the government of the District of Columbia and no grant or loan by any department or agency of the United States Government to the government of the District of Columbia may be used to establish any similar office in the government of the District of Columbia to carry out any of the functions delegated to the Director of Public Safety by such order.

SEC. 802. During the fiscal year ending June 30, 1970, no person shall be appointed—

(1) as a full-time employee to a permanent, authorized position in the government of the District of Columbia during any month when the number of such employees is greater than 41,500; or

(2) as a temporary or part-time employee in the government of the District of Columbia during any month in which the number of such employees exceeds the number of such employees for the same month of the preceding fiscal year.

SEC. 803. No funds may be appropriated for any fiscal year under article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, secs. 47–2501a—47–2501b) until the President of the United States has reported to the Congress that (1) the District of Columbia government has begun work on each of the projects listed in section 23(b) of the Federal-Aid Highway Act of 1968 and has committed itself to complete those projects, or (2) the District of Columbia government has not begun work on each of those projects, or made or carried out that commitment, solely because of a court injunction issued in response to a petition filed by a person other than the District of Columbia or any agency, department, or instrumentality of the United States.

SEC. 804. Except as otherwise provided in this title, nothing in this Act, or any amendments made by this Act, shall be construed to affect the authority vested in the Commissioner of the District of Columbia or the authority vested in the District of Columbia Council by Reorganization Plan Numbered 3 of 1967. The performance of any function

vested by this Act in the Commissioner of the District of Columbia or in any office or agency under his jurisdiction and control, or in the District of Columbia Council, may be delegated by the Commissioner or by the Council, as the case may be, in accordance with the provisions of such Plan.

SEC. 805. (a) The repeal or amendment by this Act of any provision of law shall not affect any other provision of law, or any act done or any right accrued or accruing under such repealed or amended law, or any suit or proceeding had or commenced in any civil cause before repeal or amendment of such law; but all rights and liabilities under such repealed or amended law shall continue, and shall be enforced in the same manner and to the same extent, as if such repeal or amendment had not been made.

(b) In the case of any offense committed or penalty incurred under any provision of law repealed or amended by this Act, such offense may be prosecuted and punished and such penalty may be enforced in the same manner and with the same effect as if this Act had not been enacted.

And the Senate agree to the same.

JOHN L. MCMILLAN,
THOMAS G. ABERNETHY,
JOHN DOWDY,
EARLE CABELL,
ANCHER NELSEN,
WILLIAM H. HARSHA,
JOEL T. BROYHILL,
LAWRENCE J. HOGAN,
Managers on the Part of the House.

JOSEPH D. TYDINGS,
ALAN BIBLE,
WILLIAM B. SPONG,
WINSTON L. PROUTY,
CHARLES MCC. MATHIAS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12982) to provide additional revenue for the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

DISTRICT SALES AND USE TAXES

The House bill extended, at a 2-percent rate, the sales and use taxes of the District of Columbia to (1) charges made for admission to public events, (2) charges for the service of repairing tangible personal property, and (3) charges for duplicating, mailing, addressing, and public stenographic services. The Senate amendment extended, at a 4-percent rate, the District sales and use taxes to such charges. The conference substitute conforms to the Senate amendment.

The House bill extended the District sales and use taxes to sales of publication services. The Senate amendment contained no corresponding provision, and none is contained in the conference substitute.

The Senate amendment contained a provision not in the House bill extending, at a 4-percent rate, the District sales and use taxes to sales of or charges for laundering, drycleaning, and pressing services (except if provided by self-service coin-operated equipment). The conference substitute is identical to the Senate amendment, except the tax rate is 2 percent.

The House bill contained a provision not in the Senate amendment that raised from 1 percent to 2 percent the rate of the District sales taxes on purchases of food for consumption off the premises. The conference substitute adopts the provision in the House bill with an additional provision which provides relief to certain low-income residents of the District for sales tax paid on those food purchases.

The relief provided such residents is prescribed in a new section 6 added to title VI of the District income tax law. In general, under that section an individual is provided a credit against his District tax (if any), or a refund if the credit under this section exceeds his District tax (reduced by all credits other than the one provided by this section). The amount of such credit is determined in accordance with the following table:

If the adjusted gross income is:	The credit shall be the product of the number of personal exemptions allowed an indvidual on his return times—
Not over $2,000	$6
Over $2,000 but not over $4,000	4
Over $4,000 but not over $6,000	2

To compute the amount of credit under the above table (1) exemptions based on age or blindness are excluded, (2) an exemption for any person who is an inmate or resident patient of a publicly owned and operated institution for an aggregate of more than 183 days of a taxable year is excluded, and (3) in the case of any exemption of $2,000 allowed for head of family or a married person living with husband or wife, an additional exemption is counted. Thus, for example, a married individual with three dependent children (living at home) would have five exemptions, and he would multiply that number times the appropriate dollar amount in the second column of the table.

To be eligible for the credit (or refund)—

(1) an individual must file a return which will either be his regular income tax return, or if he is not required to file a District income tax return, a return prescribed by the Commissioner;

(2) the return filed must cover a taxable year of not less than 12 months and the individual must have maintained a place of abode in the District for the entire 12 months of that taxable year; and

(3) the return must be filed within the time (including extensions thereof) that is prescribed for returns of persons otherwise required to file District income tax returns (under existing law).

The amount of the refund allowed under this new section is computed as follows: The individual will compute the amount of credit allowed under this section. He will then apply this credit against the amount of District income tax imposed on him, reduced by any other credits allowed him, e.g., credit for taxes withheld. If the amount of the credit under this section exceeds the amount of such tax so reduced, the difference will be refunded.

BEVERAGE TAXES: FILING DATE FOR MONTHLY SALES REPORT

The Senate amendment contained a provision not in the House bill that changed from the 10th to the 15th day of each month the date on which persons subject to the District beverage taxes have to report the quantity of taxable beverages sold during the preceding calendar month.

The conference substitute contains the provision in the Senate amendment.

INCOME AND FRANCHISE TAXES: CAPITAL GAINS AND LOSSES

The Senate amendment contained provisions not in the House bill that removed (effective taxable year 1969) the exemption from the District income and franchise taxes in existing law for income from sales or exchanges of capital assets (defined under District law as certain assets held more than 2 years) and provided for bringing District capital gains tax provisions into conformity with Federal practices.

The conference substitute conforms to the Senate provisions. In adopting those provisions, it is the intent of the Managers of both the House and Senate that gains and losses from the sale or other disposition of capital assets shall, for District income and franchise tax purposes, be determined in accordance with provisions of the Internal Revenue Code of 1954 relating or applicable to the determination of gains and losses from the sale or other disposition of capital assets for Federal income tax purposes. The intention is to conform District and Federal law in this regard to the greatest extent possible. Provisions of the Internal Revenue Code of 1954 which will apply for District tax purposes include those relating to the amount realized, the recognition or nonrecognition of gain or loss, the division of gains and losses into long-term and short-term gains and losses, limitations on the deductibility of losses, and, with respect to the property of an individual (other than his unincorporated business property), in effect taxing only one-half of his net long-term capital gain for the taxable year. The Federal alternative tax rates designed to place a ceiling on the tax rate applicable to long-term capital gains (such as section 1201 of the Internal Revenue Code of 1954) will not apply for District tax purposes.

In conformity with the action with respect to gains and losses from the disposition of capital assets, under the conference substitute the Federal income tax basis is adopted for purposes of the District income and franchise tax purposes. This basis is the one which will be used not only with respect to the determination of gain or loss on disposition, but also for purposes of computing the allowance for depreciation.

INCOME TAXES: DEDUCTIONS FOR SICK PAY AND INJURIES

The Senate amendment contained a provision not in the House bill that removed (effective taxable year 1969) the complete exemption from District income tax for compensation for injuries or sickness and adopted the more restrictive exemption for such compensation prescribed by sections 104 and 105 of the Internal Revenue Code of 1954.

The conference substitute conforms to the Senate amendment.

FRANCHISE TAXES: MINIMUM TAX ON TAXABLE CORPORATIONS AND UNINCORPORATED BUSINESSES IN LIEU OF ANNUAL LICENSE FEE

The Senate amendment contained a provision not in the House bill that removed (effective calendar year 1970) the annual license requirement (with its $10 fee) for taxable corporations and unincorporated businesses and (effective taxable year 1969) set a minimum of $25 on the existing franchise tax on corporations and unincorporated businesses.

The conference substitute conforms to the Senate amendment.

FRANCHISE TAXES: PREPAYMENT OF ESTIMATED TAX BY TAXABLE CORPORATIONS AND UNINCORPORATED BUSINESSES

The House bill and the Senate amendment amended the District income and franchise tax law to require that taxable corporations and unincorporated businesses file declarations of estimated tax and make payments of such estimated tax during their taxable years as is presently required of individual taxpayers. The House bill provided that during the taxable years 1970 and 1971 prepayments of not more than one-third and two-thirds, respectively, of the estimated tax would be required. The Senate amendment provided that beginning with taxable year 1970 prepayment of the full amount of estimated tax would be required.

The conference substitute provides that

during taxable year 1970 prepayment of up to one-half of the estimated tax could be required and during each taxable year thereafter prepayment of the full amount could be required.

FEDERAL PAYMENT

The House bill increased (effective fiscal year 1970) the annual Federal payment authorization from $90 to $105 million.

The Senate amendment provided that the Federal payment authorization for a fiscal year was to be determined under a formula. The authorization for any fiscal year was to be 30 percent of the general fund revenues for that year (except that beginning with fiscal year 1975 it would be 30 percent of such revenues for fiscal year 1974) with provision for reduction or increase in the authorization for overpayments or underpayments. A limit of $120 million was set on the fiscal year 1970 authorization. In addition, a special payment of $10.5 million was authorized for fiscal year 1970 to make up for the estimated amount of revenues that the District would have received if tax changes proposed in the Senate amendment took effect at the beginning of fiscal year 1970.

The conference substitute adopts the provision of the House bill with an additional provision that authorizes an appropriation for the fiscal year ending June 30, 1970, of not to exceed $5 million to enable the District of Columbia to begin operations under new crime legislation that Congress may enact after the date of enactment of the conference substitute.

GENERAL PROVISION

The House bill contained a provision setting a ceiling on the number of employees in the District of Columbia government. The ceiling was the number of employees on June 30, 1969. It was also provided that after July 1, 1969, only three out of four vacancies could be filled in the District government. The Metropolitan Police force, Fire Department, Board of Education, and local courts were exempted from the provision in the House bill.

The Senate amendment contained no similar provision.

The conference substitute provides that during the fiscal year ending June 30, 1970, no person may be appointed (1) as a full-time employee to a permanent, authorized position in the government of the District of Columbia during any month when the number of such employees is greater than 41,500; or (2) as a temporary or part-time employee in the government of the District of Columbia during any month in which the number of such employees exceeds the number of such employees for the same month of the preceding fiscal year.

The conference committee has examined and views with concern and alarm the rapid increase in the costs of operating the District of Columbia government, particularly in recent years.

The District government requested revenue measures sufficient to produce $727.2 million for the fiscal year 1970. This is the largest budget in the city's history and represents a tremendous and unjustified increase of $175.3 million over the appropriation for fiscal year 1969. The increase is the largest annual increase ever requested by the District.

For fiscal year 1964, the total appropriated for District expenditures amounted to only $314.5 million. That in itself is quite a substantial sum. Yet the total requested by the District government for the fiscal year 1970, as shown, is double this figure and is much too high.

The phenomenal growth in the District's budget from 1960 to 1968 is reflected in the increase in authorized personnel positions in the District government from 29,342 to 34,790—an unprecedented increase of 5,448 positions during a period of declining population. This in the judgment of the House managers was not warranted.

Then in 1969, the first year of the Commissioner and City Council government, authorized positions shot up to 38,175. For 1970 this new government proposed to skyrocket city employment to 45,657 authorized positions—an increase of 10,867 over fiscal 1968, or one city employee for every 17 residents.

Alarmed and concerned as we are over the conditions of the District budget and the limited available sources of revenue, as against the highly increased spending and exceedingly high increase in the number of city employees, the House managers strongly suggest and urge the City Commissioner and City Council to pause and take a look and bring the fiscal affairs of this city into line with its capacity to pay the bills.

The Commissioner himself suggested that the revenue bill proposed for this year was "scraping the bottom of the barrel" insofar as raising any considerable amount of additional revenue is concerned, yet he also testified that he would be back next year and request a budget in excess of $800 million. If such a budget were approved, it would mean an expenditure of over $1,000 for every man, woman, and child in the District to run the District government.

The city has just not justified these proposed expenditures and proposed personnel increases in this city in view of its more or less static population.

The House bill proposed and the House managers supported a considerable reduction in the number of District government personnel in the belief that the present number is too high and any increase cannot be justified. The Senate amendment proposed no ceiling or reduction for such personnel. As a compromise, the conference committee adopted a ceiling of 41,500 permanent employees for the District for fiscal year 1970.

Since major budget increases are reflected in the number of employees sound fiscal practices require that the city's expenditures be brought to a level consonant with revenue resources.

SUMMARY

The estimated additional annual revenue yield to the District of Columbia from the conference substitute (together with increases in District real and personal property taxes already approved) is approximately $48 million.

JOHN L. MCMILLAN,
THOMAS G. ABERNETHY,
JOHN DOWDY,
EARLE CABELL,
ANCHER NELSEN,
WILLIAM H. HARSHA,
JOEL T. BROYHILL,
LAWRENCE J. HOGAN,
Managers on the Part of the House.

APPOINTMENT OF CONFEREES ON H.R. 11271, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1970

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11271) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none, and appoints the following conferees: Messrs. MILLER of California, TEAGUE of Texas, KARTH, HECHLER of West Virginia, FULTON of Pennsylvania, MOSHER, and ROUDEBUSH.

SAM RAYBURN COMMEMORATIVE COIN

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

Mr. ROBERTS. Mr. Speaker, I rise today to introduce a bill which would authorize the coinage of 50-cent pieces to commemorate the life of the Honorable Sam Rayburn and to assist in the support of the Sam Rayburn Library. I am joined in this effort by 48 of my colleagues, many of whom served with the late Speaker.

No other man in our century has given so much of himself to the service of his country as did the late Speaker of the House, Sam Rayburn. Our beloved Mr. Sam devoted more than 48 years of his life to the House of Representatives and served as Speaker longer than any other man. His example is a tribute to representative government.

Since being elected to fill the Texas Fourth District vacancy created by the death of the late Speaker, I have consistently sought to get legislation enacted to coin a 50-cent piece to commemorate his life and to assist in the support of the Sam Rayburn Library.

The Rayburn Library badly needs the funds it would receive from the sale of the coins. Although Mr. Rayburn left his entire estate to the library, there is still an urgent need for additional funds to finance the building of additional space, the microfilming of the Speaker's papers, and the continuation of the scholarship program.

This bill means a great deal to me and to all those who knew and loved Mr. Rayburn. Many of my colleagues served with the Speaker—often as freshman Congressmen eagerly seeking his advice and counsel which he freely gave. Quite a number of my fellow Members have indicated to me their willingness to join me in seeking passage of the bill. I urge all my colleagues to lend unanimous support to this worthwhile tribute to Sam Rayburn—a man who dedicated his life to the service of our Nation.

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

Mr. ROBERTS. I am happy to yield to my colleague from Texas.

Mr. PICKLE. I commend the gentleman for introducing the bill. It is timely and deserving. I know many of our colleagues will join the gentleman in his efforts to honor this greatest Speaker of our time.

Mr. Speaker, of the many distinguished leaders who have chaired this body from the Speaker's platform, few have made such a lasting imprint on the course of this Nation as the late Sam Rayburn.

Although all Texans lay first claim to this man, Mr. Sam in fact belongs to the Nation. He served in this body 48 years and was elected repeatedly by his col-

leagues as Speaker, a post he held more years than any other man in history.

Accordingly, I rise in support of Mr. ROBERTS' bill establishing a limited issue of 50-cent pieces which will be used to commemorate the life of Mr. Sam and to breathe fresh life into the Sam Rayburn Library.

The coins—not more than 500,000 nor less than 250,000, whichever the Secretary of the Treasury recommends—will be disposed of by the Sam Rayburn Foundation either at par or at a premium and the proceeds will be used solely for the support of the library.

This special issue will provide a permanent, lasting tribute to a man who has done so much for his country.

ONE PRESIDENT AT A TIME

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

Mr. HOWARD. Mr. Speaker, possibly it is because I recently read the book "The President's Plane Is Missing," that I am concerned about the possibility that someone is impersonating President Nixon and, in fact, did so last night in New Jersey.

Now we know that the real President Nixon tried to gut our education bill, and complained when we put back some $1 billion in desperately needed money for education. And we know that the real President Nixon recommended the paltry sum of some $214 million for water pollution control this year as opposed to those of us who know we needed $1 billion. The real President Nixon has ignored our cities in favor of ABM's and supersonic transport planes and closed down our Job Corps centers.

But last night, the man I believe to be impersonating President Nixon, made a political trip to New Jersey, on behalf of the Republican candidate for Governor. Everything this man said was diametrically opposed to the actions of the real President Nixon. This man talked about the "deficiencies in public education" and voiced concern over air and water pollution control.

Now would it not be nice if we had the same President, every day in every State? I had always believed the statement that "we only have one President at a time." Apparently that is not the case at all.

SCHOOLS FAIL IN THEIR PURPOSE IF THEY FAIL TO EDUCATE

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

Mr. MONTGOMERY. Mr. Speaker, yesterday the Supreme Court, sitting in their Ivory Tower here in Washington, rendered a crippling blow to quality public education in my home State of Mississippi. The Court apparently does not recognize the basic fact that if desegregated schools fail to educate, they fail in their primary purpose. It is an absurd notion that local school administrators can immediately implement this order in the middle of the school semester.

Already there are some schools in my State which were unable to open this fall because of unreasonable and unworkable desegregation guideline requirements. It is my feeling that this most recent decision will cause such administrative chaos that other schools will be forced to close. In the end, it will be the children who suffer, especially poor whites and poor blacks who cannot afford the private schools which will surely result. It is my sincere hope that quality public education in Mississippi can survive yesterday's Supreme Court decision.

ARMED FORCES MUST NOT BE USED TO ENFORCE LAWLESS DECREES OF SUPREME COURT

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

Mr. RARICK. Mr. Speaker, today we will vote on the rule to take up H.R. 14001, the Selective Service Act Amendments of 1969. The chairman has urged our support for the rule because the President wants the bill as is, without any possibility of amendment. I had planned to support the rule, but yesterday the Supreme Court handed down an unsigned per curiam holding, in effect, that judges are not bound by the Constitution. The Court authorized circuit courts of appeal to use their judicial power to enforce compliance with the unlawful guidelines of the Secretary of Health, Education, and Welfare. The doctrine of racial proportions is to be the law of the land.

We have seen other Presidents use the Armed Forces of the United States, including draftees, in the States of Arkansas, Alabama, and Mississippi to implement by force—at bayonet point and with bloodshed—other lawless decrees of the Supreme Court.

So long as the lawless HEW guidelines remain in effect, and are not publicly repudiated by the President, I cannot in good conscience as a representative of my people, cast their vote to give the President the power he seeks to draft young men into the armed services and even chance their exploitation by being required to enforce this illegal social injustice against my people.

CALL FOR SUPPORT OF THE PRESIDENT'S PROPOSALS FOR A REDIRECTION OF WELFARE PROGRAMS

(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, in his proposals to the Congress last April, President Nixon emphasized that as a nation "we need a complete reappraisal and redirection of welfare programs which have aggravated the troubles they were meant to cure, perpetuating a dismal cycle of dependency from one generation to the next."

The welfare program that the President submitted to the Congress in August is designed to alleviate the depressing cyclical dependency.

More important is that under the President's program, strong incentives would be provided families to stay together. Economic rewards would be given men and women on welfare who enter training programs and search out jobs. The built-in incentives would deter the deplorable condition under present welfare programs that often force a father to desert his family in order to make his wife and children eligible for relief.

Through recent polls the American people have already expressed their support of the President's proposals. It is up to the Congress now to make that support meaningful.

MANPOWER TRAINING ACT

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

Mr. MIZE. Mr. Speaker, the Nixon administration's Manpower Training Act offers a solution to a problem that has deeply concerned every public official in every State. For years Governors and mayors have vainly tried to keep up with the flood of manpower programs steaming out of Washington. While they desperately needed Federal assistance, the programs were so rigid and complicated that precious time was lost in the process of trying to determine which programs were best suited for the needs of their constituents.

In addition, many good people were screened out of manpower programs, in effect denied assistance, either because their needs were too great or too specialized to be met by the particular program which was operating in their community.

The Manpower Training Act will solve this problem in one bold stroke. Each State and metropolitan area will be able to design a tailor-made program to exactly fit its needs. Assistance will be available through a single agency at the local level.

The act puts the responsibility for planning and decisionmaking where it belongs—on elected officials at the State and local level. These are people on the firing line. They know the problems of their constituents and their political futures are dependent upon prompt solutions to these problems.

The act safeguards the national interest while encouraging State and local public officials to take the initiative, to experiment and innovate with new offensives against the waste of human resources. Congress should act swiftly on this vital proposal.

THE SUPREME COURT DECISION FOR IMMEDIATE DESEGREGATION OF EVERY SCHOOL IN THE UNITED STATES

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

Mr. RIEGLE. Mr. Speaker, I rise today

to congratulate the Supreme Court for its proper, urgently needed, and unanimous decision that now is the time for immediate desegregation of every school in the United States.

Probably no room across this land hears more cries for law and order than this House Chamber. Well, if we mean it, then let us live it. Let us end segregation in America's schools once and for all.

No man here has the right to wrap himself in the Constitution unless he is willing to accept and defend all of it.

The darkest day I have experienced since coming to Congress was on July 31 of this year, when the Whitten amendment was supported by many of my fellow Republicans.

I hope the leadership of my party in the Congress and in the executive branch will take this clear expression of law by the Supreme Court to heart, and quit flirting with the segregationists, and once and for all repudiate the hypocrisy of separate and unequal schools based on race.

The so-called freedom of choice plan has never meant anything more than freedom to subvert the Constitution. If we here in the Congress will obey all the laws of the land, I know the American people will follow our example.

U.S. FISCAL YEAR

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

Mr. MICHEL. Mr. Speaker, on October 14, I and 33 of my colleagues introduced legislation to provide that the fiscal year of the United States shall coincide with the calendar year.

Today I am happy to reintroduce the bill with an additional five sponsors. In addition three other Members have introduced the bill for a total of 41.

After the exercise that the House went through yesterday in passing a continuing resolution I think it is more than obvious that we must take some action.

I said yesterday that the most critical problem is getting the House and Senate to work together on appropriations and to insure that each body takes an extensive look into departmental requests in a normal, routine, businesslike manner.

Enactment of my bill to change the fiscal year to the calendar year would give us 1 year to review the budget, get the authorizing legislation passed and the appropriations bill passed. It would also give the schools advance notification of their funds for the coming school year.

ABUSE OF DANGEROUS DRUGS AND NARCOTICS

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

Mr. KYL. Mr. Speaker, the Nation is alarmed by the increased abuse of dangerous drugs and narcotics and the criminal violence associated with such abuse. Without doubt drug associated crimes will become the Nation's No. 1 internal problem unless the abuse of drugs is effectively curtailed. Passage of the "Controlled Dangerous Substance Act of 1969" will help in this effort by providing Federal law-enforcement personnel with more positive tools to cope with the problem.

One such tool is a "no knock" provision which will allow Federal agents to obtain search warrants designating that they need not announce their authority and purpose to search if there is probable cause to believe that the agents' lives would be in danger or that there will be a quick destruction of evidence. In addition, the act will permit the use of Federal search warrants for drug-related offenses at any time of the day or night under limited conditions.

Several Supreme Court decisions have greatly restricted inspection of business premises and books and records for possible law violations. A provision in the act of vital importance to the Bureau of Narcotics and Dangerous Drugs because it is involved in the regulation of drug manufacturing, will give Federal agents access to these books and records by use of inspection warrants.

The act also authorizes Federal drug agents to grant immunity from possible criminal prosecution for testimony and information relating to drug trafficking. This provision is essential if we are to break up major peddling and smuggling operations.

Finally, the act permits prosecution of persons who attempt or conspire to commit any violation of the Federal drug laws.

Mr. Speaker, passage of this far-reaching legislation is essential if we are to curb drug abuse in our Nation.

CONFERENCE REPORT ON S. 1857, NATIONAL SCIENCE FOUNDATION ACT AMENDMENTS OF 1969

Mr. MILLER of California. Mr. Speaker, I call up the conference report on the bill (S. 1857) to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81–507, as amended, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 27, 1969.)

Mr. MILLER of California (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, memory does not serve me too well this morning. Is this the conference report on the authorization bill wherein the appropriation was passed prior to the authorization bill under a rule waiving points of order?

Mr. MILLER of California. If the gentleman will yield, that is correct.

Mr. GROSS. The figure approved by the House was some $70 million above the appropriation that had already been passed?

Mr. MILLER of California. No. The Senate increased the request to $487,150,000. The House approved $474,305,000. The result in the conference was a total amount of appropriations to be authorized of $477,605,000 or $3 million higher than the appropriation and some $10 million less than the Senate.

Mr. GROSS. Three million dollars higher than the appropriation?

Mr. MILLER of California. That is right. But $10 million less than the Senate.

Mr. GROSS. Has there been a conference on the appropriation bill?

Mr. MILLER of California. I do not know that.

Mr. GROSS. I only inquire because of the unusual nature of the procedure of having passed an appropriation bill and then coming along with the authorization bill which was substantially higher than the appropriation. Of course, the other body, in order to take up the slack, apparently increased it to conform to the House authorization bill.

Mr. MILLER of California. They were higher than the House authorization bill by $12 million.

Mr. GROSS. But there is no conference on the appropriation bill.

Mr. MILLER of California. As far as I know, there is not.

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

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

There was no objection.

Mr. MILLER of California. Mr. Speaker, I rise in support of the conference report on the bill (S. 1857) to authorize appropriations for activities of the National Science Foundation and for other purposes for fiscal year 1970.

The managers on the part of the House met in conference with those of the Senate last Thursday, October 23, 1969. The results of that conference were, I believe, eminently reasonable and in keeping with the sentiment of the House, as previously evidenced by the passage of the authorization bill for the Foundation on October 7, 1969.

I think it was an admirable job on the part of the House conferees, and I want to compliment them for their efforts.

Before I describe in detail the results of that conference, I should point out that the total amount of appropriations to be authorized was adjusted upward from our original House-passed authorization by less than 1 percent.

The original difference between the Senate and House before conference was $12.8 million. Thus, I think we have arrived at a conference compromise that is both worthy of full support, responsive to the House mandate, and adequate for the Foundation for fiscal 1970.

Let me now briefly describe the major differences between the House and Senate, and describe the final conference results.

For fiscal year 1970 the NSF requested authorization in the amount of $487 mil-

lion, exclusive of $10 million for the sea grant program and of $3 million to be made available in excess foreign currencies.

The Senate increased this request to $487,150,000.

The total appropriations authorized by the House were $474,305,000. This represented a decrease from the Senate bill of $12,845,000. As a result of the conference, the total amount of appropriations to be authorized was adjusted to $477,605,000, or an increase of only $3.3 million.

The $3.3 million restoration was made in three areas as follows:

First. A sum of $2 million to permit the construction of an oceanographic research vessel was restored, as originally requested by the Foundation. This item had been deferred by the House on the basis of long-range scheduling and pending completion of further study. Evidence adduced by the Senate convinced the conferees that conditions do not now warrant delay of the ship construction.

Second. A sum of $300,000 to permit the acquisition of a small research aircraft by the National Center for Atmospheric Research at Boulder, Colo., was restored as originally requested by NSF. This plane is to replace a similar aircraft lost in an accident over Lake Superior in 1968.

Third. A sum of $1 million, part of a $3 million bloc of unobligated appropriations carryover from fiscal year 1969 which the House had deleted, was restored by the conference. House conferees concurred in the view that authorization of this amount would provide the Foundation with at least minimal leeway in program planning for fiscal year 1970, particularly in view of the requests being made on the Foundation by other Government agencies for research assistance.

Total restoration of funds in the bill thus amounts to $3.3 million.

The final two conference recommendations relate to changes in the language of the authorization bill.

First, the bill as passed by the House carried a proviso that all outstanding unfunded authorization accruing to the NSF should henceforth expire at the close of the first fiscal year after the fiscal year for which the authorization was enacted.

The Senate bill had originally provided that such authorization should expire at the close of the third fiscal year following the year of authorization.

The conference agreed to require that such authorization expire at the close of the second fiscal year following the year of authorization, as is required under the present NASA authorization bill.

Finally, the bill, as passed by the Senate, contained no provision relating to restraints to be applied to persons attending or employed by institutions receiving funds thereunder who violate the law or the regulations of the institution. The House amended the bill to include such a provision.

The committee of conference chose to substitute a similar provision, but one which is already law in connection with five major Federal programs of higher education.

The committee of conference has thus included in the bill, with appropriate technical changes, the eligibility-for-student-assistance clause of the higher education amendments of 1968—Public Law 90–575, section 504.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE NO. 4 AND SUBCOMMITTEE NO. 5 OF THE COMMITTEE ON THE JUDICIARY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 and Subcommittee No. 5 of the Committee on the Judiciary may sit during general debate today.

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

There was no objection.

INCREASE IN MAXIMUM RATE OF PER DIEM ALLOWANCE FOR EMPLOYEES OF THE GOVERNMENT TRAVELING ON OFFICIAL BUSINESS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 337) to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out " "$22"," and insert " "$25",".

Page 1, line 5, strike out " "$35"," and insert " "$40",".

Page 1, line 7, strike out " "$15"." and insert " "$18".".

Page 1, line 10, strike out " "$22"," and insert " "$25",".

Page 2, line 1, strike out " "$35"," and insert " "$40",".

Page 2, line 2, strike out " "$15"." and insert " "$18".".

Page 2, after line 2, insert:

"SEC. 3. The seventh paragraph under the heading "Administrative Provisions" in the Senate section of the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 68b), is amended by striking out "$16" and inserting in lieu thereof "$25", and by striking out "$30", and inserting in lieu thereof "$40"."

Mr. BLATNIK (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the Senate amendments be dispensed with and that they be printed in the RECORD.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I am not sure just exactly to which unanimous-consent request I am making a reservation; but, be that as it may, whether it is for immediate consideration of the Senate amendments or whether the statement of the managers on the part of the House are to be considered as read, I believe we ought to have a little time for an explanation of this request on the part of all Members. This is in order to give our silent consent to the Senate amendments to H.R. 337 which as I understand it, by courtesy of previous furnishing of information by the gentleman from Minnesota, has been increased.

I wonder, Mr. Speaker, if the gentleman would explain the differential between the House-passed act and the Senate amendments?

Mr. BLATNIK. Mr. Speaker, if the gentleman will yield, I shall be pleased to do so. The unanimous-consent request was for the further reading of the Senate amendments to be dispensed with and that they be printed in the RECORD. If we can agree to that, then I shall proceed with a discussion of them.

The SPEAKER. The gentleman from Missouri has reserved the right to object and has asked for an explanation of the Senate amendments.

Mr. HALL. Mr. Speaker, I will continue the reservation but I yield to the gentleman from Minnesota for an explanation at this time.

Mr. BLATNIK. I thank the gentleman from Missouri.

Mr. Speaker, H.R. 337 which was passed by the House on March 26, raised somewhat the per diem cost allowance for Government employees while on official business.

The basis of the cost estimates were a study made by the Bureau of the Budget in 1967. Now, this was before us last March when we acted on this bill. However, when the bill got over to the other body they decided to update the cost data and base it on the figures for 1969 subsistence costs. Thus they had a more current picture of the expenses involved and the Senate committee came up with these increases to the House bill.

We do have a detailed breakdown, item by item, as to the average food cost and as to the average hotel and motel rates for 14 major cities and 19 smaller cities. The average is about $12.30. On the food cost, based on a survey of 400 hotels throughout the Nation, they reported a daily average of $9.24. When you add to these figures the percentage for hotel and motel rates and the average restaurant price of an increase of 6.2 percent in 1969 as reflected in the consumer price index compiled by the Bureau of Labor Statistics, the total comes up to $13.26 for lodging and $9.82 for food, making the combined cost $23.08 for board and room.

These are very hard figures, based on authoritative sources.

Mr. HALL. Mr. Speaker, does the gentleman plan to insert this material into the RECORD?

Mr. BLATNIK. The full statement will be inserted in the RECORD at this point.

Mr. HALL. I thank the gentleman.

Mr. Speaker, as I understand the information provided by the distinguished gentleman from Minnesota, there will be a $3 increase in the per diem rate for full-time employees over what the House passed, and second, as I understand it, Mr. Speaker, there is a $5 increase for the actual expenses allowed over that which passed the House on March 26 of this

year, but based on the 1967 cost-of-living figures?

Mr. BLATNIK. That is correct.

Mr. HALL. And, third, there is an increase in the amount for employees traveling in foreign countries of $3 more than that passed by the House?

Mr. BLATNIK. That is correct.

Mr. HALL. Mr. Speaker, it is my considered opinion that perhaps we have been taking money out of the pockets, or the regular pay checks of the people whom we are forcing to travel and live away from home on official Government business albeit excessive. I believe, as a matter of fact, I was in favor of the House-passed rate, and in view of the explanation of the gentleman from Minnesota about the different cost of living expense figures I believe I would have no objection to these three.

I understand there is another section in the Senate amendments which makes adjustments for part-time or intermittent employees when traveling on official business. I presume these are some of these $100 a day per diem people, and what is this? Their living and actual out-of-pocket expenses in addition to their income, or does the gentleman have information on that?

Mr. BLATNIK. Yes. That is section 2, and that is for the part-time or intermittent employees such as the consultants the gentleman referred to. The rates would apply to them as to the regular full-time employees of the Federal Government.

Mr. HALL. Would this apply to some of those who have been set up in some of these consultation laboratories like Livermore or Rand Corp., or other means for obtaining high-salaried part-time consultants?

Mr. BLATNIK. Only if they are employees of the Federal Government. This just pertains to their per diem for those occasions while they are traveling in the country or elsewhere.

Mr. HALL. Finally, Mr. Speaker, this would apply to those who have contracts with the Government for performance of duties under grants or contracts, or even scholarships; is that correct?

But if it were, then this overall general rule would not be applicable?

Mr. BLATNIK. It would not be applicable.

Mr. HALL. Mr. Speaker, I have one more inquiry: I notice that a section 3 was added by the other body which purports to make the same adjustment for that body's Members and employees, the same adjustments as what? The same adjustments as the House-passed bill, or what?

Mr. BLATNIK. They raised their per diem, they applied our per diem and lodging and other expenses relative to Government employees and intermittent employees, and they apply those rates also to their Senate employees, because they have jurisdiction over their Senate employees and no jurisdiction over the employees on this side.

Mr. HALL. This was agreed to by the conference out of comity to the other body, I presume?

Mr. BLATNIK. The other body has the right to set the per diem for its own employees.

Mr. HALL. Mr. Speaker, I can only say I hope we are a little bit more tidy in our own housekeeping and with our own employees.

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

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

Mr. GROSS. Do I understand that there was an increase for those traveling overseas?

Mr. BLATNIK. Yes.

Mr. GROSS. But not in proportion to the increase to those traveling in this country?

Mr. BLATNIK. It was a small proportion except the maximum limit of the increase before the House was $15 a day and the Senate was $18 a day.

This is an increase in the maximum additional amount depending upon the circumstances of the country in which the person or the employee may be traveling.

Mr. GROSS. Does this mean—I ask the question in view of the fact that we are going to have another foreign handout bill before the House one of these days soon—that inflation in foreign countries has not been as severe as it has been here? What is the reason that the increase was not in the same ratio as in this country?

Mr. GROSS. I learned recently of a $260 a day consultant in the foreign aid outfit. Would he get expenses to go along with the $260 a day—does the gentleman have any idea?

Mr. BLATNIK. It would depend on the basis on which he was hired. Normally there is no provision for travel and subsistence expenses in his original contract or agreement, then this would apply to the consultant. These are the maximums—it does not say it will have to be paid, it merely says the Secretary of State, authorizing the administrator or the agency could go up to that limit if the expenses of the particular mission justified it.

Mr. GROSS. Would the gentleman agree with me that if a consultant was paid $260 a day, it would be outlandish to then give him expense money.

Mr. BLATNIK. Absolutely, I would agree with that. But I do not know if he were hired, it would be that high.

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

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

Mr. ERLENBORN. Mr. Speaker, I would like to point out that allowances for actual expenses—both for domestic and foreign travel—in the bill, as passed by the House, were below the recommendations of the Bureau of the Budget.

It may have been a conscious effort on the part of the managers on the bill in the House to have this lower than the Bureau of the Budget recommendations with the almost certainty that the other body would increase these items. As increased, these items are in line with the recommendations of the Bureau of the Budget.

The only item above the Bureau recommendation is the $25 per diem item which was $22 in the House-passed bill.

I would point out that $25 per diem is the same as is allowed to House Members or employees.

I think these items, as in the bill passed by the other body, are reasonable and I support the motion of the gentleman from Minnesota to concur in the Senate amendments.

Mr. BLATNIK. I thank the gentleman.

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

Mr. HALL. I yield to the gentleman.

Mr. HAYS. I just want to say in regard to what the gentleman from Iowa said with reference to the $260 a day contract that that was $260 a day plus a per diem, and the AID and other agencies apparently have the power - so far as they can achieve it through the usual signed contract with these so-called experts, any amount that comes into their head. There is no limit on the amount they can pay per diem.

The limit on the per diem, I happen to think the per diems in this bill are too low. If you go to any decent hotel in this country or abroad and get a small room with bath, you are going to pay more for the room than we are allowing for everything. But under the $260-a-day bid that was for their so-called services, whatever they were.

Mr. GROSS. I would assume that the best way to get at situations of this kind is to end this business of a foreign handout program, and I sincerely hope that I may have the help of the gentleman from Ohio to that end when the bill comes on the floor in a week or so.

Mr. HAYS. You are going to have the help of the gentleman, but I do not think it is going to be enough, unfortunately.

Mr. HALL. Mr. Speaker, I appreciate the remarks of the gentleman from Minnesota, and the gentleman from Illinois, and others, as far as the Senate amendments to H.R. 337 are concerned. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota that further reading of the Senate amendments be dispensed with?

There was no objection.

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

Mr. FULTON of Pennsylvania. Mr. Speaker, reserving the right to object, on the U.S. foreign aid bill, our House Foreign Affairs Committee reported it out today with practically a $500 million cut from the administration request, so that we are keeping it down and we are being economical. I would like to call to the attention of the Members engaged in the previous colloquy the fact that in South Korea we have two American divisions there. They have 16 divisions on the line. I hope there will just not be a negative vote on the U.S. foreign aid program, because it would pull the rug out from under South Korea, a loyal ally with 40,000 troops beside our men in South Vietnam, even when they are in great trouble.

Mr. BLATNIK. Mr. Speaker, H.R. 337 was passed by the House on March 26 and recently returned to us from the Senate in amended form. The bill increases the maximum travel allowances for Government employees while on of-

ficial business. The principal feature is the per diem which, we all know, is a flat rate reimbursement covering the average cost of subsistence, mainly hotel and food costs. The per diem is convenient to both the Government and the employee because it reduces the amount of recordkeeping and analysis which otherwise would be required. The bill also increases the maximum reimbursement for travel on an actual expense basis—only permitted in unusual circumstances—and the maximum additional amount over the per diem set by the State Department which may be paid when officials are traveling abroad. The present rates in these categories were set by the Congress in 1961 and as we clearly showed during debate last spring the cost of travel has increased markedly since then.

The bill as amended by the Senate made the following changes in travel allowances:

Section 1: First, increased the maximum per diem rate for full-time Federal employees traveling on official business from the present $16 per day to $25 per day. The House set $22 per day.

Second, increased the maximum allowed for actual expenses from the present $30 per day to $40 per day. The House set $35 per day.

Third, increased the maximum additional amount allowed for employees traveling in foreign countries when actual expenses are permitted from the present $10 per day to $18 per day. The House set $15 per day.

Section 2 makes the same adjustments for part-time or intermittent employees when traveling on official business.

Section 3 was added by the Senate and makes the same adjustments for Senate Members and employees.

We recommend that the Senate amendments be accepted. The figures approved by the House were based primarily on a survey of travel costs made by the Bureau of the Budget in 1967. During our hearings, however, employee organizations presented data showing considerably higher costs than the Budget survey revealed. The Senate Committee on Government Operations decided to make a more current examination. Its report on the bill reveals the following:

In an effort to develop 1969 subsistence costs, the committee examined current statistical information supplied by the Bureau of Labor Statistics and found that, although the average rise in the Consumer Price Index between August 1968 and August 1969 for all items amounted to 5.6 percent, average hotel and motel rates increased 7.8 percent in that period, and restaurant prices rose 6.3 percent, or an average total of slightly in excess of 7 percent. Applying this percentage figure to the $21.52 arrived at by the Bureau of the Budget would amount to $23.03. In addition, the Bureau of Labor Statistics furnished the committee with information showing that, as of August 1969, average daily costs of hotel and motel rooms amounted to $18.13 in the 12 largest metropolitan areas, and $14.43 in smaller cities. Since these rates reflect double occupancy, the Bureau of Labor Statistics agreed that a reduction of $2 in each figure would reflect average price rates of $16.13 and $12.43, respectively, or an average of $14.28. Using an average daily rate of $8 for restaurant food, total costs for lodging and food would be $24.13 and $20.43, respectively, or an average of $22.28. Following the method used by the Bureau of the Budget, the committee then added an additional 10 percent to reflect miscellaneous allowable items, such as sales taxes, tips, and so forth, and arrived at total costs of $26.54 and $22.47, respectively, or an average cost of $24.50.

As a check against these figures, the committee obtained from the American Hotel and Motel Association information compiled by accounting firms employed by the association, relative to travel costs for 1968, the latest year for which they were available. An analysis of average hotel and motel rates for 14 major cities and 98 smaller cities reflected an average daily rate of $12.30, and food costs, based upon a survey of 400 hotels throughout the Nation, reflected a daily average of $9.24. Adding to these figures the 7.8 percent increase for hotel and motel rates and the average restaurant price increase of 6.3 percent for 1969, reflected in the Consumer Price Index compiled by the Bureau of Labor Statistics, the committee arrived at a total of $13.26 for lodging and $9.82 for food, or a grand total for lodging and food of $23.08 per day. To this was added the usual 10 percent for allowable miscellaneous expenses, bringing the total daily average cost for lodging and food to $25.38.

Thus, the Senate found an average cost in excess of $25 per day but proposed a maximum per diem of that amount.

Mr. Speaker, the basic problem is that travel costs, like other costs, are increasing so rapidly that even our statistical studies cannot keep up with them. I am afraid that if we do not act promptly on this bill even the higher Senate per diem figure will soon be obsolete.

We all agree that our Federal employees should not be required to subsidize the legitimate costs of Government out of their own pockets.

The other amendment made by the Senate provides that Senators and Senate employees be given the same allowances available to employees of the executive branch.

House Members and committee employees are governed by travel regulations issued by the House Administration Committee—currently set at $25 per day.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SUPPORT THE ECONOMIC ASSISTANCE PROGRAM

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

Mr. MORSE. Mr. Speaker, when President Nixon asked for our support of the foreign aid program, he spoke to us of "the economic miracles which foreign aid has helped create in Western Europe and in parts of Asia."

With your permission, I should like to recount to you some of these miracles.

All of us are aware of the miraculous recovery of the wartorn European economy under the Marshall plan. Today, as a result, our friends in Western Europe are strong partners of the United States in the task of development in other parts of the world.

Together, we are helping our less developed neighbors to achieve their own "economic miracles."

Taiwan—a once-impoverished island—was the first of the poor Asian nations to reach independent economic growth with our help. By the time U.S. aid ended in 1965, Taiwan had doubled the real income of its people. Eighty percent of all Taiwanese are now literate. Three-quarters of the farmers own their own land. Development programs are surging ahead on Taiwan.

Korea is another example. With U.S. help, the Korean economy is now setting a new record for industrial growth on mainland Asia. In 1968, Korean industrial output grew an astonishing 28 percent.

In India and Pakistan, the economic miracles are promising to end the centuries-long shortages of bread and rice. American research has developed the high-yield seeds, American loans have made possible the purchase of fertilizer and American experts are helping improve farming methods. The result is a dramatic agricultural breakthrough known as the green revolution.

President Nixon was not exaggerating when he spoke of the "economic miracles" at work today in Asia. I urge that we continue to make those miracles possible by supporting the economic assistance program.

DAY OF NATIONAL CONCERN

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

Mr. DICKINSON. Mr. Speaker, recently many of the wives and relatives of America's missing servicemen and prisoners of war in Vietnam assembled in Washington to participate in the activities concerning POW's and MIA's, including the 2 hours of speeches by over a hundred Members of Congress, a meeting with Secretary of Defense Laird, a reception I hosted for the families, which was attended by the members of the Joint Chiefs of Staff and the leadership of the House. Now, because of the concern for and support of these true Americans by Members of the Congress and others, much public attention finally has been focused on the inhumane treatment accorded our servicemen by the North Vietnamese and the Vietcong.

I am continuing in my efforts to have the Communists afford our men just and fair treatment under the terms of the Geneva Convention. Many of my colleagues have joined me in urging the President to declare Veterans Day, November 11, a "Day of National Concern" for the missing servicemen and prisoners of war in Vietnam. Today, I have also called upon the Governors of all the States to take the appropriate action to designate this day as a Day of National Concern in their State.

Mr. Speaker, another major effort is due to come late next month. I have asked the State Department and our delegation to the United Nations to speak

before the United Nations in an effort to secure international cooperation to see that our men are not tortured, and are afforded treatment under the tenets of the Geneva Convention.

Mr. Speaker, wives and relatives have again been in touch with me asking if they can be of assistance, and whether or not they will be allowed to participate in the activities slated for the U.N. agenda. I hope it will be possible for many wives to be in New York at this time, but details of the U.N. effort are not complete. I will keep the Members of the House informed as details develop. In recent weeks, progress has been made and with our continued efforts, we may soon realize a breakthrough.

POSTAL REFORM

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

Mr. QUIE. Mr. Speaker, the "Pony Express" speed with which badly needed postal reform legislation is being considered in the Congress is extremely discouraging.

Since the President outlined the problems facing the Post Office Department last spring in his message calling for total postal reform, dozens of witnesses appearing before the House Post Office and Civil Service Committee have further developed the need for reform.

Despite the fact that business generates about 80 percent of the Nation's mail volume, nearly all the major business associations have testified in favor of modernizing the postal service. The Chamber of Commerce of the United States and the National Association of Manufacturers have testified that there is no reason why the average family and taxpayer should subsidize business mailers.

Further, the Magazine Publishers Association and the Direct Mail Advertising Association—trade groups responsible for a major share of the second- and third-class mail volume—have testified in support of H.R. 11750 and total postal reform.

And, we know from our mail, that the voters are impatient with higher and higher postal rates and poorer and poorer postal service.

Despite this overwhelming support, the administration's bill failed, by one vote, to be marked up in the Post Office Committee.

Mr. Speaker, the American people will not be satisfied with half measures. They will not be placated with measures which only appear to offer reform.

MR. GRIFFITH EVANS, POST OFFICE DEPARTMENT EMPLOYEE

(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, 48 years ago a young British subject immigrated to the United States from England.

My home district of Nashville-Davidson County was indeed fortunate that this new citizen chose our community as his home, for it has been enriched by his quiet and dedicated example of being a good neighbor, a good citizen, and a good friend to all he has come in contact with.

For the past 33 years and 5 months, Mr. Griffith Evans has been employed by the Post Office Department. He was first a mail handler, and then transferred as a carrier with the Nashville Post Office.

Tomorrow, on October 31, Mr. Evans will bring his long career to an end and he will retire from active service with the Post Office.

This year—his retirement year—Mr. Evans was a Post Office candidate for Federal employee of the year, and he placed second for this honor.

During his 33 years and 5 months of service, Mr. Evans was first the postman for my parents, and then for me and my family. During those years he showed deep consideration for the families along his mail route. For those who were aging, he took special efforts to see that their mail was hand delivered at their door. He watched the children along his route grow up, and begin families of their own. Mr. Evans was not only a good public servant to all of us, but a friend who showed concern and consideration for those he served.

Mr. Evans and his wife, Neva Adoline, have no children but they have a large family—all friends who have deep affection for them.

We are pleased that Mr. and Mrs. Evans will continue to make their home in Nashville after his retirement. They are a valuable asset to our community.

Mr. Evans' hobbies include fishing and golfing, and middle Tennessee can offer him excellent opportunities to carry on, during his retirement years, both of these pastimes.

I am confident my fellow Members of the Congress join with me, and all of us who have known Mr. Evans, in wishing him an active and rewarding retirement.

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

Mr. LOWENSTEIN. Mr. Speaker, I am joining today with Representatives KOCH of New York, GIAIMO, of Connecticut, and others in introducing a resolution about American policy in Vietnam. I believe this resolution reflects the sentiment of a majority of the American people and that it is a good resolution on its merits. Such a combination of virtues should assure early consideration and approval by the House. Experience suggests this may not in fact occur, but then hope, if not necessarily eternal, is essential.

In any event, I want to take this occasion to comment on two peculiarly personal and unbecoming attacks that occurred some time ago on the floor of the House against one of my associates on this resolution, Congressman KOCH. The gentleman from New York (Mr. KOCH) is widely recognized as one of the most independent and diligent Members of the House, and he is not hurt by attacks like these. But the House and the quality of public debate are. Furthermore, these particular attacks did more than impugn the motives and question the loyalty of a distinguished colleague. It is hard to read their tone and substance without noticing that anyone who opposes present American policy in Vietnam must be equally guilty of whatever it is that brought the onslaught against Mr. KOCH.

I rise therefore for two purposes: First, to say what most Members of the House already know about Mr. KOCH, that he is a man of unusual integrity and devotion to country and principle, whose contributions to the common weal have gained him the confidence and respect of large numbers of both his colleagues and his fellow citizens; and, second, to reiterate, in the context of the resolution that we join today in introducing, that I believe Mr. KOCH's views about the war have come to be those of a majority of the American people, and will soon be those of a majority of the membership of the Congress.

I hope when that time comes—as clearly it is fast coming—I hope none of us will then talk about the motives and loyalty of that minority that continues to support the war with the kind of careless arrogance that has crept into discussions about us from time to time.

CALL OF THE HOUSE

Mr. HAYS. 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. 251]

Baring	Edwards, Calif.	O'Hara
Bell, Calif.	Fisher	Obey
Brown, Calif.	Foley	O'Neill, Mass.
Burton, Calif.	Gallagher	Ottinger
Burton, Utah	Gettys	Pirnie
Byrne, Pa.	Halpern	Powell
Cahill	Jarman	Pucinski
Carey	Kastenmeier	Reid, N.Y.
Cederberg	Kirwan	Scherle
Celler	Lujan	Scheuer
Clark	McCarthy	Steed
Colmer	McClory	Ullman
Cramer	Mikva	Van Deerlin
Daddario	Mollohan	Whalley
Dawson	Monagan	Wyatt
Dent	Morton	Yates

The SPEAKER. On this rollcall 383 Members have answered to their names, a quorum.

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

PROVIDING FOR CONSIDERATION OF H.R. 14001, AUTHORIZING MODIFICATIONS OF THE SYSTEM OF SELECTING PERSONS FOR INDUCTION INTO THE ARMED FORCES

The SPEAKER. The unfinished business is the further consideration of House Resolution 586, providing for the consideration of the bill (H.R. 14001) to amend the Military Selective Service Act of 1967 to authorize modifications of the system of selecting persons for induction into the Armed Forces under this act.

The gentleman from Texas (Mr. YOUNG) has 9 minutes remaining, and the gentleman from California (Mr. SMITH) has 10 minutes remaining.

The Chair recognizes the gentleman from Texas (Mr. YOUNG).

Mr. YOUNG. Mr. Speaker, I yield for purposes of debate 2 minutes to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Speaker, I will agree that under ordinary circumstances, reforms to the draft law should not be made on the floor. But no provision was made by the committee for consideration of draft reforms beyond the narrow confines of the lottery amendment. Hence, this is the only way we can have an opportunity to amend the draft law aside from the committee amendment.

I, therefore, support the move by my colleague, the gentleman from Missouri (Mr. BOLLING), to amend the rule to permit the House to consider a broader range of questions on the draft.

The greatest inequity which will continue to exist, of course, is the draft itself. It is a nonvoluntary period of servitude to begin with and its method of operation, the current process of registration and classification, is a tremendous infringement upon the lives of all those who fall under its power. It constitutes one of the biggest barriers preventing communication between the generations in our country today. Thus, to remove this fundamental and inherent inequity, I intend to offer an amendment to H.R. 14001—if the previous question is voted down and the rule opened up—to put Congress on record in favor of abolishing the draft as soon as possible and reinstituting it only upon formal declaration of war, or an executive order approved by both Houses of Congress.

I think it is pretty well agreed that the United States cannot continue to play policeman to the world. Given this, there is no reason the lives of our young should be disrupted so that we can continue to have the capability to play this role. I believe the creation of a volunteer army with a reserve program will prove sufficient for the protection of our Nation and adequate to cover our commitments except under circumstances of a formal declaration of war, or an executive order approved by both Houses of Congress.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. ANDERSON).

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, I support, without equivocation, the passage of legislation which would randomize the selection of young men for the Armed Forces and would reduce the period of their vulnerability under the draft. I do regard it as a complete non sequitur that we should be obliged to consider this matter under procedural constraints that amount, in effect, to a de facto closed rule.

I realize that there are those who honestly believe that this is the way to get the other body to accept a bill so that the President can have this authority this year—and he ought to have it. I think the press reports this morning make it abundantly clear that the other body is not going to consider such legislation this year. It seems to me that any reason, therefore, why we should consider this legislation under what, I repeat, would be a de facto closed rule has evaporated with those reports, and it seems to me that there is no reason, therefore, why we should not uphold the right of this Chamber as a coequal body.

We argued on Tuesday, and I agreed with the distinguished chairman of the Appropriations Committee, that we ought not to sandbag the Senate, that we ought not act in such a way as to deprive them of their right to freely legislate. I ask the same right for this House.

Mr. Speaker, I support the provision of H.R. 14001 which would repeal section 5(a)(2) of the Military Selective Service Act of 1967, which forbids the implementation of a lottery induction system or random selection system by the President. There seem to be very few who are opposed to giving the President this authority which he requested as early as May 13, 1969. Indeed, the President has announced that without congressional action he will move on January 1 to draft the youngest first in place of the present system but he would not be able to move to random selection.

I do object to a rule which, in effect, amounts to a de facto closed rule on a subject as important to the future of the young men of America as the draft. There are at least 36 bills on draft reform introduced in this session, one with as many as 39 cosponsors. This alone testifies to the broad interest in the subject matter of the draft.

As the Marshall Commission said in its report of February 1967:

> Sweeping changes have come to our society since the system for selecting men for induction into the Armed Forces was established a quarter of a century ago. Dramatic population growth has increased the supply of men; almost 2 million now reach draft age each year. Changes in technology and transitions in strategic concepts have modified manpower requirements.

I believe the matter ought to be considered under a rule which is not so narrow that it precludes amendments to anything except section 5(a)(2) of the act. We have had more than 25 years' experience under selective service. We have had the matter studied as recently as 2 years ago by a Commission of some of the most eminent Americans—the Marshall Commission which included people like Kingman Brewster, president of Yale; Thomas Gates, former Secretary of Defense; John McCone, former CIA Director; and others. Why then are we not free to consider any germane amendments to the act itself?

Apparently the principal reason is that the Senate would not be pleased or the chairman of the Senate Armed Services Committee might refuse to hold hearings if we open up the act. On Tuesday the chairman of the Appropriations Committee in debate on the continuing resolution insisted that we should not violate comity by sandbagging the Senate, or attempt to make them dance to our tune. Others carried forward the argument that we should be careful to discharge our responsibilities in an orderly manner and leave the Senate to work its will. We have a bicameral National Legislature. Neither House should attempt to foreclose decisions or dictate to the other as to what action it will take. I agree. Are we now to capitulate to the whim and caprice of a Senate committee chairman or assert the rightful prerogatives of this House on so important a matter?

We demean ourselves in the eyes of the other body, in the eyes of the country, and most importantly in the eyes of the youth of America if we refuse to come to grips with this problem in no more meaningful fashion than this.

Will we get a bill, if we go beyond the bare bones of a repeal of section 5(a)(2)? Will we see action in the other body? I would suggest that on so fundamental a matter as draft reform the other body would be subject to public pressure and a wave of popular disaffection with any failure on their part to perform their obligations with respect to this matter.

When we speak of draft reform, we ought to take a look at the whole range of proposals long of record:

First, uniform application throughout the country of clear and binding policies concerning classifications and exemptions and deferments.

Second, restructuring of the organization of the selective service system along regional lines with area offices.

Third, retention of 4,000 local boards as registrants' courts of appeal on draft classification;

Fourth, changes in composition of local boards to more adequately represent the community. The Marshall report even brought out that there were boards with members over 90;

Fifth, revamping and clarification of appeals process; and

Sixth, assurance of the right of personal appearance and right of counsel.

Mr. Speaker, at this point I include with these remarks an article by Edward Ranzal entitled "Judge Voids an Induction and Criticizes Draft Rules," which appeared in the New York Times on Wednesday, October 29, 1969:

JUDGE VOIDS AN INDUCTION AND CRITICIZES DRAFT RULES

(By Edward Ranzal)

A soldier was ordered released from the Army yesterday by Federal Judge Lloyd F. MacMahon on the ground that his draft board had illegally denied him a reclassification hearing before induction.

Judge MacMahon, in his 18-page opinion, caustically criticized what he called the "mind-numbing maze of statutes, regulations and memoranda" of the Selective Service System.

Pointing out that regulations deny a registrant the right to counsel before his draft board and the fact that Selective Service considers its proceedings as informal, Judge MacMahon said:

INDUCTED IN AUGUST

"In view of that policy and the labyrinth of statutes and regulations, which are inscrutable not only to laymen but also to most lawyers, the board cannot hold registrants to a precise use of technical terminology."

Judge MacMahon's decision ordered the release of Joseph Vaccarino, 26 years old, of 238 Mott Street, assigned as a clerk to the Armed Forces Examining and Induction Station at 29 Whitehall Street since his induction last Aug. 7.

Mr. Vaccarino, who became 26 last March 6, was represented by Steven J. Hyman of the law firm of Kunstler & Kunstler. Judge MacMahon said that once the soldier became 26, "he can only be called under a new induction order, and then only after the board has exhausted all those available between the ages of 19 and 26, an unlikely eventuality."

Mr. Vaccarino's plight arose from various applications made to Local Board 1 from April 1968 until he was inducted. It consisted of a series of requests for a 3-A hardship deferment.

ASKED FOR CHANGE IN STATUS

On April 30, 1968, Mr. Vaccarino, who was a student at the Fordham University School of Law, asked for a reclassification from a student deferment to a hardship deferment. He lived with his father, who was very ill, and an unmarried sister.

Judge MacMahon held that the plaintiff had presented sufficient facts to his board to indicate that he was entitled to the hardship deferment. But the board refused to reopen his case.

Following his graduation on July 18, 1968, the soldier was reclassified 1–A. At his request the board gave him two postponements before induction.

Mr. Vaccarino's father died last April 7. Under the Selective Service regulations, Judge MacMahon said, Mr. Vaccarino had 10 days to notify his board of a change in status.

REGULATION ASSAILED

"There is not the slightest hint," Judge MacMahon continued, "that petitioner knew of the obscure and confusing regulation requiring notification to the board within 10 days of any change of status. We think it perfectly clear that petitioner was totally unaware that he might waive his right to a reopening if he did not notify the board within 10 days of his father's illness.

"It would be unthinkable, and patently unjust, to hold that a registrant waived so important a right by failing to comply with a procedural requirement of which he was unaware. The forfeiture of so important a right cannot rest on so trivial a ground."

Last week Judge MacMahon harshly criticized a Mount Vernon draft board for withdrawing a deferment to a full-time student who had fallen behind in his studies at the University of Bridgeport. In that case he vacated the board's induction notice.

So, Mr. Speaker, I hope the House will open this rule a little further to permit debate on the underlying structural inequities of the present draft system. I am afraid that if we do not, the impetus for real reform will be lost and we will be stuck with an old, leaky, patched-up ship just as we enter the stormiest weather and the highest waters that this Nation has seen in a decade of social upheaval and questioning of established institutions.

But let me also say that I hope this body will take this opportunity to debate the draft bill seriously and constructively, without trying to bring in a whole host of amendments which would either bind the hands of the President or attempt to write foreign policy into legislation about the draft. We need reform, but we will kill reform if we burden it with the hopes and fears of various groups who would change American policy in Vietnam overnight, or seek to put the Congress on record as favoring a certain policy without debating it in its proper time.

We have a chance to take a serious look at a draft system which is badly in need of reform. Let us do that, and that alone, in this hour, leaving other matters to their proper time. I believe the Nation wants us to overhaul the draft system. President Nixon has asked that the system be reformed. Our mandate is clear. Now let us act on it with all deliberate speed.

Mr. Speaker, many have said that it is inappropriate to open up the rule on this bill because the length and complexity of the Selective Service Act is such that extensive hearings ought to be held before any basic changes are proposed on the floor of the House. I would only like to point out that many of these proposed changes which would make the entire draft system more equitable have been discussed during the hearings on 14001 and 14015 held by the Special Subcommittee on the Draft chaired by the honorable gentleman from Louisiana (Mr. HÉBERT).

I have studied the transcript of those hearings with interest. Mr. Speaker, the vast majority of those who testified before the special subcommittee, either in person or through a written statement, were unequivocal in their support for a careful but extensive review of the whole draft system—including the question of student deferments, the question of uniform national standards for administration and selection, the question of appellate procedures and exemptions, and several other matters in addition to the question of the random selection system which is presently before us.

The honorable gentleman from New Jersey (Mr. THOMPSON) spent roughly 20 percent of his time discussing the random selection system, and devoted 80 percent of his time to the need for other urgent changes. He also presented a closely considered 35-page analysis of the changes in existing law which would be effected by the bill he himself offered in conjunction with 39 cosponsors—H.R. 7784. At least six other Members of this House specifically asked the subcommittee to consider far broader reforms, and 11 other Members and one Senator—Senator DOLE of Kansas—requested in written statements that the committee consider other basic reforms in detail.

In addition Mr. Speaker, there are letters of support for a basic overhaul of the entire draft system from the Mennonite Central Committee, the United Church of Christ, and several other groups.

Mr. Speaker, I testified before the Armed Services Committee during its hearings on the Selective Service System 2 years ago, and I mentioned at that point that I as well as many other Members continued to receive a constant stream of letters from constituents involving alleged draft inequities. Some of these complaints are frivolous and do not merit serious attention, but many require the attention of a caseworker who would be able to spend more time on other problems, serious problems, if the draft system worked in a more uniform and equitable manner than it does now. Mr. Jeffrey Schwartz, in a study on casework and draft reform, has reported that some Congressmen have to deal with up to 200 cases a year involving complaints against the draft system—and not all these cases come from those who have shouted, "Hell, no, we won't go." This is a serious problem for all of us, because we all have to give it time and resources which detract from our effectiveness in other legislative matters.

In conclusion, Mr. Speaker, let me simply say that we must not delude ourselves about the mood of this country. The sentiment for reform is overwhelming, and we will not fool those who are affected by the draft or those who are concerned about its inequities by passing a stopgap bill which does not touch any of the areas that most need to be reviewed and reformed. The people have spoken on this issue again and again. It has been seriously debated in the Executive branch and in the courts. It is a topic of constant concern on the campuses and in the high schools. Mothers talk about it. Fathers are becoming involved in the debate. It would be a mockery of Congress, a travesty upon the record of this House, and a tragedy for the Nation if it should happen that the only place in this country where serious draft reform is not seriously debated is to be the Congress of the United States.

Mr. YOUNG. Mr. Speaker I yield 2 minutes to the gentleman from California (Mr. SISK), a member of the Committee on Rules.

Mr. SISK. Mr. Speaker, as one member of the Committee on Rules who supported this rule I would like to urge my colleagues to consider the problem with which we are faced. The Armed Services Committee, for whatever the reasons may be—and I think they have been eloquently described as being very busy on many problems—have not had an opportunity to hold full and complete hearings in many areas in connection with the draft legislation that many of us are concerned about. I would like to support an amendment to strike out college deferments, and I have made that statement publicly many times. I am sure every Member has some ideas. But I would urge you to consider what we are doing today.

If you are in favor of what this particular legislation before us proposes to do, I think you ought to vote for the rule. If you do not desire to act in this area, then simply vote against the rule. But it does seem to me—and I have a great respect for my good friend, the gentleman from Missouri (Mr. BOLLING), because I know what an able legislator he is, though I happen to disagree with him on this question—on the basis of what is good procedure we should take one stand or the other. I simply do not believe that opening this rule up is good procedure when the committee itself has not had an opportunity to hold hearings. They do not have facts, information, statistics, the facts and figures that I believe we should have in the area of the wide variety of amendments that would be proposed on the floor.

I feel very strongly that, as a procedural matter, if you do not like what we are proposing to do, to go along with the President, then simply vote against the rule and indicate your feelings thereby.

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

Mr. SISK. I am glad to yield to the distinguished Chairman of the Committee on Armed Services.

Mr. RIVERS. I agree with the gentleman. I stated on the floor yesterday, and I reiterate today, that the committee will undertake a complete review of this subject. The Members of the House have indicated that they want it, and I am perfectly willing to undertake it. I intend to do it. If we had wanted to undertake it this year, it would have been physically impossible. Over 6 months were taken by the other body on the ABM alone. We could not have done it under any conditions.

I give you my word that we will have a review next year. That is all I can say.

Mr. SMITH of California. Mr. Speaker, I yield 8 minutes to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, let me preface my remarks by saying that I am wholeheartedly in favor of an all-volunteer military service, a career service if you prefer to use that name. I am committed to that view. I know I may well differ with the distinguished chairman of the committee and the distinguished chairman of the subcommittee in that regard, but I do not want any misunderstanding as to my feelings.

I happen to believe that is attainable. Let me explain why. I think it is attainable because the distinguished chairman of the Committee on Armed Services has just promised each of us that there will be comprehensive hearings on the Selective Service Act in 1970. And I have just talked to the distinguished ranking minority member and he likewise has committed himself to comprehensive hearings on this very important legislation.

So the committee will have an opportunity to look throughly into the facts and to come up with a recommendation. I hope they come up with a bill providing for an all-volunteer or career service.

I think that is attainable because of two other factors. Forget about the details. I am convinced that by mid-1970 there will be a significant change in the situation in Vietnam that will permit a substantial withdrawal of our forces from that conflict. This will permit a substantial reduction of our men on active duty in all the four services.

Why does that make a difference regarding an all-volunteer or career service? It does. In 1958 and 1959, there were approximately 2,600,000 men on active duty in all branches of the service. We did not have a military conflict on our doorstep. The number of men going into the Army via the Selective Service System was minimal. We were getting all the manpower we needed—Navy, Air Force, and Marines—through the volunteer method. In 1970, probably, and certainly in 1971, we will have the same atmosphere; namely, no major military conflict and the prospect of a substantial decrease in overall manpower on active duty in the four services.

Second, I am convinced that the American people and the Congress are willing to pay the price in compensation and fringe benefits so we can have a volunteer or career military service.

Also, let me point out this: This bill, involving an amendment to the Selectice Service Act, is here only because the distinguished chairman of this committee sat down with the President of the United States and at his request agreed to hold hearings on this proposal and to bring it to the floor, if that was the will of the Committee on Armed Services. This legislation involving any change—in selective service legislation would not be here on the floor today if it had not been for the good faith agreement between the President and the distinguished chairman of the Committee on Armed Services. I have a suspicion—I do not know—that perhaps the chairman of this committee and maybe the chairman of the subcommittee were not in sympathy with this legislation, but in deference to the request of the President of the United States they brought this bill to the floor of this House. I think this ought to have an impact on some of our Members. This is a good-faith effort. We are taking a step forward. If this had not been done, we would not have this opportunity in 1969 for an important step forward in draft reform.

One other point: I have been receiving, as all of the Members have, letters from various Members saying that if the previous question is defeated, Members intend to offer various amendments. In one case I heard the distinguished gentleman from New Jersey (Mr. THOMPSON) say yesterday he was going to offer a substitute, which I am told encompasses 74 pages, that would totally eliminate the existing Selective Service Act and substitute another in its place.

But let me say this: Neither that proposal by the gentleman from New Jersey nor the one by the gentleman from New York (Mr. KOCH), or any others to my knowledge, have had any consideration whatsoever by the Committee on Armed Services.

I just do not think it is sensible legislative procedure to take a 74-page proposal, with the lives of a great many young Americans involved, and consider it without any prior review by a responsible Committee of the House of Representatives. How could any one of the Members say he knew what was in the 74-page bill proposed by the gentleman from New Jersey or the proposal which the gentleman from New York says he is going to offer if the previous question is defeated? I just do not believe that any Member of the House wants to consider legislation as sensitive as this in this cursory manner.

I hope the House will approve ordering the previous question, so that we can act responsibly in trying to take a rather significant step forward in amending the Selective Service Act as recommended by President Nixon.

To open it up from one end of the Selective Service Act to the other would be the height of irresponsibility, in my judgment.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am glad to yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I thank the gentleman for yielding.

The gentleman is obviously confused, and I should like to straighten him out.

Mr. GERALD R. FORD. I have not found the gentleman has ever been able to do that in the past. Thank goodness for that, and I say this in the most friendly way because he is my friend.

Mr. THOMPSON of New Jersey. I am equally glad because, after all, the gentleman is a charming and delightful opponent.

Mr. GERALD R. FORD. All of this kind comment does not narrow our differences.

Mr. THOMPSON of New Jersey. I give the gentleman credit, and the House, for looking at the RECORD. The bill which I have introduced, to which the gentleman has referred, was in the RECORD with a total and complete explanation of it on October 3.

Mr. GERALD R. FORD. Let me make this point——

Mr. THOMPSON of New Jersey. Further, it does not revise the entire system.

Mr. GERALD R. FORD. The gentleman has made his point. I, however, do not agree.

The gentleman is a member of the Committee on Education and Labor. Does he believe we ought to consider proposals from his committee in this way? Of course the gentleman would object.

Mr. THOMPSON of New Jersey. If they are handled in the manner in which the Committee on Armed Services handled this, the answer is "Yes."

Mr. GERALD R. FORD. Mr. Speaker, I conclude simply by saying that by any standard the previous question should be ordered. I hope we will approve the previous question, and by a very substantial margin, on this side of the aisle.

Mr. YOUNG. Mr. Speaker, I yield the remaining time on this side, which I understand to be approximately 5 minutes, to the distinguished gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Speaker, in winding up this very important debate I want to make two points, one of them procedural and the other substantive.

First of all, the procedural point is this: The charge is being made that what we are offering here today is a closed rule, a kind of unique sort of gag rule, some strange and diabolically clever parliamentary device, as one Member said yesterday in the RECORD.

Nothing could be further from the truth. It is the standard, traditional, orderly kind of open rule with which the House regularly does business.

What the gentleman from Missouri (Mr. BOLLING) seeks is a very special kind of rule that would require a very unusual provision, waiving all points of order against any amendment that might be offered. That of course would be opening up Pandora's box on a very complex

and controversial matter. It would not be traditional, it would not be in the interest of orderly legislation, nor would it enhance the chances for prompt and effective action.

To underscore the point that there is nothing unusual in this procedure we are following today, let me take you back to July 26, 1965, when a very similar issue was before this House. It arose in connection with legislation coming out of the great Committee on Education and Labor, where the gentleman from New Jersey (Mr. THOMPSON), who has just spoken, is a ranking and senior member. That legislation provided for the repeal of section 14(b) of the Taft-Hartley Act. And the rule on that occasion, House Resolution 437 of that Congress, was almost identical, word for word, with the rule that is before us today.

During the debate on that 1965 rule a number of Members did try to suggest that we ought to amend that rule and waive all points of order, and thereby open up the whole substance of the Taft-Hartley Act to consideration and amendment. But a majority of the Members of the House opposed that procedure and supported the rule, because they believed that by opening up the whole Taft-Hartley Act the House would not only get into the confusion of trying to write legislation on the floor without any prior consideration in the appropriate committee, but in addition the repeal of section 14(b), which was primarily at issue, might even be lost in the process.

That is precisely the same situation we face here today. What is of special interest today, though, is that many of the people who now oppose this rule today, strongly supported the identical kind of rule back in 1965 and voted for the previous question, as the distinguished minority leader has just urged us to do in this similar case today. Here are some of the names: Mr. BOLLING, Mr. ICHORD, Mr. LEGGETT, Mr. SMITH of Iowa, Mr. THOMPSON of New Jersey, Mr. REID of New York, Mr. RYAN, Mr. NEDZI, Mr. OTTINGER, and Mr. PIKE.

In fact, the gentleman from Michigan (Mr. O'HARA) put the whole point very eloquently when he said in the CONGRESSIONAL RECORD, volume 111, part 13, page 18086:

> The resolution providing an order of business for this bill is the standard open rule provided for in the vast majority of Rules Committee resolutions that come before this House. Any amendment germane under the rules of the House can be offered, debated, and voted upon. We are not debating a gag rule or a closed rule. It is the standard open rule that we have been accustomed to for years.

What the gentleman from Michigan said then very eloquently is just as true today in connection with this rule. So let us not be fooled with all this talk about a closed rule or a gag rule or some other devious or diabolical type of parliamentary procedure.

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

Mr. STRATTON. I cannot yield to the gentleman from Missouri at this time. I wish I could, but my time is very limited. I have one more point I want to make, and then I will be very glad to yield to the gentleman. That is the substantive point I referred to earlier.

There is no question about the fact that the draft is a hot, controversial issue. There is no question but that many Members of this body have suggestions and ideas for improving it and amending it, and certainly these views ought to be considered and they will be considered, as the gentleman from South Carolina (Mr. RIVERS) has already indicated. But whatever may be said for all of these proposals, including those of the gentleman from New Jersey (Mr. THOMPSON) and the gentleman from New York, it is perfectly obvious that it would be virtually impossible for us to get rapid, majority agreement today on any one of them.

However, there are two specific draft reforms on which everybody can agree. I have not heard anybody object to either of them. One of them is the proposal to draft 19-year-olds and to limit draft vulnerability to a single year. That is already in the draft law on an optional basis. The other is the proposal for a lottery, which is covered in the legislation which this rule would make in order, and which is presently prevented by the existing law. The President of the United States has told this Congress that he is going to put the optional 19-year-old feature into operation on the 1st of January and he has also asked us to give him the right to institute a lottery or a random selection procedure at the very same time.

As I say, there is no opposition that I know of to such a lottery; but the important thing is that we act as quickly as possible on the President's request so that the young men of this country can know before the beginning of the next calendar year just what their measure of draft liability is going to be. It is perfectly obvious that we could never get agreement on some of these other detailed proposals in both Houses of Congress and out of the conference committee in time for this January 1 deadline. So let us not throw out the baby with the bath. Let us not block agreement on the one draft improvement that we can agree on just because some would like to push for still further improvements too.

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of California. Mr. Speaker, I yield the gentleman my 1 final minute.

Mr. STRATTON. I am grateful to the gentleman from California for yielding.

Let me just conclude by urging that this House demonstrate here today that we can move and can act promptly, as we have often acted promptly in the past.

If we do act promptly and if, after we have done that, the other body wants to delay the matter and to perpetuate this sense of frustration and uncertainty on the part of so many of our young people which this legislation would ease, then that will be up to them. I do not personally think they will do so. But let us in any event act responsibly here today on what is before us, so as to provide the one measure of draft improvement that everybody can certainly agree on, and the one thing that has been so urgently requested by the President of the United States.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BURLISON of Missouri. Mr. Speaker, I rise in opposition to the previous question. This is because I want the opportunity to vote for elimination of the college deferment.

Mr. Speaker, time will not permit an exhaustive discussion of this issue, but let me mention just a few reasons why a college deferment is unfair and unwise and should thus be eliminated.

The most obvious is the advantage given to those best equipped financially. Economic preferment should have nothing to do with when or whether a young man serves his country. Presently, a disproportionate share of our war casualties are borne by our poorer citizens. The most feasible explanation for this is that the more affluent are less vulnerable to the draft because of the "education loophole."

This system encourages students to go to college who do not have the intellectual capacity nor the motivation and who would not otherwise attend. Those who have had an opportunity to observe these students readily see the unfortunate waste of time and resources of both the families and schools involved.

In conjunction with the last mentioned point, it should be observed that the system discourages marginal students from taking academically rigorous courses, in order to make better grades insuring continued deferments. And it is widely known that some institutions and professors have shown tendencies to lower academic standards rather than send the marginal student to the draft.

A not so obvious inequity is perhaps what some would term a perverted sense of values and priorities. For example, why should a student of Greek drama be deferred while an apprentice carpenter is not?

The argument is made that abolition of college deferments would stifle education. This is not true. Much evidence is available to indicate that the teenage student has a stronger motivation for formal education after he has a couple of more years of maturity. In addition, he has a more accurate concept of what he desires as his life's work. Maybe it could be said that some of the actions on our campuses today are some reflection of immaturity. The education benefits available under the GI bill serve to guarantee that service will not impede education—rather, the opposite is true.

It is recognized that the position here taken may not be popular. A larger and larger percentage of our people are finding college education possible, and as we parents know so well, it is usually the parents, rather than the students themselves, who most want the college deferment.

Mr. Speaker, in conclusion it can be said that I favor a lottery system of draft selection, but it should be a true and pure lottery without the college deferment inequity.

Mr. MOORHEAD. Mr. Speaker, I rise in opposition to House Resolution 586, the rule to consider H.R. 14001, and move that we defeat the previous question.

Since I am on record as favoring the method of random selection in the draft, I am obviously not suggesting this move as a vote against the lottery, but as a vote to open the door to amendments to the Selective Service Act itself, and not just to H.R. 14001.

Frankly, unless we defeat the previous question, we are saying, along with the Nixon administration and the chairman of the Armed Services Committee, that what we need most is to quiet campus dissent, and not to correct the abuses and inequities in the current draft system. Because, it is very obvious to me, that—along with H.R. 14001, and the reduction in the November and December draft calls—this is the "master plan."

If the motive is to provide a flexible system of manpower procurement, a sound, orderly, fair way to insure our own national security and defense, why have we waited so long for hearings in the Armed Services Committee?

I cosponsored the Thompson-Kennedy comprehensive draft reform bill—H.R. 15799—in the 90th Congress, and also a "miniversion of the bill"—H.R. 17180—which would strike the language which prohibits a lottery and provides for a prime selection pool, and we were not given hearings.

Also, in the 90th Congress, I introduced a bill to insure that graduate students completing satisfactory work could complete that year—H.R. 17362—again, no hearings. But President Nixon has just done this by Executive order.

In this Congress, Congressman THOMPSON again introduced his comprehensive draft reform bill, with some minor changes, and 15 of us again cosponsored it. After waiting nearly 5 months, we wrote to the chairman requesting hearings, and 65 other Members of the House associated themselves with this request. Instead of hearings, we were asked to supply a section-by-section analysis of the bill. My office worked with the Thompson task force in compliance with the chairman's request, and, again, no hearings.

After the Nixon administration accused this Congress of "no action on the draft," hearings on H.R. 14001 were quickly called before a Special Subcommittee on the Draft. Congressman THOMPSON testified on behalf of 37 of us that, while supporting the aims of H.R. 14001, this bill is certainly no substitute for draft reform.

Mr. Speaker, I believe in the congressional process and proper hearings on legislation before appropriate committees of Congress. In the case of draft reform, Members urging reform have so far been denied this privilege.

Accordingly, I move to defeat the previous question so that those who wish to speak on such urgent matters as student and occupational deferments, amnesty, right to counsel, uniformity of standards and appeal boards, studies of a volunteer Army and national service corps, and other important matters will have that opportunity.

Mr. ARENDS. Mr. Speaker, the debate on this rule has been most interesting. However, I think much of it fails to get to the heart of the matter.

The Washington Evening Star, on October 21, 1969, carried an editorial commentary on this same subject which does get to the heart of the matter.

Let me read a portion of that editorial:

> The unexpected and gratifying action on the administration's draft reform proposal by the House Armed Services Committee gives rise to some hope that a lottery system of the draft may be in operation early next year.
>
> The House can be expected to go along with the 31–0 vote of the committee to strike the prohibition on a random selection system from the present draft law. And since it was the House committee that insisted on the prohibition in the first place, it would be logical to assume that bill is now in the clear.
>
> But logic does not always apply to the legislative process—

I continue to read another portion of the editorial which goes on to say—

> There is no need to delay. The proposed mild reform, which would correct the most glaring of the present inequities—the seven year period of draft vulnerability and the drafting of the oldest first—should be enacted now. After that tidying up is accomplished, the House and Senate can go back to overall reform considerations and debate the matter to their hearts' content.

The editorial comment is simple and direct. I completely concur in its emphasis that the President's proposed draft reforms should be enacted now. If the Congress wishes more sweeping changes to the draft law, it can accomplish these further changes later when it will have the opportunity to "debate the matter to their hearts' content" without doing so at the expense of the young men of America who are eagerly looking forward to this necessary and agreed-upon change in draft policy.

I therefore strongly urge you to vote aye on the previous question and support the rule reported by the Rules Committee.

Mr. CONABLE. Mr. Speaker, I support an open rule and hope it will be adopted.

We would not be here at all, discussing draft reform, if President Nixon had not taken such a strong stand that it should be reformed, and that he would reform the draft by Executive order if Congress did not move promptly. I am proud that he has taken this stand, because the Congress has not usually taken the initiative of reviewing the system except in those years when it comes up for extension. I still believe it was ill-advised to extend the draft for 4 years last year, but fortunately the President has corrected the situation which our insensitivity then created. Dialog about an institution like the draft is not a sign of weakness. A refusal to risk dialog for fear the results will be irresponsible is weakness itself, raising questions about the balance between stability and responsibleness which must characterize a democratic republic. I am grateful to the President for giving us this opportunity, and I think we should make the most of it rather than ourselves imposing hobbles to impede the course of a needed debate.

Mr. ASHLEY. Mr. Speaker, I intend to vote against the previous question on House Resolution 586, the rule governing consideration of the bill, H.R. 14001, to amend the Military Selective Service Act of 1967.

I will do so because in its present form this rule would limit consideration to the question of a draft lottery procedure. It would thus deny consideration of the many other amendments which are necessary to make the draft equitable and just for all of our millions of young men subject to its provisions.

It is only through this procedure that the Members of the House will be able to express and act on their convictions with regard to these substantive changed needed in the draft law.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I support the effort of my colleague on the Rules Committee to amend this rule to allow the House to consider the Selective Service Act in its entirety.

I support this effort for two major reasons. The first is that the Congress has the obligation to devise the system of conscription that is to be used in this Nation; it must not deny its responsibility to formulate that system by giving its power to the President, even if the President were to institute a system identical to do that supported by a Member of this body. Second, I do not believe that the President's program is close to the ideal system which we must try to reach.

I support a system of random selection, well known as a lottery system. I have supported this for 3 years. I also support limiting the vulnerable period for a young man to as short a time as possible. But there are too many inequities in the draft system to settle solely for these changes. No matter how equitably chance determines who is chosen from the pool, the system is not equitable unless everyone has the same chance of being placed in the pool.

Extremely important legislation is being considered, and it is wrong that the House cannot consider the Selective Service Act as a whole. The entire question of deferments is ignored; the registrant's right to counsel is not mentioned; the appellate procedure is not discussed; nor are the questions of alternative service, conscientious objection, or the powers of the local boards. These aspects of the draft are as important as the random selection principle and the age vulnerability question.

In the summer of 1966 we saw long and comprehensive hearings on draft reform. That was more than 3 years ago and we still have not really reformed the draft. This is an opportunity to do so; it should not be missed. The Congress must not abdicate its responsibility.

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

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

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

Mr. BOLLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 129, not voting 37, as follows:

[Roll No. 252]

YEAS—265

Abbitt	Fountain	Passman
Abernethy	Frelinghuysen	Patman
Adair	Frey	Patten
Albert	Fuqua	Pelly
Alexander	Galifianakis	Pepper
Anderson, Tenn.	Garmatz	Perkins
	Gibbons	Pettis
Andrews, Ala.	Goodling	Philbin
Andrews, N. Dak.	Gray	Pickle
	Green, Oreg.	Poage
Annunzio	Griffin	Poff
Arends	Griffiths	Pollock
Ashbrook	Gross	Price, Ill.
Aspinall	Grover	Price, Tex.
Ayres	Gubser	Purcell
Barrett	Hagan	Quie
Beall, Md.	Haley	Quillen
Belcher	Hall	Randall
Bennett	Hammer-schmidt	Reid, Ill.
Berry		Reifel
Betts	Hanna	Rhodes
Bevill	Harsha	Rivers
Blackburn	Harvey	Roberts
Blanton	Hastings	Rogers, Colo.
Boggs	Hays	Rogers, Fla.
Bow	Hébert	Rooney, N.Y.
Bray	Henderson	Rooney, Pa.
Brinkley	Hogan	Rostenkowski
Brooks	Holifield	Roth
Broomfield	Hosmer	Roudebush
Brotzman	Hull	Ruppe
Brown, Ohio	Hunt	Ruth
Broyhill, N.C.	Hutchinson	Sandman
Broyhill, Va.	Johnson, Pa.	Satterfield
Buchanan	Jonas	Saylor
Burke, Fla.	Jones, Ala.	Schadeberg
Burke, Mass.	Jones, N.C.	Scherle
Burleson, Tex.	Jones, Tenn.	Schneebeli
Bush	Kazen	Schwengel
Byrnes, Wis.	Kee	Sebelius
Cabell	Keith	Shipley
Caffery	King	Shriver
Camp	Kleppe	Sikes
Carter	Kluczynski	Sisk
Casey	Kuykendall	Skubitz
Chamberlain	Kyl	Slack
Chappell	Landgrebe	Smith, Calif.
Clancy	Landrum	Smith, N.Y.
Clausen, Don H.	Langen	Snyder
	Latta	Springer
Clawson, Del	Lennon	Stafford
Collier	Lipscomb	Staggers
Collins	Lloyd	Stanton
Corbett	Long, La.	Steiger, Ariz.
Corman	McCulloch	Stephens
Coughlin	McDonald, Mich.	Stratton
Cowger		Stubblefield
Cramer	McEwen	Stuckey
Cunningham	McFall	Taft
Daniel, Va.	McKneally	Talcott
Daniels, N.J.	McMillan	Taylor
Davis, Ga.	MacGregor	Teague, Calif.
Davis, Wis.	Mahon	Teague, Tex.
Delaney	Mailliard	Thompson, Ga.
Denney	Mann	Thomson, Wis.
Dennis	Marsh	Utt
Devine	Martin	Vander Jagt
Dickinson	Mathias	Vigorito
Dingell	Matsunaga	Waggonner
Donohue	May	Wampler
Dorn	Mayne	Watkins
Dowdy	Meskill	Watson
Downing	Michel	Watts
Duncan	Miller, Calif.	Weicker
Dwyer	Miller, Ohio	White
Edmondson	Mills	Whitehurst
Edwards, Ala.	Minshall	Whitten
Edwards, La.	Mize	Widnall
Erlenborn	Mizell	Wiggins
Eshleman	Mollohan	Williams
Evins, Tenn.	Montgomery	Wilson, Bob
Fallon	Morton	Winn
Feighan	Murphy, Ill.	Wold
Findley	Murphy, N.Y.	Wright
Fish	Myers	Wydler
Fisher	Natcher	Wylie
Flood	Nelsen	Wyman
Flowers	Nichols	Young
Ford, Gerald R.	Nix	Zion
Foreman	O'Neal, Ga.	Zwach

NAYS—129

Adams	Biester	Brown, Mich.
Addabbo	Bingham	Burlison, Mo.
Anderson, Calif.	Blatnik	Button
	Boland	Celler
Anderson, Ill.	Bolling	Chisholm
Ashley	Brademas	Clay
Biaggi	Brasco	Cleveland
Cohelan	Hawkins	Pike
Conable	Hechler, W. Va.	Podell
Conte	Heckler, Mass.	Preyer, N.C.
Conyers	Helstoski	Pryor, Ark.
Culver	Hicks	Railsback
de la Garza	Horton	Rarick
Dellenback	Howard	Rees
Derwinski	Hungate	Reid, N.Y.
Diggs	Ichord	Reuss
Dulski	Jacobs	Riegle
Eckhardt	Johnson, Calif.	Robison
Edwards, Calif.	Karth	Rodino
Eilberg	Kastenmeier	Rosenthal
Esch	Koch	Roybal
Evans, Colo.	Kyros	Ryan
Farbstein	Leggett	St Germain
Fascell	Long, Md.	St. Onge
Flynt	Lowenstein	Scheuer
Foley	McCloskey	Smith, Iowa
Ford, William D.	McDade	Steiger, Wis.
	Macdonald, Mass.	Stokes
Fraser		Sullivan
Friedel	Madden	Symington
Fulton, Pa.	Meeds	Thompson, N.J.
Fulton, Tenn.	Melcher	Tiernan
Gallagher	Minish	Tunney
Gaydos	Mink	Udall
Giaimo	Moorhead	Vanik
Gilbert	Morgan	Waldie
Gonzalez	Morse	Whalen
Green, Pa.	Mosher	Wilson, Charles H.
Gude	Moss	
Halpern	Nedzi	Wolff
Hamilton	Obey	Yates
Hanley	O'Hara	Yatron
Hansen, Wash.	O'Konski	Zablocki
Harrington	Olsen	
Hathaway	Ottinger	

NOT VOTING—37

Baring	Dawson	Monagan
Bell, Calif.	Dent	O'Neill, Mass.
Brock	Gettys	Pirnie
Brown, Calif.	Goldwater	Powell
Burton, Calif.	Hansen, Idaho	Pucinski
Burton, Utah	Jarman	Scott
Byrne, Pa.	Kirwan	Steed
Cahill	Lujan	Ullman
Carey	Lukens	Van Deerlin
Cederberg	McCarthy	Whalley
Clark	McClory	Wyatt
Colmer	McClure	
Daddario	Mikva	

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Monagan for, with Mr. O'Neill of Massachusetts against.

Mr. Steed for, with Mr. Carey against.

Mr. Pucinski for, with Mr. Brown of California against.

Mr. Gettys for, with Mr. Burton of California against.

Mr. Byrne of Pennsylvania for, with Mr. Dent against.

Mr. Cederberg for, with Mr. Van Deerlin against.

Mr. Kirwan for, with Mr. Powell against.

Mr. McClory for, with Mr. McCarthy against.

Mr. Pirnie for, with Mr. Mikva against.

Until further notice:

Mr. Clark with Mr. Brock.

Mr. Jarman with Mr. Goldwater.

Mr. Ullman with Mr. Burton of Utah.

Mr. Colmer with Mr. Hansen of Idaho.

Mr. Daddario with Mr. Lujan.

Mr. Baring with Mr. Scott.

Mr. Dawson with Mr. Bell.

Mr. Lukens with Mr. Whalley.

Mr. McClure with Mr. Wyatt.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. GOLDWATER. Mr. Speaker, on rollcall No. 252, a vote on the previous question on the rule on the Selective Service Act Amendments of 1969, I was unavoidably detained. If I had been present, I would have voted "yea."

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 164—Joint resolution to provide for a temporary extension of the authority conferred by the Export Control Act of 1949.

CONSUMERISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–188)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

Consumerism—Upton Sinclair and Rachel Carson would be glad to know—is a healthy development that is here to stay.

That does not mean that *caveat emptor*—"let the buyer beware"—has been replaced by an equally harsh *caveat venditor*—"let the seller beware." Nor does it mean that government should guide or dominate individual purchasing decisions.

Consumerism in the America of the 70s means that we have adopted the concept of "buyer's rights."

I believe that the buyer in America today has the right to make an intelligent choice among products and services.

The buyer has the right to accurate information on which to make his free choice.

The buyer has the right to expect that his health and safety is taken into account by those who seek his patronage.

The buyer has the right to register his dissatisfaction, and have his complaint heard and weighed, when his interests are badly served.

This "Buyer's Bill of Rights" will help provide greater personal freedom for individuals as well as better business for everyone engaged in trade.

The program I am outlining today represents the most significant set of Presidential recommendations concerning consumer interests in our history. Specifically, I propose:

—A new Office of Consumer Affairs in the Executive Office of the President with new legislative standing, an expanded budget, and greater responsibilities. This will give every American consumer a permanent voice in the White House.

—A new Division of Consumer Protection in the Department of Justice, to act as a consumer advocate before Federal regulatory agencies in judicial proceedings and in government councils.

—A new consumer protection law which would be enforced by the Depart-

ment of Justice and United States Attorneys across the land. Such a law would also better enable consumers either as individuals or as a class to go into court to obtain redress for the damages they suffer.

—Expanded powers for a revitalized Federal Trade Commission, to enable it to protect consumers promptly and effectively.

—A newly activated National Commission on Consumer Finance to investigate and report on the state of consumer credit.

—Expanded consumer education activities, including government review of product-testing processes, a new *Consumer Bulletin*, and the release of certain government information regarding consumer products.

—Stronger efforts in the field of food and drug safety, including a thorough reexamination of the Food and Drug Administration and a review of the products on the "generally regarded as safe" list.

—Other reforms, including an expansion of consumer activities in the Office of Economic Opportunity and greater efforts to encourage the strengthening of state and local programs.

To their credit, producers and sellers have generally become far more responsible with the passing years, but even the limited abuses which occur now have greater impact. Products themselves are more complicated; there is more about them that can go wrong and less about them that can be readily understood by laymen. Mass production and mass distribution systems mean that a small error can have a wide effect; the carelessness of one producer can bring harm or disappointment to many. Moreover, the responsibility for a particular problem is far more difficult to trace than was once the case, and even when responsibility for an error can be assigned, it is often difficult to lodge an effective complaint against it.

All too often, the real advantages of mass production are accompanied by customer alienation; many an average buyer is intimidated by seemingly monolithic organizations, and frequently comes to feel alone and helpless in what he regards as a cruelly impersonal marketplace. In addition, many of the government's efforts to help the consumer are still geared to the problems of past decades; when it is able to act at all, government too often acts too slowly.

Fortunately, most businessmen in recent years have recognized that the confidence of the public over a long period of time is an important ingredient for their own success and have themselves made important voluntary progress in consumer protection. At the same time, buyers are making their voices heard more often, as individuals and through consumer organizations. These trends are to be encouraged and our governmental programs must emphasize their value. Government consumer programs, in fact, are a complement to these voluntary efforts. They are designed to help honest and conscientious businessmen by discouraging their dishonest or careless competitors.

NEW OFFICE OF CONSUMER AFFAIRS

One of the central roles in present government efforts in the consumer rights field is performed by the President's Special Assistant for Consumer Affairs and those who work with her. This position has been created by Presidential order rather than by statute, however, and it is neither as visible nor as effective as it should be. It is important that both the prestige and the responsibility of this office be strengthened.

I am therefore asking the Congress to establish within the Executive Office of the President a new Office of Consumer Affairs to play a leading role in the crusade for consumer justice. This Office and its director would have central responsibility for coordinating all Federal activities in the consumer protection field, helping to establish priorities, to resolve conflicts, to initiate research, and to recommend improvements in a wide range of Government programs. The Office would advise the President on consumer matters and would alert other government officials to the potential impact of their decisions on the consumers' interests. It would receive complaints from individual consumers and refer them to appropriate agencies or to the businesses concerned.

The new Office of Consumer Affairs would not work solely within the Executive Branch of the Government, however; it would continue to carry out other assignments which the Special Assistant to the President for Consumer Affairs now performs. For example, when called upon, it would assist in the legislative process, testifying at Congressional hearings, and consulting with individual Congressmen. It would aid schools and media in educating the public in consumer skills. The new Office will continue the constructive interchange of information which the Special Assistant has established with businesses and industries, and carry forward its assistance to state and local consumer protection programs.

As I will explain in greater detail later in this message, I am also asking the Special Assistant for Consumer Affairs to undertake specific surveillance responsibilities in the area of product safety, to review the government's policy concerning the release of its own information on consumer products, and to publish a new *Consumer Bulletin* on a regular basis. When the new Office of Consumer Affairs is established, it would take over these and related duties.

A new Office of Consumer Affairs would be a focal point for a wide variety of government efforts to aid people who buy. I urge the Congress to grant it the legislative standing and the added resources necessary to do this work effectively.

A DIVISION OF CONSUMER PROTECTION AND A NEW CONSUMER PROTECTION LAW

A second important structural reform which I am recommending is the establishment by statute of a new Consumer Protection Division in the Department of Justice. This Division would be headed by an Assistant Attorney General and would be staffed by lawyers and economists. It would be adequately financed and given appropriate investigative power so that it could effectively ascertain consumer needs and advance consumer causes. The head of the new Division would act, in effect, as the consumers' lawyer representing the consumer interest before Federal agencies, in judicial proceedings and in government councils.

I also propose that Congress arm this new Consumer Protection Division with a new law—one which would prohibit a broad, but clearly defined, range of frauds and deceptions. The legislation I will propose will be of sufficient scope to provide substantial protection to consumers and of sufficient specificity to give the necessary advance notice to businessmen of the activities to be considered illegal.

The role of the new Assistant Attorney General for Consumer Protection would be similar to that of the Assistant Attorney General who heads the Antitrust Division in the Department of Justice. Just as the Antitrust Division enforces the antitrust laws and intervenes in various governmental proceedings to preserve competition, so the Consumer Protection Division would enforce consumer rights and intervene in agency proceedings to protect the consumer. In enforcing these rights, the Assistant Attorney General for Consumer Protection would also have the assistance of United States Attorneys throughout the country. Their power to take quick and effective action under the new statute would be particularly important for protecting low-income families who are frequently victimized by fraudulent and deceptive practices.

Effective representation of the consumer does not require the creation of a new Federal department or independent agency, but it does require that an appropriate arm of the Government be given the tools to do an effective job. In the past a lone Justice Department lawyer—the Consumer Counsel—has attempted to carry out a portion of this task. Our proposal asks that the new Division of Consumer Protection be adequately staffed and independently funded, as is the Antitrust Division, so that it can vigorously represent the interests of the consumer and enforce the newly proposed legislation.

The new Assistant Attorney General and his Division would, of course, work closely with the Office of Consumer Affairs, the Federal Trade Commission, and state and local law enforcement agencies.

CONSUMERS IN THE FEDERAL COURTS—INDIVIDUAL AND CLASS SUITS

Present Federal law gives private citizens no standing to sue for fraudulent or deceptive practices and State laws are often not adequate to their problems. Even if private citizens could sue, the damage suffered by any one consumer would not ordinarily be great enough to warrant costly, individual litigation. One would probably not go through a lengthy court proceeding, for example, merely to recover the cost of a household appliance.

To correct this situation, I will rec-

ommend legislation to give private citizens the right to bring action in a Federal court to recover damages, upon the successful termination of a government suit under the new consumer protection law.

This measure will, for the first time, give consumers access to the federal courts for violation of a federal law concerning fraudulent and deceptive practices, without regard to the amount in controversy. Under Federal court rules, consumers would have the right to sue as a class and not only as individuals. In other words, a group of people could come into court together if they could show that the act in question affected all of them. This is a significant consideration, for it would allow a number of citizens to divide among themselves the high costs of bringing a law suit. Although each person's individual damage might be small, the cumulative effect of a class complaint could be significant and in some circumstances could provide a significant deterrent to expensive fraud or deception. At the same time, the fact that private action must follow in the wake of a successful government action will prevent harassment of legitimate businessmen by unlimited nuisance lawsuits.

THE FEDERAL TRADE COMMISSION

The problems of the American consumer first became a central matter of Federal concern in the late years of the nineteenth century and the early years of the twentieth. One of the important elements in the Government's response at that time was the establishment in 1914 of the Federal Trade Commission, an independent body which was designed to play a leading role in the fight against unfair and deceptive trade practices. While new legislation has given the FTC additional and more specific duties, there has been increasing public concern over the Commission's ability to meet all of its many responsibilities. I believe the time has now come for the reactivation and revitalization of the FTC.

The chairman-designate of the FTC has assured me that he intends to initiate a new era of vigorous action as soon as he is confirmed by the Senate and takes office. A report prepared at my request by a commission of the American Bar Association should help considerably in this effort, for it presents a valuable description of the problems which face the FTC and the ways in which they can be remedied. I urge the FTC to give serious consideration to these recommendations. I have also asked the Bureau of the Budget to help with the revitalization process by supervising an even more detailed management study of this commission.

I am particularly hopeful that a number of specific improvements in the FTC can be quickly accomplished. For example, the Commission should immediately begin to process its business more rapidly so that it can reduce its unacceptably large backlog of cases. I also believe that it should seek out new information on consumer problems through more energetic field investigations, rather than waiting for complaints to come in through its mailrooms or from other government agencies. This initiative could begin with pilot field projects in a limited number of cities, as the ABA task force has suggested. Whatever the strategy, I would hope that it could be accomplished through a more efficient use of existing personnel and finances; if that proves impossible, added funds should later be appropriated for this purpose.

Administrative reforms will provide only part of the answer, however, I believe the Commission should also consider the extent to which Section 5 of the Federal Trade Commission Act, broadly interpreted, may be used more effectively to cope with contemporary consumer problems. This is the section which gives the Commission its legislative mandate to move against unfair or deceptive practices. The language of this section might well provide an appropriate instrument for policing more effectively some of the more prevalent abuses described by the ABA task force study.

Even if the Commission does apply section 5 more broadly, however, there remains a question about its jurisdiction which the Congress should promptly resolve. Past FTC enforcement activities have been inhibited by a Supreme Court decision of some 25 years ago, holding that activities "affecting" interstate commerce were not subject to FTC jurisdiction since the language of the law was limited to activities "in" interstate commerce. This means that there is a doubt at present concerning the FTC's ability to consider many unfair and deceptive practices which have a nationwide impact but are local in terms of their actual operation.

I am, therefore, recommending that the Congress amend section 5 so as to permit the FTC to take action concerning consumer abuses which "affect" interstate commerce, as well as those which are technically "in" interstate commerce. This amendment would make it clear that the FTC has a jurisdiction consistent with that of several other Federal agencies and commissions. The purpose of the amendment is to clarify FTC jurisdiction over cases which have true national significance; it should not be interpreted in a way which burdens the Commission with a large number of cases which are of only local importance.

One of the most important obstacles to the present effectiveness of the FTC is its inability to seek an injunction against an unfair or deceptive business practice. The result of this inability is an unacceptable delay between the time a harmful practice is discovered and the time it is ended. Often 2 years will pass between the time the FTC agrees to hear a complaint and the time it issues its final order and another 2 years may pass while the order is reviewed by the courts.

I recommend that the Congress remedy this situation by giving to the Federal Trade Commission the power to seek and obtain from the Federal courts a preliminary injunction against consumer practices which are unfair or deceptive. The judicial process includes safeguards which will assure that this authority is fairly used. Courts will retain their usual discretion to grant or deny an injunction in the light of all the consequences for both the accused and the plaintiff. Parties will, of course, retain their right to a fair hearing before any injunction is issued.

NATIONAL COMMISSION ON CONSUMER FINANCE

The buying public and businessmen alike have been concerned in recent years about the growth of consumer credit. Twenty-five years ago the total consumer credit outstanding was only 5.7 billion dollars; today it is 110 billion dollars. The arrangements by which that credit is provided are subject to government supervision and regulations, an assignment which has recently become increasingly complex and difficult. For this reason a National Commission on Consumer Finance was established by law in 1968. It was instructed to review the adequacy and the cost of consumer credit and to consider the effectiveness with which the public is protected against unfair credit practices.

The National Commission on Consumer Finance should begin its important work immediately. I will therefore announce shortly the names of three new members of the Commission, including a new chairman, and I will ask the Congress for a supplemental appropriation to finance the Commission's investigations during the current fiscal year. I look forward to receiving the report of the National Commission on Consumer Finance in January of 1971.

CONSUMER EDUCATION—INFORMATION ON PRODUCT TESTING

No matter how alert and resourceful a purchaser may be, he is relatively helpless unless he has adequate, trustworthy information about the product he is considering and *knows what to make of that information*. The fullest product description is useless if a consumer lacks the understanding or the will to utilize it.

This Administration believes that consumer education programs should be expanded. Our study of existing consumer education efforts in both the public schools and in adult education programs has been funded by the Office of Education and will report its results in the near future.

The Special Assistant to the President for Consumer Affairs is focusing many of the resources of her office on educational projects. One new project which I am asking that office to undertake is the preparation and publication, on a regular basis, of a new *Consumer Bulletin*. This publication will contain a selection of items which are of concern to consumers and which now appear in the daily government journal, *The Federal Register*. The material it presents, which will include notices of hearings, proposed and final rules and orders, and other useful information, will be translated from its technical form into language which is readily understandable by the layman.

The government can help citizens do a better job of product evaluation in other ways as well. First, I recommend that Congress authorize the Federal

Government to review the standards for evaluation which are used by private testing laboratories and to publish its findings as to their adequacy, working through appropriate scientific agencies such as the National Bureau of Standards. Laboratories presently issue quality endorsements, of one kind or another, for a wide variety of products. Some of these endorsements have meaning, but others do not. It would be most helpful, I believe, if the testing procedures on which these endorsements were based were evaluated by government experts. Manufacturers whose products had been tested under government-evaluated testing standards would be allowed to advertise the fact. If no testing standard existed or if the standard in use was found to be inadequate, then the appropriate agency would be authorized to develop a new one.

Secondly, I propose that we help the consumer by sharing with him some of the knowledge which the government has accumulated in the process of purchasing consumer items for its own use. Government agencies, such as the General Services Administration and the Department of Defense, have developed their own extensive procedures for evaluating the products they buy—products which range from light bulbs and detergents to tires and electric drills. As a result of this process, they have developed considerable purchasing expertise; in short, they know what to look for when they are buying a given product. They know, for example, what general types of paint are appropriate for certain surfaces; they know what "check-points" to examine when a piece of machinery is being purchased. The release of such information could help all of our people become more skillful consumers. I am therefore asking my Special Assistant for Consumer Affairs to develop a program for disseminating general information of this sort and to carry on further studies as to how the skill and knowledge of government purchasers can be shared with the public in a fair and useful manner.

FOOD AND DRUGS

The surveillance responsibilities of the Food and Drug Administration extend not only to food and drugs themselves, but also to cosmetics, therapeutic devices, and other products. Both the structure and the procedures of the FDA must be fully adequate to this sizeable and sensitive assignment, which is why this Administration has made the FDA the subject of intensive study.

I have asked the Secretary of Health, Education, and Welfare to undertake a thorough re-examination of the FDA, and I expect that this review will soon produce a number of important reforms in the agency's operations. This study is taking up several central questions: What further financial and personal resources does the FDA require? Are laboratory findings communicated as promptly and fully as is desirable to high Administration officials and to the public? What should be the relationship of the FDA to other scientific arms of the government? What methods can bring the greatest possible talent to bear on the critical questions the FDA considers?

There are a number of actions relating to FDA concerns which should be taken promptly, even while our study of that institution continues. For example, I have already asked the Secretary of Health, Education, and Welfare to initiate a full review of food additives. This investigation should move as fast as our resources permit, re-examining the safety of substances which are now described by the phrase, "generally recognized as safe" (GRAS). Recent findings concerning the effects of cyclamate sweeteners on rats underscore the importance of continued vigilance in this field. The major suppliers and users of cylamates have shown a sense of public responsibility during the recent difficulties and I am confident that such cooperation from industry will continue to facilitate this investigation.

I also recommend that the Congress take action which would make possible, for the first time, the rapid identification of drugs and drug containers in a time of personal emergency. When overdosage or accidental ingestion of a drug presently occurs, a physician is often unable to identify that drug without elaborate laboratory analysis. Many manufacturers are already working to remedy this problem on a voluntary basis by imprinting an identification number on every drug capsule and container they produce. As many in the industry have urged, this simple process should now be required of all drug producers, provided they are given suitable time to adjust their production machinery.

Another important medical safety problem concerns medical devices—equipment ranging from contact lenses and hearing aids to aritificial valves which are implanted in the body. Certain minimum standards should be established for such devices; the government should be given additional authority to require premarketing clearance in certain cases. The scope and nature of any legislation in this area must be carefully considered, and the Department of Health, Education, and Welfare is undertaking a thorough study of medical device regulation. I will receive the results of that study early in 1970.

OTHER PROPOSALS

THE OFFICE OF ECONOMIC OPPORTUNITY

The problems which all American consumers encounter are experienced with particular intensity by the poor. With little purchasing experience to rely upon and no money to waste, poorer citizens are the most frequent and most tragic victims of commercial malpractices. The Office of Economic Opportunity is therefore establishing its own Division of Consumer Affairs to help focus and improve its already extensive consumer activities for poorer Americans. The nationwide network of Community Action Agencies can be one instrument for extending consumer education into this area.

HELPING THE STATES AND LOCALITIES

An important segment of consumer abuses can be handled most effectively at the state and local level, we believe, provided that each state has a strong consumer protection statute and an effective mechanism for enforcing it. Several States set examples for the Federal government in this field; every State should be encouraged to explore the need for an adequately financed Division of Consumer Protection as a part of its State Attorney General's office. Both the Special Assistant for Consumer Affairs and the Federal Trade Commission can do much to help States and localities to improve their consumer protection activities. The codification of state consumer protection laws which the Special Assistant is now conducting promises to be a useful part of the States in this effort.

GUARANTEES AND WARRANTIES

Consumers are properly concerned about the adequacy of guarantees and warranties on the goods they buy. On January 8, 1969, a task force recommended that the household appliance industry disclose more fully the terms of the warranties it provides. It recommended that if, at the end of one year, voluntary progress had not occurred, then legislative action should be considered.

In order to evaluate the industry's recent progress, I am today reactivating that task force. It will be chaired by my Special Assistant for Consumer Affairs and will include representatives from the Department of Commerce, the Department of Labor, the Federal Trade Commission, the Department of Justice, and the Council of Economic Advisors. I am asking the task force to make its report by the end of this year and to comment on the need for guarantee and warranty legislation in the household appliance industries and in other fields.

PRODUCT SAFETY

The product safety area is one which requires further investigation and further legislation, as the hearings of the National Commission on Product Safety have already demonstrated. I am asking my Special Assistant for Consumer Affairs to provide continued surveillance in the area of product safety, particularly after June 30, 1970, when the National Commission on Product Safety is scheduled to complete its work. And I am also instructing the appropriate agencies of the government to consult with the Commission and to prepare appropriate safety legislation for submission to Congress.

Finally, I am asking the Congress to require that any government agency, in any written decision substantially affecting the consumers' interest, give due consideration to that interest and express in its opinion the manner in which that interest was taken into account. I would also note that the major review which will be conducted this December by the White House Conference on Food, Nutrition, and Health will provide further welcome advances in the protection and education of the American consumer.

Interest in consumer protection has been an important part of American life for many decades. It was in the mid-1920's, in fact, that two of the leading consumer advocates of the day, Stuart Chase and F. J. Schlink, reached the fol-

lowing conclusion: "The time has gone—possibly forever—," they wrote, "when it is possible for each of us to become informed on all the things we have to buy. Even the most expert today can have knowledge of only a negligible section of the field. What sense then in a specialized industrial society if each individual must learn by trial and error again and forever again?" It was clear at that time and it is clear today, that the consumer needs expert help. The consumer has received some of that needed help through the years, from a variety of sources, private and public.

Our program is a part of that tradition. Its goal is to turn the buyer's Bill of Rights into a reality, to make life in a complex society more fair, more convenient and more productive for all our citizens. Our program is fair to businessmen and good for business, since it encourages everyone who does business to do an even better job of providing quality goods and services. Our action is intended to foster a just marketplace—a marketplace which is fair both to those who sell and to those who buy.

RICHARD NIXON.

THE WHITE HOUSE, *October 30, 1969.*

PRESIDENT'S CONSUMER MESSAGE

Mr. GERALD R. FORD. Mr. Speaker, I congratulate President Nixon on his proposed buyer's bill of rights. The proposals the President has outlined in the consumerism message sent to Congress today are easily the most far reaching of any consumer protection measures yet laid before the Federal Legislature.

Under the President's proposals, the American consumer at last would have full protection under the law and laws that would fully protect him. He would have complete representation in Washington and access to product testing information which Federal agencies have gathered over the years.

President Nixon's consumer protection package is indeed a historic stride forward, a step that will cultivate greater confidence in U.S. consumer products and thus benefit not only the buyer but the seller. A byproduct doubtless will be increased world confidence in the quality of American goods, already recognized in world markets as outstanding.

In my view, Mr. Nixon is the first American President to take complete cognizance of the buyer's problems in all of their ramifications. He has struck a blow for the consumer that will have permanent and most beneficial impact.

Mrs. SULLIVAN. Mr. Speaker, considering the scope of the first Presidential consumer message, sent to Congress in 1962 by President Kennedy, and the far-reaching and comprehensive proposals of President Johnson's consumer messages to Congress, I am rather amused at President Nixon's claim that the program he has outlined "represents the most significant set of Presidential recommendations concerning consumer interests in our history." It is indeed significant to have a message of this kind from the present administration, and I welcome it as it goes—but it does not go very far and is by no means earthshaking. Most of the things in it are worthy, even if not particularly bold. If we can ignore the message's claims to greatness and devote ourselves instead to the specific provisions, I think we can use this message to accomplish some improvements in present programs and concepts.

For nearly everything President Nixon has proposed is merely an extension of programs already enacted by Congress or put into operation by previous Presidents. And, as I said, these new proposals, while worthwhile, are not nearly enough to meet the real problems confronting American consumers.

Instead of coming out forthrightly for the necessary rewriting of the Food, Drug, and Cosmetic Act, President Nixon calls for further study of the already thoroughly studied medical device issue, and is silent on most of the other problem areas of the act. The review of the safety of food additives in use can be undertaken administratively, without legislation. So can his other suggestions in this area.

I am glad that he has now committed himself to taking the steps only he, as President, can take to activate the National Commission on Consumer Finance created May 29, 1968, by the Consumer Credit Protection Act of 1968. It has never been able to function because no Chairman was designated by either President Johnson or President Nixon.

We all assumed President Johnson would designate a Chairman when he made his appointments of public members, but he failed to do so when he finally selected public members on January 20, 1969. We have been pleading with President Nixon ever since January 20 to designate a Chairman. In the meantime, the Commission has not been able to function, or even to meet except informally.

The proposal for a statutory Office of Consumer Affairs is helpful, but the powers Congresswoman DWYER and I would assign to such an office under the legislation Mrs. DWYER introduced and I cosponsored have been watered down and given instead to the Department of Justice. I am not convinced that this is a good idea, but I will be willing to study it.

Probably the most important item in the message, in addition to the promise to activate the Consumer Finance Commission, is for legislation to give the Federal Trade Commission preliminary injunction powers to halt a questionable practice while the case is being adjudicated. On the other hand, the "class action" proposal is very weak; and the proposed Federal law on consumer frauds is not spelled out. What frauds would be included?

Obviously, it is encouraging to have President Nixon put himself on record in support of what some businessmen have sneeringly referred to as "consumerism," and it is good to know that he promises to back up his special assistant for consumer affairs, Virginia Knauer, in continuing the work begun by Esther Peterson and Betty Furness in getting more information out to the public and in coordinating activities of Federal agencies which have consumer aspects to their operations.

This is not the outstanding Presidential consumer message in our history but it is a helpful one as far as it goes, and a good beginning for the new administration in a field Mr. Nixon at the start of his administration had not considered very important.

Mr. BUSH. Mr. Speaker, every American is a consumer. And every American, therefore, knows that he may someday buy a product or a service and find out later that he has been deceived or defrauded by the party who sold it to him.

In our modern, complex society, however, the firm or individual that makes or distributes or sells a product is often a remote and impersonal entity. Products themselves are highly complicated, and the layman can seldom judge them accurately before he makes his purchase or understand the exact reason for a problem which arises afterward.

All of this explains why it is so important that there be better instruments with which to defend the consumer interest in modern marketplaces.

That is why the President's message to Congress on consumer affairs is so welcome. For it proposes—not just more words and more study groups—but specific, concrete steps which give Government the power needed to make a real difference in the lives of American consumers.

The President would expand the powers of the FTC, for example, broadening its jurisdiction and giving it authority to seek temporary injunctions against unfair or deceptive business practices. He is reviving the National Commission on Consumer Finance and taking steps toward shaking up the FDA. He is proposing that we elevate the Office of the Special Assistant to the President for Consumer Affairs, giving it added responsibility.

Perhaps most important, however, is the suggestion that we set up a new independently funded Consumer Protection Division in the Department of Justice. The new division would in many ways be analogous to the Antitrust Division in the Department of Justice; it would establish a consumer's lawyer who would take the consumer's case into the proceeding of regulatory agencies, courts of law, and Government councils.

Here then are some concrete steps by which we can responsibly and intelligently beef up the Government's role as a consumer protector. The President's message truly presents, as he puts it, "the most significant set of Presidential recommendations concerning consumer interests in the history of our country."

Mr. RHODES. Mr. Speaker, the President has sent us a message today that should be of interest to all Americans—because each one of us is a consumer.

The message proposes additional consumer safeguards and strengthened consumer rights that are much needed in this era when each buyer is faced with hundreds of products and brand names and a variety of claims for each one.

At the same time, and I believe this is especially important, the President's message is not antibusiness. I find much in here that honest and ethical mer-

chants and manufacturers should welcome.

Legitimate efforts to protect consumers also will insure the average businessman protection from false claims and dishonestly labeled products that reflect on his own honesty and integrity.

Mr. Speaker, the President's proposals, if adopted, will give the American housewife real help and real protection as she struggles to buy wisely and carefully for her family.

I sincerely urge that we begin work immediately on the legislation necessary to implement the President's proposals.

Mrs. DWYER. Mr. Speaker, the President's message today on consumerism is the first truly important step by any President since establishment of the FTC in 1914 to protect directly the rights and interests of the American consumer.

I am proud that it is a Republican President who has not only recognized the need for active protection of consumer interests, but also has done something about it.

The President's proposals are a landmark in recognizing that Government in today's highly complex and highly technical society has increasing responsibilities in making sure that every citizen has a right to protection from fraud and misrepresentation in the marketplace.

Today there are literally thousands of products—both old and new—on the market and many, many more brand names. And their numbers are growing daily as our technology expands.

To expect each consumer to make intelligent decisions without some sort of standards and regulations is totally unreasonable.

To expect him or her to buy without recourse in the event of fraud or misrepresentation is inconceivable.

To allow products to go freely on the market that are dangerous to health and safety is incomprehensible.

To fail to meet the ever growing needs in the vast consumer-vender area would be irresponsible.

That is why I am so pleased that the President is recommending this new "bill of buyer's rights."

I am particularly pleased that he wished to put the Office of Consumer Affairs in the Executive Office of the President where the American people will always know it can have the President's attention and the President's ear.

I am pleased, too, that emphasis is being placed, not only on consumer protection, but also on consumer legal recourse.

Present Federal law gives private citizens no standing to sue for fraudulent or deceptive practices. The President's proposal will change that and will, for the first time, give consumers access to the Federal courts for violation of Federal laws in this broad area.

I also want to praise the President for his decision to upgrade and reinvigorate the Federal Trade Commission and especially his proposal to give the FTC injunctive authority against unfair and deceptive business practices.

All in all, I am convinced that the President's proposals will go a long way toward meeting today's consumer needs and solving consumer problems in today's marketplace.

I hope, now that the President has outlined his proposals, that the congressional leadership will see fit to give the legislation we need to implement these proposals speedy approval.

I am especially pleased, Mr. Speaker, at the President's initiative because, as his message to the Congress indicates, a major part of his proposed legislation will follow closely along the lines of the Consumer Protection Act of 1969, H.R. 13793, which I introduced last month and in which I have been joined by 60 of our colleagues, including many Members on both sides of the aisle.

And just today, the distinguished Senator from Illinois, Mr. PERCY, together with Senators SCOTT, MATHIAS, DOLE, and BIBLE, introduced a companion bill in the other body.

This broad support for consumer protection legislation strongly suggests that the time has come for a major advance to be made in strengthening the process of informing, protecting and representing the American consumer.

Mr. ROUDEBUSH. Mr. Speaker, I would like to comment on the tone of the President's message on consumer protection.

You will note that he has not joined the shrill chorus of voices denouncing the business community. He does not inveigh against the few unscrupulous operators in such a way as to cast suspicion upon the vast majority of American businessmen who conduct their affairs honestly, ethically and with a growing sense of social responsibility.

Importantly, he asks the Congress to help set Government's own house in order, as he seeks expanded powers to revitalize the moribund Federal Trade Commission. And on his own part, he pledges to reexamine the activities of the Food and Drug Administration, and especially to review the products listed as "generally regarded as safe." The demand for the investigation of GRAS comes, if I may say so, from the grassroots, from the housewives and buyers of food and drugs everywhere, and we overlook their demands at our peril.

We should pursue the objectives of of "consumerism" in the tone that the President has set—without bombast, without the headline-hunting denunciations of business large and small. We can do more, much more, for the consumer in America in this spirit of voluntary social responsibility than in a spirit of acrimony.

The President's proposals are substantive and necessary and timely, and deserve our vigorous support.

Mr. DUNCAN. Mr. Speaker, the President's message on consumer rights is a triple strength proposal:

It is strong in the area of consumer information. The proposed Consumer Bulletin will prove to be a great source of information to all those who wish to know more about products.

It is strong in the area of protection. The proposed Office of Consumer Affairs is an important step in placing the ear of Government close to the voices of the people.

Finally, it is strong in the area of reorganization of existing facilities. Expanded powers for the Federal Trade Commission and expansion of consumer activities in the Office of Economic Opportunity are among the important new ways in which existing Government institutions will better serve the consumer.

Information, protection, reorganization. Each is necessary for complete consumer rights. Even the most informed consumer needs a sound, functioning Government to act on his complaints. And, even if we have strong Government agencies to deal with consumer complaints, there must be an adequate education and information program to reach the citizen so that he will know enough to make a complaint.

The President has shown his concern not only with the idea, but with the practice of consumer protection by Government.

Mr. DEL CLAWSON. Mr. Speaker, President Nixon has taken a major step forward today in establishing and protecting the rights of the consumer. This is a big day for the American housewife.

The President has asked the Congress to join in establishing a "buyer's bill of rights." That includes the right of the consumer to accurate and adequate information to help her make an intelligent choice. That includes the right to expect that health and safety are taken into account by those who sell products.

And that buyer's bill of rights includes the right of buyers to make their complaints heard—specifically, in permitting buyers to join together in court actions, making it easier and less expensive to achieve their goals.

President Nixon not only proposed a substantially expanded Office of Consumer Affairs at the White House, but also a new Division of Consumer Protection, at the Department of Justice, to follow through on the new consumer protection laws that he has proposed.

The very real problems of the housewife today are at the center of the Nixon administration's concerns. The administration is dedicated to slowing down the rise in prices, and to speeding up the process of protecting the rights of the buyer in the American marketplace. And in that purpose the administration deserves the help of every one of us.

Mr. GOLDWATER. Mr. Speaker, it might at first seem strange to hail the President's message on consumer rights as a piece of good news for business. It is, after all, the customer who seems to benefit from all of these wonderful proposals.

Yet on close examination this consumer message is good news for American businessmen.

We all know that there has been a demand for consumer protection. We all know that along with legitimate complaints there have been complaints which very often had little or no basis in fact. The business world had to take all of the criticism, justified or not.

Now, however, with the most comprehensive consumer proposal ever devised by any administration in American history, honest businessmen and their companies no longer have to fear that they

will suffer from unwarranted attacks on business in general.

The overwhelming majority of American businessmen know that the best consumer protection is a good product, and that a good product is the best protection a company can have against criticism.

The only ones who will be hurt—and should be hurt—by the President's proposals are those who deliberately seek to hurt others through fraud or misrepresentation. In a mass economy, few can bring down the wrath of consumers on all.

Thus, this consumer message will allow the vast, overwhelming majority of American producers and businessmen to concentrate on doing what they have done so well for these many years: make the best, the least costly, and the most highly valued products anywhere in the world, content in the knowledge that from now on their good reputation will not be hurt by the unpunished frauds and misrepresentations of those who do not care for their own reputations or for the reputation of American business in general.

Mr. RAILSBACK. Mr. Speaker, we are each and all consumers and should therefore be heartened by the President's message today on consumerism. President Nixon's message contains the most significant set of Presidential recommendations concerning consumer interests in our history.

He has proposed a "buyer's bill of rights" to recognize that the buyer in America today has the right to make an intelligent choice among products and services, the right to accurate information on which to make his free choice, the right to expect that his health and safety is taken into account by those who seek his patronage, and the right to register his dissatisfaction and have his complaint heard and considered when his interests are badly served.

These ideals should be made a reality. We should adopt the concept of "buyer's rights." The President does not propose that the Government guide or dominate individual purchasing decisions. Rather, he suggests that businessmen recognize that the confidence of the public should be voluntarily sought and fairly earned in an honest manner. Honest and conscientious businessmen need to be helped in discouraging their dishonest or careless competitors.

The President's proposals deserve a prompt and thorough consideration by Congress.

THE PRESIDENT'S CALL FOR THE CONGRESS AND THE ADMINISTRATION TO WORK TOGETHER ON URGENT LEGISLATION PRIORITIES

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

Mr. MACGREGOR. Mr. Speaker, on October 13, the President called on the Congress and the administration to work together to deal with urgent legislation priorities.

Underlying the basic framework of reform the President emphasized in his message is a whole series of other legislative proposals designed to enable our Government and economy to meet the large array of problems facing our country. One of these, and a significant factor in our balance-of-payments problem, is our "travel gap." American tourists spend almost $2 billion more abroad than our foreign visitors to the United States.

One way to narrow this gap lies in increasing our efforts to attract foreign visitors.

On May 1, H.R. 10850 was introduced into the House Committee on Interstate and Foreign Commerce. The effect of this bill would be to strengthen the whole industry—Government and State and city effort to sell foreign travelers on visiting the United States.

This bill would be a substantial step in helping to stop our continuing deficits in our international accounts.

Yet, despite the need for this legislation and despite the support that it has both in and out of Congress, there is little progress on getting it passed. Over 5 months have gone by since its introduction and we still have to see a date set for hearings in the House.

Mr. Speaker, this Congress may not be foot dragging at all. If H.R. 10850 is an example we are not even moving.

The President has sent us a program. It is a program that he believes is supported by the great majority of the American people. Let us at least do our part and hold our hearings, consider our amendments and cast our votes. For as the President has said, "The country is not interested in what we say, but in what we do—let us roll up our sleeves and go to work."

PRESIDENT NIXON RECOMMENDS COURSE OF ACTION TO RESTORE TO THE STATES THEIR PROPER RIGHTS AND ROLES IN FEDERAL SYSTEM

(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, President Nixon has recommended a course of action that would go a long way toward restoring to the States their proper rights and roles in the federal system. This course of action was expressed in the President's revenue-sharing plan that will return to the States and municipalities a portion of Federal reserves each year.

In his message to the Congress, President Nixon emphasized the beneficial effects such a program would have. It would—

Restore strength and vigor to local and State governments;

Shift the balance of political power away from the Nation's Capital and back to the country and the people;

Decrease the distance between the people and the Government agencies dealing with problems affecting local communities and States; and

Provide both encouragement and the necessary resources for local and State officials to exercise leadership in solving their own problems.

The Federal Government cannot solve the problems of our country by itself. The real and lasting answers must be found at the local and State level. Revenue sharing may be one way to return Government activity to its proper place.

AUTHORIZING MODIFICATIONS OF THE SYSTEM OF SELECTING PERSONS FOR INDUCTION INTO THE ARMED FORCES

Mr. HÉBERT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14001) to amend the Military Selective Service Act of 1967 to authorize modifications of the system of selecting persons for induction into the Armed Forces under this act.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14001, with Mr. SIKES in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Louisiana (Mr. HÉBERT) will be recognized for 2 hours, and the gentleman from Illinois (Mr. ARENDS) will be recognized for 2 hours.

The Chair recognizes the gentleman from Louisiana.

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

Mr. Chairman, I feel certain that everyone is quite familiar with the situation which we now face. However, I shall attempt to give you the genesis of the legislation which we have pending before us today and to explain, perhaps, some of the complications and complexities which have been present at all times during the consideration of draft legislation.

I would suggest that I be allowed to finish my statement before yielding, and after I finish my preliminary statement I will be very glad to yield to anybody with a question.

Mr. Chairman, in 1967, after extensive hearings covering many months and studies of many different groups with particular reference to the group known as the Burke Marshall Commission appointed by then President Johnson to study the draft situation, and the committee known as the Mark Clark Committee appointed by the distinguished chairman of the Committee on Armed Services from South Carolina, the House Armed Services Committee as a body, as a full committee, conducted extensive hearings into every aspect of the draft law.

The popular word, at that time, was the word "lottery." It is again today a popular word. Unfortunately, nobody seems to know what a lottery really is. A lottery may mean one thing to me and

another thing to you, and something else to somebody else. As a matter of fact, the one authority cited by those who have advocated the word "lottery," Mr. Burke Marshall, testifying before the Committee on Armed Services, could not tell us what a "lottery" was. Nobody, at that time, had a full explanation or a complete plan.

However, the committee, recognizing the fact that perhaps somebody could come up with a workable "lottery" plan provided, in the legislation which this House passed in 1967, that in the event the President of the United States wanted to institute a "lottery," or random selection system, or to effect any change in the method of selection for the draft system that he could do so, providing certain preliminary steps were taken.

The House language provided that the President could effect such a change under the same conditions and circumstances as he proposes changes in the law as related to the Reorganization Act. The House language provided that he give the Congress an opportunity for 60 days to review the proposal so as to either reject or accept the proposition.

The House, however, was unable to convince the other body in conference that this was the proper method, and as a result of that this prohibition was written into the law. The House conferees, acting for the House, felt that it was absolutely essential that the House be kept cognizant of any change to be made in the selection system. Therefore this language was written into the conference report and into the legislation. The language prohibited the President from making any change in the system of selection heretofore in effect unless specifically authorized by law enacted after the passage of the Military Selective Service Act of 1967. That is what brings us here today.

We felt that if the President wanted to change the method of selection he could send the details of the plan to the Congress along with a request for legislative approval.

However, despite this restriction on the President, it must be noted and it must be understood that the Draft Act of 1967 is perhaps the broadest act, the broadest piece of legislation ever written by the Congress giving to the President extensive power. The draft law necessarily gives to the President of the United States broad discretionary authority to enable him to properly administer the law and to insure its continuing responsiveness to our national needs.

In this particular instance the random system of selection, which I have called "lottery by divine providence" could be instituted by the President without enacting this law or amending this law.

I must trace back my steps now to bring you up to date on this proposition.

On May 13 of this year the President made a statement that he wanted changes in the draft law, which included six different features—six separate and distinct parts.

On the next day I issued a prepared statement and pointed out the fact that all of these six features which the President desired could be accomplished without any change in the law, including the so-called lottery.

Conversations developed between the Committee on Armed Services and the chairman and members cognizant of the draft—and I must say this parenthetically—that the gentleman from South Carolina (Mr. RIVERS), the chairman of the committee, promised that on passage of the draft act that he would appoint a so-called watchdog or oversight committee to ride herd, if you please, upon the administration of the Draft Act. He did this and I was privileged to be chairman of that subcommittee. That committee was reappointed this year with four Members besides myself, knowledgeable as to the draft, the membership included the gentleman from Alabama (Mr. NICHOLS), the gentleman from Virginia (Mr. DANIEL), the gentleman from New York (Mr. PIRNIE), and the gentleman from New York (Mr. KING).

It was our duty and our responsibility to see that the Draft Act was administered as written.

Now returning to the six points that the President indicated that he desired, after explaining to him that these six points could be accomplished without benefit of new legislation, the distinguished chairman of the committee on September 18 appeared in the well of this House and spelled out in detail—crossing every "t" and dotting every "i"—explained how all these points could be accomplished without benefit of any legislation, by the President.

On the next day, September 19, I think it was, the President issued a statement in which he admitted and agreed that this all could be accomplished without legislation but still refrained in one area, and that was the area of change in the method of selection.

While stating that he needs legislation in this area, he made the statement that if it was not given to him under law that he would exercise his right, by an Executive directive, and put his proposed draft reforms into effect in January.

Well, I submit to you that if he can do this in January, he can do it in October—again indicating that this could be done.

The distinguished minority leader, the gentleman from Michigan has mentioned the fact that our chairman and myself were opposed to any change in the law because we did not think it was needed. This is quite accurate. However, subsequent to what the President had said and following the disposition of the committee business before us at the time, the gentleman from South Carolina (Mr. RIVERS) met with the President and at the President's request and in order to cooperate with the President, agreed to have hearings on the legislation, as proposed by the President, which included a bill of only two lines, removing the obstructive language.

The chairman instructed me to hold hearings with my subcommittee and we immediately began hearings. We called upon every executive branch witness who we knew was interested. We called upon the Department of Defense and General Hershey and Assistant Secretary of Defense Kelley. They presented a plan to us which was the President's plan and they were in agreement as to that plan. We reserved a number of hearings to enable Members of Congress to come before us to present their views on the bills H.R. 14001 and H.R. 14015. We were most lenient in hearing the testimony. We did not adhere strictly to the bills but allowed every Member—and I am sure they will tell you that—to go beyond the subject matter of the bills. We allowed every organization that had expressed an interest in the legislation to present their case in a statement. So we moved along as fast as we could.

Still I was not convinced—and I still am not convinced—that this is necessary. But every one of you, some 2 weeks ago, prior to the President's message of priorities to the Congress, received a special delivery letter at home in which the President outlined his desires. You will recall that the very first paragraph in that letter was the draft legislation. And you will recall also that the very last word in that first paragraph was the word "now," and that word was underlined. In other words, the President said, "This is my top priority. This is what I want. And I want it not tomorrow, not next week, not next month—I want it now."

I submit to you we have given the President what he has asked for. We have given it to him now. We have not wasted a second. We have not wasted a minute, a day or a week in the presentation of this matter before this body.

Upon their return from the NATO Conference, the distinguished Chairman and the distinguished minority ranking member were presented—and it is the bill of the distinguished minority whip that we report out today—with this piece of legislation, reported out by a vote of 31 to 0, without a dissenting vote in the Committee on Armed Services.

We brought the matter to the Rules Committee immediately. We asked for an open rule, which was granted us. And I may say again right now that this rule that we are operating under, regardless of what some people call for purposes of their own, is an open rule and you can offer any amendment to this bill that you want to when we come under the 5-minute rule, and we shall proceed according to parliamentary procedure from there on. So this is the history.

The House, only minutes ago, in its wisdom indicated that it will follow the President. I subordinated my own views to his views. He is my President. He is my Commander in Chief. And if my Commander in Chief says he wants a weapon with which to guarantee the security of this Nation, I shall give him that weapon. I stand here today asking you to join unanimously with me to give him what he wants.

As my distinguished chairman has so eloquently said, he is not only my President, he is your President, he is our President, and we can have only one President at a time. My personal affection for the President during the many years I have known him and the times I have served with him in this body and on the same committee, gives me pause and more persuasion that he would not ask for that which he did not believe

was necessary for the security of this country. So here we are today.

The House has indicated in its wisdom—and I congratulate it—that it did not want to open a Pandora's box, start a donnybrook, or light a Christmas tree, and that it believed in a committee system, which is under attack in so many places today, and that it did not wish to write a bill of such complexity and such widespread considerations on the floor of this House, as is suggested by some few Members.

I subscribe to some of the amendments which were proposed. I believe in some of them. They are good things. But this is not the time nor the place to consider them.

The President has asked for one thing. He has asked for the adoption of this bill. He has asked for nothing more and nothing less. And we give him—certainly we do from the Armed Services Committee—what he asks for, and we ask the House to do likewise.

I hope when the final vote comes today—and it will come shortly, I hope, because the lines are drawn and the issues are clear—that there will not be a dissenting vote in this House.

Mr. KING. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania (Mr. CORBETT), a member of the committee.

Mr. CORBETT. Mr. Chairman, this is a good bill and I hope it is passed promptly. Joining with my colleague, I hope it is passed unanimously, but I thought it would be good to place in the RECORD at this point the statement which was unanimously adopted by the Republican policy committee. That statement reads as follows:

HOUSE REPUBLICAN POLICY STATEMENT ON SELECTIVE SERVICE REFORM

The House Republican Policy Committee strongly endorses President Nixon's proposals for the reform of the selective service call-up procedures. To implement draft reforms and to facilitate their prompt undertaking, the passage of H.R. 14001 is desirable.

The present draft system contains numerous inequities; it prolongs the disruptive impact on the lives of eligible individuals; it unequally distributes the risk of call among those vulnerable during a given year; and it contains inadequate provisions for proper consideration of college students.

President Nixon has proposed the following alterations to the selective service system:

1. *Change from an oldest-first to a youngest-first order of call.* The 19–20 year age group will be identified as the "prime age group" for induction. By concentrating future draft calls on a smaller and younger group of draft registrants, the period of maximum vulnerability will be reduced from seven years to one year. Those who have received deferments or exemptions would rejoin the prime age group at the time their deferment or exemption expired, and would take their places in the sequence as they were originally assigned.

2. *Provide maximum nationwide randomizing of call-up risk among eligible individuals.* The sequence of induction for those available in the prime age group will be determined by lot, calling registrants by birthdate from a "scrambled" calendar. This method of selection would distribute the risk widely and fairly; it would aid a registrant in determining the likelihood of induction; and it would simplify the task of draft boards. The Selective Service Act of 1967, however, prevents the institution of such random selection by the President without specific Congressional authority. The elimination of this prohibition is the purpose of H.R. 14001.

3. *Continued limited college deferments to deserving students in selected categories, postponing the period of maximum vulnerability.* For men receiving undergraduate deferments the year of maximum vulnerability would come whenever the deferment expired, generally upon completion of their college educations. Graduate students would be deferred for the full academic year during which they were first ordered for induction; graduate students in medical and allied fields, who are subject to a later special draft, would be granted deferment for the full period of their studies.

These new procedures would minimize the impact and maximize the equality of military draft. The reforms are essential and must be implemented as quickly as possible.

Certainly all look forward to that day when military conscription is no longer necessary. Pending however, the lessening of military requirements, a sufficient number of service volunteers and improved utilization of military manpower, selective service is required. In the interim we must be certain that the system is as equitable and as reasonable as we can make it.

We commend President Nixon for the enlightened revision of the selective service system which he has proposed, and urge that the reforms be effected at the earliest opportunity. To enable the institution of a random selection system, the most critical aspect of the President's total restructuring of draft processes, we urge the enactment of H.R. 14001.

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

Mr. DON H. CLAUSEN. Mr. Chairman, the problem of draft reform is now before us and I should like to take this opportunity to briefly state why I believe passage of H.R. 14001 is desirable, timely, and absolutely essential.

The present Selective Service System contains many inequities. It needlessly prolongs the disruptive impact on the lives of prospective draftees; and makes it almost impossible for them to plan their futures; it unequally and haphazardly distributes the risk of callup among those vulnerable; it contains inadequate provisions for proper consideration of college students; and its administration has become clouded in a maze of suspicion and doubt among the public.

In short, the system of military conscription in this country has become totally archaic and grossly unfair. Anyone who takes the time to carefully examine the numerous inequities now inherent in selective service procedures, invariably concludes that draft reform is long overdue.

Over the years, and especially during the last year, many proposals for draft reform have been advanced. The legislation now before us is, in many ways, a compromise of the best provisions of most of these proposals. It changes the basic order of call from the "oldest first" to the "youngest first," thereby identifying the 19-to-20-year age group as the "prime age group." The period of maximum vulnerability is reduced from 7 years to only 1 year, thus, minimizing the concern and/or disruption of their personal plans for the future. In addition, the so-called nationwide randomizing method of selection and callup distributes the risk widely and fairly, in my judgment.

Like many of my collagues, I look forward to the all-volunteer professional service unit approach and I commend the President for advancing it. While some have expressed serious doubts about the feasibility of such a concept, I believe it has merit and is workable during periods short of a declared war, and it is my understanding that our Department of Defense planners share this view.

Today, young people view the draft as an infringement on their individual rights and liberty. To them, the draft epitomizes a Government insensitive and unyielding to their needs and their status as free men. Final passage and swift enactment of this much needed and long overdue reform legislation will go a long way toward changing that image and removing the stigma that now hangs over America's Selective Service System.

Mr. HÉBERT. My Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. NICHOLS).

Mr. NICHOLS. Mr. Chairman, as a member of the Subcommittee on the Draft, I rise to associate myself with the remarks of our distinguished chairman, the gentleman from Louisiana.

I rise in support of H.R. 14001 and urge its approval by the body.

The purpose of H.R. 14001 is to repeal paragraph (2) of section 5(a) of the Military Selective Service Act of 1967. This is the only modification of the draft law that the President has requested.

The President, in his message to the Congress on selective service, dated May 13, 1969, outlined changes he intended to make in the administration of selective service, and also announced that a study would be made of the standard guidelines and procedures used in classifying registrants.

The objective of the change the President announced on May 13, 1969, is to limit the period of maximum vulnerability to the draft to 1 year, basically at age 19 or 20. The period of exposure, under the President's plan, would occur in the case of men deferred for college or other reasons, or exempt, whenever the deferment or exemption ended.

The President in his May 13 announcement, also expressed his conviction that to operate his proposed new selection system most fairly and effectively, he needed authority to use a random system of selection within the prime selection group.

Over the succeeding months, aided by the statement of the chairman of the Armed Services Committee, the President came to the position that the only legislative action he needed to do what he proposed in the way he believed to be best was the legislative action embodied in H.R. 14001.

There are varying views as to the best way to select individuals from a prime selection group with a maximum period of vulnerability of a year. But there is no real objection that I am aware of to the proposal to cut the period of uncer-

tainty from 7 years to 1 year. The debate has been about how individuals should be selected during this year.

The responsibility for operating the draft in large part is placed on the President by law. He should have the authority to use a selection system he thinks is best. And the random selection scheme, or lottery, whatever one may think of its value compared to selection of men in the natural order of their dates of birth, clearly is an "impartial manner" of selection as section 5(a) requires to be used.

I urge the Committee to give to the President the authority he has requested.

A random selection system has been worked out in some detail and has been tested in an exercise. The President and those who must operate it are convinced it will work and is understandable.

Now, in 1967 the chairman of the Armed Services Committee established a Special Subcommittee on the Draft to exercise a watchdog role over selective service. That committee is functioning and has excellently carried out its responsibilities.

It will continue to function as the Armed Services Committee does not intend in any way to abrogate its responsibility to the Congress to insure that selective service is operated fairly and effectively. This subcommittee will keep a close watch on how the authority is exercised which this bill would provide.

There are scores of proposals pending in this Congress which would modify virtually every section of the draft law and raise fundamental and complex questions of constitutional import, and of grave national and international policy. These are matters of such importance and complexity that their proper consideration by the committee of jurisdiction would constitute the major business of the committee for an entire session of the Congress. These questions will be considered. They must be. But these are not matters, obviously, which can be settled on the floor without extensive hearing and study in the committee with ample time for all views to be put in the record and evaluated.

For these reasons, and because the President has asked only the change embodied in H.R. 14001, the committee should, and I hope will, confine itself to the question of repeal of paragraph (2) of section 5(a) of the Military Selective Service Act of 1967.

Mr. Chairman, I support this legislation. This bill will enable the President to establish a sequence of selection for the draft which will be fair, understandable, predictable and uniform for all of our young men. At the same time it will enable the President to reduce the period of draft vulnerability and uncertainty from up to 7 years to only 12 months.

It is important to make it very clear that the authority we are providing in this legislation would not result in any crude lottery, in which all individuals would have their name thrown into a goldfish bowl, irrespective of their ability to serve or other relevant considerations. This bill in no way abridges the authority of the Selective Service System to classify men in terms of availability for service as provided for under the present law. Draft boards will continue, as at present, to classify young men and will be authorized to defer them on such grounds as hardship, college study, physical and mental qualifications, or occupation—where these are justified and in the national interest.

This bill simply authorizes establishing a random sequence of selection within an age group for those men who are found equally qualified and available for service, after classification by their local boards. The system proposed by the President would substitute a random sequence of birth dates, which will be changed each year, in lieu of the present fixed sequence system based upon the oldest first rule.

The proposal of the President makes sense. It is regarded by him as the keystone which will enable him to fully implement his proposed draft reform.

Let us cooperate with the President and his effort to modernize and improve our draft system.

Let us vote "aye" on passage of H.R. 14001.

Mr. HÉBERT. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri (Mr. ICHORD).

Mr. ICHORD. Mr. Chairman, I regret very much that the previous question was voted up, thus prohibiting the gentleman from Missouri (Mr. BOLLING) from offering an amendment which would have made in order an amendment that I wish to submit to the House for consideration.

It is true, as my good friend the distinguished gentleman from Louisiana has stated, this is an open rule. Every Member will be permitted to offer an amendment. But I am also certain that the gentleman from Louisiana will agree that no amendment which would be worthy of consideration on its merits will be held in order when a point of order is directed against that amendment.

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

Mr. ICHORD. I yield to my committee senior, the gentleman from Louisiana.

Mr. HÉBERT. I assure the gentleman from Missouri I cannot accept the description that any amendment of due consideration or importance would not be in order. I am sure, considering the intellect and intelligence of the gentleman from Missouri, he will probably come up with a very good amendment.

Mr. ICHORD. I am sure the gentleman from Louisiana will be directing several points of order toward the amendments which will be offered. But I can well understand the position of the gentleman from Louisiana.

This is a difficult time to consider a revision of the entire Draft Act of 1967. It is extremely controversial, and this is an emotional period of time in our history in which to debate such legislation.

I support H.R. 14001. I think it makes some improvement, but I want to make it known to the House that I do not believe that H.R. 14001 will solve the many problems and the inequities connected with the draft today.

The President's random selection plan has been highly publicized by the press as effecting a lottery system in order to defuse the campus unrest existing on most of our college campuses throughout the Nation. I think I should point out that this is not a true lottery plan which the President intends to institute, because it will be impressed upon the existing system of college deferments. I do not believe it will relieve the college student from his pressures. It might relieve the noncollege student of a little bit of uncertainty, but not the college student who chooses to receive a student deferment for 4 years. All of those who wish college deferments will be permitted to continue in college for a 4-year baccalaureate degree. We shall continue to have the uncertainty and the suspense because the student will become a constructive 19-year-old after the termination of his student deferments.

Most of the Members I think are acquainted with my general philosophy. I do not think it can be said that I have a soft philosophy or an overly permissive philosophy. I do not think that one can characterize the gentleman in the well as a dove. I have never agreed with the way that the war in Vietnam has been fought. I have rejected outright and from the very beginning what I consider to be the foolish concept of limited war for limited objectives with limited means. I told some of the people in the Pentagon years ago that that might be the best way to fight the war in Vietnam but it is not a way to assure the continued support of the American people. My philosophy is akin to that of the distinguished gentleman from Alabama (Mr. ANDREWS). You either fight a war to win or you do not fight it at all. If political and world conditions are such that you cannot fight it to win, then you should never have been there in the first place.

However, I do not desire to narrate all the mistakes that have been made in Vietnam. The whole affair is as excellent of how not to fight a war. The errors are never ending. But I submit to my colleagues that one of the greatest mistakes this Nation has made in the Vietnam war is to continue a system of almost unlimited deferments in the time of a shooting war.

You cannot do it. No nation ever tried it before in history. It has not worked. It cannot work; it will not work. The hour is late, but I did not feel that we should continue to live with our mistakes when it was within our power to correct the same. That was the reason why I supported the gentleman from Missouri (Mr. BOLLING).

Mr. Chairman, it is inherently unfair to say to a young man who does not have the academic ability or who does not have the financial means to attend college that he will be drafted and possibly sent to Vietnam to risk his life and limbs in war while the young man who has the academic ability and the financial means to go to college will be offered a 4-year haven. It is inherently inequitable. It is blatantly unfair.

Then, too, I suggest, with perfect candor, that many of our young men in college today are not there primarily for the purpose of obtaining a college education but for the purpose of avoiding military service. Added to this is the guilt complex.

How would you feel if you were a 19-year-old with a 4-year haven in college, while the young man, your contemporary, who did not have the academic ability or the financial means to attend college is over in Vietnam risking his life in the service of his country? You would have a tremendous submerged guilt complex. I am not a psychologist, but I know a little about human nature and I submit that it is the most natural thing in the world for these kids to heed the call to "man the barricades" against the terrible war in Vietnam. Yes, students' deferments will work in a time of peace. But not during the period of a shooting war.

And, unless you make up your mind to really reform the draft, you have not seen anything yet.

My amendment basically follows the recommendation of the Marshall Commission.

It would grant college deferments only to those who enter ROTC programs and commit themselves to definite military service. The lottery system proposed by the President would be utilized and the period of exposure for 1 year is retained. All those now having a deferment would enter the prime pool along with the 19-year-olds. Granted, there will be a small number selected out of the original huge pool and the original group will have very slight exposure. But we must start somewhere. There are inequities in every system where we must decide who is to serve when all are not required to serve.

If we are to have a lottery or random selection system, let us truly have one. I know that a substantial number of my colleagues would support my amendment, perhaps even a majority. Again I regret that we have chosen not to consider any amendments.

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

Mr. RANDALL. Mr. Chairman, I will support H.R. 14001. My support is not predicated upon my membership on the House Armed Services Committee. However, as one member of that committee I know we have devoted week after week and month after month to the military construction bill early this year and then weeks and weeks to the procurement bill. Between these activities there has been no time available for extensive draft hearings.

Because we have been so occupied it has been impossible to hold lengthy hearings necessary if we make many changes in the Selective Service System. Before us today is a limited amendment reported by a special subcommittee after only limited hearings on the draft.

The sole and only purpose of H.R. 14001 is to repeal section 5(a)(2) of the Military Selective Service Act of 1967. That section presently contains language which prohibits the President from modifying the method of selection of inductees. Repeal of this provision will permit the President to change the method of selecting registrants. It will permit him to establish a random method of selection instead of the so-called oldest-first method now utilized and required by the provisions of section 5(a)(2) of the act of 1967.

This bill is before us today because on May 13 President Nixon sent a message to the Congress in which he asked that the disruptive impact of the military draft on individual lives should be minimized. He asked that the Congress return to him the power that the President had prior to June 3, 1967, to modify call-up procedures. He listed six alternatives including:

First. Change from the oldest-first to a youngest-first order of call so that the young man will become less vulnerable rather than more vulnerable to the draft as he grows older;

Second. Reduce the prime draft vulnerability and all the uncertainty and disruption it creates, from 7 years to 4 years, which means that he would enter a time of vulnerability when he was 19 years old and leave it when he was 23 years old.

Third. Select those who are actually drafted through a random system. This means to distribute the risk of call equally or by lot rather than arbitrarily selecting those whose birthdays happen to fall at a certain time of the year or month.

Fourth. Extend the provision for student deferment but clearly state that the year of maximum vulnerability would come whenever that deferment expired.

Fifth. Allow graduate students to complete the full academic year during which they are first ordered for induction and not just one term as at present.

Sixth. Ask the National Security Council and the Director of Selective Service to review all procedures and report to him their findings and recommendations for further changes.

Chairman RIVERS on September 18, at page 26033, pointed out that the President had abundant statutory authority to enable him to institute all the changes proposed wih the single exception of the desire of the President to initiate a random system of selection of inductees.

Today's RECORD will show that by roll-call vote I supported the previous question as one method to express my support for our President. He is the Commander in Chief. He is my President. He is the only President any of us have. He has been fair in wanting to reduce the period of prime draft vulnerability from as long as 7 years to only 12 months. There may be a number of reforms needed in our draft system, but the President has asked for only this one change at this time.

Mr. Chairman, I have respect for my colleague from Missouri (Mr. ICHORD). I am always reluctant to differ with him, but most particularly on a matter which arises in the House Armed Services Committee where we are both privileged to serve. I happened to be one of those on the committee that voted against a point of order because I wanted the opportunity to consider some additional changes in draft legislation. Let me emphasize as strongly as possible this was in the committee with jurisdiction and not a situation of proposing amendments on the floor.

In committee we were sitting in open session. It was not an executive session. The press was present. I stated the day we reported out H.R. 14001 and I want to state for the RECORD now that I oppose the amendment offered by my colleague from Missouri (Mr. ICHORD). I agree with him there is considerable doubt whether we should ever have commenced student deferments. But now that students are presently deferred and all signs point to a winding down of the Vietnam conflict it is my considered opinion we should not now change student deferment. If we do, such would amount to changing the rules in the middle of the game. It would mean those young people part way through college would suffer further disruption of their plans. Briefly put, once we enacted the principle of student deferment we committed ourselves. It is far too late to change now and renege on our commitment.

As reluctant as I am to have to differ with my colleague on the committee and my fellow Missourian, I must point out that I cannot concur with his proposal that college deferments be accorded only if students join ROTC. Such a plan would be unworkable because many colleges do not have ROTC. In my opinion, the amendment would be undesirable because membership in ROTC has always been a voluntary thing. The very proposal that would make deferment contingent upon ROTC membership is almost another form of a draft, not into the Armed Forces, but a draft into ROTC. For my part, I think it would be unwise to have such unwilling membership fill the ranks of ROTC. It should continue as it is—completely voluntary.

Granted that there may be as many desirable changes in the draft program as there are critics, nonetheless, it is folly to try to make a wholesale revision of the Selective Service Act on the floor of the House. It is not only foolish but dangerous to try to proceed without hearings. We have given the President discretion to act in most areas of the draft except random selection. Now we should give him discretion. There will be plenty of time for any of us to differ with President Nixon on domestic issues. However, we should support the President on his administration's one simple sentence revision of the present draft law.

It would be well to explore what were the alternatives if we had voted down the previous question. It was reported there were at least two amendments which would go so far as to totally eliminate the present Selective Service Act. One was believed to be over 70 pages in length. It just does not make sense to take a 70-page amendment affecting the lives of all our young people without any prior committee consideration. Under such a situation, without all the needed details, which means the factual information and the statistical information, we certainly could not act responsibly.

On the floor today we heard a commitment from the chairman of the Armed Services Committee that hearings will be held on the draft next year. True, the draft is a controversial issue. That does not lessen the near impossibility of acting to write a bill on the floor of the House. Our President has requested of us a simple plan which will let our young men know as soon as pos-

sible their status. If we act promptly in passing this limited revision then they will know the first of next year their status for the following year.

Now, there are two schools of thought, about this measure today. One is whatever we do today is an exercise in futility because the other body of the Congress will never act. One Member went so far as to say whatever we do will not see the light of day on the other side of the Capitol. My response is we should not be guided by what the other body does or may not do. If we act promptly, we will be trying to help our young men to lessen their uncertainty. We are trying to reduce the disruptive impact on the individual lives of these young men. If the other body wants to perpetuate a frustration of our youth then let them be answerable for their inaction. We should pass H.R. 14001 today.

Mr. KING. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio (Mr. MINSHALL).

Mr. MINSHALL. Mr. Chairman, the bill on the floor today marks for me the culmination of 3½ years' effort for revision of our antiquated draft laws.

In May 1966 I introduced a resolution asking for creation of a special House Committee on Revision of the Selective Service Act. I said then, and say again today: it is imperative that present selective service laws be relegated to the history books of World War II. They no more fill today's military requirements than would the horse cavalry, the B–17, or the Springfield rifle. When hearings were held by the House Committee on Armed Services on June 28, 1966, it was my honor to be the first Member of Congress to appear before that distinguished committee, composed of my good friend, the gentleman from South Carolina, MENDEL RIVERS, the gentleman from Louisiana, EDWARD HÉBERT, the gentleman from Illinois, LESLIE ARENDS, the gentleman from New York, CARLETON KING, and a host of others.

President Nixon last spring sent a message to Congress asking permission to modify the present method of selection of inductees. His proposals are clear cut and he has pledged to make the following important reforms:

First, change from an oldest-first to a youngest-first order of call, so that a young man would become less vulnerable to the draft as he grows older;

Second, reduce the period of prime draft vulnerability—and the uncertainty that accompanies it—from 7 years to 1 year, so that a young man would normally enter that status during the time he was 19 years old and leave it during the time he was 20;

Third, select those who are actually drafted through a random system. A procedure of this sort would distribute the risk of call equally—by lot—among all who are vulnerable during a given year, rather than arbitrarily selecting those whose birthdays happen to fall at certain times of the year or the month;

Fourth, continue the undergraduate student deferment, with the understanding that the year of maximum vulnerability would come whenever the deferment expired.

Fifth, allow graduate students to complete, not just one term, but the full academic year during which they are first ordered for induction; and

Sixth, as a step toward a more consistent policy of deferments and exemptions, the National Security Council and Director of Selective Service will be asked by the President to review all guidelines, standards, and procedures in this area and to report to him their findings and recommendations.

We have the assurance of the chairman of the Committee on Armed Services that a thorough review of the Selective Service System will be held next year. Well and good. But the President wants to act now, to take the six initial steps now, to make more equitable now, within the powers given to him by law, a vast stride forward in draft regulatory changes.

Those who would hamper the progress of the bill before us today do so in the full realization that their efforts will delay for no one knows how long the six steps the President has proposed.

The Nation's youth are looking to us in Congress for fair treatment. The President has presented a plan which will assure them of a much more equitable break and I think we are doing a great disservice if we do not speed this measure to the White House. Let this important step in draft reform be taken in 1969, it will be a landmark year for our young men. We have the pledged word, given on this floor by honorable men, that hearings in depth will be held next year and that consideration will be given to extensive changes in the selective service laws.

But let us not delay enactment of the bill before us, let us assure our draft-age young men of initial reforms now.

For the record, Mr. Chairman, I wish to include the full text of my testimony on Tuesday, June 28, 1966, before the House Committee on Armed Services:

TESTIMONY OF THE HONORABLE WILLIAM E. MINSHALL (R–23–OHIO) BEFORE THE HOUSE COMMITTEE ON ARMED SERVICES, TUESDAY, JUNE 28, 1966

Mr. Chairman, distinguished members of the committee, I appreciate the opportunity of appearing before you today.

As a member of the Department of Defense Appropriations Subcommittee, I too am acutely aware of the multitude of problems of our military establishment. And, as a member of the Independent Offices Appropriations Subcommittee which provides funds for 26 federal agencies including the Selective Service System, I feel a vital concern about these hearings.

You who authorize, and we who appropriate, share a mutual responsibility in these times of crisis and you are to be commended on the courage and tenacity you are displaying to help give our country a strong defense. You are doing a superior job and all Americans are indebted to you.

I want to commend you particularly, Mr. Chairman, for the leadership you are giving your distinguished committee.

At the outset I wish to make it very clear that I am not proposing any specific recommendations as to how men should be chosen for service in our military, but I do bring a message of concern about the confusion and controversy which exist nationally over our current draft system.

I can speak first hand for my district, the suburban area of the City of Cleveland, when I tell you that people are generally perplexed and dissatisfied with the application of the present Selective Service System.

Members of this committee are just as exposed to mail from confused and often irate citizens as am I. They feel we need a draft law for the 60's, not one which has not been modernized in 15 years.

Title I of the Universal Military Training and Service Act reads in part:

"The Congress declares that in a free society the obligations and privileges of serving in the armed forces and the reserve components thereof should be shared generally, in accordance with a system which is fair and just, and which is consistent with the maintenance of an effective national security."

This is part of the preamble to the present Act, which was adopted in the post World War II year of 1948, extensively amended in 1951, and patched up since then with 13 various lesser amendments. As the May 7, 1966 *Harvard Crimson* puts it so well:

"Like some great Gothic cathedral, the draft system continues to grow and complicate itself. All the while, however, its two characterizing features are maintained: inequity and confusion."

The Harris Poll, taken last December, revealed that 90% of all Americans agree that the draft is necessary. So absolutely no reflection can be cast upon their patriotism when they become increasingly critical of the outmoded machinery being used to implement the Selective Service System.

Early in May I circulated an opinion poll in my district. This is a suburban area of Cleveland—a sophisticated, high median income residential section. The questionnaire was mailed to the home of every Republican, Democrat and Independent voter. The response I received from more than 18,000 voters carried an overwhelming indictment of the present draft law. Seventy percent answered "yes" to my question, "Do you feel that Selective Service regulations are in need of revision?" Many of them supplemented their answers with additional views, which I shall submit to the committee at the close of my testimony.

As this committee well knows, the sentiments expressed by my constituents are a fair reflection of nation-wide opinion. The demand for new and equitable draft laws comes not just from students on the college campus, but from young men setting out to earn a living, from educators, secondary school counselors, industrial and business leaders, from parents, and from various Administration and Congressional officials. Even the Secretary of Defense has publicly admitted that the present law is unfair. I feel this consensus is clear in demanding an up-to-date system of Selective Service which meets today's military and technological requirements—and does so with absolute impartiality.

As I said earlier, we need a draft law for the 60's, not one which was last revised 15 years ago.

I wish to make it unmistakably clear that I have no axe to grind for any single group of citizens or governmental leaders. I wish to state the case, as best I can, for all of them in behalf of the "fair and just" system promised in Title I and which does not now, in fact, exist in that law.

As a veteran of five years' service during World War II and as the father of three teenage sons, each of whom will some day be called to fill his obligation to his country, I have a natural concern that the law is fair and impartial. As I would not want my sons discriminated against, neither would I want them to receive undue advantage. And this is all the nation is asking of Congress—a clear-cut law which will deal equally with all young men, regardless of race, color, creed, educational, social or economic background.

The massive confusion existing over pres-

ent law was brought home to me just recently by the college placement adviser at my eldest son's high school. This school has an enrollment of boys from many states in the union. My son's college adviser told me it is next to impossible to counsel students on their academic futures when their military futures rest with more than 4,000 local draft boards, each of which has its own method of interpreting the law and its raveled skein of regulations.

Some 40,000 private citizens serve on local draft boards, a difficult and often thankless task. It is made more difficult because the guidelines set down for them are tangled and confused and lend themselves too freely to individual interpretations.

This is plainly evidenced in the discrepancies to be found in 4–F deferment rates among states with similar educational, industrial and ethnic construction. Selective Service statistics recently showed that the 4–F rate in Michigan is only 1.7% as compared to 8.9% in Massachusetts. New Jersey is 3.9%; Illinois, 2.8%; Pennsylvania, 5.8%, and my State of Ohio, 5.2%. A man in Massachusetts may be deferred by his local board, while his counterpart in Michigan or Ohio already has been drafted and may be serving in Vietnam.

Washington offers virtually no guidance to local boards, so it is small wonder that neighboring boards apply different criteria to identical cases. I know of no other federal statute so loose and permissive. Local boards often are given no order of priority to help them reconsider deferments when the call goes out to expand their 1–A pool.

The system of monthly draft calls from state to local boards requires a new and hard scrutiny. There is an urgent need to give local boards more precise standards to follow. Presently the monthly call is based on the number of men examined by the local board and reported available for induction. This means, of course, that a hard-working board will have a higher quota than a less efficient one. This does not work with any sort of equity for the young men involved.

College deferments are a particular focal point of bitter criticism, both on and off campus. The law presently favors young men with high grades at an easy college over students of equal ability but lower marks at a tough university.

Students themselves are heaping scorn on the system of testing by the military to determine draft status, and this system I know will be given a thorough reappraisal by this committee.

I recognize the imperative need for a well-educated citizenry in our increasingly demanding and competitive society. I do not disparage the young man who objects to having his education interrupted or delayed. I would like to point out that the President of Yale University, Kingman Brewster, Jr., charges that the present system is haphazard and prejudiced. He recently stated that the draft discriminates against those men who, and I quote him, "cannot hide in the endless catacombs of formal education."

Yale President Brewster further says that the draft law "seems heedless of the differences in both need and capability, which have been brought about by a change in population and military technique . . . The result has been to encourage a cynical avoidance of service, a corruption of the aims of education and a tarnishing of the national spirit."

We in Cleveland are very mindful of the need for higher education. We have great respect for a college degree. We are the home of nationally known colleges and universities. I do not mean my comments to discredit the vast majority of patriotic young college men, willing to serve their country, but I think that if the president of Yale has the courage to point to cracks in the system, we as Members of Congress are remiss if we do not take a good careful look at the current law. In doing this I hope that the committee will consult with educational leaders from across the nation, representing both college and high school levels.

On the other side of the coin, statistics show that nearly as many men are deferred from service because of illiteracy or low intelligence quotients as are deferred because they are college students.

This aspect of the system, I believe, calls for a thorough evaluation. At present the passing percentile score is listed at 31 on the Armed Forces Qualification Test. A high school graduate can score as low as 16 percent and still be inducted under present regulations. A high school drop-out, however, can score as high as 30 percent and not be eligible, even though he might be anxious to enlist.

I do not come here today proposing any specific changes in the law. I know that the committee will review all of the proposed alternatives in its search for the most just method.

My purpose here is solely to emphasize that there is a grassroots demand, which I know extends across the country, for Congress to correct the many inequities and flaws which exist in the Selective Service Act. I am certain, as are millions of other Americans, that we now are operating the draft under a system which should be updated to the 60's, just as we keep our military hardware and equipment the most modern in the world.

I hope the day will come when we do not have to require any young man to give up two years of his life to the military. But while the times and circumstances demand that we do so, we owe them the most just and impartial conscription program we can devise.

Again, my congratulations and thanks to this great committee and its distinguished chairman for carefully reviewing and studying this complex problem.

Mr. HÉBERT. Mr. Chairman, I yield to the gentleman from Virginia (Mr. DANIEL), a member of the special committee on the draft, such time as he desires.

Mr. DANIEL of Virginia. Mr. Chairman, I urge passage of H.R. 14001. Under the President's draft reform plan, a young man will have only 12 months of prime vulnerability to the draft instead of up to 7 years under the present system. The year of vulnerability would normally come at age 19, or in the year after completing college.

The desirability of the basic reform has been emphasized by every major review of the draft in recent years. Authority to establish such a prime age group system was specifically reaffirmed in the 1967 amendments to the draft law. However, the 1967 amendments also provided that if the President does establish such a system, selection from the prime age group must still be on an oldest-first basis.

H.R. 14001 would repeal this proviso and restore to him the broad authority he had prior to 1967 to establish an impartial system of selection. If enacted, the President plans to provide for a fully random system of selection within each prime age group. The reason is simple: there are more men equally qualified and available in each class of 19-year-olds—and among those coming off deferment—than are needed for military service. Under these conditions, a procedure is needed which gives each young man an equal chance to be called first, to be called second, or not to be called at all.

Action on this essential legislation is long overdue. In the absence of this authority, the President has stated that he will be compelled to institute a procedure which he believes to be both more complicated and which will not equally meet the important tests of fairness and understandability.

Although no one could claim that the President's draft reform will be a complete "cure" to our draft problems—almost everyone concedes that this reform will vastly improve the present system.

I therefore will vote "aye" in support of H.R. 14001 and hope that all of the members of this body will do the same.

Mr. HÉBERT. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from New York (Mr. PIKE).

Mr. NEDZI. Mr. Chairman, a point of order.

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

Mr. NEDZI. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. PIKE. Mr. Chairman, I ask the gentleman to withdraw his point of order.

Mr. NEDZI. I will accede to the gentleman's request.

Mr. Chairman, I withdraw the point of order.

Mr. PIKE. Mr. Chairman, it is very obvious that there is no quorum present and I think it would really be a sort of shame if there were because we are debating a nothing bill, which does not do very much, and I think it would be quite a waste of the time of the other Members who are in their offices if they were present for this.

We have an open rule on a closed subject. I feel very sorry that the gentleman from Missouri (Mr. ICHORD) will not have an opportunity to offer his amendment on student deferments. But it is no real change. When we considered the draft bill supposedly in depth in 1967 and it was my amendment on student deferments, I had exactly 1 minute to argue on behalf of the same amendment.

I want to commend the gentleman from Missouri (Mr. BOLLING) for leading the fight against a bill that is labeled a "draft reform bill," but which is in effect a sham and a delusion and no reform at all, and for trying to open up the rule of this bill in such a manner that real reform and genuine reform and necessary reform could at least be voted on even if they were not enacted.

The subcommittee's report to the full committee on this bill in essence concedes that the bill is a fraud although not admittedly in so many words. Their language was:

> The subcommittee was not persuaded that proposed changes in the system of selection would provide any greater equity in the selection process.

I voted for this bill in the committee and I will vote for it today because it does not hurt anything—and the President asked for it.

But I agree with the gentleman from Louisiana, the chairman of the subcommittee, who in essence says that it really does not help anything either. I will tell you why.

The bill has been sold as creating a fair system of selecting people for the draft. It does no such thing, and I can prove it.

It has been sold as a shortening to 1 year the period of uncertainty which a young man will have so far as not knowing whether he is going to be drafted or not. This, of course, we cannot prove until we try it.

But I can give you some statistics which mean to me, as long as our deferment policies remain what they are and as long as we continue to draft substantial numbers of men, this is a fraud too.

Today we all know we are drafting our 26-year-olds first.

Our 1–A pool from which we are drafting consists of people from 19 to 26.

Our total 1–A pool consists of persons 18 to 26 years old.

We are, as I said, drafting the 26-year-olds first. But the fact is we are also drafting 25-year-olds and 24-year-olds and 23-year-olds and 22-year-olds and 21-year-olds and 20-year-olds and 19-year-olds right now.

As long as the draft calls remain high, and as long as the deferments remain unchanged, we will be drafting the 19-year-olds first, we will be drafting the 20-year-olds, the 21-year-olds, the 22-year-olds, and so on. And here is why. All this bill does is change the manner in which the names are pulled out of the hat, the 1–A names are pulled out of the hat, and we will never have meaningful draft reform until we approach the problem of the vastly larger number of young men whose names are kept out of the hat in the first place. There are not enough 19-year-olds in the 1–A pool in the hat to keep up from drafting 20-year-olds, and so on.

Here are some statistics for the State of New York: As of September 30 of this year the Selective Service System had registered 1,776,000 people in the entire State of New York, outside the city of New York. Despite the fact that we are supposedly drafting 26-year-olds first, we are in fact drafting 19-year-olds all across the State of New York. This is what we are doing.

Of the 1,776,000 people registered, exactly 67,000 were in the 1–A pool, and that is all. The great majority of those who are not in the 1–A pool are properly not in the 1–A pool. The largest number of them are too old. Many of them have already served.

But get this. For every one in the 1–A pool, which this bill considers, there are three in the 3–A pool, hardship deferments, which this bill does not consider. For every one in the 1–A pool there are almost three in the 2–S pool, student deferments, which this bill does not consider. For every one in the 1–A pool, there are almost two, believe it or not, in the conscientious objector category, which this bill does not consider. For every one in the 1–A pool there are over two in the 1–Y pool, which this bill does not consider. This bill, in other words, affects about 5 percent of the total number of persons registered in the State of New York, the 1–A's.

Now, let us take it a step further. Of the 5 percent which are classified as 1–A, are they all going to be affected by this bill? Mercy, no, because claiming a student deferment extends your period of liability. Many of them do not claim it until the draft board starts breathing down their necks. I do not think there is anybody in this Chamber who has not had the experience of somebody writing to them and saying, "The draft board is trying to draft me, but I am a bona fide student." In some cases the draft boards do make mistakes, but in other cases the kid just did not try to claim his student exemption until the draft came after him because he did not want his period of liability extended.

Of the 67,000 in the 1–A pool in New York, 11,000 are under 19. So they come out of the hat. Of the 67,000 in the 1–A category, 7,700 are over 26, and they have had their liability extended, usually because of the student deferments. But we are not drafting in the over-26 group. So they come out of the hat.

There are 17,400 out of the 67,000 who are currently either appealing the actions of the local draft boards or asking for reclassification.

So at a time when we say we are drafting 26-year-olds, there are 4,200 19-year-olds in New York State today, outside the city of New York, who have induction orders, and anybody who says that this is going to limit the period of uncertainty to 1 year is just plain talking through his hat, unless the draft calls go down so much that we are hardly drafting anybody.

Unless we tackle the problems involved in whose names are kept out of the hat, unless we consider the possibility that a man who can play professional football quite possibly may be physically qualified at least for a desk job within the United States of America, even though he is currently classified 4–F, we have not begun to tackle meaningful draft reform. Unless we consider the composition of our draft boards we have not begun to tackle meaningful draft reform.

And above all, as long as we allow young men the option of saying in time of war "I will go to college," but in time of peace, when you are not drafting anybody, "I am available," this bill, which I will vote for because the President asked for it and because it does not make the system any worse, is simply a meaningless sham, providing the illusion, but not the substance, of reform.

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

Mr. Chairman, I would like to answer the gentleman from New York (Mr. PIKE) by saying that we on the subcommittee were furnished with figures from Defense Department and from the Selective Service System, and it was proved to us without any question that there would be an adequacy of the prime age group in the manpower pool.

I do not think I should take the time of the House to go into detail at this time, so I will extend my remarks at this point in the RECORD.

Some critics of the President's proposal to reduce the period of actual draft vulnerability from the present 7 years to 1 year maintain that the pool of 19- to 20-year-olds will simply not be adequate to satisfy military manpower requirements. Thus, they maintain that since this pool will be exhausted, the President will be required to go to succeeding age groups of registrants to satisfy military manpower requirements, and therefore the period of "uncertainty" will be considerably greater than the 12 months claimed by the President and the Director of Selective Service.

This charge is completely false.

I have been provided with figures from the Department of Defense which clearly indicate that a "prime age group" of 19- to 20-year-olds, and constructive 19- to 20-year-olds, would be more than adequate to satisfy all military manpower requirements.

These figures from the Department of Defense illustrate this point under three different assumptions:

First, that annual draft calls of 300,000 are required, such as have existed in the Vietnam period—1966–68;

Second, an assumption of draft calls of 100,000 a year, which illustrates the situation that applied in the pre-Vietnam period, 1963–65; and

Third, an assumption that the annual draft calls will approximate 50,000 a year, which was the level of draft calls in fiscal year 1961 when our total military strength was below 2.5 million.

Briefly, under the first assumption contemplating an annual draft call for approximately 300,000, no more than 60 percent of the residual draft pool would be required to satisfy manpower requirements.

Similarly, in the draft calls of 100,000 and 50,000, only 8 to 17 percent of this pool would be required to satisfy induction quotas.

ADEQUACY OF "PRIME AGE GROUP" MANPOWER POOL

The issue has been raised as to whether the manpower pool of available registrants in the prime age group, under the President's draft reform plan, will be sufficient to meet current or anticipated military manpower needs. The following statistics provided by the Department of Defense are pertinent:

About 2.0 million men will reach age 19 each year during the early 1970's.

Of these, about 800,000, or 40%, will be eligible for temporary student deferments. However, about 450,000 of this group will enter the prime age selection pool each year from older age classes as "constructive 19-year-olds" after either graduating from college or dropping out of school. (The remainder, it is estimated, would be disqualified because of failure to pass medical standards or would be deferred for other reasons, such as personal hardship or employment in essential occupations.)

Of the 1.2 million out-of-school 19-year-olds, about 750,000 will be available for service, after excluding rejectees or those deferred for other reasons.

The total number of new men thus becoming available for service each year, either as volunteers or draftees, will be about 1.2 million.

The above total can be compared with an average requirement of about 1.0 million new manpower accessions per year during the period FY 1966–69, when our military force levels reached a peak of about 3.5 million, and of about 650,000 per year during FY 1963–65 when our strength averaged about 2.7 million.

From these statistics, it will be evident that the number of men who will become available for service each year under the

proposed prime age group system will be more than adequate to meet draft calls which may reasonably be expected in the coming years.

It should also be noted that in the initial transitional year of the proposed system, the manpower pool will be further increased by inclusion of about 200,000 additional class 1–A men, qualified and available for service, in the age group 20 to 25 years. A more detailed discussion follows:

How many men are likely to be available for draft selection in a typical year under the new system? How many will be college students; how many, noncollege men?

The answer to this question is illustrated in table 1. About 2 million men will reach age 19 each year, during the early 1970's. Of these, about 800,000, or 40 percent, will be eligible for temporary deferments because of full-time enrollment in colleges or similar educational institutions. Of the remaining 1.2 million, about 450,000 will probably be deferred, either due to failure to meet military qualification standards or because of fatherhood, personal hardship or other reasons. Based on recent experience, an additional 350,000 will have already volunteered for military service. Thus, about 400,000 19-year-olds will be immediately available for draft selection. In addition, it is estimated that about 450,000 of the 800,000 men originally deferred as students will enter the selection pool each year after completing school or losing their student deferments. The remainder would be disqualified or would be deferred on other grounds. Thus, the total pool available for draft selection each year may approximate 850,000 men, of whom about one-half will be former college students.

What chance of induction will draft registrants face in any one year under the proposed system?

These chances will depend upon several factors, including the total requirements of the armed services for new entrants and the proportion of available men who choose to volunteer rather than to wait to be drafted. In table 2, these odds are illustrated under three possible levels of military manpower requirements:

Assumption 1: Annual draft call of 300,000. This illustrates the selection odds under military strength and draft call levels similar to those in the years 1966–68—Vietnam period. Based on this experience about 650,000 men in the prime draft selection group would be needed for military service in addition to those who would be expected to volunteer at earlier ages—for example, at ages 17 to 18. Of the total needed, more than half—about 350,000—would probably volunteer for either active duty or reserve service as enlistees or officers. The residual requirement for 300,000 draftees would, therefore, represent 60 percent of the remaining pool of draft availables.

Assumption 2: Annual draft call of 100,000. This illustrates the outlook under military strength and draft call levels similar to those in the period 1963 to 1965—pre-Vietnam period. The draft selection ratio under this illustration is 17 percent.

Assumption 3: Annual draft call of 50,000. Under a still lower assumed level of draft calls of 50,000 per year, the draft selection ratio could drop to 8 percent. This relatively low level of draft calls approximates the situation in fiscal year 1961, when military strengths fell slightly below 2.5 million and inductions totaled 60,000—the lowest annual total since 1950.

ILLUSTRATIONS OF DRAFT SELECTION PROBABILITIES UNDER ALTERNATIVE ASSUMPTIONS AS TO ANNUAL DRAFT CALLS

	Illustration I (300,000 annual draft call)	Illustration II (100,000 annual draft call)	Illustration III (50,000 annual draft call)
Number of availables in draft selection pool	850,000	850,000	850,000
Less volunteers during selective service year	350,000	250,000	200,000
Residual pool for induction	500,000	600,000	650,000
Draft calls	300,000	100,000	50,000
Percent of residual pool drafted	60	17	8

Estimated prime selective service manpower pool available for military service under proposed system

Total men, age 19 [1]		2,000,000
Full-time students		800,000
Not qualified or eligible for deferment after graduation [2]	350,000	
Available for service after leaving school	450,000	
Nonstudents		1,200,000
Not qualified or deferred	450,000	
Entered service before selective service year [3]	350,000	
Available for service	400,000	
Total prime pool available for service during year [4]		850,000

[1] Based on average for 1970–1974.

[2] Includes allowance for physical rejections and for deferments or exemptions, e.g., occupational, hardship, ministers and divinity students.

[3] Voluntary entrants into active or reserve forces.

[4] Obtained by adding the 400,000 available for service and the 450,000 available for service after leaving school.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, the bill we have before us is a step in a direction that is long overdue: reform of the draft. It is a very small step because it merely replaces 8 years of vulnerability—and thus disruption of life—with 1 year and random selection. It leaves unamended a host of other inequities. Local draft boards would still be able to make nonuniform decisions on who is eligible and who is not. They would still have arbitrary powers with regard to deciding the validity of the moral and religious reservations of draftees. The list is long; too long. It is way past time that we got down to the business of putting through some real reforms of the entire Selective Service System, to go beyond superficial changes.

The greatest inequity which will continue to exist, of course, is the draft itself. It is a nonvoluntary period of servitude to begin with and its method of operation, the current process of registration and classification, is a tremendous infringement upon the lives of all those who fall under its power. It constitutes one of the biggest barriers preventing communication between the generations in our country today. Thus, to remove this fundamental and inherent inequity, I intend to offer an amendment to H.R. 14001 which will put Congress on record in favor of abolishing the draft and reinstituting it only if, first, Congress formally declares war, or, second, the President issues an Excutive order and Congress by concurrent resolution approves such order. I believe my amendment is germane to the bill.

Traditionally, this country has drafted men only in periods of national emergency. The first instance occurred nearly a century after our independence was confirmed, at the time of the Civil War. A full half century passed after the end of that conflict before we found it necessary to resort to this practice again, and another quarter century separated the drafts of World Wars I and II. Although to most of us it may seem difficult to remember this country without a draft, it has been continuously in effect only since 1949.

Each year the quota of young men to be fed into this yawning military maw has been amplified, until now we draft about 400,000 a year. That is already too much, but we also keep approximately 5 million others on tenterhooks as they traverse the years between 19 and 26 waiting for their number to come up. Those who do not go to college find it nearly impossible to find good jobs since most places of business will not hire a man with the draft hanging over his head. Those who do go to college have no leeway in their learning process, it is either keep up the grades or go see Uncle Sam. And so we pressure young men into decisions on jobs, education, and marriage which reflect distorted choices and we take a big bite out of their lives with fear. The institution of the lottery will lessen this fear but it will not eliminate it.

We are told that eliminating the draft will be too expensive. But when the Defense Department has provided actual figures, this was found not to be the case. Estimates for a 2.65-million-man force, the level we had before Vietnam, run about an additional $4 billion a year.

These estimates ignore, however, the savings such a system would make possible, for instance in lower training costs. It now takes at least $6,000 to train a soldier. Walter Oi, an economist at the University of Washington, who has done manpower studies for Department of Defense, has estimated that with the longer terms of service and high reenlistment rate of noninductees, the number of recruits who would enter the armed services each year, and thus require training, would fall 30 percent. This would mean 166,000 fewer new recruits needed each year for a 2.65 million-man force.

The annual saving would be $1 billion to $1.3 billion. With men better trained

and with higher morale, maintenance costs due to the misuse of equipment would be reduced. Tax losses, presently incurred by the drafting of men who would otherwise earn high civilian salaries on which they would pay taxes, would be avoided.

The President wants a volunteer Army. I say give it to him. I understand he wants the volunteer Army only at the end of the Vietnam war. Discontinuance of the draft will be an earnest indication of his desire to end the war and in my opinion will move the peace conference in Paris off dead center and will hasten peace. We can have a volunteer Army and a Reserve corps. This will enable us to meet what commitments we have. Further, my amendment calls for the suspension of the draft as soon as possible. The President will have that determination.

Mr. KING. Mr. Chairman, I ask unanimous consent that the gentleman from New York (Mr. PIRNIE), who is a member of this subcommittee but who had to leave town, may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. PIRNIE. Mr. Chairman, I support the proposed legislation, H.R. 14001, which would allow the President to implement a new system of selecting persons for induction into the armed services.

As the ranking minority member of the Special Subcommittee on the Draft of the House Armed Services Committee, I have made a continuing effort to follow closely the administration of the Selective Service System and implementation of the draft law. I therefore believe that I have a special responsibility to comment on the bill.

This legislation does no more than give the President the authority to implement a random method of selecting draftees. It does not alter existing law in any other way since the 1967 Draft Act already contains language which gives the President adequate permissive authority to make the changes he deems appropriate and desirable.

For example, there has been a great deal of discussion about changing the order of selection from the oldest-first to the youngest-first call and apparently there was a general misunderstanding about the ability of the President to do this. However, section 5(a) of the 1967 Draft Act authorizes the President to make this alteration, and therefore, there is no need for legislative action on this point. The same is true of the other items for the President listed in his May 13 message to the Congress indicating his desire for changes in the selective service process.

The Subcommittee on the Draft considered the President's recommendations as soon as possible after being made aware of his request. We held extensive hearings on the proposal and weighed carefully the wisdom of altering the present system in favor of a random selection. Although some of us may doubt that such a change will result in any greater equity in the selection process, we are unanimous in the view that the President should have the power to implement whatever system he considers to be in the national interest. This is in keeping with the view our committee has always held regarding the draft and it is consistent with the policy adopted by the Congress in 1967 when it approved the Military Selective Service Act of 1967.

Mr. Chairman, there is one point which I think is particularly important and one which should be made perfectly clear. There have been suggestions; indeed, allegations, that the Committee on Armed Services has been slow in acting to approve the President's request. I would like to point out that in 1967, the House Armed Services Committee recommended and the House approved a version of the Draft Act of 1967 which would have allowed the President to implement the so-called lottery system providing that he first reported the details of that system to the Congress and the Congress had not, within a period of 60 days from the time of such report, passed a resolution rejecting the proposed changes.

The Senate version of the legislation contained no recognition of our concern to give the President the authority to implement quickly any system he considered to be in the national interest. In conference, the language which is in existing law, was approved because the conferees from the other body felt that Congress should exercise its legislative prerogatives in this critical area. However, let no one mistake the desire of the House or the Armed Services Committee to give the President the administrative flexibility necessary in this critical area. Our committee's position is a matter of historical record: We support the concept of giving our Chief Executive such discretionary authority as may be necessary to properly administer the Selective Service System, we always have and doubtless always will.

Today we are considering legislation which may prove to have lasting effects on many generations of American boys. For those who feel that wholesale changes in the draft law should be made by Congress now, let me say that support of H.R. 14001 can achieve the same purpose. However, in my opinion, this is neither the time nor the place to begin a new round of so-called reforms of the draft. Rather it is the time to grant a Presidential request which will better enable him to carry out his constitutional responsibilities as Commander in Chief. He should be given that authority and I urge all my colleagues to support this bill.

Mr. KING. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. HUNT).

Mr. HUNT. Mr. Chairman, the reform in the draft selection system, which will be made possible by this legislation, is long overdue and I am confident will be supported by an overwhelming majority of this House.

The only criticisms I have heard of this legislation are not addressed to the substance of this bill but to other possible reforms in the administration of the Selective Service System. A good deal of this criticism, it seems to me, is addressed to the administration of the present system rather than to the law itself. For example, one frequent complaint is that young men in similar circumstances are likely to be treated differently depending upon the attitudes of their particular draft boards and that more uniform guidance and procedures are desirable.

I would like to point out that the President has ample authority under the present law to promulgate more detailed guidelines, standards and procedures for deferments and exemptions. Moreover, President Nixon has clearly recognized the importance of establishing reasonable and clear guidelines to assist the local boards in their decisions. For this reason he has initiated a comprehensive review of selective service procedures to assure that they are consistently and fairly administered throughout the country. This review is currently underway under the sponsorship of the National Security Council and is scheduled to be completed by December 1, 1969.

I am sure that the Special Subcommittee on the Draft, appointed by the chairman of the House Armed Services Committee in 1967, will closely monitor the results of this study as part of its continuing responsibilities in this area.

I am therefore happy to join my colleagues in supporting this bill, H.R. 14001.

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

Mr. HÉBERT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, this Nation cannot long continue to tolerate the inequities of the present draft system nor, as I see it, can we long continue to send the finest of our young men to various battle areas against their will and without any declaration of war. Because the present Selective Service System does involve a major policy decision that is important to the lifeblood of this country, I am most reluctant to see us rewrite it on the floor of this House with the high emotion involved with the Vietnam war creating a climate which produces a minimum of cerebral activity and a maximum of adrenal activity. The distinguished gentleman from New York (Mr. STRATTON), for whom I have the highest regard for both his keen intellect and his integrity, has persuaded me that it would be better procedure to have the comprehensive hearings next year and the careful consideration of all proposals for change. And heaven knows college draft deferments need very careful consideration; the 4,000 or more autonomous draft boards need to be looked at, with deferments in one part of the country made on a different basis than in another part of the country; the number of years of obligation need to be examined; and, in my judgment, universal service needs to be carefully considered. In the long run, I believe that I favor a volunteer Army with remuneration sufficiently attractive to provide the number of people and the quality required for the defense of our country.

But in addition to these, Mr. Chair-

man, I am most concerned about the use of draftees by the Commander in Chief without any declaration of war. It continues to amaze me that in a country such as this the Commander in Chief can demand the ultimate sacrifice of individual lives on a foreign battlefield without any comparable sacrifice on the part of those who remain home and reap huge profits from the war effort. It is for these reasons, Mr. Chairman, that I introduced legislation yesterday which would go to this particular point. I sincerely hope that the members of the Armed Services Committee will consider it in the comprehensive review of the Selective Service System next year.

The essentials of my bill, affecting the use of draftees in undeclared war, are as follows:

First. The President is allowed to commit troops to a combat area, volunteers without limit, draftees for the first 90 days only.

Second. Within 90 days, Congress by resolution—or declaration of war—must decide whether or not to endorse the original Presidential action by permitting continuation or assignment of draftees to combat areas.

Third. At the end of 180 days, failing a formal declaration of war by the Congress, all troop commitment—voluntary and/or draftee—is withdrawn.

I have striven to reconcile in this legislation a number of contrary concerns that have increasingly disturbed this Nation's conscience in the post-World War II era.

The first concern is not to hobble the President in his important role as Commander in Chief in making swift response to international provocations which we know, from bitter experience, can arise at any moment and at almost any point on the globe to confront us.

The second concern, in giving the President this necessary latitude for action, is not to continue to default on our constitutional responsibility in decisions committing our military forces to actual armed conflict.

But there are a host of interrelated concerns woven into these major two I have just mentioned.

The first is the concern for the predicament of the draftee in undeclared wars. There can be no question of his obligation to serve his country when a formal declaration of war has been acted on since this in itself would indicate a time of grave peril for the entire Nation.

But with respect to "police actions" and "brushfire wars" the obligations placed on the draftee, soul, mind, and body, become first tenuous and then intolerable because we have not had the courage as leaders to define such ambiguous terms.

When is a war a war?

My bill says any military intervention by the United States becomes, by formal declaration of the Congress, a war at least by the end of 180 days of continuous intervention. At that point, we are completely in or completely out. And by "completely" you are not to infer the use of nuclear weapons. By that logic, we would have been less than "completely in" World War II, since we possessed, but did not use, vast stockpiles of chemical and biological terror weapons.

And the Congress and the Nation will have 6 months to make up its mind, one way or the other, and in the process restore to itself a constitutional prerogative that has been transgressed twice in as many decades, in Korea and in Vietnam.

And current and future Presidents will continue to have for at least 6 months the prerogative of making prompt military decisions we have permitted a succession of their predecessors. Given the dangerous nature of the world today, and what should be our ready acknowledgment of the integrity of the man the people elect President, we can do no less.

Proposals that would bar the President from using draftees in an emergency situation do more than hobble the President. They hobble the military commander who has been ordered into an actual or potential area of conflict with as little as 24 hours notice.

Can we honestly expect a commander to do his job, leaving behind critically needed skills—perhaps his own radio operator—simply because those skills are possessed by a draftee?

In my view, this would mindlessly imperil the lives of men who are obliged to enter a combat area at Presidential direction. My concern for the predicament of the draftee does not make me any less concerned for other Americans in uniform who, I am afraid, we sometimes seem to regard as mercenaries.

Within 90 days, under my proposal, the military commanders concerned will have been able to provide in an orderly way for the replacement of draftees within their commands.

During that same 90 days, the Congress will have had ample opportunity to consider continuing the use of draftees—by a resolution which would also give the President a vote of confidence in his original decision to undertake armed intervention.

Of course, if that resolution is not forthcoming, he can look 90 days further into the future and reckon his own chances of getting the supreme vote of confidence, a declaration of war by the Congress, and start taking appropriate actions.

The tough proposition in my bill, and I acknowledge it as such, is that 6-month countdown to a congressional vote on a declaration of war, which failing to carry simply signifies that it is the will of the people, expressed through their elected representatives, to have no war at all.

I repeat: no war at all.

Neither police action, brushfire, limited, general, nuclear, or nonnuclear, nor one involving voluntary or involuntary service by members of our Armed Forces.

No one can characterize my countdown provision as a doomsday device. Examined carefully, it will be found to be rather an antidoomsday device. Neither are the proposals I have discussed without strong precedent in selective service legislation, either with respect to limitations of time or place placed on the use of draftees. On September 16, 1940, legislation was approved specifying that draftees "shall not be employed beyond the limits of the Western Hemisphere except in the territories and possessions of the United States, including the Philippine Islands."

I daresay a great number of you gentlemen were personally affected at the time by this legislation.

All of this, mind you, while a war was raging in Europe and with a notably strong leader in the White House in the person of Franklin D. Roosevelt.

Yet we were flexible enough to meet the challenge of World War II and win it. The restriction on the use of draftees was simply repealed with a declaration of war, as it properly should have been.

A declaration of war is the most serious consideration that will ever come before this House. There are some who would have readily voted it in 1965; there are others who would have readily voted against it.

I do not think too many would have been found in either camp. I, myself, am on record as opposing our involvement in Vietnam. I was one of seven in the House who voted against President Johnson's request for approval of $700 million in 1965 as an endorsement of his escalation policy. I wish there had been more opposition to Vietnam in the country and in the Congress then—but that is in the past. We must make the wisest decisions we can from this point on.

And all of this is perhaps irrelevant of consideration because—whether hawk or dove, Republican or Democrat—we were privileged to have Lyndon Johnson give his political life for our sins of omission since, in the final analysis, we were never forced to face up to our constitutional responsibility.

With this bill, I invite you back to that harder path from which we have all strayed.

Mr. TEAGUE of Texas. Mr. Chairman, since my experience in combat as battalion commander from Utah Beach, Normandy, in June 1944 to the Rhine River in December 1944, after seeing 300 killed and 500 wounded out of 1,000 men, I have felt that the national sin of our country was to send our 18-, 19-, and 20-year-olds into combat when there is no other place in our society where we consider them mature men.

Today, the distinguished chairman of the Armed Services Committee has given this body his word that complete and extensive hearings on draft reform will be held in the next session of Congress. I submit now for the RECORD a bill I intend to introduce then for consideration by that committee:

H.R. ———

A bill to amend title 50 of the United States Code to prohibit the ordering of any individual into combat who has not attained the age of 21

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the Military Selective Service Act of 1967 is amended by adding at the end thereof the following new paragraph:

"Notwithstanding any other provision of law, after the effective date of the Selective Service Amendment Act of 1969, any person selected for induction under this title who

has not attained the age of 21 at the time of his induction shall, until he attains such age, be held and considered by the Secretary of the military department concerned to be on active duty for training in the armed forces."

My bill would prohibit ordering young boys into combat who are under the age of 21. Through our inability or unwillingness to face up to certain moral principles, we have created a serious inconsistency in our national life. We have created a disparity in the age of responsibility for active duty and combat duty in the Armed Forces while at the same time maintaining for other purposes legal provisions which render a young man a minor and unacceptable for certain public responsibility.

If the various laws of the States were changed so that a young man under 21 could vote, make a valid contract, and assume the legal responsibility for his own support and conduct, I would have much less objection to drafting a man under 21 years old for combat duty. This is not the case, and I see very little chance that there will be wholesale revision of State laws on such matters as voting, minority rights, and contractual and legal obligations under age 21. Therefore, the only course open to obtain consistency is to make the draft law compatible with these other various laws relating to individual responsibility.

Young men under 21 years old do not make ideal soldiers. They are in most instances too young and immature to have the harsh realities of combat thrust upon them. There would be no objection to seeing young men enter the Armed Forces under age 21 for training purposes, and I would be glad to see the Armed Forces organized to provide for drafting and training of young men from the period 19 to 21 years old, providing these men would not be sent to combat earlier than 21 years of age.

There is some precedent for this. We have had programs in the past which brought young men into the Armed Forces for training purposes only and did not permit their assignment overseas.

I am enclosing the most recent statistics available from the Department of Defense which points up only too clearly that the majority of the deaths in Vietnam are in an age group that we will not permit to vote in our national elections:

U.S. CASUALTIES IN SOUTHEAST ASIA, BY AGE AND MILITARY SERVICE

	Military service					
	U.S. Army	U.S. Navy	U.S. Coast Guard	U.S. Marine Corps	U.S. Air Force	Total
Hostile deaths through August 1969—attained age:						
17	7	0	0	2	0	9
18	880	8	0	1,461	0	2,349
19	2,884	95	0	3,165	7	6,151
20	6,491	241	0	3,257	18	10,007
21	4,468	219	0	1,647	24	6,350
22	2,226	141	0	776	28	3,171
23	1,732	93	0	482	24	2,331
24	1,322	72	0	313	38	1,745
25	981	66	1	204	48	1,300
26	673	47	1	129	30	880
27	369	23	0	83	41	516
28	281	24	0	70	48	423
29	276	14	0	63	42	395
30	213	23	0	42	38	316
31	238	18	0	50	34	332
32	185	21	0	59	34	299
33	166	11	0	44	40	261
34	179	6	1	35	36	257
35	159	21	0	29	32	241
Hostile deaths through August 1969—attained age—Continued						
36	165	14	0	34	26	239
37	140	8	1	40	32	221
38	113	10	0	11	21	155
39	76	11	0	14	17	118
40	62	10	0	7	10	89
41	39	3	0	7	12	61
42	26	4	0	8	4	42
43	25	1	0	5	3	34
44	18	1	0	1	5	25
45	9	1	0	2	5	17
46	3	0	0	1	4	8
47	8	1	0	3	5	17
48	7	0	0	3	2	12
49	2	0	0	0	0	2
50	3	0	0	1	1	5
51 and over	5	1	0	1	2	9
Unknown	0	0	0	0	0	0
Total, all ages	24,415	1,208	4	12,049	711	38,387

To further substantiate my contention that a majority of States do not consider an individual to reach adulthood until age 21, I am placing, herein, statistics compiled by the Legislative Reference Service in August 1967. These statistics list on a State-by-State basis the age at which an individual reaches majority; is eligible to vote; make a will; and purchase alcoholic beverages. This compilation follows:

States	Age of majority	Minimum voting age	Minimum age for making will	Minimum age for purchase alcoholic beverages
1. Alabama	21	21	21	21
2. Alaska	19	19	19	21
3. Arizona	21	21	21	21
4. Arkansas	21	21	18	21
5. California	21	21	18	21
6. Colorado	21	21	18	21
7. Connecticut	21	21	18	21
8. Delaware	21	21	18	21
9. District of Columbia	21	21	21	21
10. Florida	21	21	18	21
11. Georgia	21	18	14	21
12. Hawaii	20	20	20	20
13. Idaho	21	21	18	21
14. Illinois	21	21	18	21
15. Indiana	21	21	21	21
16. Iowa	21	21	21	21
17. Kansas	21	21	21	21
18. Kentucky	18	18	18	21
19. Louisiana	21	21	16	18
20. Maine	21	21	21	21
21. Maryland	21	21	18	21
22. Massachusetts	21	21	21	21
23. Michigan	21	21	21	21
24. Minnesota	21	21	21	21
25. Mississippi	21	21	None	21
26. Missouri	21	21	18	21
27. Montana	21	21	18	21
28. Nebraska	21	21	21	21
29. Nevada	21	21	18	21
30. New Hampshire	21	21	18	21
31. New Jersey	21	21	21	21
32. New Mexico	21	21	21	21
33. New York	21	21	18	18
34. North Carolina	21	21	21	21
35. North Dakota	21	21	18	21
36. Ohio	21	21	18	21
37. Oklahoma	21	21	18	21
38. Oregon	21	21	21	21
39. Pennsylvania	21	21	21	21
40. Rhode Island	21	21	21	21
41. South Carolina	21	21	21	21
42. South Dakota	21	21	18	21
43. Tennessee	21	21	18	21
44. Texas	21	21	19	21
45. Utah	21	21	18	21
46. Vermont	21	21	21	21
47. Virginia	21	21	21	21
48. Washington	21	21	21	21
49. West Virginia	21	21	21	21
50. Wisconsin	21	21	21	21
51. Wyoming	21	21	21	21

Mr. Chairman, you can be assured at the hearings to be held next year, I shall make every effort possible to change the fact that we order by law, boys to fight men's wars.

Mr. VAN DEERLIN. Mr. Chairman, I would like to take this opportunity to express my gratitude to the chairman of the committee (Mr. RIVERS) for his humane intercession on behalf of a San Diego family that had been caught in strange and sad dilemma by the ruling of a local draft board.

Briefly, the facts were these:

About 2 weeks ago, I received a letter from Mr. and Mrs. Donald B. Carrier, of 5484 55th Street, San Diego. They wrote that their elder son, Daniel, a first lieutenant in a tactical fighter squadron, has been reported missing in action over North Vietnam since June 2, 1967.

In the nearly 29 months that have elapsed since Lieutenant Carrier's disappearance, his family has learned nothing to sustain hope that he is alive.

The Carriers have one other son, Michael, a graduate student who was recently reclassified 1–A after holding 2–S and 3–A classifications.

When the family requested that Michael be classified 4–A under the policy exempting sole surviving sons from the draft, the local selective service board replied that the policy does not apply in cases of men missing in action—only on confirmed death.

The reasoning seemed to me an absurd and unfair interpretation of congressional intent.

I had planned on offering an amendment to H.R. 14001, to provide that "a person who is designated as missing in action by the Secretary of the military department concerned shall be deemed to have been killed in action," insofar as local draft boards are concerned.

After drafting the amendment, I de-

cided to discuss the situation with Mr. RIVERS.

He agreed that a great injustice was being done, and promptly put in a call to the Director of Selective Service.

I was advised Tuesday that the file on young Michael Carrier had been pulled at Selective Service headquarters here in Washington, and that his 1–A classification would be changed to permit him to continue his studies.

I commend Mr. RIVERS, for the kindness and compassion he has shown for this family.

And I earnestly hope that the apparent vagueness in our law, which gave the local draft board such leeway in the Carrier case, can be clarified once and for all through administrative fiat if not through new legislation.

Mr. BINGHAM. Mr. Chairman, I share the frustration of so many of my colleagues that this bill has been brought before us under a rule that does not permit amendments to be considered to provide for a basic overhaul of the draft.

The current draft law is a prime cause of a clear state of emergency in our country, an emergency which exists both in the military itself and in the lives of our young men and women, many of whom are increasingly unable to imagine a humane and enlightened government. The implementation of a lottery system of selection, although an improvement in a totally outmoded system, is still just a scratching in the dirt. The mother lode of frustrations, inequalities, and damage to both human beings and institutions—our proper business in an emergency of this magnitude—is too deep to be dealt with by mere alterations in a method of selection.

The attitude of many young men toward the draft, which they regard as unjust if not intolerable—an attitude which is greatly aggravated and intensified by their hatred of the Vietnam war—is having a damaging effect on the armed services. It is no surprise or secret that disaffected young men within the military may cause more harm than good: The rise in desertion rates, the numbers of men confined to brigs, rioting on military bases, and the springing up of "underground" newspapers on military installations are obvious signs of a serious problem.

Today the armed services are despised by many young people, and the young man in uniform is likely to be the object of jibes, even from the girls of his generation, in sharp contrast to the admiration that used to be the lot of the soldier or sailor in wartime.

I have been deeply concerned by the small numbers applying for the service academies in my district, and I know other Members have had the same experience. I am concerned that the academies might have to lower their standards for admission, if indeed they have not had to do so already.

The best way to undo this damage would be to end the Vietnam war, but even if that can be done promptly, the animosity to the draft will continue among today's young men if its injustices are not corrected.

I believe that the draft system can be refined and reformed so as to improve the quality of our Armed Forces, as well as to dispel the dissatisfaction of young people. Both the military and young people share a common anathema—unwilling service. When a common problem exists, a common solution should be projected.

The Selective Service Act of 1967 needs drastic change. The mere repeal of section 5(a)2 of Public Law 90–40 and the instigation of a new system of selection do not offer a solution. It is very much like suspending draft calls for a period of a few months or allowing graduate students to finish out their year—a kind of kingly, but insignificant, toying with the masses of the people in this country whose human needs must be answered with substantial changes in the existing laws.

Many have programs in mind. These programs should be heard out—now—discussed—now—and, most important, enacted—now. If we recognize, Mr. Chairman, the true emergency that faces us, then, certainly, the very difficult complications in the area of draft reform can be solved.

I have my own plan, which involves a total overhaul, of the type that is required. It incorporates the lottery selection system, yet it also provides sets of alternatives for mlitary service.

My plan would tie together the needs of the military for young men who want to serve that honorable profession, and the needs of many young people to serve their country and their world in some way other than militarily. There has always been room for both; there may never have been greater need. If the military is going to regain its untarnished image, and if the many young men who now defy the draft can ever be solicited to serve their country in the ways they so earnestly desire, then we must start now to implement a plan at least as broad as the one I have proposed.

A lottery system of selection, which is the only reform provided for in this bill, is totally inadequate as a revision of the draft. Nevertheless, it does represent a step forward, however, limited. For that reason, and in view of the assurances provided during this debate by the distinguished chairman of the Armed Services Committee that his committee will hold hearings on all aspects of draft reform early next year. I intend to vote for this legislation.

Mr. ROTH. Mr. Chairman, I rise in support of H.R. 14001, a measure that would greatly improve the draft system by removing one of its inherent inequities.

Under the current draft system, the oldest are inducted first. One result of this policy is that registrants face a period of maximum liability to induction that stretches over 7 years, from age 19 through 26. During these years, when a man is most desirous of establishing himself and a family, registrants often must wait anxiously, not knowing whether they will be called to military service.

Under the authority that H.R. 14001 would give him, the President plans to reduce the period of maximum liability to 1 year, by defining the "prime age group" as the registrants who reach their 20th year in a given calendar year. Barring unusual military manpower requirements, all selections would be made from the prime age group, which would include men who are deferred and who must rejoin the prime age group upon the expiration of their deferments. If a man is not selected from the prime age group, he will have a high degree of assurance, and assuredly much more so than he now has, that he can pursue his life and his life's ambitions as he sees fit.

More specifically, under the plan the President will institute, when a registrant enters the prime age group the likelihood of his being drafted would not depend on his particular birthday. The days of the year would be "scrambled" or randomly distributed in such a way that a person whose birthday is at the beginning of the calendar year would have no higher degree of vulnerability to selection than a registrant whose birthday falls at the end of the calendar year.

The Selective Service Amendment Act of 1969 would simply repeal but one section of the Military Selective Service Act of 1967. Even so, H.R. 14001 would enable the President to carry out a truly significant reformation of the existing draft system. And it must be kept in mind that the President probably will be taking similarly significant steps, as outlined in his May 13, 1969, selective service message to Congress—additional steps that, unlike the institution of a random selection system based on the concept of a prime age group consisting of the younger registrants, can be taken under authority previously given to him by the Congress.

Of course, I look forward to and pray for the day when the world situation will be such that the draft and even the manpower level at which the Armed Forces must be maintained voluntarily can be drastically downgraded.

Meanwhile, in the bill now before us we have the opportunity to take a giant step toward more equitable and therefore more efficient national military manpower policies.

In conclusion, let me say undramatically but firmly, Mr. Chairman, that this bipartisan selective service reform measure formulated by a Republican administration, has been unanimously recommended for approval by the House of Representatives in action taken by a Democratic-controlled Committee on Armed Services on October 16, 1969.

Mr. GILBERT. Mr. Chairman, I voted against the previous question which would have opened the bill, H.R. 14001, for floor amendments. Unfortunately, the previous question was not voted down and we did not have the opportunity to vote on the Bolling amendment which would have permitted amendments to be offered on the House floor.

We all agree there is great need for draft reform, but to be equitable and effective, draft reform must go beyond the adoption of a lottery system as proposed in H.R. 14001. I think the House should have the opportunity to consider

draft reforms beyond the simple change to random selection. That is why I voted against the previous question.

Mr. Chairman, I am one of the cosponsors of a bill to make major draft reforms. I endorse the principle of random selection; in fact, it is incorporated in the bill I cosponsored. But a public issue as important as draft reform cannot be resolved by the enactment of a partial measure.

The bill I have cosponsored, with the gentleman from New Jersey (Mr. THOMPSON) and 38 other Members—H.R. 7784—will correct a number of injustices and inequities in the administration of our draft laws. Our proposal will prohibit discrimination of any kind in the makeup of any selective service panels which determine an individual's draft status. It will establish eight regional offices of the Selective Service System to supervise administration of the laws. It calls for a public study of all aspects of a volunteer army and it would guarantee to all registrants the right of counsel in appearing before draft boards. Additionally, those who claim indigency are assured of free council. As an added protection, the bill will specifically bar any local board from utilizing the draft as a means of punishing draft opponents or any other persons by limiting draft delinquency to acts relating to the registrant's own individual status.

Mr. Chairman, I hope the Armed Services Committee will consider which I have cosponsored, H.R. 7784, at an early date. It is rather widely agreed that draft reform is long overdue.

Mr. Chairman, I am going to vote for H.R. 14001 because I believe the other body will work its will and there will be opportunity in conference to draft a more susbtantial selective service reform bill.

Mr. DONOHUE. Mr. Chairman, this bill before us, H.R. 14001, presents an immediate challenge to this Congress and the Chief Executive to cooperatively work together to revise and make our current military draft system as fair and impartial in its application as it is humanly possible to do.

Like a great many others here, I think that this House and this Congress ought to review and revise the whole Selective Service Act. I think that should be done through our established procedures of committee hearings and the presentation of a committee report, so that every House Member would have the opportunity to offer amendments, explain their purpose, and have them judged by the majority. The chairman of the House committee has indicated that such procedures will be initiated by his committee early next year.

Meanwhile, the President of the United States has asked this House and this Congress, by prompt legislative action, to remove any legal doubt of his authority to set up a random system of selection for all military service inductees. He has also stated that he will then promptly initiate, by Executive order, several other reforms and improvements in the current law.

Under the circumstances, and in view of the request for immediate action, I think we should give an immediate response, and that political considerations should not be permitted to intrude into this matter on either or any side.

Those of us who have long been urging congressional and Executive action to remove inequities from the current draft law can take a certain measure of gratification at the indication of presidential intention and the committee presentation of this bill before us, which was unanimously reported from the Armed Services Committee without a dissenting vote. I believe that there is an immediate, imperative need, in fairness and equity, to establish some type of random or lottery selection system that will result in a limited vulnerability for draft-age individuals through, as the President has discussed, a "youngest-first" order of call.

At present, all men in the 19-to-26 age group are technically subject to the draft. For those qualified, this imposes a 7-year period of uncertainty and inability to plan for the future.

I think we should and we must first and quickly find a way to reduce this period of vulnerability and anxiety which weighs as heavily upon the parents as it does upon the young men involved. If it is not feasible at this particular time to try to eliminate the draft entirely, then we must try to at least create a draft system procedure through which the individual affected will have near certain knowledge about his status, so that his family will be relieved of great worry and he can reasonably plan his life.

Of course, there are, as the President indicated, many other reforms that can and should be made in our draft system, such as revising conscientious objector regulations, requiring all boards throughout the country to apply and abide by the same standards and to permit legal counsel to appear with and advise a draftee through every board procedure. These and other changes must be made in order to renew and strengthen the trust and confidence of all our young men and their families in the fairness of our military Selective Service System by the cooperative action of the Congress with the Chief Executive.

I believe that this objective is vital to the continued stability of this Nation. I believe that cooperative congressional and Executive action to this end is imperative in the national interest.

What we do here today will not be the last or perfect solution to an extremely difficult problem in this country. However, I think it represents a step, by the right combination of the President and the Congress, in the right direction, at the right hour of our modern history. Let us take this step, now, while we pledge our unceasing cooperative efforts in removing every inequity from our existing draft system and while we hopefully seek a way to provide adequate armed services without the necessity of a military draft.

Mr. HALPERN. Mr. Chairman, random selection of youth to serve in the Armed Forces is a commendable reform of our draft law, although I believe ultimately the draft should be abolished in favor of an all-volunteer army.

The Nation's objective should be to make military service free of compulsion, removing constrictions on individual freedom.

An all-volunteer army would be more democratic as it would require no compulsory service. It would reduce turnover in the services, and hence reduce cost. It would probably raise the level of skill in the Armed Forces. And it would remove the terrible problems of uncertainty.

But realizing there are serious problems in implementing an all-Volunteer army, I applaud President Nixon's initiative in seeking immediate reform of the present Selective Service System until the entire question of military manpower can be properly evaluated.

The present draft is shortsighted, inadequate, inequitable, and inefficient. Under the power granted the President in H.R. 14001, only young men between their 19th and 20th birthdays will be drafted on a random basis, rather than the present system, which allows men between 19 and 26 to be called on an oldest-first basis.

Under the new system, the youngest, not the oldest, will be called first; call-ups will be on a nationwide random basis, and limited college deferments will be continued, postponing the period of maximum vulnerability.

Young men between the ages of 19 and 20 will be tagged as the "prime age group" for induction under H.R. 14001. By concentrating future draft calls on a smaller and younger group of draft registrants, the period of maximum vulnerability will be reduced from 7 years to 1 year. Those who have received deferments or exemptions would rejoin the prime age group at the time their deferment or exemption expired, and would take their places in the sequence as they were originally assigned.

Determining the sequence of induction will be by lot, calling eligible men by birthdate from a "scrambled" calendar. This would equalize the risk of induction and help young men determine the likelihood of induction.

For those receiving undergraduate deferments, the year of maximum vulnerability would come whenever the deferment expired, generally upon completion of students' college education. Graduate students would be deferred for the full academic year during which they were first ordered for induction; graduate students in medical and allied fields, who are subject to a later special draft, would be granted deferment for the full period of their studies.

The importance and necessity of quickly instituting this draft reform cannot be underestimated.

Drafted soldiers are about 16.5 percent of total military manpower. In the Army, draftees are 37 percent of total strength, and represent 42 percent of our forces in Vietnam.

However, draftees represent 40 percent of Army fatalities in Vietnam. Draftees then, account for less than two out of every 10 soldiers; but represent four out of 10 Army fatalities in Vietnam.

In addition, there is a sound actual basis for turning to 19-year-olds first. Almost 2 million young men will soon reach age 19 every year.

Statistics indicate that 30 percent of these 19-year-olds will be disqualified because they do not meet either physical or educational standards. Others will receive hardship deferments, and according to past records, some 500,000 men will volunteer for military service.

This should leave about 730,000 qualified 19-year-olds for the draft. Based on military manpower requirements for July 1965, before the Vietnam buildup, another 110,000 men would be needed to supplement the 570,000 volunteers and bring strength up to approximate the 680,000 new soldiers required each year.

This means that one out of every seven young men of the 730,000 qualified 19-year-olds would be drafted.

The desirability of calling 19-year-olds, rather than older men, has been repeatedly reiterated by the Defense Department. Drafting the "oldest first," a Defense Department study reveals, "clearly revealed that this policy was not desirable from any standpoint." Problems cited by the Defense study with drafting the "oldest first" include:

First. The uncertainty it generated in the personal lives of the draft-qualified men. For instance, almost 40 percent of potential inductees between age 22 and 25 were told at least once by a prospective employer that they could not be hired because they could be drafted.

Second. The incidence of deferment rises sharply with age. At age 19, only 3 percent of classified registrants had dependency deferments and only two-tenths of 1 percent had any form of occupational deferments. But at age 24, nearly 30 percent of all registrants were in just these two deferred categories.

Third. Army officers consider younger men to be more adaptable to combat training routines.

But let me reiterate my contention that the draft can be replaced with a fully staffed volunteer armed force. It can be accomplished by affording the enlistees broad educational benefits and adequate financial compensation.

In an age where our defense depends more and more upon sophisticated weaponry and highly skilled manpower, 43 percent of the Army at any given time has had less than a year's experience.

It costs $18,000 a year to maintain a soldier and there is a 95-percent turnover among draftees, a situation that is ridiculous.

A standing volunteer army would eliminate the overwhelming turnover and result in great savings, while the increased training for the standing forces will make the military far more effective and efficient than before.

Mr. KARTH. Mr. Chairman, while the opportunity to open the selective service law for extensive improvements has temporarily been denied the House by the action to adopt the rule on H.R. 14001, I am heartened that the chairman of the Committee on the Armed Services has pledged that hearings to modernize the draft permanently will be held early next year.

Although I voted in opposition to the previous question, the announcement of the gentleman from South Carolina encourages me to press for those changes in the Selective Service System which will finally achieve equity for those who will be called to serve in the Armed Forces of our country.

When the hearings are held next year I will propose changes in several major areas. These will include: provision that de facto exemption of some students be ended so that all draft-eligibles be exposed to selection at some time; establishment of uniform national standards for all local boards; prohibition of occupational deferments—except hardship cases—prohibition of use of draft as punishment; requirement that Selective Service System be reorganized; and provision for studies of a Volunteer army and a national military service alternative.

I am convinced that when such changes are adopted by the law modernizing selective service we will make an important advance in reunifying our sadly torn country and winning many more of your young people to the cause of working for the Nation, not against it.

Mr. THOMPSON of New Jersey. Mr. Chairman, the subject of draft reform is certainly not a new one to the House. The archaic organization of the Selective Service System has been recognized by at least two Presidential Commissions and has been the subject of study by a number of distinguished groups.

In July, 1966, President Johnson appointed a National Advisory Commission on Selective Service chaired by Mr. Burke Marshall, former Assistant Attorney General. That Commission was directed to make a thorough study of the system and to make recommendations as to how it might be improved. At approximately the same time, the gentleman from South Carolina, chairman of the House Armed Services Committee, appointed a civilian advisory panel on military manpower procurement. The panel was chaired by Gen. Mark Clark.

After these two distinguished groups reported to the President, the President on March 6, 1967, sent a message to the Congress recommending in large measure the reforms proposed by the Marshall Commission. As we know, the Senate incorporated many of these recommendations in a bill which is passed and sent to the House. The House declined to accept these reforms and the result was the Selective Service Act of 1967 which did little to meet the inequities pointed out by the Clark and Marshall Commissions.

H.R. 7784 incorporates most, if not all, of the recommendations advanced by the two studies of which I have made mention. Essentially, the recommendations seek to provide a degree of certainty to those who, of necessity, must enter the draft pool and, insofar as it is possible, to provide a basis of selection which insures equal treatment for every young man in each population group. The bill would reverse the present policy of taking the oldest first and instead take the youngest first. This principle has been supported by the President who, I gather, if we do not act here, intends to do so by Executive order. The bill also provides for random selection, a principle now embraced by the administration.

Random selection is not an end in itself. All it seeks to do is to provide each person in the draft pool equal status with every other person similarly situated. It is the determination of who is to be in the draft pool that requires attention by this House. H.R. 7784 gives the 19-year-old a clear-cut choice. He can enter the pool upon graduation from high school if he so chooses or postpone his entry into the pool until the end of his undergraduate work. Moreover, the same choice will be available to young men who pursue apprenticeships or on-the-job training. The bill does away with occupational deferments, except as ordered by the President in a period of national emergency. It provides for a 3-year transitional period during which the random selection system would be effected. Perhaps most important of all, it requires the adoption of national standards and criteria in the administration of the draft law and requires that such standards be uniformly applied.

As we know, the Selective Service System was created at the outset of World War II to deal with the urgent need to raise an enormous civilian army on very short notice. I think history will note that the System succeeded beyond anyone's expectations. The problem is that while manpower needs have changed, the System remains essentially the same. H.R. 7784 would reorganize the 4,000 local boards into a regional system to achieve uniformity of treatment in the registration process and the appellate process. Registrants would have the right to appear in draft board proceedings and to be represented by counsel. It assures judicial review for questions of law regarding classification proceedings and restores to the Justice Department the power to review conscientious objector cases. It prohibits the use of the draft as a method of punishment for protest activities to comport with recent court decisions. The bill limits the term of the Director of the Selective Service System to 6 years and prohibits discrimination in the selection of persons to serve on draft boards. It calls for a thorough public study of national service corps in which young men might serve as an alternate to military duty. It provides for a public study of the feasibility of a Volunteer Army and a study of military youth opportunity schools as a device to upgrade those who fall below mental and physical induction standards. The bill follows the recommendations of the State Department and makes our draft treatment of aliens conform to our treaty obligations.

Mr. Chairman, I realize that this recitation does no more than hit the highlights of the bill, but I firmly believe that it encompasses the great majority of the recommendations which have been advanced by the Marshall Commission and the Clark panel. If we must continue to conscript young men to serve in the military, it seems to me that the Nation and this Congress can do no less than to insure that this procedure be carried out in as equitable a manner as ingenuity can devise.

Mr. Chairman, the defeat of Mr. BOLLING'S motion on the previous question means that the House cannot consider H.R. 7784. We now have only the choice

of repealing the 1967 prohibition against random selection. I shall vote for it because I favor the principle. However, I view as tragic the refusal of the Armed Services Committee to review the entire act. The promise of Mr. RIVERS to review the act next year "if possible" may be an aspirin to some, but is meaningless to me. There is absolutely no excuse for the delay since 1968. I shall be here in January to be heard when Mr. RIVERS fulfills his kind promise.

Mr. REID of New York. Mr. Chairman, I rise in somewhat qualified support of H.R. 14001, a bill authorizing modifications of the system of selecting persons for induction into the Armed Forces. My support is qualified because I had hoped we could discuss and reform the many inequitable facets of the draft, rather than limiting ourselves to the method of selection.

I would also reiterate my objection to our method of procedure here today, including the prohibition of many significant amendments and the submission of what I must term an unrepresentative and misleading committee report.

I would point out, regarding this 11-page report, that almost five pages are devoted to a floor statement by the committee chairman (Mr. RIVERS), two more pages are devoted to a statement and message from the President, and the only additional evidence referred to in the report is first, a statement from the Secretary of Defense; and second, a letter from the Selective Service Director who is due to retire this winter.

It occurs to me that the report in no way indicates that a certain displeasure with the limitations of the bill was voiced by a number of Members of Congress during the hearings, including Mr. THOMPSON, Mrs. MINK, Mr. MIKVA, and myself.

I am disappointed in this report because it had been my understanding that the purpose of a report was to present as full and complete a record as possible of views and information advanced in support and in opposition to the pending legislation, whether or not they coincided with the opinion of the Chair.

Nonetheless, despite its grave deficiencies, I am supporting this bill in the hopes that we will soon again be able to debate the subject of the draft, and that we will soon enact really meaningful reform.

The bill would repeal section 5(a)(2) of the Military Selective Service Act of 1967 which contains language prohibiting the President from modifying the method of selection of inductees. In effect, present law prohibits the President from instituting a random selection system or lottery.

On May 13 of this year, the President asked the Congress for such authority and said that he would, in addition, reverse the order of call to youngest first and reduce the period of prime draft vulnerability or exposure from 7 years to 1 year. These are changes I have advocated for years.

They are a part of H.R. 7784, the Draft Reform Act of 1969, which I have introduced with Mr. THOMPSON of New Jersey and Senator KENNEDY. The legislation before us today is only to consider a change in the law to enable the President to institute the random selection system. I heartily support such a change in the law.

However, I believe that the Congress and the President have delayed far too long in implementing these three essential proposals. The buck has been passed from one branch of Government to the other for more than 2 years; meanwhile, thousands of young men continue to be subject to a selective service system that is inequitable and plays havoc with seven of the most crucial years of their lives. Some may refuse to believe it, but, to me, it is no wonder that the young men and women of America distrust their Government, that both Congress and the Executive lack credibility with our youth.

Thus, I think it is incumbent upon the President to act promptly by Executive order to reverse the order of induction and limit exposure to the draft to 1 year. And I mean promptly; it is no longer sufficient to say that these actions will be taken if the Congress does not act by the end of the year. That is 2 months away—many injustices are perpetuated in 2 months. Equally, it is incumbent upon the Congress to repeal the prohibition on a lottery now, and at the same time, to enact several other urgently needed reforms in the selective service system.

As the New York Times editorialized on the President's proposals:

> If the faltering faith of youth in the ability of the American system to eliminate injustices is to be restored, Congress must do better than this.

These words are not idle threats or the plans of revolutionaries; ordinary, decent kids no longer think that government stands for justice and they believe this principally because the draft has been unfair to them. Nor increasingly do they believe that government is relevant or has a capacity to act.

The bill that I have introduced with the distinguished gentleman from New Jersey (Mr. THOMPSON) and which, prior to the adoption of the restrictive rule, he had planned to offer in the nature of a substitute, contains comprehensive and far-reaching reforms. There are three which I think are of particular significance and which I would like to mention briefly.

The first is the clear need to adopt national standards and criteria in the administration of the Selective Service System and in the determination of who is eligible to be drafted.

The establishment of national standards will mean that local boards, as presently constituted, will be basically record-keeping units, and that all decisions on a registrant's classification will be made in Washington or a regional office, according to criteria that are applied to every other young man in America.

Some will argue that the local board is composed of citizens familiar with the problems of the young men of their community and that this will insure that each registrant's circumstances are judged according to his personal situation. The fact of the matter is that in far too many cases the registrant's circumstances are judged according to the personal whim of the draft board, the composition of which is not always representative; according to the mood of the members when a young man comes for his personal appearance, or even according to arbitrarily set quotas on the number of registrants to be placed in each classification. This is no way to judge whether a young man will be sent to war. Broad national standards would, in my judgment, be far more equitable than the local whim.

Second, and quite related to my first point, is the need to reduce the number of deferments and make those which are authorized scrupulously fair to all Americans.

Our bill would, for example, continue student deferments but it would expand that definition to include students in junior and community colleges, in vocational schools and in apprenticeship or occupational programs as well as those pursuing baccalaureate degrees. When a young man's student deferment expires at age 25 or the end of his undergraduate course, he would be placed in the prime age group of draft vulnerability for 1 year, and could receive no other deferment except in case of extreme hardship. All occupational deferments would be eliminated.

In short, Mr. Chairman, a lottery without revision of the deferment policies is but half the job. I would hope that an amendment to this end will be approved.

Third, I believe that the law should be changed to grant conscientious objector status to atheists and agnostics, so long as they are genuine pacifists, in addition to those whose objection is based on conventional religious training and belief. Surely care must be taken to see that conscientious objector status is granted only to those young men of deep and genuine convictions, and that it is not simply an expedient to avoid service.

I might point out that on April 1, 1969, Judge Charles E. Wyzanski Jr. of the Federal district court in Boston ruled in the case of John Heffron Sisson, Jr., that section 6(j) of the Selective Service Act of 1967 "unconstitutionally discriminated against atheists, agnostics, and men who, whether they be religious or not, are motivated in their objection to the draft by profound moral beliefs which constitute the central convictions of their beings."

The Supreme Court has agreed to review the Sisson decision this term.

In summary, Mr. Chairman, I believe that it is the duty of this Congress to insure that the draft is fair—as it is not now—and that all young men face equally the possibility of induction. Draft deferments should not become exemptions or havens for those who seek to avoid serving their country. But the Congress will be derelict in its responsibility and bear the burden for further alienation of our young men and women if basic changes are not made immediately to insure that the draft is equitable.

Mr. KASTENMEIER. Mr. Chairman, while I shall vote for H.R. 14001 giving the President the right to select military draftees through a random selection or lottery system, I will do so without any

enthusiasm for, or personal commitment to, the lottery system.

The selection of men for service in the Armed Forces must, under any circumstances, take into account the total manpower needs of our society as well as the problems of equity that arise whenever a portion of our society is chosen to undergo hazards. There are those who feel that a lottery system would remove the inequities in the present draft law. An impartial random selection, accompanied by an Executive order specifying that 19-year-olds would be drafted first, admittedly, would be an improvement, albeit a modest one, over the present haphazard manner in which young men are drafted into the military. However, advocates of this lottery proposal should not delude themselves into believing that this system will be a cure-all for all the inequities associated with the draft.

This lottery proposal, itself, which we are considering, contains a built-in class bias or inequity, for the decision to retain student deferments accords preferential privileges to one group, at the expense of others.

At one time, student deferments were considered to be justifiable for one reason, to satisfy what was seen then to be a clear public need. In the context of that time, it was believed that only with student deferments could the Nation be assured of a steady flow of college-trained manpower in pursuits necessary to the national interest.

The Nation now has the experience of the years which have elapsed since then against which to review the effect of student deferments. There is no evidence that the abolishment of student deferments would deter young men selected for service from going to college, or returning to college, when their service was completed. This being so, the actual effect of student deferments is unrelated to the national interest. Thus, without the justification of being in the national interest, the justification originally intended, student deferments will become the occasion for a serious inequity.

Even with safeguards to prevent deferments from becoming exemptions, one group of draft-eligible men will, if this general student deferment policy is continued, be given the privilege of deciding when to fulfill their military obligation. The chance to postpone service right now might mean the difference between the obligation to serve in a shooting war and the possibility of serving later when the war might have come to an end. The granting of this privilege of choosing when to serve is done on the basis of a standard of determination which is in itself discriminatory. Even though educational opportunity is increasingly widespread, the opportunity to go to college still reflects a degree of social and economic advantage not yet shared by all. For this reason, I am sorry that this bill could not be amended to eliminate student deferments.

It also is fair to point out that this lottery proposal will not change the structure of the Selective Service organization, and it will not require uniform national standards and administration for draft classification in place of the vague guidelines that govern the local Selective Service boards. While there are obviously thousands of dedicated people serving on the more than 4,000 local boards, you cannot possibly get uniform decisionmaking out of that many different groups of people. This means you are going to continue to have built-in, as long as you have local boards operating without uniform standards, nonuniformity, which is another inequity in this draft system. Local boards will continue to rule arbitrarily and with varying degrees of injustice respecting requests for conscientious objector and hardship status and deferments by some students who must work to pay for their college education. The jurisdictions of these local boards have different types of selective service registrants in them. Even with a lottery, in some boards a man is going to be drafted, in another the registrant is not going to be drafted at all. Perhaps, as the Selective Service System says, this will be because there is a difference in those communities and that a given man might be necessary to one community and not necessary to another. That, however, requires some assumptions about the local board members knowing their communities, knowing what can best be done in those communities. We now know that in some instances local board members do not even reside within the geographic area over which their board has jurisdiction. In the absence of uniform national standards, this situation stands out as a glaring example of the need for uniformity.

This lottery proposal will not change the practice by which a conscientious objector status is determined. The special appellate procedures successfully used between 1940 to 1967 will not be reinstituted.

Furthermore, I want to emphasize that this lottery proposal is still a draft and thus, it is highly inequitable in that it forces a few to bear the burden of military service for the many. This use of compulsion is, in itself, the denial of an essential freedom which should be jealously guarded except in times of genuine national emergency.

The lottery, then, will not resolve all the numerous and varying problems associated with a policy of conscription. It is my firm belief that the many inequities linked to the draft can, in the final analysis, be eliminated only through the abolition of the draft.

Mr. Chairman, compulsory military service is alien to those principles which have always been considered a part of our American democracy. Not only does it result in a severe deprivation of civil liberties, it, also, is a wrenching departure from the traditional American ideal of liberty and this Nation's most cherished heritage, that of personal freedom. I have introduced legislation to abolish the draft and establish an all-volunteer military. The voluntary military is consistent with our American heritage, and, with proper salary and career and other incentives, we can secure the military manpower the Nation needs without any social or economic injustice.

Mr. EDWARDS of California. Mr. Chairman, we have been asked by the President to amend the draft law. It is a little like trying to put Humpty Dumpty back together, only in this case the draft law is a bad egg.

Yesterday I counted the number of Vietnam dead from my native city, San Jose, Calif. There were 63 dead through April of 1969. I also counted the number of Mexican Americans on that list. There were 21—exactly one-third of the total. The Mexican-American population of San Jose is 12 percent or less. The present draft law is systematically unfair to the minorities and to the poor. It is in fact, if not intent, a racist law. It cannot be successfully amended. It must be replaced in toto.

Our present draft law violates the long-term American principle of voluntary military service. It was enacted to meet a national emergency, first World War II and then the cold war. It is based on the need for almost total military conscription, a conscription which reached across all classes and all races. Today, under present conditions, it is conscription of the poor with the rich escaping much of its effects.

As the conditions which led to the Selective Service Act have changed, so must we change the law.

There is but one answer, abolishment of the draft now, and the establishment of voluntary military services.

Such voluntary military service will require increases in wages and benefits for the members of the Armed Forces. But, through the elimination of unneeded foreign bases, a sharp curtailment of unnecessary overseas military commitments and large-scale economics in the construction of unwise new armament systems, we can free the funds to pay our volunteer armed services.

As the draft is based on the misconception of the U.S. military role—a role as the policeman of the world—so voluntary military service would fit into what should be the U.S. role in today's world—that of a nation devoted to peace through international cooperation and organization with its military forces designed only for self-defense. Let us examine that proposal more closely. If our military forces are intended not for intervention in other nations' affairs, but only for self-defense in cooperation with its allies, then the massive military structure we have built is unnecessary. In addition, we must clearly define our allies, those nations whose interests are close enough to ours, and whose people and political leaders are committed to freedom. At present we are committed far too often to political leaders who do not represent their people, but who do use our military forces to help enslave their people. It is this kind of mistake which has led to our involvement in Vietnam. It is this kind of mistake which can lead to our involvement in future Vietnams.

Our young people are divided and torn by this present unfair draft law. A lottery system will not change the basic inequities of the law. A lottery system in fact violates the basic ethic of this country, because by definition a lottery puts this Nation in the business of gambling with the lives of its young. I find it immoral to gamble with the lives of our sons.

For those who fear the generation gap, and fear our young, let me remind them of our history of putting them unfairly in danger, a history dating back now to 1940. What, during World War II, was a necessary burden, imposed with some fairness, is today a monster unfairly inflicted on the defenseless.

Let us allow our young to live, and let us return to the American tradition of a voluntary military service. Such a service will serve our needs of defense. This Congress always has the power to change when conditions warrant change. As in 1940 the draft was necessary, so it is unnecessary today. And if conditions change again, and I pray they will not, then Congress if necessary can reinstitute a fairer and more equitable system of conscription.

Today let us act in the best interests of the Nation, of our young and of the future. Let us end the draft now.

Mrs. MINK. Mr. Chairman, I rise in support of H.R. 14001, the Selective Service Amendment Act of 1969. The purpose of this legislation is to empower the President to establish a random selection, or lottery, draft system, which he has announced will be combined with a reduction in the time of vulnerability to 1 year.

In supporting this legislation I would like to make it clear that this in no way indicates that I will be satisfied with less than sweeping and comprehensive reform of our draft system such as would be provided under H.R. 7784, of which I am a cosponsor.

While I favor broader steps to provide for equitable functioning of our Selective Service System, the legislation before us today is clearly a step forward. It is requested by the President and has the unanimous approval of the House Committee on Armed Services. The immediate best interest of our young men who still await the call into military service demands that we at least enact this reform while still seeking other changes.

As I said in my testimony before the Committee on Armed Services, the President's legislative proposal does not incorporate a specific plan. In a sense, Congress is surrendering its power to designate the exact method by which our citizens will be called to service. Yet, whatever plan is implemented through the adoption of H.R. 14001 will provide a more just system for drafting our youth than the one we have now.

In my view, the uncertainty of the exact system to be adopted by the President is of less importance than that the system ought to be changed. I only hope that the system to be adopted will carry out the stated purposes, and will be a par of the broader reform program set forth by the President in his statement of draft system objectives.

I feel that the proposed reduction in draft vulnerability from 7 years to 1 year is far more important than the method by which those within the prime selection group are inducted. The President has indicated he will order this reform; and since Congress has previously granted him this authority it follows that we have also endorsed the Chief Executive's right in this regard.

The reduction of vulnerability will have immense importance to all of our young men subject to the draft. It will reduce the current 7 years of uncertainty, during which each young man's education, career, and entire future are in jeopardy, down to a single year. Each person will know that for only that 1 year may he be called into service. After that year has expired, he will be free to attend school, work, get married, raise a family, travel, and do all the things that young men would ordinarily do without the imminent threat of draft hanging over their heads.

I believe that the whole matter of student deferments can also be resolved under the proposed system. If a young man's number is called, and he is a student, the rules could provide that at that time he could choose to seek a postponement of his induction during his undergraduate years, or he could choose to go into service immediately.

Should he choose a postponement, automatically upon completion of his undergraduate education he would immediately report for induction. If he chose to enter the service immediately, on the other hand, he would then be entitled to all of the educational benefits later as a veteran which would facilitate his education after his military service.

One major flaw in our draft system not corrected by the President's proposal is the varying application of the Selective Service law and rules among the various local boards across the country. I hope that this and other defects in the system will receive prompt attention under the new Director. Meanwhile, I support H.R. 14001 and urge its approval by my colleagues.

Mr. HANNA. Mr. Chairman, in 1967 when the National Commission on the Draft reported their recommendations, a great many of us were confident meaningful draft reform would be accomplished during the 90th Congress. That hope was quickly shattered. In a meaningless ceremony the 90th Congress extended the draft, during a marathon session. While approving the extension we wrote in language that barred the President from unilaterally initiating reform.

To say that our action 2 years ago lacked foresight would be too kind. A generation of young men were looking to us for meaningful reform and we responded with a few worn cliches and a sterile policy.

The most unfortunate aspect of the 1967 frustration was the aura of expectation that had been created. The National Commission's report, the Presidential pronouncements, and the wide ranging debates in Congress resulted in nothing.

We can only hope 1969 will be different. Perhaps the long awaited "retirement" of the general has set the tone. Perhaps now this Congress will exercise its long overdue obligation of reforming our antiquated and unfair draft.

The legislation we are considering today is only one small step in an inevitably long walk. By passing H.R. 14001 we will only be repealing the ill-conceived language written into the Selective Service Act of 1967. The language of course specifically prevented the President from instituting the random selection process—or lottery.

In the President's message of May 13, he specifically asked Congress to repeal section 5(a)(2)—the language which barred him from initiating the lottery. At that time I endorsed his recommendation as I did when it was first suggested in 1967 by the National Commission on the Draft.

The random selection system as outlined by the President would go a long way toward increasing the fairness of the draft as well as building confidence in a system which presently lacks it.

At this point I would ask that the details of the President's plan be printed:

THE PRESIDENT'S PLAN

(A) ESTABLISHING THE "PRIME AGE GROUP"

Under this plan, announced in the President's May 13, 1969, message to the Congress on selective service, the prime age group each year would include men age 19 and in class I–A at the beginning of the year, and older men whose draft deferments expire during the year. The prime age group would be fixed for a consecutive 12-month period as would selection of draftees from it. This means there would be a new prime age group each year, and it would be made up of the new 19-year-olds that year, as well as men coming off deferment during the year. Those not drafted by the end of their "prime" year would be assigned lower priority and would normally not be called except in emergency.

In the first year of the new system, all men aged 20 through 25 and in class I–A, available and qualified, would be included in the prime age group. Men who are deferred or otherwise temporarily exempted would be included in the prime age group of the year in which their deferment status ended. The final element to insure fairness is, as Secretary Laird pointed out, provision for random selection within the prime age group, so that all would have an equal chance of being drafted.

(B) IMPLEMENTATION OF THE PROPOSED SYSTEM OF RANDOM SELECTION

Prior to each calendar year, all dates of that year (365 or 366) would be randomly drawn. This drawing would establish for use by each local draft board the sequence for inducting members of the prime age group. For example, if August 3 was the first date drawn, then those in the prime age group whose birthdays are August 3 would be most draft susceptible. If November 10 was the last date drawn, then those in the prime age group whose birthdays are November 10, would be least draft susceptible—and so on in between the first and last dates drawn. At the beginning of the year, the young man has simply to examine where his birth date falls in the list of 365 and 366 dates, and he knows his relative susceptibility of the draft during his prime year.

Once his place in the sequence is determined, his assignment in terms of draft order would never change. If he were granted a deferment or exemption at age 19 or 20, he would reenter the prime age group when his deferment or exemption expired, and would take the same place in the sequence that he was originally assigned.

It is important to point out one thing the random selection system will not do. It will not substitute chance for reason. Draft boards would continue to be responsible for authorizing deferments on the basis of such reasons as hardship or college study. Random selection only establishes an order of inducting those who are classified I–A—that is, those who are qualified and available after deferment periods (if any) have expired. This would take the place of the mandatory oldest first procedure now used

by draft boards in selecting qualified I-A's for induction.

In the 1967 Draft Commission report the most important question asked was "Who serves when not all serve?" Under our present law, the answer is completely subjective. A draft board is under no specific obligation to call anyone in any specific order. A general rule exists that the oldest is drafted first, but as the Commission demonstrated in its report this rule is often discarded for subjective, and arbitrary judgment. As a result, the system has been subject to legitimate criticism. A young man never knew when he was being called or why he received a draft notice when a friend, with the exact same set of circumstances, but living in a different community, did not receive a notice.

To most young men, the present method of selection is an uncertain mystery. Because of this uncertainty their personal lives remain in limbo for years, their questions go unanswered, and their confidence in the system continually deteriorates.

The lottery should change these circumstances. As it is conceived, everyone will know how they are selected—and that selection is by chance. All eligible men will know where they stand and what their chances are for induction. And the period of maximum vulnerability will last 1 year, rather than 7 which is the present case. Coupled with the fact that the President will require that 19-year-olds be drafted first, we will have two steps that will substantially reform the present system.

This is not to say that we should stop with these two changes. There are a number of other reforms which must be instituted.

Foremost among these is the entire question of deferments. I am particularly concerned about the wide variety of subjective judgment that is now allowed. There are few uniform standards and we find draft boards around the country making opposite decisions on the same set of circumstances.

Let me cite an example. I am personally familiar with one case which particularly highlights the point I am making. A young constituent of mine was accepted and enrolled in a special joint graduate program between the School of Medicine and the School of Psychiatry at the University of Washington, Seattle. By successfully completing the 4-year program, the young man will be awarded a Ph. D. from the joint program. The U.S. Public Health Service funded the program as well as providing grants for the individuals selected to participate.

This particular young man, with the assistance of the university, applied for a graduate deferment based upon the argument that the work he is doing is directly related to the medical field. The university corroborated this and the draft board in my district granted the deferment.

A classmate of my constituent, a young man with the exact same circumstances from A to Z, also applied to his Virginia draft board for a deferment. Once again the university supported the request, but the Virginia draft board turned it down. Although no reason was ever given the young man, during an oral appeal some members of this young man's draft board suggested that because he was to receive a Ph. D. instead of an M.D. they did not feel he was entitled to a deferment.

Most of the students enrolled in the joint program received deferments. About a dozen did not.

This of course is just one example. There are literally thousands of others.

All of this suggests the need for uniform standards for deferments. The President should require the Selective Service System to initiate such standards.

Another area sorely in need of reform is the composition of local draft boards. The Commission reported that members of local boards are often not representative of the community; or have served for years and lost touch with current events. Since the report, nothing meaningful has been done. Most board members remain aloof, dismiss criticism, and are rarely known or accessible.

This attitude often carries over to the local staffs of the board. Young men and their parents are in my office every week telling me of clerks who refuse to answer questions, are insulting, and immune to suggestion. All too often, after investigating I find these criticisms to be accurate.

The Selective Service bureaucracy must be upgraded and made more responsive, and responsible to the public.

These additional reforms can all be handled by Executive order. I realize a number of amendments will be offered to make these reforms a matter of statute. Whether these amendments are included on this piece of legislation or not is unimportant. What is important is that they must be instituted and vigorously enforced. The President has the ability and power to do both.

If we must have a draft it is our responsibility to insure that it is implemented and administered as fairly as possible. It must have, above all, the full confidence of those who it affects.

This is not now the case—and it is our fault. Perhaps the overwhelming passage of H.R. 14001 will help to reestablish this confidence. Let me stress, however, that it is what happens after we pass this bill that really matters.

Mr. PRICE of Texas. Mr. Chairman, I rise in support of H.R. 14001, a bill authorizing modifications of the system of selecting persons for induction into the Armed Forces. This bill will permit the President to change the method of selecting registrants for induction from the present inequitable so-called oldest first system to a youngest first system of random selection.

It is clear that the military draft is in bad need of reform. Induction standards, both mental and physical, are administered differently from local draft board to local draft board. Individual deferments are granted more as a matter of local draft board preference than as a matter of statutory right. Student deferments create a class of exclusions whereby the burden of national defense falls unfairly upon those individuals who by choice or by circumstance do not pursue a college education, or who when once enrolled do not meet arbitrary standards of academic excellence.

I believe that some form of draft must be continued for the duration of the fighting in Vietnam. In this connection, the President's proposal to select inductees by lottery and limit the eligibility pool primarily to 19-year-olds constitutes a first step toward eliminating the inequities in our present Selective Service System. In addition, its restricting the prime eligibility pool to 1 year will lift the present cloud of uncertainty which hangs over the head of a young man from the time he reaches 18, until his 26th birthday.

Although I support the President's initiative, and will press for the prompt enactment of his proposals by the Congress, I do not think the matter should rest there. I believe that the present Selective Service System should receive a thorough nonpartisan and nonpolitical scrutiny in an effort to determine whether the present system should be revised or retained. As a part of this review, alternatives to the present system, such as a volunteer army, a full-fledged lottery system, or a universal service system should be carefully studied and considered.

Mr. Chairman, the method by which our Nation meets its manpower needs for national defense is a critical question of our times. The future of democracy, as we know it, depends in part on how we resolve this question.

Mr. COHELAN. Mr. Chairman, I rise in support of H.R. 14001 which will strike the prohibition against the random selection of inductees. The removal of this prohibition will enable the President to change the method of selection from the "oldest first" to a random selection method.

The problems of the Selective Service are a nationwide concern. They present special problems within my own district. With a sizable, and I might add, very aware student population, the inequities of the draft are well known. The draft system, coupled with disenchantment or total opposition to the Vietnam war, has been a contributing factor in many student demonstrations. In the larger urban areas, such as Oakland, many of our poorer citizens who have not had the advantages of our society cannot avoid the draft by advanced education. These citizens find themselves serving in the armed service in the most undesirable areas, while their more fortunate fellow citizens escape service altogether, serve in local reserve units, or secure commissions. The problems of involuntary induction are not new, but a combination of various factors, the Vietnam war among the prime causes, have created a momentum for change.

It is my understanding that with the passage of H.R. 14001 the President will be able to carry out under Executive order his proposals of May 13. These proposals are briefly:

First, change the order of call from the oldest first to the youngest first;

Second, reduce the period of draft vulnerability from 7 years to 1 year;

Third, allow undergraduates to continue deferments, with the understanding that the year of maximum vulnerability would come when the deferment expired;

Fourth, allow graduate students to complete 1 academic year of training during which they are first ordered for induction; and

Fifth, develop more consistent policies and guidelines, standards, and procedures.

Furthermore, I am informed that the President specified to the Committee on Armed Services his plans for the selection method if H.R. 14001 was enacted.

ESTABLISHING THE PRIME AGE GROUP

Under this plan, announced in the President's May 13, 1969, message to the Congress on selective service, the prime age group each year would include men age 19 and in class I–A at the beginning of the year, and older men whose draft deferments expire during the year. The prime age group would be fixed for a consecutive 12-month period as would selection of draftees from it. This means there would be a new prime age group each year, and it would be made up of the new 19-year-olds that year, as well as men coming off deferment during the year. Those not drafted by the end of their prime year would be assigned lower priority and would normally not be called except in an emergency.

In the first year of the new system, all men aged 20 through 25 and in class I–A, available and qualified, would be included in the prime age group. Men who are deferred or otherwise temporarily exempted would be included in the prime age group of the year in which their deferment status ended. The final element to insure fairness is, as Secretary Laird pointed out, provision for random selection within the prime age group, so that all would have an equal chance of being drafted.

IMPLEMENTATION OF THE PROPOSED SYSTEM OF RANDOM SELECTION

Prior to each calendar year, all dates of that year—365 or 366—would be randomly drawn. This drawing would establish for use by each local draft board the sequence for inducting members of the prime age group. For example, if August 3 was the first date drawn, then those in the prime age group whose birthdays are August 3 would be most draft susceptible. If November 10 was the last date drawn, then those in the prime age group whose birthdays are November 10, would be least draft susceptible—and so on in between the first and last dates drawn. At the beginning of the year, the young man has simply to examine where his birth date falls in the list of 365 and 366 dates, and he knows his relative susceptibility to the draft during his prime year.

Once his place in the sequence is determined, his assignment in terms of draft order would never change. If he were granted a deferment or exemption at age 19 or 20, he would reenter the prime age group when his deferment or exemption expired, and would take the same place in the sequence that he was originally assigned.

It is important to point out one thing the random selection system will not do. It will not substitute chance for reason.

Draft boards would continue to be responsible for authorizing deferments on the basis of such reasons as hardship or college study. Random selection only establishes an order of inducting those who are classified I–A—that is, those who are qualified and available after deferment periods—if any—have expired. This would take the place of the mandatory oldest first procedure now used by draft boards in selecting qualified I–A's for induction.

Mr. Chairman, I am happy to see that the President plans to move by executive action, but I am unhappy that this Congress does not have the opportunity to act upon legislation that would restructure the entire Selective Service System. More remains to be done.

Administratively, the Selective Service System is a composition of 4,000 local draft boards, thus increasing the possibility of varying classification standards.

These local boards are not representative of local population. In 1966, for example, a study showed that of over 16,000 local board members, only 1.3 percent were Negro, 8 percent Puerto Rican, and 0.2 percent American Indian.

There is a need to introduce due process into the system—for example, the right of counsel and judicial review of classification procedures.

These are some areas in which the system could be corrected. Also the inequities of our present draft system can be seen in data collected by the President's National Advisory Commission on Selective Service, the Marshall Commission. This Commission gave careful study to the effect of the current draft system on our Negro citizens. As I pointed out, black representation on local draft boards was only 1.3 percent. In addition, the Commission discovered that 50 percent of the men rejected for service were black, yet only 25 percent of the white men were disqualified. In spite of this fact, 30.8 percent of the draft-eligible black citizens were drafted and only 18.8 percent of the draft eligible white citizens were drafted. The Commission said that this disparity could be partially explained by the fact that fewer Negro citizens were admitted to officer training programs or admitted to Reserve units. These facts, I submit, are not only a commentary of the inequities of the draft system but on our society as well.

Thus, Mr. Chairman, I realize that even if the prohibition against the lottery system is stricken, and I hope that it is, I do not feel that it fully answers all the problems within the Selective Service System.

A more comprehensive restructuring of the Selective Service System would have to include features that would be combined with reform of the method of selection.

First, the administration of the Selective Service Administration and the local boards should be consistent and the rules and regulations regarding classification be made uniform. For example, some boards have draft pools of less than 1,000 and others more than 50,000. Some appeal boards handle 3,000 cases a year, others only 10 to 20. A recent study of some local draft boards in my own State of California indicated that no one board was aware that the policy recommended by the Director of the Selective Service with respect to drafting law-breaking demonstrators had been ruled illegal by the U.S. circuit court of appeals.

In dealing with the problem of administrative inconsistencies, I support the recommendations of the National Advisory Commission on the Selective Service. Briefly, these recommendations are:

First. A national headquarters which would formulate and issue clear and binding policies concerning classification exemptions and deferments to be applied uniformly throughout the country.

Second. A structure of eight regional offices should be established to administer the policy and monitor its uniform application.

Third. An additional structure of area offices should be established on a population basis, with at least one in each State. At these offices men would be registered and classified in accordance with the policy directives from national headquarters.

Fourth. Local boards would continue to function as a registrant's first court of appeals.

Fifth. The composition of the board should represent all segments of the public and there should be circulation—rotation—on the board.

The appeals process also needs to be substantially changed in order to assure just treatment. Under the present system, I have mentioned the varying workloads of the appeals boards. According to the Marshall Commission, there also seems to be problems with the due process of appeals procedure, the lack of simple, direct information about the rights of persons wishing to appeal and a lack of uniform standards for judging appeals. Many of these problems can be resolved by expanding the appeals period to 30 or more days, by having local boards issue written decisions, and by having appeals agents readily accessible in area offices. I also feel that a set of special panels should be established for the purpose of hearing conscientious objectors cases.

Before concluding, I want to express again my opposition to the concept of an all-volunteer army. This country has been well served by the civilian-professional mix in its armed services. I have grave reservations about the consequences of an all-volunteer army in our unique, and often violent, democratic society. The specter of an isolated professional military—perhaps a military largely composed of the dispossessed—conjures up too many adverse historical memories to justify an all-volunteer army.

In addition, I do not feel that the armed services should be an "employer of last resort." With the judicious allocation of our resources, the problems of poverty can be met, but the use of the inducement of a highly paid professional army seems to be the least desirable means to accomplish this goal.

In conclusion, Mr. Chairman, while I do support the administration's request

to institute a lottery system, I feel that more needs to be done. I strongly desire to see changes in the Selective Service System and I am hopeful that the changes I have suggested would be implemented by legislation, or at last resort by Executive order.

Mr. BROYHILL of Virginia. Mr. Chairman, the issue before the House today is a simple question: Should the present system of selecting persons for induction into the Armed Forces be changed?

We are not assembled here today to decide other questions, such as the right of the country to defend itself by drafting persons; whether war is immoral; whether or not we should be in Vietnam; or whether the President should unilaterally withdraw American forces from Vietnam.

For 17 years, as a Member of Congress, I have received letters from parents, sons, wives, sweethearts, ministers, college professors, and so forth, citing their complaints against the inequities in the present draft system. I am sure my colleagues receive similar complaints. Since the outbreak of the Vietnam war a clamor has arisen for the need for a general review of the draft system leading to much needed reform.

When President Nixon took office in January of this year, he undertook a review of the present law, the Military Selective Service Act of 1967. Shortly thereafter, on May 13, he sent a message to the Congress stating, "that the disruptive impact of the military draft on individual lives should be minimized as much as possible consistent with the national security."

In other words, he recommended draft reform. I dare say no Member of this body, no parent, no son, no wife, no sweetheart, no minister, no college professor, except possibly a member of the SDS would disagree with this call for reform. His study further indicated that the period of impact on the individual would be in force for the shortest time frame possible, that the period of prime vulnerability for military service should be reduced from the present 7 years and 12 months. Certainly no one can find fault with this finding.

The next finding of the study was that any system adopted should be equitable to all persons. The solution recommended by the President was a method of random selection. Under his proposed system all persons who are vulnerable during a given year, rather than being arbitrarily selected would be selected by lot. I, for one, can find no fault with this recommendation.

In order to enable the President to carry out his reform proposals, our distinguished Committee on the Armed Services has reported the bill we are considering today which will repeal section 5(a)(2) of the Military Selective Service Act of 1967. The act at the present time expressly forbids any change of the nature recommended by the President unless such change is authorized by the Congress. I support the repeal of this section as an equitable and much needed reform.

The President has also announced his intentions, once the Congress acts on this bill, to reduce the age of maximum draft vulnerability, which now covers a span from 19 to 26, to commence at age 19 and end at age 20. I am somewhat perturbed by this recommendation and I hope the President has not closed the door to further consideration of its advisability. For example, I doubt the logic of setting the prime draft age at 19 years of age without first revising the voting laws to also grant these men, whom we will be calling on to do the bulk of the infantry fighting, the right to vote. I also doubt the wisdom of calling on this group to give up so much when in most States they will also be denied other rights, such as the right to enter into a contract.

I am also concerned that many parents will be in deep anguish if their 19-year-old sons, some of whom are not yet mature in the eyes of their parents, are made the prime draft age group.

I should think that much more consideration will have to be given to this proposal by the executive branch before the prime age is lowered. While I recognize the argument of getting it over with, I also think the prime year for maximum vulnerability could be set just as easily at 21 years, if a continuation of the undergraduate student deferment is retained and new legislation to more fully protect job rehiring rights of veterans is written into law.

Mr. Chairman, in spite of my reservations about the proposal to lower the age for maximum vulnerability, I am convinced that the present system needs reform. I therefore support H.R. 14001, and urge its adoption.

Mr. PODELL. Mr. Chairman, the national Selective Service system, or draft, has changed from a national method of choosing young Americans for military service to a structure of inequities which causes more national harm than national good. As a fair system of spreading national military responsibility, it is a terrible failure of the greatest magnitude.

Further, many Americans, particularly among the young who face military service, have lost all belief in its efficacy or fairness. This, then, is the major Federal institution which they must deal with early in their lives, and it is a rotten hulk indeed. Little wonder then, that by clinging to it, complete with evils and outmoded procedures, we have succeeded in alienating those very youth who are its main reason for being and those who will guide the country tomorrow. Faced with an institution they have only contempt for, their reaction is negative and often violent. We have an opportunity to alter this deteriorating situation, and must take advantage of it now.

I must express my personal disappointment over the fact that this Congress has, in this case especially, abrogated its legislative prerogatives by not producing a viable, complete and all-inclusive draft reform measure.

Instead we seek, through H.R. 14001, to merely repeal existing laws, and to then hand the President a blank check upon which to write, by Executive order, his draft program. This is a complete surrender of our legislative prerogatives and responsibility to the executive branch.

A number of viable and all-inclusive draft reform measures have been offered. The best, I believe, is one I have joined in sponsoring with Mr. FRANK THOMPSON of New Jersey.

Although it is the best and most comprehensive approach, unfortunately our congressional leadership chose to ignore it.

In its place, we shall have the proposed Nixon plan, which falls far short of what is necessary, but admittedly makes measurable improvements in existing law.

Reluctantly, I have no choice but to support it in the interests of some reform rather than none.

Through this vehicle, a clean slate is made available to the President upon which he may etch out administratively, through an Executive order or a series of them, reforms he set forth in his draft message. The outline of this, together with a comparison chart, are set forth herein:

PROVISIONS OF ADMINISTRATION DRAFT PROPOSALS OF 1969

A. Establishment of a random system of selection in lottery form, which would work as follows:

(1) Youngest called first.

(2) Names of all individuals reaching age 19 during a specified 12-month period would be placed on an eligibility list.

(3) Dates would be selected at random from the list, on which individuals would remain till they turned 20.

(4) Individuals not chosen by the time they turned 20 would be assigned to a lower priority ranking, called only in a national emergency.

(5) With time, the individual would become less and less vulnerable to the draft.

B. Undergraduate deferments would continue under the new system. Upon completion of college education, the individual's name and birth date would go into the high eligibility pool for one year when he would be subject to the random selection process.

C. Graduate students are no longer unconditionally deferred. They would be permitted to complete a full academic year if called for induction.

COMPARISON OF OLD AND NEW SYSTEM OF DRAFT SELECTION

A. DISCRETION OF LOCAL DRAFT BOARD

Present system

1. Reclassification based on local board discretion.

2. Selection criteria differed from one locale to another.

3. Influence with local board might be instrumental in obtaining deferment.

Proposed system

1. National standards set up for classification.

2. National lottery for selection.

3. Method eliminates favoritism and is "FAIR"—fair and impartial at random.

B. UNCERTAINTY

Present system

1. 8-year uncertainty period (18–26).

Proposed system

1. 1-year uncertainty period (19–20). Then name placed on lower priority pool.

COMPARISON OF OLD AND NEW SYSTEM OF DRAFT SELECTION—Continued

C. AGE OF SELECTION

Present system	*Proposed system*
1. Oldest first.	1. Youngest first.
2. Call people beginning their careers likely to deplete reserve of professionals.	2. Younger people less likely to be career established. Less likely to reduce manpower at certain critical levels.

D. DEFERMENTS

Present system	*Proposed system*
1. College students deferred only on basis of discretion of local draft boards.	1. Automatic deferment of college students.
2. End of deferments may be arbitrary.	2. After an individual graduates, leaves school or turns 24, his deferment ends.
3. The graduate whose deferment ends is often placed at the top of the call-up list.	3. After his deferment ends, individual's name placed in maximum exposure pool for 1 year. Then placed on a lower priority list.
4. Graduate students were liable to lose time and tuition if called in midyear.	4. Graduate students can complete academic year without being penalized in time or money.

Mr. MONAGAN. Mr. Speaker, I support H.R. 14001, a bill to change the Selective Service Act of 1967 to allow a random method of selection.

Changes in the Selective Service System method of selection are long overdue. As a minimum change in procedure, I favor the implementation of a lottery system to replace the oldest first method of selection which is presently operative and required by law.

While I support the so-called lottery or random system of selection, I in no way want my desire to change the Selective Service law to be interpreted as a step toward an abolition of the draft. The draft is necessary, and the service it calls upon young men to perform is entirely consistent with the rights and duties which attach to citizenship. One of the unpleasant realities of the United States being a power in a world where peace is assured only through a balance of military might is the absolute necessity for maintaining strong and well-trained Armed Forces. It is well to remember that the necessity for these forces, as well as the desire to do justice to the young men involuntarily inducted, must both serve as constant factors for consideration in any overhaul of the Selective Service System.

Traditionally, the United States has filled its military manpower needs through voluntary enlistments, with the draft used only as a supplementary method of procurement. That situation remains largely true today. Of approximately 2 million men who reach draft age each year, the Armed Forces has requirements for about one-half or one-third of that amount. Of the number needed to meet military needs, from 10 to 40 percent are brought into the Armed Forces through involuntary induction.

The difficult question which has persisted since the need for involuntary induction was established is: Which eligible males shall be inducted into the Armed Forces when not all eligible males will be called?

In a manpower procurement situation where only a portion of the eligible males will be called, it is absolutely necessary that the selection system be as uniform and as equitable as possible. At the same time, however, the system must also be flexible enough to accommodate the needs and rights of the individuals whose lives are altered by the draft. I think that the utilization of a lottery or random selection system will go a long way toward restoring confidence in the draft by embodying some of these necessary attributes.

Although the present selection system has been reasonably well administered considering its built-in inequities, the mandatory use of the oldest first method of selection has given rise to unforeseen turmoil and useless disruption in the lives of males eligible for induction. While the present system may have been the best method of quality manpower procurement in 1940 when it was first utilized, its present utility in this era of limited armed conflicts and cold war has too often been the cause for justifiable citizen resentment.

The goal of insuring equal treatment for draft eligible males in like or similar circumstances has become clouded in a maze of uncertainty. A lottery or random selection system concentrating on the youngest first will significantly enhance efforts to insure fairness, minimize disruption in personal lives, and make draft eligibility classification a far more standardized and impartial procedure.

The random selection system which I support will make the prime age group men of age 19, and include older men whose draft deferments expire during the year. The men in the prime age group will be eligible for induction for only one year, and all men in that prime age group will have an equal chance of being drafted. If an individual is not drafted during his year of eligibility, he will be free to plot his future unhindered by an unexpected and untimely induction notice.

I congratulate the Armed Services Committee for their prompt and effective action in reporting out a bill which will allow the most serious shortcoming of the present draft law to be remedied.

As the committee report clearly points out, other facets of Selective Service procedure which have been the subject of criticism are administrative matters and can be remedied without additional legislation.

I support the Armed Services Committee position, and give my full support to H.R. 14001 as reported out by the committee.

Mr. TIERNAN. Mr. Chairman, in view of the failure to vote down the previous question, it will not be possible for me to introduce an amendment which I feel would have commanded the attention and consideration of every member of this Congress.

For the past decade, we have labored under a draft system that is fraught with inequities of unbelievable proportions. The present system encourages unfairness and deception. The rich, the intelligent and the crafty have been put in a position whereby they can legally thwart the process and cause others who cannot afford college or the favor of local boards to shoulder their burden of military service.

Today we vote to change a system which is inefficient and inequitable. I propose a further change which is no way ideal, but it is a start in the right direction.

My amendment would provide an exemption from the draft for persons serving in the Peace Corps or VISTA. My intention is not to provide for an easy alternative to military service. To the contrary, this amendment requires that persons would have to serve for 3 years in either the Peace Corps, or VISTA, as opposed to only 2 years of military service for those who are drafted. I also believe that any person who has served in one of these services would tell you that it is no easy alternative.

Let me also make it clear that there is no automatic acceptance into one of these alternative services. The applicant would undergo the same tests and have to meet the same requirements as present applicants for these organizations do.

Mr. Chairman, one of the worst things about the draft is its narrow focus—you either go into the military or into jail, without much other choice. As it stands now, many persons who have received conscientious objector status, which is only 1 percent of the total number of draftees—are required to do such mundane work as washing dishes or loading library books on and off trucks. How much better it would be to utilize these men's talents in the areas where so many of them feel genuinely and sincerely committed: nonmilitary public service.

While my amendment does in no way provide for a national service program, it does embody the basic thought behind such a program: to enable a young person "to serve his country in a manner consistent with the education and interests of those participating, without infringing on the personal or economic welfare of others, but contributing to the liberty and well-being of all."

National service appears to be a rapidly growing phenomenon internationally. In a survey of 91 countries conducted by Terrence Cullinan, manpower consultant of the Stanford Research Institute, it was found that 41 percent of the 62 countries with compulsory service requirements permit those wishing to do so to perform some recognized nonmilitary service as a legally authorized substitution for all or part of the stipulated military obligation.

It is time for us in this country to recognize that the Peace Corps and VISTA are no less commendable than

service in the armed services. I am not attempting to create a haven for draft evasion, but an incentive to encourage young men to join our public services. As the Vatican Council stated as far back as 1965:

> It is only right to make humane provisions for those who, for reasons of conscience, refuse to bear arms, provided that they accept some other form of service to the human community.

To be truly effective and equitable, draft reform legislation must go beyond the mere adoption of a lottery system. My amendment is in no way meant to be a cure-all, but it is a beginning—a beginning which has been far too long in coming.

Mr. BOLAND. Mr. Chairman, the Congress must institute basic reforms—indeed, sweeping reforms—in the Selective Service System. To help achieve this goal, I have authored or cosponsored several bills that now lie before this body. In particular, I feel we must move as rapidly as possible toward the kind of thorough congressional review of selective service law that can only proceed from hearings and debate on a bill such as H.R. 7784—a bill that was introduced on February 26, 1969, and that I am cosponsoring. Not until this review is made will the Nation—its younger citizens, in particular—receive even a modicum of congressional response to the issue of draft reform—a response demanded by our citizenry and a response to which the people we represent are unquestionably entitled. Not until such a review is made and definitive legislative action is taken by the Congress will a host of selective service problems and inequities—lack of uniform administration of selective service law, the rights of registrants, the treatment of aliens and conscientious objectors, for example—be resolved in the conscientious and evenhanded way that they should be resolved.

During a session of Congress when so much has been said about abdication of legislative responsibility to the executive branch in matters of national security and national defense, we should recognize that one of the best ways to reassert legislative authority in this area of national life is for Congress to review and rebuild the whole selective service structure.

I understand full well, Mr. Chairman, that passage of H.R. 14001, the Selective Service Amendment Act of 1969, will not reach the broad goals I have just cited. Its enactment would, however, be an important first-step along the road to selective service reform. Moreover, although requested of the Congress by a Republican Chief Executive, it would be a first-step essentially in consonance with the part of the 1968 Platform of the Democratic Party supporting a random system of selection that would "reduce the period of eligibility to one year, guarantee fair selection, and remove uncertainty."

As recent press reports have indicated, Mr. Chairman, some Members of Congress doubt whether the random selection system that the President plans to institute by virtue of the authority granted to him in the Selective Service Amendment Act of 1969 will in fact lead to more equity in the drafting of young men, and other Members have reasoned that this bill simply will not deal with fundamental problems of selective service such as student deferments.

As I indicated earlier, Mr. Chairman, my convictions and sympathies lie with those Members who believe that more—much more—should be done about draft law changes than can and probably will be instituted with the authority that H.R. 14001 would grant the President.

On the other hand, and on balance, I believe that the kind of random selection system the President plans to put into effect with the authority given him in the Selective Service Amendment Act of 1969 will be beneficial to the Nation and its youths of military age. Many experts and groups that have studied selective service issues, such as the Burke Marshall Commission, have endorsed this approach to determining who shall serve. Indeed, I might point out for the benefit of my House colleagues, a random selection system is an integral feature of H.R. 7784, as well as of other proposed bills that are dedicated to broad-ranging selective service reform.

Speaking for myself, I am determined that draft law reform shall not cease with the passage of H.R. 14001. I do not believe that passage of H.R. 14001 can or should serve as a substitute for much more comprehensive reform measures. If I thought that H.R. 14001 were the terminal point in draft reform in the present session of Congress, or at least in the 91st Congress, then I would have to look upon the bill much more circumspectly than I now do.

Speaking editorially on October 20, 1969, the Washington Post commented:

> Passage of this measure by both houses will assure a workable and reasonable interim draft system. Later, of course, it will be necessary to review the issue of continued college deferments and perhaps to take other steps that might be recommended by the Advisory Commission on an All-Volunteer Armed Force.

I concur with this observation except that I believe the word "interim" should be underlined, and that I believe it will be absolutely necessary to review forthwith other issues and measures far beyond those referred to by the Washington Post. For this review, Mr. Chairman, I submit that there are no better guidelines than the draft reform proposals presented in H.R. 7784.

Since this bill calls for an extensive and all-encompassing reform of the 1967 Selective Service Act, I would like to take a few moments at this time to examine some of the major changes that would be made by H.R. 7784.

First. H.R. 7784, like the bill now before us, seeks a random selection system of drafting men. This selection—again, almost identical to the kind of system sought in H.R. 14001—will be made basically among 19 year olds and "constructive 19 year olds"—those whose deferments have ended and who have reentered the prime selection group. A young man would be considered to be in this prime selection group for a period of 12 months beginning on his 19th birthday, or on the date of the termination of a deferment. This part of the bill would make the induction system more plain and explicit in two ways: First, it would reduce the period of prime vulnerability to 1 year, and second, it would take the youngest men first, reducing the period of anxiety and uncertainty to 1 year at age 19 instead of a possible 7 years through age 26. I feel that this random selection system at age 19 is the most equitable and worry-free method of selecting the one out of four eligible men we are presently drafting.

Second. H.R. 7784 would reform the present student deferment policy. Currently, student deferments tend to be granted routinely only to those persons pursuing a full-time course of study leading to a baccalaureate degree. This is an inequity that cruelly discriminates against those who do not wish to go to a college, cannot afford to go to college, or are not qualified to go. H.R. 7784 expands this definition of student to include junior college and community college students, vocational school students, and students in other apprentice or occupational instruction programs, although it ends graduate student and occupational deferments.

To prevent the use of the student deferment privilege as a way of avoiding service during a time of war, such as the Vietnam war, H.R. 7784 calls for a suspension of all student deferments during any period in which the number of casualties as a percentage of the number of draftees equals or exceeds 10 percent.

Third, H.R. 7784 calls for restructuring the local board system. Under the present Selective Service System, the issuance of deferments is almost entirely in the hands of the local boards—local boards that have few specific guidelines to direct them. Therefore, one man may receive a deferment from one local draft board that would be denied by another draft board to another young man in the same situation. This inequity is compounded by the fact that the local draft board with which a man registers at age 18 retains jurisdiction over him for the rest of his life, no matter where he lives. Thus, in endless cases, students in the same schools, and workers doing the same jobs in the same factories, find themselves classified entirely differently from other men in identical situations. This obvious inequity cannot help but result in unrest and cynicism.

In response to this problem, H.R. 7784 would restructure the local board system in accordance with the suggestions proposed by the National Advisory Commission on Selective Service—the so-called Marshall Commission. Boards would register and classify young men according to standards set on a nationwide basis. With this centralization of standards, it would be possible for a registrant with proof of necessity, to change his draft board and still be assured of receiving equal treatment. It would no longer be necessary for a board in Rhode Island to decide whether one of its registrants living in California should be given a hardship deferment. It would be much easier, and more fair, for a board in California to decide the case as pre-

sented to it by a citizen of their community, very possibly better known to the California board than to his Rhode Island board. With this change, boards could best be used in their capacity as "friends and neighbors" of the registrant concerned, treating each case on an individual basis.

Another way of changing the character of the boards as contained in H.R. 7784, lies in lowering the maximum age of board members from 75 to 65. I feel this change will make the boards more representative of the communities they serve, as well as helping to limit, somewhat, the terms of local board members.

With regard to structural changes in the Selective Service System, H.R. 7784 would limit the term of office of the National Director to 6 years and place the nominee or the incumbent under the scrutiny of the Congress.

Fourth. H.R. 7784 would correct certain specific inequities in the classification of young men. One of the strongest arguments against the fairness of the present Selective Service System is the lack of information available to young men concerning the steps they can take after receiving a classification they feel is unjust. Many registrants do not know what information the local board should have, or even what an appeal is, and the local board is not obligated to ask each registrant for specific information concerning his case. H.R. 7784 would attempt to correct the deficiencies by requiring the Director of the Selective Service to provide each registrant information in writing concerning all the rights and procedures available to him pertaining to classification, deferment, and exemption.

One more example of current unfairness to the registrant is the lack of legal advice available to him. Currently, within the Selective Service System itself, a registrant must rely on two people for all information explaining more than twenty years of legal language, amendments, and intent of the Congress as embodied in a labyrinth of rules and procedural regulations. One is a nonlegally trained local board clerk, and the second is a lawyer/appeals agent. Both are paid by the Selective Service, and the legal counsel—often unknown to the registrants—is bound to report to the local board the contents of his conversations with registrants. On the other hand, if the registrant can afford to go outside the Selective Service System for legal assistance, the local board is not bound to accept the legal advice of the registrant's lawyer, nor even to allow the advisor in the room during hearings on his client's classification. Appeal boards do not even speak personally with the registrant who takes a case to them.

Thus the registrant has literally no impartial legal information available to him about a system that can determine how he spends several years of his life.

H.R. 7784 would guarantee each registrant the right to appear in person before the newly established regional, area, and local boards, and to be represented by counsel whether or not the registrant can afford to pay for this counsel.

Another argument against the fairness of the current system is that mental and physical standards—the standards that must be met before a person can be drafted—are lower than the standards for enlistment. It is very possible—and, indeed, it has happened—that a man can be turned away when he attempts to enlist in the military, and shortly thereafter be drafted involuntarily often after becoming responsible for family, job, and mortgages. H.R. 7784 would ensure that a person who volunteers for military service and is rejected cannot be inducted subsequently.

H.R. 7784 relieves an inequity in the present draft system concerning conscientious objectors by inserting the statement that religious training and belief "does include a sincere and meaningful belief, which occupies a place in the life of its possessor parallel to that filled by an orthodox belief in God." The Selective Service law, prior to its revision in 1967, contained a phrase which the Supreme Court in United States against Seeger interpreted in this way, and which laid down guidelines for interpreting this part of the law. The 1967 Selective Service Act overturned these guidelines by eliminating the language on which it was based. The current law implies that only an orthodox belief in God qualifies an individual as a conscientious objector. It is my belief that a man's ethical sense of conscientious objection should not be inextricably tied to a formal religion, or to a conventional belief in God. It needs only be tied to a sincere conscience. On August 29 of this year, U.S. District Court Judge Thomas Masterson supported my position by declaring that it is a violation of the first and fifth amendments to distinguish between conscientious objectors who base their opposition to war on religious beliefs and those who base it on non-religious beliefs, and to honor the conscience of the one without honoring the conscience of the other. Therefore, I believe it is imperative that this part of the selective service reform bill, H.R. 7784, be considered and adopted promptly.

The above outlines very briefly some of the reforms this bill would make in the Selective Service Act. All of the changes would make the system more equitable. All of them are necessary. Many of them have been suggested before by experts, but never implemented. These reforms are needed now—not next year, or next month. They can be put into effect, and they must be put into effect, if we are going to be able to keep the faith of the young in their Government. These reforms have been needed for many years, and it is time now to stop shoving them aside as not pressing.

Reform of the Selective Service System is only the beginning of the problem. Currently, the Selective Service rejects 40 percent of all registrants as physically, mentally, or morally unqualified. As we can see from the success of the Defense Department's "Project 100,000," a large percentage of these seemingly unqualified men can become useful soldiers and useful citizens with very little added cost to the military. And the most heartening fact is that these men are volunteering for the opportunity to improve themselves. In response to these facts, H.R. 7784 calls for a "comprehensive study and investigation to determine the feasibility and desirability of establishing and operating military youth opportunity schools which would provide special educational and physical training, for a period not exceeding 1 year, to volunteers who fail to meet the minimum physical and mental requirements for military service in order to enable such volunteers to qualify for service in the armed services." This study would be conducted by the Secretaries of Defense, Labor, and HEW, and any other appropriate Federal agencies. They would submit to the Congress a thorough report containing, among other things, the number of men so qualifying, the cost and benefits to the Armed Forces, the ability of the Defense Department to administer this program, estimates of the effect on the military careers of the young men concerned, and the most efficient way to carry out this program.

These men can and should be given the opportunity they desire to become members of the Armed Forces, and it is our responsibility to see that they receive all the help they deserve.

Second, reform of the draft should be only an intermediary step in the attempt to create a volunteer army. H.R. 4131, introduced to this House on January 23, provides an outline for the creation of a volunteer army. This proposal requires a thorough and objective study. H.R. 7784 calls for a study to be conducted by the President on the cost feasibility, and desirability of replacing the draft system with an entirely voluntary army, and for submission of this report to the Congress no later than 6 months after enactment of this section of the bill.

Third, H.R. 7784 calls for a study of a National Service Corps to be set up for Americans who wish to perform nonmilitary services in the national battle against disease, ignorance, and poverty at home and abroad. This study would include the relationship between such service and a selective service system, the costs involved, and all other facts needed to consider seriously the proposal.

As you can see, Mr. Speaker, H.R. 7784 is a considered and comprehensive proposal. Past opinions of Presidential commissions, experts in the field, and precedents have been accounted for in the various sections of this bill. It is a plan of which we can all be proud. It is a plan needed now. It is a plan that deserves our support.

I regret that the bill now before us—despite its admirable provisions—cannot be amended to incorporate the major provisions of H.R. 7784.

HARSHA ENDORSES DRAFT REFORMS

Mr. HARSHA. Mr. Chairman, we have before us today a very vital piece of legislation in the proposed amendments to the Military Selective Service Act. It is vital, I believe, because the people of this Nation have been clamoring for reform in our draft laws and it is time for us to answer their cries for change.

National discontent over present draft laws is certainly justifiable, and it is painfully clear that urgent reform is

needed. We need only recognize the tragedy besetting our young men whose careers, educations, and family lives have been paralyzed by the arrival of a draft notice—not always entirely due to necessity, but more often due to the dictates of an antiquated system of conscription—to realize that present provisions are inadequate.

Current draft laws, as I am sure you are well aware, unequally distribute the liability of being called among those of draft status. They also unnecessarily require our young men to postpone or interrupt their future plans until they are 26 or serve in the Armed Forces.

Bearing these thoughts in mind, I say that we must empower the President to make the draft law revisions he has proposed.

President Nixon has indicated that if given the power, he would establish a more specified prime age group which would be most vulnerable to the draft. He would also cut down the span of this prime age group from 7 years to 1 year with certain educational deferment exceptions. Coupled with the proposed random system of selection and a youngest-first policy of induction, these reforms would lessen an individual's vulnerability to the draft as he grows older. Such a system would, in turn, reduce a young man's draft potential risk when he seeks employment, for example, and permit him to view the immediate future with more security.

Mr. Chairman. I find it not unreasonable that these and other provisions should be made for you young men, and although these changes do not go far enough in completely remedying the situation, they are a step in the right direction. Certainly, we anticipate the day when we can eliminate the necessity of selective service altogether, but in the meantime, we must rectify to our best ability the existing injustices.

Today, when a call to service in the Armed Forces includes the very real possibility of a young man's serving the country by giving his life, we must be unfailingly just in the determination of our draft laws. The changes embodied in the proposed Military Selective Service Act amendments will aid in the achievement of this purpose, and it is expedient that Congress provide the President with the power to enact them.

Mr. CONYERS. Mr. Chairman, the Selective Service System was originally established as a necessary step in meeting a national emergency that called for a hurried and massive mobilization of our Armed Forces. But now we are witnessing its metamorphosis into a continuing, self-sustaining machine whose purposes go far beyond that of ensuring national security. I do not believe that the Selective Service Act of 1969 squarely faces the real issue involved—the implications of compulsory military service. Nor do I believe Congress will be furthering the elimination of the major inequities of the present system of military conscription by giving the President the power to set up a system of his own choosing. I, therefore, must stand in opposition to this act.

President Nixon has announced plans to eventually establish a volunteer armed force. At best, this seems far in the future. As an interim step, he has asked us today to give him the authority to initiate a lottery draft system. I am opposed to such a system. It shares the same fundamental want of principle as the present draft system. How can involuntary service be justified except in times of the greatest national emergency? It is a distortion of the basic values of democracy. During most of American history, conscription has been considered alien to American principles of freedom. During the War of 1812, Daniel Webster took the floor of Congress to speak in opposition to a "draft of men out of the militia into the Regular Army." Webster asked:

> Is this, Sir, consistent with the character of a free government? No, Sir, indeed it is not. . . . The people of this country have not established for themselves such a fabric of despotism. They have not purchased at a vast expense of their own treasures and their own blood a Magna Charta to be slaves.

In all the years of our history, this country has had to resort to compulsory military service for only 30 of those years. Every time a selective service law has been proposed, strong voices have been raised in opposition. In 1917, in the debate over the issue of conscription, Senator Charles F. Thomas of Colorado said:

> Opposition to compulsory military service is characteristic of every government fit to be called a democracy. . . . Democracies abhor that principle of compulsory service, the exercise of which menaces and may destroy their liberties . . .

Senator James A. Reed of Missouri contended:

> The claim that the draft is democratic is the very antithesis of the truth. The draft is not democratic, it is autocratic; it is not republican, it is despotic; it is not American, it is Prussian. Its essential feature is that of involuntary servitude.

Then Congressman Carl Hayden of Arizona spoke well for today when he said:

> Much as I dislike to believe it, yet I am convinced that most of the propaganda in favor of selective conscription . . . is to accustom the people to this method of raising armies and thereby to establish it as a permanent system in this country.

This is the present situation. Passage of the Selective Service Act of 1969 will extend compulsory service until at least 1971. It will be aiding the permanent incorporation of military conscription into our national order. This was never meant to be. It was a great step forward for civilization when the power of plantation masters and heads of state to exact involuntary servitude was eliminated. What was once so abhorrent has now become to many an accepted fixed feature of our society. Only the cardboard barrier of quadrennial congressional authorization of the power to conscript keeps it from being permanent in fact.

I maintain that the basic tenets of our Constitution are called to question if this country continues to require military servitude when there is no clear and present threat to our national security, and when there are other methods of raising an army more consistent with the ideals of a supposedly free society.

Our national security is not now being threatened. If our society reaches the stage when its real security cannot be met through the free commitment of its people, then our society is doomed. The Vietnam war is not a global conflict endangering our very existence and requiring all qualified men to serve. The true security of this Nation, internal and external, requires that we address ourselves to the greater issues involved. If we now sanction the continuation of the draft system, we will not be meeting our responsibility to restore to Congress the powers of war and peace. Manpower escalations or reductions will continue to depend entirely on military and executive decisions, and Congress will continue to be hampered in its ability to control foreign military involvements.

Purporting at this time to sanction conscription for the national defense—by whatever selection method—ignores the blatant evidence that the Armed Forces wants draftees for purposes other than providing for our security. Before the House Armed Services Committee, General Hershey was asked this question by the late Congressman from Massachusetts, William H. Bates:

> Do I understand then, General Hershey, from what you say, you believe that the Armed Forces ought to be used regardless of the military need for individuals involved, they should be used for educational purposes, for cultural purposes, for normal development, and all the associated arguments that have been used in the past for universal military training? Do I understand that?

General Hershey replied, in part:

> My answer is "Yes" and I realize a great many implications.

In this view, military conscription is designed to turn a society of free men into a society of government's men. In the words of Kenneth Boulding, the noted economist, the draft "represents the threat system of the state turned on its own citizens, however much the threat may be disguised by fine language about service 'every young man fulfilling his obligation'."

An increasing number of people in this country oppose the present Selective Service System for its manifest inequities, wasted resources, and want of principle. I am opposed to the draft lottery because it will deceive many people into thinking it is an improvement. Revision of the details of selection cannot cleanse the concept of conscription. Furthermore, although the lottery is supposedly designed to insure equity, simplicity and certainty, I maintain that it will insure none of these.

Four-year deferments to attend college will still be granted. This will continue to place the burden of our fighting in Vietnam on the shoulders of blacks and working class whites. And although college students will be reclassified 1-A upon completing school, the prime age group from which they may be selected for induction will, by that time, have grown in size. This will perpetuate the present injustice which makes it less likely that those rich enough to go to

college will serve in the military. And no deferments will be granted to those blacks and poor whites who at best can only afford to attend junior colleges or technical schools. Is this equity? In his testimony concerning this act before the Armed Services Committee, General Hershey assessed well the degree of fairness the planned deferments will provide. He said:

> . . . When you defer four or five hundred thousand out of an age group, it is a little hard to talk about equity.

There are other questions which remain concerning the workability of the lottery system. Is it to be a monthly drawing or a yearly drawing? A monthly drawing would not take into account the seasonal fluctuations of birth rates. This means that a person born in November or December, for example, would be more likely to be drafted than a person born in any other month. On the other hand, if drawings are to be held on a yearly, fixed-term basis, such great delays are involved that if a young man is selected it is possible that he will be almost 21 years old before he is actually inducted. It is misleading to think that the President's lottery plan will limit a young man's vulnerability to the draft to the year between his 19 and 20th birthdays. In reality, his exposure to conscription will extend in many cases well into his 20th year. Uncertainty on the part of this country's young men will not be greatly diminished. As a young man plans his life during these critical years, the uncertainty caused by the draft system is indeed a threat to his well-being. A wide control on his civilian life will be exerted. Young people will continue to be "channeled" into State-approved occupations and educational institutions. For the young black man who must look for any kind of work, the prospects of meaningful employment will remain dim. His uncertain draft status will offer prospective employers, as it always has, another convenient shield for discriminatory hiring practices. The lottery system will still effectively deny young men the full rights of citizenship in a democratic state.

If, today, this body had not been so abruptly constrained to silence, we could have deliberated over this imperative question of how to devise a system of national defense more consonant with the requirements of a truly free society. We could have debated whether we could satisfactorily modify the present draft system, or whether it would be necessary and desirable to give the system a complete overhaul. We could have gone on record as supporting or opposing an extension of types of conscientious objection, or as saying yea or nay to providing a national service alternative to the Armed Forces, or as favoring or rejecting any number of other possibilities. Or we could have gone one step further, and established what, in my judgment, is the only system that can be justified for meeting our present military manpower needs—voluntary service. In August, I and 14 of my colleagues joined to introduce the Voluntary Military Manpower Procurement Act of 1969. We believe a system of voluntary military service will adequately meet this country's manpower needs. And it is the only method that will meet those needs without infringement on individual liberty, that inviolable constitutional right. Voluntary service eliminates the inequities and uncertainty of the draft; it removes the threat system of the state. A volunteer armed force would be more efficient militarily and less wasteful with our human resources.

So long as compulsion is retained, inequity, waste, and interference with freedom are inevitable. No justification at this time can be used for its retention. Congress is being tyrannized by the status quo if we sanction the continuation of military conscription.

Mrs. REID of Illinois. Mr. Chairman, I rise in support of H.R. 14001. For the past several years there has been much discussion about the inequities built into the present Selective Service System. I have talked with many young men and their parents and know the problems and uncertainties faced as a result of being vulnerable to the draft for a 7-year period between ages 19 and 26.

Certainly we all look forward to that day when military conscription is no longer necessary. Pending, however, the lessening of military requirements, a sufficient number of service volunteers, and improved utilization of military manpower, Selective Service is required. In the interim we must be certain that the present system is as equitable and as reasonable as we can make it.

President Nixon has placed draft reform at the head of his list of recommendations for immediate action, and he has announced his intention to make changes within the authority provided in the 1967 Selective Service Act to reduce the prime vulnerability of young American men from 7 years to 12 months—between the ages of 19 and 20. However, he does need congressional approval—as provided in the bill before us—H.R. 14001—to shift from the inequitable requirement of choosing the "oldest first" to the more just method of random selection.

The President has already taken administrative action to provide more equitable treatment under existing law for graduate students now in school by permitting them to delay induction until next June rather than just until the end of the present semester. Also, another step taken by the administration has been the cancellation of draft calls for November and December and a stretch-out of the October quota over a 3-month period.

There are no greater sacrifices that we, as a government, can ask of our young men than those entailed in the Military Service Act. In my opinion, the President has shown that he is sincere in his efforts to do as much as he can to reform the draft in order to make it as fair and equitable as possible and minimize the disruptive impact on individual lives.

We, Members of Congress, can play a significant part in this vital task by passing H.R. 14001, to enable the institution of the random selection system which is the most critical aspect of the President's total restructuring of the selective service processes. I urge it be enacted by an overwhelming vote.

Mr. HELSTOSKI. Mr. Chairman, we vote on legislation which would change a system that is neither efficient nor equitable.

I am unhappy that the Congress does not have the opportunity to act upon legislation that would restructure the entire Selective Service System. This piece of legislation is only a patchwork attempt to modify the system, and much more remains to be done.

It is my firm belief that the Selective Service System should receive a thorough nonpolitical and nonpartisan study in an effort to determine whether the present system should be revised or retained.

It is clear to me that the military draft is in need of immediate reform. The induction standards vary from one local draft board to another. Deferments are granted on the basis of local board preferences, and student deferments are given on the whim of some of these boards and create a special class of exclusions. Naturally, these individual board actions stir up controversy among other registrants who do not obtain a deferment.

The Selective Service System, under present laws, is a composition of over 4,000 local boards, each interpreting the law in its own fashion; thus increasing the possibility of varying classification standards.

I would dare say that the local boards are not altogether representative of local area population, ethnic or minority composition. I have, Mr. Chairman, introduced legislation which would provide that the membershp of local selective boards reflect the minority, ethnic, and economic nature of the areas being served by such boards. It is my hope that a general revision of the Selective Service Act will include this provision as a matter of equitable treatment of the many groups comprising our local draft board registrants.

I am determined that draft law reform shall not cease with the passage of the pending bill. I do not feel that the acceptance of the pending legislation should serve as a substitute for more comprehensive and equitable reforms. But under the rule, this body has been abruptly silenced.

Given the opportunity, we could have debated this important question and deliberated on how to devise a system for national defense which is more in conformity with the requirements of a truly free society.

We could have debated whether we could satisfactorily modify the present draft laws, or whether it would be necessary and desirable to give the system a complete overhaul.

Mr. Chairman, I voted against this bill because it fails to do what we desire, to completely devise and adopt a meaningful draft reform.

This is such a small and insignificant step in revising the draft laws, that it is almost worse than doing nothing at all. I cannot vote for a bill which provides an illusion, not meaningful reform.

This bill is aimed at the accomplishment of a single and narrow objective; the repeal of one subsection of the Selective Service Act which relates only to the President's authority to determine the relative order of induction for selective service registrants within an age group.

There is great doubt that the random selection system that the President plans to institute will in fact lead to more equity in the drafting of young men.

To be truly effective and equitable, draft reform must go far beyond the mere adoption of a lottery system.

I am also quite concerned that many parents will be in deep anguish if their 19-year-old sons are made the prime draft age group.

Mr. Chairman, I knew that I would be in the minority when the vote was taken on this bill, but it still is my hope that an effort will be made by the Armed Services Committee to present to us a bill which will remove all the inequities of present law.

Mr. HAGAN. Mr. Chairman, President Nixon in his message to the Congress last May has reaffirmed that his long range goal continues to be to end the need for the draft completely under peacetime conditions. I know we all share the hope that future world conditions will be such that we can safely reduce our military commitments and thus make possible a phasing out of the draft.

The draft is, however, needed today. It will still be needed for some time in the future. We can, however, look forward to a period of progressively lower draft calls as progress is made in troop withdrawals from Vietnam and as other planned reductions in military force levels are accomplished. Last month President Nixon announced the first results of this effort in terms of a reduction of 50,000 in previously planned draft calls, and Secretary of Defense Laird in his recent testimony has expressed the hope that further reductions will be possible this coming year.

The reforms in the draft selection system proposed by the administration are particularly timely under these conditions. We can now see immediately ahead of us the prospect that a steadily declining proportion of young men will have to be called into service through the draft. However, if no change at all were made in the present draft procedures, these reductions in draft calls would simply result in the additional accumulation of many hundreds of thousands of men in the manpower pool vulnerable to service. It would result in a continued and lengthening period of tension and uncertainty for these young men, while waiting from month to month, to find out whether or not they were needed for induction. This clearly would be an intolerable situation, one which we all agree must be avoided.

For these reasons the President has indicated his firm intention to change the present order of selection and to limit the period of draft vulnerability. The administration has made it clear that the preferred way of accomplishing this is through establishment of a random sequence of selection, which is authorized by H.R. 14001. If this authority is not provided by the Congress, the President would be forced to adopt alternative methods. These alternatives would not, in the President's judgment, be equally acceptable and understandable to the American public.

For these reasons, I urge passage of this proposed legislation—H.R. 14001.

Mr. RIEGLE. Mr. Chairman, I wish to commend the Nixon administration for its leadership in the area of draft reform. By asking the Congress to give him the power to set up a random selection system, the President has taken the initiative in this much-needed reform process.

Congress now has the responsibility to join with the President and take the first steps toward a new system that will be fairer to all our young men and, at the same time, meet the national security needs of our country. I am pleased that the House has finally seen fit to pass the President's measure and hope the Senate moves positively without delay.

While the lottery system alone cannot end all the inequities in our present draft system, it is certainly a major step forward. It is responsive to public opinion and to the concerns of our young people who shoulder the burdens of fighting for America. This action will open the way for further reforms, such as more equitable national standards, a simplified deferment system, and more due process in the appeal procedures. This can be accomplished by additional congressional action next year and, to some extent, by Executive order which I am sure the President intends to exercise.

It is equally encouraging that the President has provided for a new Director of Selective Service this coming February who, I am sure, will reflect the President's and the people's desire for further draft reform.

When the Vietnam war is over, the President will then be in a position to continue his announced effort to evaluate the feasibility of a volunteer military system in peacetime, as well as national service alternatives to military service.

Mrs. CHISHOLM. Mr. Chairman, this is not the time to debate the merits of the President's bill to reform the draft. The only relevant question at this point is whether or not there should be open debate on the entire bill.

It would be extremely hasty and shortsighted of us to pass the bill on the floor of the House without debate as to whether the bill is positive or negative reform.

I have examined H.R. 14001 only superficially but even so it seems to me that three things are readily apparent:

First. It will relieve the situation for primarily the middle-class white student population; extending the deferments will conversely increase the burden on poorer, nonwhite youth.

Second. It will make it harder for noncollege youth to acquire jobs while in the age bracket between 17, the average age upon graduation, and 19, the year of the lottery. This means, of course, that they will still have to delay their career plans.

Third. It affirms the fact that conscription, no matter which system utilizes it, will be inherently unequal.

But as I have said, the issue at present is not the bill but the manner in which it is to be presented to the House. We can hardly acquiesce to the "take all of it or none of it" proposal being offered to the Members of the House.

One of the fundamental objections of the youth of today is the manner in which we too often offer alternatives without offering the opportunity for sincere, honest dialog, and debate.

It seems to be that the situation we, as Congressmen, now find ourselves in is terribly analogous to theirs. We have no choice but to dissent.

Mr. BROWN of California. Mr. Chairman, the fact that we can make changes in a bad system certainly does not mean that we are making that system any better. A lottery draft is a lot better than the present means of conscription. But the draft is still the draft.

I see nothing intrinsically wrong with the lottery method. Indeed, it is more equitable. I favor equity, and in the case of military manpower procurement I am for the most equitable of systems—that of purely volunteer service.

My vote goes not against the lottery, but instead, against the draft itself. No matter what packaging we wrap around the draft, we do not remove the stigma of involuntary servitude which is the essence of military conscription.

There should be no mystery over the reason that President Nixon asked only for the lottery reform while ignoring the many other inequities and limitations of the current selective service. The administration sees the lottery reform as a valve which will ease the pressures coming from millions of young men now facing conscription. The administration wants to believe that if the threat of the draft is taken away from these young people, the protests will evaporate.

Yet, Mr. Chairman, on this the administration is wrong, very wrong. It takes more than a sop such as the lottery selection to stifle the discontent in our society, and it is sheer cynicism to believe that the draft—and the imminency of military service—causes the turmoil and furor rampant throughout America today.

My position on the draft has not changed. I voted against the 1967 bill for the same reasons I vote against the lottery reform, and I shall continue to oppose the draft for as long as this wholely inequitable and undemocratic system exists.

Mr. HÉBERT. 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.R. 14001

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Selective Service Amendment Act of 1969."

SEC. 2. Section 5(a)(2) of the Military Selective Service Act of 1967 (50 App. U.S.C. 455(a)(2)) is hereby repealed.

Mr. HÉBERT. Mr. Chairman, I ask that the bill be open to amendment at any point.

The CHAIRMAN. Are there amendments to be offered to the bill?

AMENDMENT OFFERED BY MR. ICHORD

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

The Clerk read as follows:

Amendment offered by Mr. ICHORD: Strike out all after the enacting clause and insert the following:

"That (a) the last sentence of the first paragraph of subsection (a) of section 4 of the Military Selective Service Act of 1967 (50 App. U.S.C. 454(a)) is amended by striking out '(including but not limited to selection and induction by age group or age groups)'.

"(b) Subsection (k) of such section 4 (50 App. U.S.C. 454(k)) is hereby repealed.

"SEC. 2. (a) Section 5 of the Military Selective Service Act of 1967 (50 App. U.S.C. 455) is amended by striking out subsection (a), by redesignating subsections (b) and (c) as subsections (g) and (h), respectively, and by inserting immediately before subsection (g) (as so redesignated) the following new subsections:

"'(a) The selection of persons for training and service under this title shall be made in a fair and impartial manner from among persons who are liable for such training and service and who at the time of selection are registered and classified, but not deferred or exempted.

"'(b) The order of induction of registrants found qualified for induction shall be determined as follows:

"'(1) Selection of persons for induction to meet the military manpower needs shall be made from persons in the prime selection group, after the selection of delinquents and volunteers.

"'(2) The term "prime selection group" means persons who are liable for training and service under this title, and who at the time of selection are registered and classified and are nineteen years of age and not deferred or exempted.

"'(3) A person shall upon attaining the nineteenth anniversary of the day of his birth be placed in the prime selection group and shall remain in the prime selection group for a period of twelve months, unless inducted into the Armed Forces during such period. Any person in a deferred status upon reaching the age of nineteen shall, upon the termination of such deferred status, and if qualified, be liable for twelve months for induction as a registrant within the prime selection group regardless of his age, unless he is otherwise deferred. Any person removed from the prime selection group because of a deferment shall again be placed in the prime selection group, if he otherwise qualifies, whenever such deferment terminates and regardless of his age. No person shall remain in the prime selection group for any period or periods totaling more than twelve months. Upon remaining in the prime selection group for any period or periods totaling twelve months, a person is relieved of any liability for training and service under this title.

"'(4) Under such rules and regulations as the President shall prescribe, any person who, on the effective date of this subsection, has attained the nineteenth anniversary of the day of his birth but has not attained the twenty-sixth anniversary of the day of his birth and—

"'(A) is not deferred or exempted, shall be placed in the prime selection group under this subsection for the 12-month period immediately following the month in which this subsection takes effect, or

"'(B) is deferred, shall be placed in the prime selection group under this subsection for the 12-month period immediately following the month in which such deferment terminates;

except that any person placed in the prime selection group pursuant to this paragraph may thereafter be removed because of a deferment for which he is eligible, but shall again be placed in such group whenever such deferment terminates.

"'(5) The order of call for induction from among those persons in the prime selection group shall be determined under such rules and regulations as the President shall prescribe as follows:

"'(A) the Selective Service System shall from time to time publish, for each month in the year, a list of numbers randomly arranged, corresponding to the number of days in such month;

"'(B) those persons first called from the prime selection group for the particular month will be those whose day of birth is the same as the first number on the list; those next called will be those whose day of birth is the second number on the list; and this procedure shall be followed until the particular month's quota is met;

"'(C) the Selective Service System shall also from time to time publish a list of the letters of the alphabet randomly arranged. In the event that the procedure described in subparagraph (B) does not serve to distinguish clearly an order of call as between two or more persons, then reference shall be made to the list of letters and the first letter of the last names of such persons to determine such an order of call; and

"'(D) the determination of order of call may be made upon a national, regional, or local or other basis, as the President shall determine.

"'(c) Nothing herein shall be construed to prohibit the President, under such rules and regulations as he may prescribe, from establishing a separate and distinct selection system for persons found by him to have special skills essential to the national defense.

"'(d) There shall be no discrimination against any person on account of race, color, or creed in the selection of persons for train- and service under this title or in the interpretation and execution of any provision of this title.

"'(e) No order for induction shall be issued under this title to any person who has not attained the age of nineteen years unless the President finds that such action is in the national interest.

"'(f) Notwithstanding any other provision of law, except section 314 of the Immigration and Nationality Act (8 U.S.C. 1425), no person who is qualified in a needed medical, dental, or allied specialist category, and who is liable for induction under section 4 of this title, shall be held to be ineligible for appointment as a commissioned officer of an armed force of the United States on the sole ground that he is not a citizen of the United States or has not made a declaration of intent to become a citizen thereof, and any such person who is not a citizen of the United States and who is appointed as a commissioned officer may, in lieu of the oath prescribed by section 1331 of title 5, United States Code, take such oath of service and obedience as the Secretary of Defense may prescribe.'

"(b) Paragraph (3), (4), and (5) of section 454(c) of such Act (50 App. U.S.C. 454(c)) are each amended by striking out 'section 5(b)' and inserting in lieu thereof 'section 5(g)'.

"SEC. 3. (a) Subsection (h)(1) of section 6 of the Military Selective Service Act of 1967 (50 App. U.S.C. 456) is amended to read as follows:

"'(h)(1) The President is authorized under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces of persons requesting such deferment who are satisfactorily pursuing a course of instruction at a college, university, or similar institution of learning and who are enrolled in any division (other than the senior division) of a military officer training program given at such institution. A deferment granted to any person under authority of this subsection shall continue until such person fails to pursue satisfactorily his course of instruction, or is deferred under subsection (d)(1) of this subsection, whichever first occurs.'

"SEC. 4. This Act shall take effect on such date as shall be proclaimed by the President, but in no case later than the sixtieth day after the date of the enactment of this Act."

Amend the title so as to read: "A bill to amend the Military Selective Service Act of 1967 to provide a random system for selecting persons for induction into the Armed Forces, and for other purposes."

POINT OF ORDER

Mr. HÉBERT. Mr. Chairman, I make the point of order against the amendment that it is not germane.

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

Mr. ICHORD. Mr. Chairman, I concede the point of order. It has been debated prior to the adoption of the rule. I believe that under the rules of the House I would have to agree with the gentleman from Louisiana. It is not in order under the rules of the House. I concede the point of order.

The CHAIRMAN. The gentleman concedes the point of order. The Chair sustains the point of order.

AMENDMENT OFFERED BY MR. FARBSTEIN

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

The Clerk read as follows:

Amendment offered by Mr. FARBSTEIN: On page 1, insert between lines 4 and 5 the following:

"SEC. 2. The Congress declares that the establishment, pursuant to section 2 of this Act, of a random system of selecting individuals for induction for military training and service would be far more just in its operation than the existing methods of selection of individuals for induction. The Congress further declares, however, that although the implementation of such a random system of selection would be a significant step toward achieving fairness in the existing conscription system, it would be still more equitable to suspend such system as soon as possible, but with provision made for the reinstatement of such system if (1) the Congress declares war, or (2) the President orders such reinstatement and the Congress by concurrent resolution approves such order."

On page 1, line 5, strike out "SEC. 2." and insert in lieu thereof "SEC. 3.".

POINT OF ORDER

Mr. HÉBERT. Mr. Chairman, I raise a point of order against the amendment as not being germane.

The CHAIRMAN. The gentleman from Louisiana makes a point of order against the amendment. Does the gentleman from Louisiana desire to be heard on his point of order?

Mr. HÉBERT. The point of order that I make is that it is not germane. Under existing law the President already has the power of suspension of the draft. It is indicated that there will be no draft calls in November and December. Also

the section of the law to which we address ourselves relates only to the method of selection and does not have any qualifying phrases or contingencies attached to that. Therefore, this amendment is not germane to the section.

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

Mr. FARBSTEIN. Yes. This is an addition to the resolution. It merely amplifies the resolution as such, and hence, in my opinion, it is germane.

Mr. HÉBERT. I submit, further, Mr. Chairman, that it directs itself to further provisions in the law not included in the bill under consideration.

The CHAIRMAN. If there are no others who desire to be heard on the point, the Chair is ready to rule.

The amendment offered by the gentleman from New York provides for a declaration of congressional policy with respect to the draft laws. The policy enunciated by the amendment—the eventual suspension of the draft laws—certainly goes to a much broader issue than that presented by the pending bill.

The bill is aimed at the accomplishment of a single, narrow objective: the repeal of one subsection of the Military Selective Service Act, which it relates only to the President's authority to determine the relative order of induction for selective service registrants within age groups.

Since the amendment is of more general application and goes to the whole subject of the existing selective service system, the Chair holds that it is not germane. The point of order raised by the gentleman from Louisiana (Mr. HÉBERT) is, therefore, sustained.

AMENDMENT OFFERED BY MR. RYAN

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

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 1, strike out lines 5 through 7 and insert the following:

"SEC. 2. Section 5(a)(2) of the Military Selective Service Act of 1967 (50 App. U.S.C. 455(a)(2)) is amended to read as follows:

"'(2) Notwithstanding the provisions of paragraph (1) of this subsection, the President in establishing the order of induction for registrants within the various age groups found qualified for induction may effect a change in the method of determining the relative order of induction for such registrants within such age groups as has been heretofore established and in effect on the date of the enactment of the Military Selective Service Amendment of 1969; but, except during a period of a war declared by Congress after such date of enactment, no person inducted under this title on or after such date of enactment may be assigned, without his express consent, to active duty in Vietnam and the waters adjacent thereto (as designated in Executive Order No. 11216, dated April 24, 1965).'

POINT OF ORDER

Mr. HÉBERT. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. Does the gentleman from Louisiana wish to be heard on his point of order?

Mr. HÉBERT. I do, Mr. Chairman.

Mr. Chairman, I submit that this amendment is certainly not germane. It is broad and it is long and it brings in the war in Vietnam which has nothing at all to do with the section under consideration in this bill. Also, it instructs as to the method of those to be inducted, which goes even beyond the point of induction and deals strictly with the selection and the authority of the President to make a change in the method of induction, and does not contain any qualifications.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. RYAN. I do, Mr. Chairman. I would like to be heard on the point of order. I wonder if the gentleman from Louisiana would withhold his point of order until I explain the amendment?

Mr. HÉBERT. I will withhold it at this time if the gentleman will use this time as an explanation of his amendment and not again talk against the point of order. In other words, I am trying to be very generous and give the gentleman from New York sufficient time in which to respond to the point of order.

The CHAIRMAN. Does the gentleman from Louisiana reserve the point of order?

Mr. HÉBERT. I reserve the point of order in order to give the gentleman from New York an opportunity to be heard.

Mr. RYAN. I thank the gentleman from Louisiana.

Mr. Chairman, I do not believe that a draftee inducted under the Selective Service Act should be sent to fight in the war in Vietnam without his express consent, unless Congress has declared war.

In view of the parliamentary situation which confronts us, the rule having been approved, I have drafted and prepared two amendments dealing with this proposition.

No. 1 is before the committee at this time. If by any chance that is ruled not to be germane, I have another amendment which I will offer, a more restrictive amendment, and which I will argue is certainly germane.

Mr. Chairman, the Constitution states that Congress alone has the power to declare war. Young men being drafted today theoretically are being called to serve in peacetime, because there has been no declaration of war, but peacetime does not exist. So young men are being drafted and sent to risk their lives in Vietnam in a military action which is undeclared by the Congress.

If an American wishes to volunteer to fight in that war, he can certainly enlist, but a draftee has no choice.

Mr. Chairman, as of June 30, 27 percent of all U.S. troops in Vietnam were draftees. Almost one-third of American deaths in Vietnam from hostile action were draftees, 32 percent. There were 36,954 men killed in the war prior to June 30, 1969. Of this number, 13,169 were draftees; 11,946 were killed in hostile action; 1,223 as a result of nonhostile action.

Mr. Chairman, the purpose of my pending amendment, the first one, is to insure that no more draftees die in Vietnam fighting an undeclared war.

The purpose of the second amendment is more restrictive in that, if the first is ruled nongermane, the second one will only apply to those who are inducted under the change which the repeal of section 5(a)(2) would permit.

Certainly, that must be germane.

Mr. Chairman, the President of the United States, since the Americanization of the war in Vietnam, has not asked the Congress for a declaration of war—neither President Johnson nor President Nixon.

Legitimate questions are being posed today by young men all over the country as well as by their families and other concerned Americans. Why should draftees continue to be sent to fight and perhaps die in Vietnam without a congressional declaration of war when well-trained regular armed forces are not being fully used in Vietnam? Why should draftees continue to be sent to fight in that war without a congressional declaration of war when well-trained Reserve forces are not being fully used in Vietnam?

It is proposed to spend in the fiscal year 1970 budget half a billion dollars for the Reserves.

Why should draftees continue to be sent to fight in Vietnam without a congressional declaration of war when there are 316,000 well-trained troops stationed in Europe?

We have a responsibility to the young men, to their parents, and to all of the Americans who are concerned so deeply with the war in Vietnam to answer these questions.

I do not believe for 1 minute that the technicality of a parliamentary rule or the device of a parliamentary procedure should be permitted to prevent the House from voting on a matter of life and death for young Americans who are either serving or who may be drafted to serve in this war. Congress should make a decision, either to declare war as required by the Constitution under article I, section 8, or it should provide that the Vietnam war be carried on through voluntary manpower.

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

Mr. RYAN. I am happy to yield to my colleague from New York.

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

Mr. Chairman, I want to associate myself with the gentleman's proposed amendments—amendments which are among those I had hoped to introduce myself, and which would make a real and substantial improvement in the way the draft works, if we must continue to have a draft at all. I thank the gentleman for his initiative in bringing these amendments to the attention of the House today. It is especially unfortunate that we are not allowed to debate and vote on proposals for genuine draft reform at a time when practically everyone agrees reform is urgently needed. If we are finally reduced to voting for or against something that will reform virtually nothing but that will be called "reform," and that must, therefore, add to the gap between rhetoric and reality that already plagues this country and vexes its young people especially, I shall be obliged to vote against it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Does the gentleman from Louisiana insist on his point of order?

Mr. HÉBERT. I do, Mr. Chairman.

The CHAIRMAN. Does the gentleman from New York (Mr. RYAN) wish to be heard on the point of order?

Mr. RYAN. Yes, Mr. Chairman.

Mr. Chairman, I submit the amendment which I have offered is germane to the bill in that my amendment would permit the President to institute a random selection method, it does repeal the section 5(a)(2) of the Military Selective Service Act which is the same section the bill before us repeals.

At the same time, it says that no one inducted under the Selective Service Act of 1967, regardless of how he is inducted, shall be sent to Vietnam without his consent unless there is a declaration of war.

It seems to me that nothing could be more germane to the question of the draft than where and under what conditions one is going to be asked to give his life.

The CHAIRMAN. Does the gentleman from Louisiana wish to be heard further on the point of order?

Mr. HÉBERT. No. Mr. Chairman.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from New York has sought to amend section 2 of the bill. The amendment is directed to section 5(a)(2) of the Selective Service Act, the same section which would be repealed by the enactment of the bill.

Section 5(a)(2) deals only with the order of the induction for registrants within the various age groups found to qualify for induction. That limited topic is the only matter now before the Committee of the Whole.

The amendment offered by the gentleman from New York refers to the assignment of personnel after their induction, and would prohibit their assignment to Vietnam without their express consent.

The Chair does not believe that, because this bill provides for the induction of personnel, that it opens up for general consideration the subsequent military service and careers of those inducted. The assignment of personnel, as well as amendments going to their training, tour of service, benefits, and other matters, are not within the contemplation of the present bill.

The Chair therefore holds that the amendment is not germane, and sustains the point of order.

Are there further amendments?

AMENDMENT OFFERED BY MR. RYAN

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

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 1, strike out lines 5 through 7 and insert the following:

"SEC. 2. Section 5(a)(2) of the Military Selective Service Act of 1967 (50 App. U.S.C. 455(a)(2)) is amended to read as follows:

"'(2) Notwithstanding the provisions of paragraph (1) of this subsection, the President in establishing the order of induction for registrants within the various age groups found qualified for induction may effect a change in the method of determining the relative order of induction for such registrants within such age groups as has been heretofore established and in effect on the date of the enactment of the Military Selective Service Amendment of 1969; but, except during a period of a war declared by Congress after such date of enactment, no person inducted pursuant to any such change as may be made under the authority of the preceding provisions of this paragraph may be assigned, without his express consent, to active duty in Vietnam and the waters adjacent thereto (as designated in Executive Order No. 11216, dated April 24, 1965).'"

POINT OF ORDER

Mr. HÉBERT. Mr. Chairman, I make the point of order against the amendment offered by the gentleman from New York (Mr. RYAN) for the same reasons I did on the previous amendment. The amendment is not germane and it goes far beyond the section that we have under consideration.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. RYAN. Yes, Mr. Chairman.

Mr. Chairman, this amendment which I have offered is considerably more restrictive than the previous amendment. I submit it is germane because it deals, as does the pending bill, H.R. 14001, only with the order of induction of various age groups which would be changed under the proposed repeal.

The bill, H.R. 14001, repeals section 5(a)(2) of the Military Selective Service Act of 1967. In other words, it repeals the 1967 prohibition upon the President effecting a change in the method of determining the relative order of induction of registrants from the method in effect upon the date of enactment of the 1967 act.

The purpose of the bill before the House is to permit the President to change the relative order of induction. My amendment also repeals the prohibition—making possible a change in the order of induction. In other words, making possible a lottery or random selection.

The only difference is that my amendment repeals the prohibition in part whereas the bill before the House repeals it completely. Surely, if the Congress has the power to repeal totally the prohibition in the first place, it can repeal the prohibition in part.

My amendment repeals it in part. It applies only to draftees inducted through a change in the order of induction. This amendment does not apply to anyone drafted or inducted through the existing method.

The President can continue the existing method of selecting registrants, and my amendment would not apply at all. It only applies to those who are inducted through a change in the procedure.

In summary, the bill recommended by the Committee on Armed Services repeals the prohibition. My amendment repeals it in part. Certainly, it is germane, to limit the repeal in that fashion, and I submit it is very much germane because it is on the very subject of the method of selection, and under the rules of the House an amendment is germane if it is on the subject under consideration.

The CHAIRMAN. The Chair is ready to rule.

The Chair notes in the gentleman's amendment this language among other language changes:

No person inducted pursuant to any such change as may be made under the authority of the preceding provisions of this paragraph may be assigned, without his express consent, to active duty in Vietnam and the waters adjacent thereto.

The Chair must hold that the language of the amendment would open up for present consideration a broader field than that which is contained in the language of the bill. The situation is foursquare with that of the amendment offered immediately prior by the gentleman from New York (Mr. RYAN). The Chair therefore holds that the amendment is not germane and sustains the point of order.

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

Mr. Chairman, I will support this bill reluctantly. My reservations are not in what it does but in what it fails to do. To take such a small and relatively insignificant step toward meaningful draft reform is almost worse than doing nothing at all. I have seriously considered voting against the bill on that ground. The gentleman from New York (Mr. PIKE) has suggested that the bill is a fraud and a sham if it pretends to be or is assumed to be a significant move toward reforming the draft. I could not agree more.

I will vote for the bill because I am not opposed to the specific authority it grants to the President. However, I wish to speak these few words of protest against the inadequacy of the bill and the parliamentary situation which prevents any meaningful amendments from being considered by the House.

I hope that my vote will not be read by anyone as an endorsement of the efforts or the attitude of the Committee on Armed Services. The committee is comprised of many distinguished and able members of both parties but one wearies of being told by the leadership of this committee that its jurisdiction is so sensitive that the country cannot suffer ordinary Members of Congress participating in the shaping of its bills. Indeed I can think of no area where this "father knows best" attitude is less appropriate than in matters of national security and national service.

It may be true that senior members of the Committee on Armed Services are satisfied with this bill but I believe that many other Members of the House are not. I think it is tragic that even now at long last we should have no opportunity to redress the obvious inequities and injustices of the Selective Service Act of 1967. Whatever the accomplishments of the 91st Congress, the passage of this shamefully, inadequate, and incomplete bill must stand as an opportunity we have lost and a responsibility in which we have failed.

The CHAIRMAN. If there are no further amendments to be offered, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair,

Mr. SIKES, 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. 14001) to amend the Military Selective Service Act of 1967 to authorize modifications of the system of selecting persons for induction into the Armed Forces under this act, pursuant to House Resolution 586, he reported the bill back to the House.

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

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

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

MOTION TO RECOMMIT OFFERED BY MR. O'KONSKI

Mr. O'KONSKI. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. O'KONSKI. I am, vehemently, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. O'KONSKI moves to recommit the bill H.R. 14001 to the Committee on Armed Services.

Mr. HÉBERT. 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 motion to recommit was rejected.

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

Mr. HÉBERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 382, nays 13, answered "present" 1, not voting 35, as follows:

[Roll No. 253]

YEAS—382

Abbitt	Brinkley	Culver
Abernethy	Brock	Cunningham
Adair	Brooks	Daniel, Va.
Adams	Broomfield	Davis, Ga.
Addabbo	Brotzman	Davis, Wis.
Albert	Brown, Mich.	de la Garza
Alexander	Brown, Ohio	Delaney
Anderson, Calif.	Broyhill, N.C.	Dellenback
	Broyhill, Va.	Denney
Anderson, Ill.	Buchanan	Dennis
Anderson, Tenn.	Burke, Fla.	Derwinski
	Burke, Mass.	Devine
Andrews, Ala.	Burleson, Tex.	Dickinson
Andrews, N. Dak.	Burlison, Mo.	Dingell
	Bush	Donohue
Annunzio	Button	Dorn
Arends	Byrnes, Wis.	Dowdy
Ashbrook	Cabell	Downing
Ashley	Caffery	Dulski
Aspinall	Camp	Duncan
Ayres	Carter	Dwyer
Barrett	Casey	Eckhardt
Beall, Md.	Celler	Edmondson
Belcher	Chamberlain	Edwards, Ala.
Bennett	Chappell	Edwards, La.
Berry	Clancy	Eilberg
Betts	Clausen, Don H.	Erlenborn
Bevill		Esch
Biaggi	Clawson, Del	Eshleman
Biester	Cleveland	Evans, Colo.
Bingham	Cohelan	Evins, Tenn.
Blackburn	Collier	Fallon
Blanton	Collins	Farbstein
Blatnik	Conable	Fascell
Boggs	Conte	Feighan
Boland	Corbett	Findley
Bolling	Corman	Fish
Bow	Coughlin	Fisher
Brasco	Cowger	Flood
Bray	Cramer	Flowers
Flynt	Long, Md.	Rogers, Fla.
Foley	Lukens	Rooney, N.Y.
Ford, Gerald R.	McCarthy	Rooney, Pa.
Ford, William D.	McCloskey	Rostenkowski
	McClure	Roth
Foreman	McCulloch	Roudebush
Fountain	McDade	Roybal
Fraser	McDonald, Mich.	Ruppe
Frelinghuysen		Ruth
Frey	McEwen	St Germain
Friedel	McFall	St. Onge
Fulton, Pa.	McKneally	Sandman
Fulton, Tenn.	McMillan	Satterfield
Fuqua	Macdonald, Mass.	Saylor
Galifianakis		Schadeberg
Garmatz	MacGregor	Scherle
Gaydos	Madden	Schneebeli
Giaimo	Mahon	Schwengel
Gibbons	Mailliard	Scott
Gilbert	Mann	Sebelius
Goldwater	Marsh	Shipley
Gonzalez	Martin	Shriver
Goodling	Mathias	Sikes
Gray	Matsunaga	Sisk
Green, Oreg.	May	Skubitz
Green, Pa.	Mayne	Slack
Griffin	Meeds	Smith, Calif.
Griffiths	Melcher	Smith, Iowa
Gross	Meskill	Smith, N.Y.
Grover	Michel	Snyder
Gubser	Miller, Calif.	Springer
Gude	Miller, Ohio	Stafford
Hagan	Minish	Staggers
Haley	Mink	Stanton
Hall	Minshall	Steiger, Ariz.
Halpern	Mize	Steiger, Wis.
Hamilton	Mizell	Stephens
Hammer-schmidt	Mollohan	Stokes
	Montgomery	Stratton
Hanley	Moorhead	Stubblefield
Hanna	Morgan	Stuckey
Hansen, Idaho	Morse	Sullivan
Hansen, Wash.	Morton	Symington
Harrington	Mosher	Taft
Harsha	Moss	Talcott
Harvey	Murphy, Ill.	Taylor
Hastings	Murphy, N.Y.	Teague, Calif.
Hathaway	Myers	Teague, Tex.
Hays	Natcher	Thompson, Ga.
Hébert	Nedzi	Thompson, N.J.
Hechler, W. Va.	Nelsen	Thomson, Wis.
Heckler, Mass.	Nichols	Tiernan
Henderson	Nix	Tunney
Hicks	Obey	Udall
Hogan	O'Hara	Ullman
Holifield	Olsen	Utt
Horton	O'Neal, Ga.	Van Deerlin
Hosmer	Ottinger	Vander Jagt
Howard	Passman	Vanik
Hull	Patman	Vigorito
Hungate	Patten	Waggonner
Hunt	Pelly	Waldie
Hutchinson	Pepper	Wampler
Ichord	Perkins	Watkins
Jacobs	Pettis	Watson
Johnson, Calif.	Philbin	Watts
Johnson, Pa.	Pickle	Weicker
Jonas	Pike	Whalen
Jones, Ala.	Poage	White
Jones, N.C.	Podell	Whitten
Jones, Tenn.	Poff	Widnall
Karth	Preyer, N.C.	Wiggins
Kastenmeier	Price, Ill.	Williams
Kazen	Price, Tex.	Wilson, Bob
Kee	Pryor, Ark.	Wilson, Charles H.
Keith	Purcell	
King	Quie	Winn
Kleppe	Quillen	Wold
Kluczynski	Railsback	Wolff
Koch	Randall	Wright
Kuykendall	Reid, Ill.	Wydler
Kyl	Reid, N.Y.	Wylie
Kyros	Reifel	Wyman
Landgrebe	Reuss	Yates
Landrum	Rhodes	Yatron
Langen	Riegle	Young
Latta	Rivers	Zablocki
Leggett	Roberts	Zion
Lennon	Robison	Zwach
Lloyd	Rodino	
Long, La.	Rogers, Colo.	

NAYS—13

Chisholm	Hawkins	Rosenthal
Clay	Helstoski	Ryan
Conyers	Lowenstein	Scheuer
Diggs	O'Konski	
Edwards, Calif.	Rees	

ANSWERED "PRESENT"—1

Rarick

NOT VOTING—35

Baring	Brown, Calif.	Byrne, Pa.
Bell, Calif.	Burton, Calif.	Cahill
Brademas	Burton, Utah	Carey
Cederberg	Jarman	Pirnie
Clark	Kirwan	Pollock
Colmer	Lipscomb	Powell
Daddario	Lujan	Pucinski
Daniels, N.J.	McClory	Steed
Dawson	Mikva	Whalley
Dent	Mills	Whitehurst
Gallagher	Monagan	Wyatt
Gettys	O'Neill, Mass.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neill of Massachusetts for, with Mr. Brown of California against.

Mr. Daniels of New Jersey for, with Mr. Burton of California against.

Mr. Dent for, with Mr. Carey against.

Mr. Steed for, with Mr. Powell against.

Until further notice:

Mr. Mills with Mr. Lipscomb.

Mr. Monagan with Mr. McClory.

Mr. Colmer with Mr. Lujan.

Mr. Daddario with Mr. Pollock.

Mr. Clark with Mr. Whalley.

Mr. Kirwan with Mr. Cederberg.

Mr. Baring with Mr. Burton of Utah.

Mr. Byrne of Pennsylvania with Mr. Wyatt.

Mr. Jarman with Mr. Whitehurst.

Mr. Gallagher with Mr. Brademas.

Mr. Mikva with Mr. Pucinski.

Mr. Gettys with Mr. Cahill.

Mr. Pirnie with Mr. Bell of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks immediately preceding the passage of the bill.

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

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. WHITEHURST. Mr. Speaker, on rollcall No. 253, a vote on passage of the Selective Service Act amendments of 1969, I was unavoidably detained. Had I been present, I would have voted "yea."

CONFERENCE REPORT ON H.R. 12982, DISTRICT OF COLUMBIA REVENUE ACT OF 1969

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 12982) to provide additional revenues for the District of Columbia, and for other purposes.

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

There was no objection.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

(For conference report and statement, see proceedings of the House, today.)

Mr. McMILLAN (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

The SPEAKER. The gentleman from South Carolina is recognized for 1 hour.

Mr. McMILLAN. Mr. Speaker, the District Committees of the House and the Senate came to complete agreement in this conference. I would like to state that it required almost 2 months for the House to get a bill from the Senate, and finally in conference the House won, I believe, 90 percent of what we wanted. So I think the conference report should be agreed to by the House.

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

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

Mr. FRASER. I would like to address a question to the chairman. I am not going to go over the old ground that we debated in the House at the time the District of Columbia revenue bill was passed. But there has come to my attention in recent weeks a very serious situation with respect to the staffing of personnel at the District of Columbia General Hospital.

I personally visited the hospital and went on a tour of the hosiptal, including the emergency receiving room and the area in which the patients in internal medicine are taken care of. I am convinced the District of Columbia General Hospital desperately needs additional resources.

The purpose of my question is to ask whether or not the conferees in settling on the question of funding were able to make provision or had in mind the problem that is reflected in the District of Columbia General Hospital.

Mr. McMILLAN. Of course, we did not earmark any funds for it, but I have had the District Committee check on this matter. The gentleman is absolutely correct. Conditions are bad and they should have more funds, and they should have more employees, especially in the reception and emergency rooms. We have allowed them 3,000 additional people in this bill, and I hope that will be taken care of.

Mr. FRASER. What the chairman is saying is that in the increased personnel permitted under the conference report, it may be possible for the Appropriations Committee to recommend that there could be an increase in the personnel available to take care of the patients?

Mr. McMILLAN. The gentleman is correct. I do not know of any project that is in more urgent need of assistance at the present time than that hospital.

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

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

Mr. ADAMS. Mr. Speaker, I just want to say to the chairman of the committee that a number of us will support this conference report so it can go through, and the District can have its revenue. If we do not pass it today, it means a great deal of revenue will be lost over the next 2 months. I hope, however, that next year when we will consider revenue proposals again, we will have an opportunity to look them over, and make some changes.

On that basis, Mr. Speaker, I will not oppose any of the conference report today in the hope that next year we can consider some of these questions.

Mr. McMILLAN. Mr. Speaker, I thank the gentleman.

The commissioners were late in sending their revenue bill to the Congress. In fact, it was the first of June when that arrived. In August we passed the bill in the House, and it was passed in the Senate recently.

Mr. ADAMS. Mr. Speaker, I thank the gentleman.

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

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

Mr. GROSS. Mr. Speaker, will the gentleman refresh my memory? Was there a property tax increase in the District bill?

Mr. McMILLAN. The District can increase its tax. That did not come under us. We tried to get control of that and did not get it.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR TEMPORARY EXTENSION OF AUTHORITY CONFERRED BY EXPORT CONTROL ACT OF 1949

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 164) to provide for a temporary extension of the authority conferred by the Export Control Act of 1949.

The Clerk read the title of the Senate joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I yield to the gentleman from Texas for an explanation.

Mr. PATMAN. Mr. Speaker, Senate Joint Resolution 164 would extend for an additional 60 days the provisions of the Export Control Act which are due to expire tomorrow, October 31.

This body enacted H.R. 4293 by a vote of 272 yeas to 7 nays on October 16. The other body has also passed legislation extending the life of the Export Control Act. The problem at the moment is that the Senate has been unable to date to name its conferees and, therefore, it has been impossible for us to meet in conference at this time. It is anticipated that we will meet in conference in the immediate future.

The ranking minority member of the committee (Mr. WIDNALL) is in full accord with consideration of this subject.

Mr. GROSS. Mr. Speaker, may I ask the gentleman from Texas, why the other body has been unable to name its conferees? Is it because they are in session, or is it because too many of them are abroad in Moscow and other foreign waypoints?

Mr. PATMAN. I am unable to answer that. I just know that is what they stated. That is the reason why they passed this joint resolution and sent it to the House, so as not to let it expire completely by tomorrow.

Mr. GROSS. Because they cannot take the time to name conferees?

Mr. PATMAN. I do not know about that.

Mr. GROSS. Was that not what the gentleman said?

Mr. PATMAN. That is what they said. That is what they told me; but I do not know the explanation.

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

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. WIDNALL. The minority on the committee are unhappy about the fact that conferees have not been named in the other body. It is the intention to hold a conference on this measure.

It is absolutely necessary that this continuing resolution be presented now and accepted by the Congress. We urge the adoption of the joint resolution.

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

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 164

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Export Control Act of 1949, as amended (50 U.S.C. App. 2032), is amended by striking out "October 31, 1969", and inserting in lieu thereof "December 31, 1969".

SEC. 2. The last paragraph under the heading "Senate" in the First Deficiency Act fiscal year 1926 (2 U.S.C. 64a) is amended to read as follows:

"In the event of the death, resignation, or disability of the Secretary of the Senate, the Comptroller of the Senate shall be deemed his successor as a disbursing officer, under his bond as Comptroller, and he shall serve as such disbursing officer until the end of the quarterly period during which a new Secretary shall have been elected and qualified, or such disability shall have been ended."

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

DRUG ABUSE EDUCATION ACT OF 1969

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 602 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 602

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R.

14252) to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

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

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

Mr. Speaker, House Resolution 602 provides an open rule with 1 hour of general debate for consideration of H.R. 14252, the Drug Abuse Education Act of 1969.

The purpose of H.R. 14252 is to encourage the development of new and improved curricula; to demonstrate the use of drugs and evaluate their effectiveness in model programs; to disseminate educational materials; to provide training programs for teachers, counselors, law-enforcement officials and other public service and community leaders; and to offer community education programs for parents and others.

Appropriations are authorized over a 3-year period: $7 million for fiscal year 1971, $10 million for fiscal year 1972, and $12 million for fiscal year 1973. The funds shall be utilized by the Secretary of Health, Education, and Welfare to carry out the purpose of the bill and he is authorized to use up to 5 percent of the funds to assist State educational agencies for planning, development, and implementation of drug abuse education programs.

An Interagency Coordinating Council would be appointed by the Secretary, consisting of the Secretary or his designee as chairman, the Attorney General or his designee, the Commissioner of Education, and the Director of the National Institute of Mental Health. Representatives of other departments and agencies having substantial interest in drug abuse may be appointed to the Council.

The Council would advise in coordination, promulgate regulations establishing procedures, and review and make recommendations on applications for assistance.

The Secretary of Health, Education, and Welfare would appoint an Advisory Committee on Drug Abuse Education, consisting of 21 members, which would advise the Secretary on administration, operation of, and regulations for, programs under the act; make recommendations regarding allocation of funds and project applications; and evaluate programs and projects.

The committee would meet at the call of the chairman and members would be entitled to compensation not to exceed $100 per day, including travel time, and while in travel status would be entitled to per diem and other travel expenses at the rates authorized for Government personnel employed intermittently.

Mr. Speaker, H.R. 14252 would provide a program of education most sorely in need by the youth of our country—a program which in the long run will prove to be the most effective weapon against drug abuse.

Mr. Speaker, I urge the adoption of House Resolution 602 in order that H.R. 14252 may be considered and passed.

Mr. MARTIN. Mr. Speaker, the gentleman from Hawaii (Mr. MATSUNAGA) has adequately and completely explained House Resolution 602 and the bill H.R. 14252, the Drug Abuse Education Act of 1969. All I have to say, Mr. Speaker, is that this bill was reported out of the Committee on Education and Labor unanimously and was reported out of the Committee on Rules unanimously. I know of no opposition to the rule or to the legislation.

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

The previous question was ordered.

The resolution was agreed to.

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 consideration of the bill (H.R. 14252) to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14252, with Mr. ADAMS in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Kentucky (Mr. PERKINS) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. AYRES) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I am delighted to bring before the House the proposed Drug Abuse Education Act of 1969. Initially, I should like to review the background of this significant piece of legislation.

Earlier this year the Select Subcommittee on Education held 10 days of public hearings, during which over 80 witnesses presented testimony in support of the general purposes of the bill.

Subsequently, H.R. 14252 was reported from the Committee on Education and Labor by a record vote of 31 to 0. Nineteen majority members and 13 minority members of the committee have cosponsored H.R. 14252 and identical bills. An additional 49 Members of the House have also cosponsored this legislation.

The design of the bill, and the overwhelming support accorded it are in large part due to the foresight and untiring efforts of its principal sponsor, the gentleman from Washington (Mr. MEEDS). I should like to take this opportunity to complement the gentleman and the chairman of the Select Subcommittee on Education, the gentleman from Indiana (Mr. BRADEMAS), for their hard work and leadership in an effort to alleviate a national problem of immense proportions. Mr. Chairman, I wish to pay tribute also to all the members of the Select Subcommittee on Education, because this is truly a bipartisan effort.

Mr. Chairman, this is clearly an example of congressional initiative. The committee bill will assist in alleviating a critical problem which touches virtually every community; every age group; and every social, racial, and economic group.

Evidence gathered during extensive subcommittee hearings indicates that even some of the best informed people are totally ignorant as to the dangers and ramifications of improper drug use. Testimony presented to the committee overwhelmingly indicates that the most effective manner of curtailing and preventing the improper use of dangerous drugs is through an effective and greatly expanded educational program. But, at present, drug abuse programs are nonexistent in most areas—few instructional materials are available and there are little, if any, opportunities for preservice or inservice training for teachers, counselors, community leaders, and parents.

As the committee report indicates, the bill seeks to assist in eliminating the problem of drug abuse by striking at what is essentially the heart of the problem—the lack of knowledge on the dangers of improper drug use. To carry out that purpose the bill authorizes a program of grants and contracts for: First, the development of curriculums on drug use; second, the preparation of instructional materials; third, demonstration projects on drug abuse education; fourth, inservice and preservice training for teachers, counselors, local law enforcement officials, parents, and other persons in the community; and fifth, community drug education programs especially for parents.

For these purposes, $7 million is authorized in fiscal year 1971, $10 million in fiscal year 1972, and $12 million is authorized in fiscal year 1973. Because, Mr. Chairman, the program will not begin until next year, this legislation does not infringe upon the current budget.

Another purpose of the bill, Mr. Chairman, is to insure the delivery of quality drug abuse education programs at the local level. To this end, the Secretary may reserve up to 5 percent of the amount appropriated for the purpose of enabling State educational agencies to assist local educational agencies in the development and implementation of drug abuse programs.

Local educational agencies making application for a grant must notify a State educational agency, and give the agency an opportunity to comment on the proposal. All applications for participation will also be reviewed by an Interagency Coordinating Council on Drug Abuse Education which is established to provide

better coordination at the Federal level of drug abuse education activities.

There will also be an Advisory Committee on Drug Abuse established in HEW to assist the Secretary in administering the new act. The Committee will be composed of persons who are experts in the educational, legal, and other problems associated with drug abuse. In addition, the Secretary of Health, Education, and Welfare is directed by the bill to render technical assistance on drug abuse education programs but only if such assistance is requested.

Through our actions today, we can assist in alleviating a problem which is foremost in the minds of educators, community leaders, and parents. And, we can take a giant step forward in our attempt to cope with a complex problem which is having an impact on all persons—particularly the youth of this Nation.

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

Mr. PERKINS. Yes, briefly.

Mr. GROSS. Why would you scale up these amounts? Is the gentleman figuring that we are going to have more inflation, or what?

Mr. PERKINS. No, it is not because of inflation. In fiscal year 1971 we have provided very little money, $7 million; and in 1972, $10 million; and in 1973, $12 milion. Very little money is being expended in this country on the education of our citizens on drug abuse. For fiscal year 1971 the sum of $7 million is the absolute minimum amount that should be expended for drug abuse education. Naturally, if we are going to accomplish our objectives, we must provide for increases during the 3-year period. In my judgment a $12 million authorization in 1973 is most economical, I will say to the gentleman from Iowa, to serve the purposes of the bill as the program develops, more and more agencies will wish to participate and the program should be large enough to accommodate new application as well as continuing projects.

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

Mr. Chairman, on July 14, President Nixon sent a message to the Congress in which he called for a 10-point attack on drugs. The President pointed out that the problem of narcotics could not be solved in any one area, but that action would be necessary in many areas if the job was to be done properly. Most significant in the President's message was the need for more eduaction in the area of drug abuse. He said:

> Proper evaluation and solution of the drug problem in this country has been severely handicapped by a dearth of scientific information on the subject—and the prevalence of ignorance and misinformation. Different 'experts' deliver solemn judgments which are poles apart. As a result of these conflicting judgments, Americans seem to have divided themselves on the issue, along generational lines.
>
> There are reasons for this lack of knowledge. First, widespread drug use is a comparatively recent phenomenon in the United States. Second, it frequently involves chemical formulations which are novel or age-old drugs little used in this country until very recently. The volume of definitive medical data remains small—and what exists has not been broadly disseminated. This vacuum of knowledge—as was predictable—has been filled by rumors and rash judgments, often formed with a minimal experience with a particular drug, sometimes formed with no experience or knowledge at all.
>
> The possible danger to the health or well-being of even a casual user of drugs is too serious to allow ignorance to prevail or for this information gap to remain open. The American people need to know what dangers and what risks are inherent in the use of the various kinds of drugs readily available in illegal markets today.

The President has continued to attack the problem of narcotics and to make the general public aware of the abuses and consequences resulting from their use.

Last week, while attending a meeting at the White House on this subject, I was most moved by Art Linkletter's heartbreaking account of his daughter's death; but I was also moved by Mr. Linkletter's recognition that—

> From the fifth grade up children should be grounded as thoroughly as possible in the dangers of putting chemicals into their systems as they are in walking across a super highway with their eyes shut.

His words were echoed many times in hearings before the Education and Labor Committee when we heard over and over that a more comprehensive educational program must be developed.

The legislation before us today is designed to do just that. I would caution the Members of this body not to be satisfied that this piece of legislation alone will do the whole job, because as the President said in July there are many avenues that we must travel to stamp out this problem.

As one of the cosponsors of this legislation, I must commend Members on both sides of the aisle for expediting this bill through the Congress and helping to bring the message of the necessity for more drug abuse education programs to the American people.

Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I rise in support of this legislation, as I hope every other Member of this House will do when they vote.

There was one concern I had about this legislation when it went through the committee; the involvement of the States in the administration of this program.

I feel that we should make certain, under the provisions of this act, that it will be properly coordinated on the Federal level. There was strong emphasis made and a great deal of work done by the subcommittee to make certain that adequate Federal coordination will exist. As my colleagues know this has not always been the case in the past. However, we must go further today and make certain that the same kind of coordination exists at the State level.

There is a provision made in the bill that applications made from local educational agencies for financial assistance under this act may be approved by the Secretary only if the State commissioner of education has been notified of the application and has been given an opportunity to offer recommendations.

We have taken similar actions in the past, with the results being that it was inadequately administered within the States.

Juvenile delinquency legislation is a good example in which the hopes and intentions of the Congress were not carried out.

I recognize there is a small request for funds in this bill and that most of the money will be used for the development of curriculums.

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

Mr. QUIE. I yield to the gentleman.

Mr. BLACKBURN. Mr. Chairman, I want to associate myself with the gentleman's remarks, and to state my unqualified support of this legislation.

Mr. QUIE. I thank the gentleman.

Mr. Chairman, as we move then to further the development and administration of this act so that it does more than the development of curricula, and training teachers, we should, after 3 fiscal years, be moving into a widespread program of Government assistance with substantially more funds being allocated to education in drug abuse.

In this regard I would like to talk to the gentleman from Washington and the gentleman from Indiana who worked the hardest on the majority side of the committee about that day when the Federal assistance is going to increase when we get into action programs, and need to involve the States and give them the responsibility of coordinating and actually approving of projects and the distribution and the use of funds within their States. Once a program is sufficiently developed and proven it is my feeling that the States should play a greater role and assume greater responsibilities.

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

Mr. QUIE. I yield to the gentleman.

Mr. MEEDS. The gentleman is correct. The gentleman and I have discussed this and as he well knows, this bill before us today is largely a developmental bill and a type of program and a type of State participation which the gentleman is talking about is the type of participation which should take place down the road when there are large grants going out to the States under this type of program.

I would certainly hope that if at the end of 3 years this legislation is amended and we enact other legislation in this field that adequate protection will be established in that so that the States will be participating and will be involved and will be programing within their own States because this problem is different in different States.

Mr. QUIE. I thank the gentleman from Washington.

I would just like to ask the gentleman from Indiana whether he agrees with the gentleman's statement.

Mr. BRADEMAS. Yes; I too would like to see much greater involvement of the States in this program.

I would hope that after we have had some experience over a period of some years under the present pattern of funding and financing a program whereby, as the gentleman has already indicated by reference to section 5, subsection (b) of the bill, that plans from local schools may be approved, and only approved by the Secretary if the State agency has been advised and afforded an opportunity to comment.

We are building on the language in the present bill and there may be an even greater role for the State educational agencies in this very important field.

I might also say, I would hope, and the gentleman from Minnesota I am sure would agree with me, that following the passage of this bill it may give some stimulus to the States to come up with more effective State programs on the State level that would supplement and make possible a coordinated attack on this important problem.

Mr. QUIE. I thank the gentleman.

I just want to state to my colleagues that in the State of Minnesota where we pride ourselves on being a long way from the eastern establishment, as though all the drug abuse occurs out in the East, that in everyone of our 87 counties this last year there has been criticism regarding the use of drugs by young people in those counties.

So there is no area that is immune in the country any more. It is not something that just exists in the larger cities or in the suburbs around the larger cities. This problem exists in every rural community in the country as well. I believe it is important that we begin this step so there can be an expanding development in adequate curriculum in order that the use of drugs can be shown to be the detriment that it is to human beings in the schools.

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

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

Mr. MICHEL. I note we are debating an authorizing piece of legislation, and this is really about the time we ought to be talking more seriously about a funding level, because we are in that era, I guess, when full funding seems to be the talk of the day.

How did the committee arrive at this particular figure of $7 million for the first year, $10 million for the second year, and $12 million for the third year? Is this a figure that was merely picked out of the air some place? How do you arrive at such a figure? I have got to justify in my own mind that you can really spend that kind of money wisely, and when you get to the point of appropriating, I want to make sure there is justification for spending the requested money wisely.

Mr. QUIE. I am going to ask that the gentleman from Indiana, the chairman of the subcommittee, answer your question. But before he does so, I wish to make this comment. I believe we do an inadequate job in our authorization committees in setting levels. Usually we ask somebody how much he thinks we need and take his figures. My own preference is that the authorization committees ought to include in the language of their bills that they are authorizing such sums as the Congress may appropriate, because if you are aiming toward an authorization level, that is usually a figure that has not been well thought out.

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

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

Mr. GROSS. Is the gentleman saying that you are putting in what you think the traffic will bear?

Mr. QUIE. I say I am not speaking in relation to this piece of legislation. I will let the gentleman from Indiana answer that question. But I am speaking as a general principle with respect to the way authorization committees operate. They usually ask somebody for a guestimate. That figure is put in the bill without regard to the impact it will have in the Appropriations Committee and the priorities in the appropriation of money.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the subcommittee, the gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Chairman, I intend to ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill before us.

The CHAIRMAN. The Chair will state to the gentleman that he will have to ask that permission when the Committee returns to the House.

Mr. BRADEMAS. Mr. Chairman, I rise in support of the Drug Abuse Education Act of 1969. I wish very much that the bill before us was not really necessary. Yet I think every Member of the House knows that that it is. The very fact that the Drug Abuse Education Act was reported unanimously by the Committee on Education and Labor, that is to say, by a vote of 31 to 0, and that it was reported in the form of a clean bill with 82 cosponsors of both parties, indicates, I believe, the very widespread concern that there is in the House of Representatives, and therefore in the country, about the problem of drug abuse. I am very pleased to see that there is such strong general support, and in particular such strong bipartisan support for the bill.

Members on both sides of the aisle on our subcommittee put in long hours in the hearings and in markup sessions in coming up with the bill that we bring to you today. I wish here to pay tribute to all the members of the Select Education Subcommittee for their contributions to this legislation: Messrs. DANIELS, REID, DENT, BELL, Mrs. MINK, Messrs. STEIGER, MEEDS, COLLINS, SCHEUER, LANDGREBE, GAYDOS, and HANSEN.

But, Mr. Chairman, at this point I feel it appropriate to pay particular tribute to the man who, more than any other Member of this body, will have been responsible for the enactment of this pioneering measure in the field of preventing the spread of the abuse of dangerous drugs in our country, the able gentleman from the State of Washington, Congressman LLOYD MEEDS. He is the principal sponsor of the measure before this body today. It was the gentleman from Washington (Mr. MEEDS) who took the initiative in consulting with a number of members of the administration and experts outside the Government in coming up with a draft bill which was the basis of the hearings that we conducted in our subcommittee.

Mr. Chairman, at this point I should like to yield briefly to the gentleman from Washington (Mr. MEEDS) in order that he can respond to the gentleman from Illinois (Mr. MICHEL) in respect to his question about the funding levels in the bill.

Mr. MEEDS. I thank the gentleman for yielding. I certainly believe the question which the gentleman from Illinois has raised is a pertinent question. In discussing this question initially, I will tell the gentleman, the people from NIH and from the Office of Education and the Drug Abuse Coordinating Council, a private organization, in my office discussed various funding levels, and it may seem low to the gentleman. The reason is that, particularly in the first year, it was obvious to us after we had looked at it closely, that there was not enough expertise around immediately to get these programs off the ground. Therefore, we should start out at a very modest level and increase it during the second year when we would have gotten a better start on it, and the third year to bring it along even faster.

We initially had a 5-year bill and there was an increase to a $44 million figure over those 5 years, but in the subcommittee we cut this back to a 3-year program, feeling it would definitely prove itself within that time. We kept the funding purposely low.

Mr. MICHEL. Mr. Chairman, will the gentleman yield for another question?

Mr. BRADEMAS. I yield for a brief question.

Mr. MICHEL. Mr. Chairman, we have a program devoting over $800,000 for an educational campaign, which includes films on prime TV time and this kind of thing. I was interested in the remarks made by the gentleman from Minnesota, and I suspect several others here, with respect to the attempt made to coordinate this activity to insure there will not be any kind of duplication. As a matter of fact, under title III of the Elementary and Secondary Education Act, there are some funds, though not specifically earmarked, going for this specific purpose of education in drug abuse.

Mr. BRADEMAS. Mr. Chairman, if I may make a comment in response to the question raised by the gentleman from Illinois, I refer the gentleman to some hearings conducted by the committee on which the gentleman serves, in the Committee on Appropriations a few months ago, in which the gentlewoman from Illinois (Mrs. REID) asked the question of the then acting Commissioner of Education, Mr. Peter Muirhead, about whether or not the Office of Education, which is the principal agency in the Federal Government with responsibility for education programs, had done anything in the area of drug abuse education. Mr. Muirhead said, "No; we have not."

We also had in front of our committee a representative of the National Institute of Mental Health, Dr. Morton Miller, the Acting Associate Director for special and collaborative programs of NIMH. I asked Dr. Miller a number of questions and learned that of the $26.5 million

spent in HEW on drug problems, approximately $900,000 go into educational programs. I asked Dr. Miller how much money he thought is represented in expenditures on narcotics in this country, and he said it runs into hundreds of millions of dollars. Then we had further testimony which showed $50 million are being expended by the Justice Department and the Department of Health, Education, and Welfare at this time at an annual rate with respect to law enforcement and medical research and rehabilitation and education—indeed on all aspects of the drug problem—but that not more than 5 percent of that $50 million figure is being put into programs of the kind represented by the bill that is before us today, namely, education.

The whole point I am trying to make is that the drug problem has grown to such enormous proportions in this country that we ought to do far more than we have been able to do on the preventive side, and especially including education.

In this connection, Mr. Chairman, let me refer to the message of the President to Congress last year, to which the gentleman from Ohio (Mr. AYRES) made reference earlier. In that message President Nixon said:

> Within the last decade, the abuse of drugs has grown from essentially a local police problem into a serious national threat to the personal health and safety of millions of Americans . . .
>
> The number of narcotics addicts across the United States is now estimated to be in the hundreds of thousands. Another estimate is that several million American college students have at least experimented with marihuana, hashish, LSD, amphetamines, or barbiturates. It is doubtful that an American parent can send a son or daughter to college today without exposing the young man or woman to drug abuse. Parents must also be concerned about the availability and use of such drugs in our high schools and junior high schools.

The point I am about to make is, I believe, an important one as we consider the drug problem. It is that there are several aspects to the problem of drugs in our society. It is a very complex question and the causes of the increasing use of drugs in the United States are many and interrelated. Let me comment then on the several aspects of the problem of drug abuse:

There is a law enforcement aspect of the drug problem. We have to be concerned about enforcing the law against traffic in narcotics in the United States at the Federal and State and local level.

There is also the international aspect of our problem, as our problems with our neighboring State of Mexico ought to make very clear to us.

There is the question of the rehabilitation of addicts. That is another part of the problem.

There is the question of research into the effects of the abuse of dangerous drugs. That is another part of the problem.

Then, finally, there is the aspect of the problem known as education and information. It is only to that aspect of the drug problem that the bill before us today is directed.

We do not pretend that the passage of this bill will overnight, or even in a 3-year period, resolve the problem of drug abuse in the United States.

It is, however, in my judgment and I am sure in the judgment of the Members of the House, not appropriate for our Committee on Education and Labor to be getting into these other aspects of the problem. They do not come within the jurisdiction of our committee.

Mr. Chairman, I want to say just a word or two about the educational implications of the drug problem. We are here faced with the fact that there are several very serious obstacles in the way of developing effective educational programs with respect to the abuse of dangerous drugs in the United States.

I have already alluded to one, the fact that we do not spend very much money on educational programs, considering the magnitude of the problem.

In addition, we found in our hearings that almost no effort is being given to the training of schoolteachers about the dangers of the abuse of these dangerous drugs. I am sure the Members could go into their home communities and could ask any schoolteacher, "How much education did you get about the dangers of the abuse of dangerous drugs?" And they would find the answer probably was very little.

The evidence showed that very little instruction is given in our great medical schools toward the training of our physicians as to the dangers of the abuse of dangerous drugs.

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

Mr. BRADEMAS. Will the gentleman yield me an additional 2 minutes?

Mr. PERKINS. Mr. Chairman, I will yield the gentleman 1 minute, which has already been allocated.

Mr. BRADEMAS. I thank the chairman. I will try to summarize quickly.

We found that there is a lack of scientifically objective, credible curricular material to make available to our schools.

To make the general point, our schools and educational institutions, and also community organizations that may have an interest in participating in these kinds of programs, are in great need of well-trained teachers, first-class curricular materials, and some research and evaluation on the effects of the use of these materials. These are among the principal purposes of the passage of this bill.

I am sure, Mr. Chairman, that the gentleman from Washington will expand on other points of the bill with respect to which any Members may have any questions.

I want to reiterate my own appreciation to the gentleman from Washington (Mr. MEEDS), and to the distinguished ranking minority member of our subcommittee, the gentleman from New York (Mr. REID), for their contributions to the passage of this legislation. In my judgment, we are shortly going to pass a bill which can make as effective a contribution as any other legislation we might pass in resolving one of the most difficult problems that afflicts a modern industrial society.

USE AND ABUSE OF DRUGS

Indeed, Mr. Chairman, it is almost impossible for any of us in this Chamber not to be aware that this Nation does face a serious drug abuse problem.

I recently heard the following commercial:

> Amphetamines . . . barbiturates . . . the up and down pills . . . they pick you up when you're down, they bring you down when you're up. If you take them, follow your doctor's advice very carefully. Because last year, tens of thousands of people abused these pills and got all strung out and tangled up. Some died. Amphetamines and barbiturates are powerful drugs. Too powerful to play around with.

You may have heard Rod Serling give this warning on your television screen as part of a current advertising campaign on drug abuse or you may know that over 8 billion amphetamine tablets are produced each year—enough to provide each man, woman, and child in the United States with 35 doses. We keep most of these amphetamines in home medicine cabinets that average 29.5 drugs per household as a national average.

> This is 74 Langsford Street, home of Mary Clayton. She's a junkie. She'd be shocked if you called her that. She takes a lot of pills: Amphetamines, to get going. Barbiturates, to put her to sleep; without the supervision of her family doctor . . . pills which could distort her judgment, and could become addictive. Mrs. Clayton's a junkie, and what's scary is she doesn't know it. How about you? Any junkies live in your home?

Last year, 5 million "5-grain units" of illicit drugs were seized at borders and ports of entry in our country. The total weight of all drugs confiscated for the year—including marihuana—hit 35 tons. The costs run from a "nickel" bag of marihuana for $5 to as high as $50,000 for a pint of heroin. It has been calculated that New York City's addicts must raise from $500,000 to $700,000 per day to support their habit. To do so, many turn to robbery, shoplifting, burglary, forgery, and prostitution. Although you do not use the "stuff," you could be one of hundreds of top distributors selling a half grain of LSD, enough for 1,100 capsules, to middlemen for $1 a caspule. In a month's time, you could easily sell 5,000 capsules and clear over $3,700.

One often hears that there are more than 60,000 heroin addicts in the United States, but that figure only reflects the number reported to the Government. U.S. News & World Report recently mentioned that in New York City alone, estimates on the number of heroin addicts run from 30,000 to 100,000—"depending on who is keeping score."

Some authorities say that 30 percent of the college students in the country have tried marihuana at least once. Dr. James L. Goddard, former Chief of the Food and Drug Administration, has said that 400,000 Americans may be using it regularly. The New York Times recently estimated that 100 million Americans use some form of mind-altering drugs, including excessive alcohol, amphetamines, barbiturates, and tranquilizers. In 1967, the National Student Association reported that 61,792 arrests were made in California for illegal use of drugs.

Although these figures are important, particularly as they relate to escalating

problems of crime and health, we too often concentrate on the statistics and forget the people. The human cost is more staggering and more tragic. Drug abusers seldom live successful lives—by their own standards or anybody else's. Over a period of time, they lose interest in schools, jobs, and family. Drug abusers have few friends who are not also on drugs. They simply have neither the time nor the energy to keep up normal social contacts. Their only purpose becomes the search for enough drugs to keep "high" and to duck the agony of being suddenly deprived of drug support.

There is no doubt that the abuser deprived of drugs suffers greatly. But the worst of it is that whether "high" or looking for his next "kick"—he has lost control of his life. He has given up the power to decide and to act—the very power that makes him human.

At what point do you lose control? No one knows. But the worst mistake is to assume you can stop once you start. There is probably not one drug abuser alive—or dead—who did not say, "I won't get 'hooked.' It can't happen to me." It can—and it does.

HISTORICAL DEVELOPMENT

Mr. Chairman, the excessive use of drugs is not a new phenomenon. For many years, suffering, lonely or bewildered man has sought to alleviate his pain or grief or to find meaning in his life by using drugs from animal or vegetable sources capable of altering his consciousness and his perception of the surrounding world.

Marihuana was known to the Chinese Emperor Shen Neng as far back as 2700 B.C., and recommended for gout, constipation, and "absent-mindedness," among other uses. In 500 B.C., the Scythians were reported by the Greek author, Herodotus, to be using the drug.

By 1500 B.C., opium was in widespread use by the Egyptions both for medical reasons and as an agent of indulgence. Opium addicts, however, were not recognized as such until the 18th century when an epidemic of opium smoking spread throughout China. The Opium War of 1840–42 occurred as a consequence of an attempt by the Chinese Government to curb British importers of the drug.

The problems of addiction arising from the spread of opium use were compounded in the 1800's by the discovery of two opium alkaloids, morphine in 1805 and codeine in 1832. Even physicians who had come to recognize opium addiction failed to realize that the opium alkaloids, morphine and codeine, were also dangerous. These alkaloids were actually administered to cure the opium habit, with the result that opium addicts were transferred from one addictive drug to another. Morphine became popular among opium users because of its potency; that is, 1 grain of morphine produces about the same effect as 10 grains of opium.

The invention in 1840 of the hypodermic needle was an important factor influencing the spread of narcotic addiction. The hypodermic needle was introduced in the United States in 1856 and was used widely during the Civil War to administer morphine to soldiers who were wounded and who also suffered from dysentery.

Soldiers returning to civilian life were noted to be addicted to morphine and the terms "army disease" and "soldier's illness" began to be used as the result of observation of narcotic addiction in these individuals.

In 1898, the final link in the opiate chain was forged with the introduction of heroin, a morphine derivative. Initially considered nonaddictive, heroin became available in many pharmaceutical preparations and became a prime drug for treatment of morphine addiction. Heroin was found to be much more addictive than morphine and according to some sources, created addicts by the thousands.

Other drugs have a comparable lengthy history. The hallucinogens were employed by ancient cultures for religious purposes. The Aztecs worshipped peyote which they call the flesh of the gods. Peyote ceremonies were adopted by the North American Indians and became an integral part of the ritual of the North American native church. Nordic warriors are reported to have eaten a certain species of mushrooms before entering battle. The mushrooms supposedly gave them enormous strength and courage and probably contained the hallucinogen, psilocybin.

WHY DO PEOPLE USE AND ABUSE DRUGS?

There is much concern in this country about why young people use drugs and many thoughts have been put forth on this subject. Based on the extensive hearings of my subcommittee, it appears that there are no clear-cut answers. Escape from pain, anxiety, fatigue, unhappiness, aggressive feelings, boredom, thrill-seeking, "consciousness-expansion," intellectual experiences, experimentation, personality or mental disturbances, a sign of the times—all these are factors which help explain the drug phenomenon and why people use—and abuse—drugs. It is, however, because people are the users of drugs that we can conclude that it is possible, through understanding, communication and education, to reach people.

The abuse of drugs is no longer solely a police problem. It has now developed into a serious national threat to the health and safety of millions of young Americans. It is time that we ceased relying on speeches and undertook some constructive, affirmative action to help meet the problem. The Drug Abuse Education Act will make possible such action.

COMMITTEE FINDINGS

The Select Subcommittee on Education held 10 days of hearings in Washington, D.C., New York City, Los Angeles, Calif., Seattle, Wash., and South Bend and Warsaw, Ind. During the hearings the subcommittee heard from over 80 witnesses including educators, doctors, lawyers, newspaper editors, students, parents, representatives from the administration, and representatives from the professional and civic organizations including the Jaycees and YWCA.

Many recommendations were received by the subcommittee. Noted with interest was the suggestion of Mr. William Mollenhour, editor of the Warsaw, Ind., Times-Union, that Federal funds be used to provide for school counselors who could talk to students on a person-to-person basis about the drug problem. Mr. Mollenhour's suggestion was incorporated in our committee report.

A school superintendent from Seattle, John Porter, suggested that a sophisticated task force should be financed and should be put into action to produce an effective drug abuse prototype curriculum guide and teacher instructional plans which could be distributed to schools across the Nation. Another witness suggested that persons familiar with the drug problem, either by reason of being an ex-user or by having personal contact with the problem, should be used in drug abuse education programs. These are but a few examples of the many suggestions which the committee favorably received. Regardless of the differences of the various suggested approaches, the opinion throughout the hearings of our subcommittee was unanimous that an effective educational program is essential if we are to make serious advances in the prevention in the use of dangerous drugs.

However, as I have indicated earlier, we are faced with several disturbing obstacles making effective advances:

First. At the present time there has been a proliferation of efforts in developing effective programs of education on the abuse of drugs.

Second. Of approximately $50 million spent by the Federal Government on drug problems, less than 5 percent is programed into education.

Third. Little attention and effort are being given to the training of teachers about the abuse of dangerous drugs.

Fourth. There is, therefore, a serious lack of teachers and counselors qualified to provide instruction in the schools on the dangers of drug abuse.

Fifth. There is a lack of scientifically validated materials and curricula developed and available for use in drug abuse instruction.

Sixth. Our schools and educational institutions are thus left generally ill equipped to offer objective, scientifically valid instruction about drugs and their abuse.

Mr. Chairman, the Drug Abuse Education Act of 1969 is designed to deal with these problems.

SUMMARY OF BILL

In summary, the Drug Abuse Education Act would provide for grants or contracts to schools and other public or private institutions and organizations, for the following kinds of activities:

Development of curricula and materials on drug abuse for elementary and secondary and adult education programs;

Demonstration projects for testing the effectiveness of the developed curricula;

Projects for the dissemination of materials and information to the schools by institutions or organizations which have conducted demonstration projects;

Evaluation of drug abuse curricula tested by demonstration projects;

Training in drug abuse education for teachers, counselors, and other educational personnel, law enforcement personnel and other community leaders;

Development of community education

programs on drug abuse—especially for parents; and

Payments of reasonable and necessary expenses incurred by State educational agencies while assisting local educational agencies in the planning, development, and implementation of drug abuse education programs—funds for such payment limited to 5 percent of the total annual appropriation.

Funds would be authorized for these programs in the amount of $7 million for 1971, $10 million for 1972, and $12 million for 1973.

The program would be administered by the Secretary of Health, Education, and Welfare. To assure coordination of drug abuse education activities within the Federal Government, the bill provides for an Interagency Coordinating Council on Drug Abuse Education. The Council would include the Secretary of the Department of Health, Education, and Welfare, the Attorney General of the Department of Justice, the Commissioner of Education and the Director of the National Institute of Mental Health of the Department of Health, Education, and Welfare, and representatives from such other agencies and departments as the Secretary of Health, Education, and Welfare might designate.

The bill also establishes an Advisory Committee on Drug Abuse Education which will consist of persons familiar with drug abuse. The purpose of this committee will be to review and make recommendations on grant applications to the Secretary.

Finally H.R. 14252 will provide technical assistance by the Department of Health, Education, and Welfare and the Department of Justice to assist local educational agencies, public and nonprofit organizations in the development of programs on drug abuse education.

CONCLUSION

Mr. Chairman, I believe the case for this legislation is clear.

I trust the House will go on record overwhelmingly, if, indeed, not unanimously, in supporting the passage of the Drug Abuse Education Act of 1969.

Mr. REID of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN of Idaho. Mr. Chairman, I should like at the outset to acknowledge with appreciation the very constructive leadership in the development of this legislation provided by the gentleman from Washington (Mr. MEEDS), the principal sponsor of the bill; by the gentleman from Indiana (Mr. BRADEMAS), the chairman of the subcommittee; and by the gentleman from New York (Mr. REID), the ranking minority member of the subcommittee.

It was my privilege to sit with the committee throughout almost all of the hearings both in Washington and across the country, and I can assure the Members this was a very sobering experience and also a very revealing experience. It showed us, first of all, that drug abuse is widespread throughout the country, both within the urban areas and within the rural areas. It revealed that drug abuse is growing rapidly and at a very alarming rate.

It is also obvious from the evidence produced before the committee that drug abuse is not limited to any age group. While it is primarily aimed at youth, its use by others in all age brackets is also growing at an alarming rate. It revealed that drug abuse leaves in its wake a trail of tragedy, broken health, ruined careers, disgrace, heartbreak, and even death. Daily now we read of some new incident where a young life has been destroyed as a result of the abuse of dangerous drugs.

The hearings also revealed an appalling lack of information about the effects of drugs and the existence of a great deal of conflicting information with large gaps in our knowledge that a program such as this can fill.

This bill is no cure-all. Far from it. However, it does represent a sound and constructive step in the right direction. It is aimed at the demand side of the overall problem. If we are going to attack the problem, we have to eliminate not only the supply of dangerous drugs but also the demand for them. Education is designed to help eliminate the demand for these dangerous drugs. If we are going to be successful, we have to attack the problem on all fronts. We have to attack it on the law-enforcement front as well as on the front that involves effective international agreements to try to dry up the sources of supply coming into this country. We have to attack it on the rehabilitation front. We have to stimulate more effective action at the State and local levels to develop the kind of law enforcement and education effort which will be equal to the problem. We have to attack it on the education front.

Mr. Chairman, reference has been made to the program outlined by President Nixon earlier this year. This bill, in my judgment, will effectively implement President Nixon's proposal for better education on drug abuse.

Our hearings also revealed that drug abuse is a part of a much more basic underlying problem. The decision to use or not use drugs very often for a young person is determined by the climate existing in a neighborhood which relates not only to the availability of dangerous drugs but a part of the educational opportunity and a part of the presence—or the lack of it—of adequate housing. It is also a part of the problem underlying racial conflicts in the cities. We have to attack the problem by trying to eliminate these root causes.

This bill is rather narrowly defined and drawn to try to aim squarely at one part of this problem. The bill can help us to find some of the answers. If it has the success that I predict it will have, it will not solve the problem entirely but will help to establish the kind of a foundation on which we can stimulate more active and effective State and local effort and build an education program which is truly responsive to the demonstrated need.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentleman from Washington, the distinguished author of the bill (Mr. MEEDS).

Mr. CHARLES H. WILSON. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I am glad to yield to the gentleman from California.

Mr. CHARLES H. WILSON. Mr. Chairman, I want to compliment the gentleman from Washington who has devised this fine legislation and the gentleman from Indiana who conducted the hearings and pledge my support to the passage of this fine legislation.

Mr. Chairman, today we have before us the beginning of what I hope will be the elimination of the deadly epidemic of drug abuse that has swept across the United States. Our body is indebted to the gentleman from Washington (Mr. MEEDS) for devising this needed legislation and to the gentleman from Indiana (Mr. BRADEMAS) and members of his Select Education Subcommittee for holding extensive and most worthwhile hearings in different cities throughout the country. We are also indebted to them for the careful study and hard work that they put in on this bill.

In 1963 the President's Advisory Commission on Narcotics and Drug Abuse found that public and professional education in the field was inadequate. It found the problem clouded by misconceptions and distorted by persistent fallacies. In 1967 the President's task force on narcotics and drug abuse of the Commission on Law Enforcement and Administration of Justice, chaired by Nicholas Katzenbach, found that the 1963 Commission's conclusion was still valid 4 years later. Unfortunately, despite the well-thought-out recommendations of the task forces, misconceptions, fallacies, and ignorance still typify the general public's knowledge of the problem. Misinformation about drugs and their effects is still prevalent and the measures taken by the Federal Government to correct them are still limited, fragmented, and sporadic.

The conclusions of the Katzenbach group are worth reviewing. While the National Clearinghouse for Mental Health Information within the National Institute of Mental Health—NIMH—collects and disseminates information, drug abuse is only one of its many concerns and its audience is largely made up of researchers and other specialists. Progress is being made, however, as exemplified by the spot radio announcements sponsored by the mental health group. These announcements are aimed at getting through to our Nation's youngsters. Some progress has been made, but this progress is not nearly enough.

Addiction and abuse are no longer confined to an isolated sector of our population. The rich and the poor, the urban and the suburban, the young and middle-aged, of both sexes, are all involved. No segment of the populace is secure from the intrusion of these means to self-destruction and moral decay. The problem which was once fairly limited to lower-income slum dwellers is now found on every college campus and in suburban as well as city elementary, junior, and senior high schools. Perhaps the inability in the past of middle-class Americans to identify the problem as being of relevance to their lives has helped to bring about the situation with which we are now faced.

In any event, the problem has been brought home for all to see and the consensus of public opinion has coalesced, demanding solutions now.

It is my belief that while treatment facilities must be increased and expanded, while professional personnel must be recruited and trained, while our present laws must be reformed to reflect the realities of today's societies, the most important approach has been advanced by my distinguished colleague, the gentleman from Washington (Mr. MEEDS). Education is a key to unlocking the door that the root causes of narcotic addiction and drug abuse lie behind. Education accompanied by intensive research activities will prevent future generations of Americans from experimenting with substances posing a potentially horrendous danger to their very existence. For that reason much of Mr. MEEDS' bill has been included in my proposed Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act.

While the educational efforts of the Bureau of Narcotics and the Bureau of Drug Abuse Control are well intended and well executed, they are not being conducted on a scale nearly adequate for today's needs. As Congressman MEEDS points out:

> Many parents who want to bridge the generation gap with their teenagers find they have little or no technical knowledge of the new drugs.

Mr. Irving Lang, commissioner of the New York State Narcotic Addiction Control Commission, in testimony before the Brademas subcommittee studying this proposed legislation, acknowledged that—

> Drug abuse continues to be a source of national concern: the vast majority of our population might properly be called functionally illiterate with respect to authoritative information regarding dangerous drugs and their effects physically, psychologically, emotionally, and socially.

The entire area, I am sure that you would agree, is so complex as to not be readily understandable even for the most educated of our citizenry. The Federal funds to be authorized upon passage of H.R. 14252 would be used to devise and evaluate needed new drug education curricula, help communities set up "Drug Alert" seminars, and assist local school districts in providing demonstration projects for drug abuse education. Students presently in elementary schools must be made knowledgeable in this area, for, by the time they reach junior high, they will be exposed to drugs in one form or another.

I cannot emphasize enough the danger posed to our Nation's youngsters. Lack of sufficient data causes us to be unsure of the extent of drug experimentation that is presently going on. On some college campuses I am convinced that more students have tried pot than those who have not. While Dr. Stanley Yolles, Director of the National Institute of Mental Health pointed out last year that 20 percent of the college youths polled in NIMH surveys admitted experience with marihuana, he cautioned that there is a definite geographical pattern in drug-taking and that my State, California, has an abnormally high incidence of drug abuse.

Time is of the essence. Senator HUGHES of Iowa recently commented upon the fact that the recommendations of various professional groups in this area as well as those coming out of two Presidential Commissions have not been acted upon. He stated:

> Why, instead of following sane and professional recommendations, do we continue a system that busts up kids' lives, makes treatment of addiction impossible, and overpunishes the nameless, wretched addict or pusher, while channeling easy profits into the hands of the underworld?

I concur with the gist of the Senator's query and pose another question: How much time do you think we have before it is too late to combat the problem effectively?

Whereas for many years the number of narcotic addicts was stable at around 60,000, it is widely estimated today that more than 100,000 Americans are addicted to narcotic drugs. The use of hallucinogenic drugs is rapidly increasing. A conservative estimate of persons, both juvenile and adult, who have used marihuana one or more times is at least 5 million, and may be many millions more. Five percent of our college population is estimated to have experimented with the more powerful LSD. As many as 10 percent of young people who have tried marihuana can be considered chronic users who devote large portions of their time to obtaining and using the drug.

Dr. Yolles estimates that between 200,000 and 400,000 persons abuse amphetamines and barbiturates as well as other sedatives and tranquilizers. We live, as Senator YARBOROUGH, of Texas, recently declared, in a drug-taking society, a society where a host of different drugs are used for a variety of purposes: To restore health, reduce pain, induce calm, increase energy, create euphoria, induce sleep or create alertness. Many substances are today available to swallow, drink, or inhale in order to alter mood or state of consciousness.

It is unfortunately true that a good number of substances which have legitimate use are also subject to abuse; and there is a long list of drugs and chemicals with no known medical use but with potent capacity to alter behavior. The enactment of the Meeds legislation will go a long way to help educators, law enforcement officials, counselors, community representatives, and the general public to understand the differences between various substances and the potential harm that abuse may bring about. The grants to be made available to colleges, universities, and private groups to develop teaching materials about drugs will result, hopefully, in formulating new methods of communicating to our Nation's young people, of bridging the generation gap by providing information whose source is, while authoritative, still respected and accepted by young persons.

The problem is a national one, calling for large-scale Federal involvement. A core of educational and informational materials must be developed and made available to the public. Cooperation between Federal, State, and local authorities is essential. At the same time, we must recognize that there must be a clear indication by the Congress that those agencies most expert in any particular aspect of the problem be strengthened, rather than have wasteful duplication and squandering of scarce resources.

It is my opinion that the major responsibility for health and scientific aspects of a drug prevention, education and control program be placed within the agency whose jurisdiction most properly embraces them. Education, research, training, prevention, and treatment efforts properly should be assigned to the agency charged with administration of matters of health, education, and social welfare. The Department of Health, Education, and Welfare is my choice as the appropriate agency to be charged with the conduct of research and treatment activities as well as developing educational programs coordinated by the Commissioner of Education and the National Institute of Mental Health.

The Department of Justice, on the other hand, should properly be charged with responsiblities for law enforcement and control but since health concerns are clearly not within the jurisdiction of the Attorney General, every care should be taken to assure that the aforementioned educational, research, care, and treatment efforts should remain within the jurisdiction of educators and scientists and not with police agencies. The Department that the Congress has declared responsible for these type of activities is HEW.

Drug addicts are crime-prone persons. This fact is not open to serious dispute, but to determine its meaning is another matter. Present analysis is best restricted to heroin addicts because of the applicable laws, because of the amount and reliability of information available, and because drugs with addiction liability present the clearest issues and typify to most members of society the "drug problem." In order to obtain an accurate idea of the relationship between drugs and crime it is necessary to make a clear distinction between the drug-related offenses and the non-drug-related acts committed by addicts. This must be done since billions of dollars have been lost through drug-related criminal activity. Money spent in combating the problem will be a wise outlay on the part of the Congress and will be a direct or indirect service to all U.S. citizens.

Under H.R. 14252, assistance and funds will be made available to school districts and local communities who wish to sponsor drug abuse Seminars for parents and others in the community including, significantly, law enforcement officers, who, like most of us also need enlightenment. This action will undoubtedly remove some of the cobwebs that becloud this area and place the problem in a more revealing light.

Mr. Chairman, the narcotic addiction and drug abuse problem goes to the core of our society. It is acting like an unknown or under-detected cancerous growth that is spreading throughout the land. To successfully cure the illness, its

cause must first be identified. After this identification is made, information must be widely disseminated. Only then can we solve the attending interrelated physiological and psychological dilemmas personified by narcotic addicts and drug abusers. We must act with a surgeon's skill rather than with a butcher's strength in this area. We are dealing with a social illness that threatens the very foundations of our way of life. As Mr. Theodore Cron pointed out in testimony before the subcommittee, and I quote:

Arrest, conviction, and detention do not deter individuals from bringing harm upon themselves or upon others.

He later stated that—

The familiar canons of criminal law enforcement are largely irrelevant when we face certain behavioral patterns involving consent in the area of medical or psychological need.

Such as is evidenced by narcotic, alcoholic, and drug abuse.

Recently the Washington Post in an editorial asked:

Is it not time, in short, for a fresh approach to drug addiction—an approach designed not so much to vent anger as to offer help?

On the whole, I feel that my bill pending before the House Interstate and Foreign Commerce Committee—H.R. 13136—and H.R. 14252 which I have discussed here today go a long way toward identifying and eliminating the narcotic addiction and drug abuse problem. In other words, these pieces of proposed legislation do not vent anger; rather they offer badly needed help. I urge my colleagues to pass favorably upon Mr. MEED's proposal. We must take action now.

Mr. MEEDS. I thank the gentleman from California for his comments and for his efforts in this field which are well known.

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

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

Mr. KAZEN. I thank the distinguished gentleman from Washington for yielding. Also, I wish to thank him for the work which he has done in spearheading this legislation which has come to the floor of the House today and also to express my appreciation for the work that this entire committee has done with reference to this problem.

Mr. Chairman, make no mistake about it, this country is concerned as to what is happening to its youth in a situation that crosses all kinds of lines: social, cultural, and otherwise.

Mr. Chairman, I hope this program will be expanded and improved upon because with the experience which we will gain from it, I am sure it will result in great benefits to this country.

Mr. Chairman, it is a pleasure to rise very strongly in support of this bill.

Mr. MEEDS. I thank the gentleman from Texas for his comments.

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

Mr. MEEDS. I am delighted to yield to the gentlewoman from Hawaii.

Mrs. MINK. Mr. Chairman, I would like to join also, not only in support of this legislation, but to join with my colleagues in commending the gentleman in the well for his outstanding leadership in bringing this bill to the committee and to the floor of the House for consideration and passage today.

I consider it a privilege to have served on this committee and to have had an opportunity to learn so much about such an important matter affecting all of those in this country.

Mr. Chairman, I rise in support of H.R. 14250, the Drug Abuse Education Act of 1969. The purpose of this legislation is to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related purposes.

As a cosponsor of this bill, and a member of the Select Subcommittee on Education of the House Committee on Eduction and Labor that conducted hearings on the need for drug abuse education, I assure you that Federal assistance is needed to help improve drug abuse eduction, if we are to resolve this increasingly serious problem. Once believed to be an unfortunate phenomenon restricted to a small segment of the college population, experimentation with drugs appears to be increasingly common in high schools, junior high schools, and even in the upper classes of elementary schools.

This legislation seeks to protect our children and young people by authorizing $7 million for fiscal 1971, $10 million for fiscal 1972, and $12 million for fiscal 1973 for Federal grants to institutions of higher education and to other public or private agencies, institutions, and organizations for the following purposes:

Development and preparation of education curricula on the use and abuse of drugs;

Development of pilot projects to test the effectiveness of such curriculums;

Dissemination of educational materials and other information to applicants conducting pilot projects;

Evaluation of the curricula developed through the pilot projects; and

Community education programs on drug abuse, including seminars, workshops, and conferences, especially for parents and others in the community.

Grants would also be made to institutions of higher education and local educational agencies training programs on drug abuse for teachers, counselors, law enforcement officials, and other public service and community leaders.

Up to 5 percent of the funds appropriated would be available to offset necessary expenses of State educational agencies in assisting local educational agencies in the planning, development, and implementation of drug abuse education programs.

Applications from local educational agencies for financial assistance under this act may be approved only if the State educational agency has been notified of the application and has been given the opportunity to offer recommendations.

The bill further provides for the establishment of an Advisory Committee on Drug Abuse Education which will review all applications for grants, and will review and evaluate the administration, operation, and results of programs funded by the grants. The Advisory Committee will recommend criteria for priorities in making grants, and for achieving an appropriate geographical distribution of approved projects.

To help assure maximum benefits from the Federal funds allocated under this act, and to avoid duplication of effort, the Secretary of Health, Education, and Welfare will establish an Interagency Coordinating Council on Drug Abuse Education. No grants will be approved unless the Council has been given the opportunity to review and make recommendations on applications within a period of not more than 60 days.

I submit that this act will help alleviate the drug abuse problem in our Nation, and that it is our responsibility to the people we represent to offer them this assistance.

It would be almost impossible to live in this country today and not know about the drug abuse threat to our national health. We have all heard about the terror and self-destruction resulting from "bad trips." We have heard of the insane euphoria of "good trips" that cause automobile and other fatal accidents because of the users' distorted perceptions. We are all too familiar with accounts of severe psychosis triggered in the unstable, and with recurring symptoms of paranoia in the apparently normal person.

We are beginning to hear about chromosome damage to drug abusers and to their children. In some ways, this seems the most monstrous menace of all—to bring damaged children into a difficult world with which their parents chose not to cope even though they may have been blessed initially with health and education and countless other benefits. For it is not alone the children of the poor who are susceptible to the lure of escape through drugs; no child can be kept safe from the influence of those who prey upon them in an effort to extend the misuse of drugs—except through their own understanding of the dangers, and their own knowledge and motivation to avoid the misfortunes that befall drug abusers.

The purpose of H.R. 14250 is to help children and young people develop an understanding of the risk of drug abuse; to know what drugs are all about; and to build the motivation they need to steer their lives in other directions—away from a pattern of chemical thrills and escape, and toward a life of satisfaction through achievement and physical and mental well-being.

Education is our best hope for combating drug abuse. We have already seen what knowledge of the facts can do to deter young people from using LSD. Information about chromosome damage has been disseminated in a number of ways, and the experts believe there is a correlation between this knowledge and a decrease in the use of LSD. But this is only one drug, and only one educational effort. There are many drugs, and it appears that there is an almost frantic effort by some people—those who use

drugs and those who live by selling them—to find new chemical combinations to oblivion. We may add to the list of specific drugs which are prohibited, but laws cannot keep pace with new products, or new uses of familiar products abused by our children. Surely our children, teenagers and young adults deserve more in the way of protection from drug abuse than legal prohibitions. H.R. 14250 offers them tools with which to build their own, inner defenses—knowledge and understanding.

The vast publicity about the problem of drug abuse does not mean that we are making a matching effort to combat it. We are not. Scientists, physicians, mental-health experts, law enforcement officials, educators, and parents testify to the inadequacy of drug-abuse education in our schools and institutions of higher education. The victims and potential victims provide more dramatic testimony.

With strangers lurking on the playground, or in the candy store, or campus hangout, all too ready to offer information on the "fun" to be had from a certain kind of sugar cube or other chemical mixture, we do not offer students the courses, the books and visual aids, the frank discussions which could alert them to the suffering that lurks behind the stranger's smile. And even if our schools had the curricula, the instructional materials and the opportunities for discussion, they still would not have that most vital of all ingredients to successful education—teachers trained to handle a demanding subject, confident in their ability, and in possession of all the facts on this problem.

Dr. Randolph Edwards, a professor in the College of Education at Temple University, testified before a House subcommittee on public health and welfare that in his opinion—

> The greatest single drawback to effective drug abuse education today is the lack of knowledgeable and well-trained teachers. They are not receiving adequate training in the teacher-training institutions of this country. There is also a deficiency in the number of in-service and workshop opportunities for teachers desirous of this supplementary training.

The need for teachers trained in drug education, for courses suitable for all levels of our educational system, for resource materials containing accurate facts based on the most recent research findings is great and growing.

I urge you to vote for H.R. 14250.

Mr. MEEDS. I thank the distinguished gentlewoman for her remarks.

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

Mr. MEEDS. I am glad to yield to the distinguished gentleman from New York.

Mr. SCHEUER. Mr. Chairman, I thank my colleague for yielding.

I would like to express my deep appreciation and admiration for my colleague for the many, many months of long and untiring work that he has put into the production of this most thoughtful piece of legislation. It deals with an area where the unknowns are perhaps more challenging than the knowns.

The gentleman from Washington did a masterful and scholarly job in bringing in experts and authorities and in putting together a very fine piece of legislation.

No city in the Nation suffers from drug abuse as does New York City—and the center of addiction there is my district in the South Bronx. One-half of all drug addiction in the United States is in New York City; one-half of New York City's rising rate of street crime, is drug related. Indeed, few other issues in contemporary American life arouse more anxiety, fear, anger, and irrationality in New York City and elsewhere than the abuse of drugs. Public and government concern over this issue has reached a zenith. Over the past 30 days, most of our newspapers have meticulously covered "Operation Intercept," an abortive mission to cut off the flow of marihuana—one of the drugs in this knotty bag.

During the first week of this operation, 2,384,079 people were stopped at 31 land points. The Washington Post of September 23 reported that of the first half million persons coming from Mexico, not a single marihuana smuggler was found. Operation Intercept appears to have no effect on the smugglers' art and further complicated effective dialog and discussion between user and nonuser and abuser.

It is time to launch "Operation Communicate." Dr. Helen H. Nowlis, one of the Nation's leading experts on the drug abuse problem, pinpoints the problem as one of ignorance—"lack of knowledge about the action of chemical substances on the complex, delicately balanced chemical system that is the living organism, lack of knowledge about the relationship of variations in this system to complex human behavior, lack of knowledge about complex human behavior itself." In short, "it is a problem of the tyranny of opinion, attitudes, and belief in the absence of knowledge."

This problem of ignorance is further complicated by a failure to communicate. While Americans worry about bridging "the generation gap," author Karian approaches to stopping drug use, particularly marihuana, provide another excuse for rebellious youth to band together against a generation which grew up before automation and nuclear weapons. When authoritarian approaches do not work, futile arguments replace dialog and discussion. Every term—such as "drug," "abuse," "use," "education," "understanding" is so entangled in myth and emotion.

If you ask Dr. Nowlis, "Is LSD harmful?" She will answer by saying. "To whom? Under what circumstances? In what dosage? In what respect?"

Drugs are any substance which by their chemical nature affect the structure and function of a living organism. Drug effects are a function of dosage, route of administration, pattern and circumstances of use, physiological and psychological characteristics, and the current state of the individual taking the drug including the reasons why he takes it and what he expects it will do.

A special problem comes into view when we consider that there is more emotion than agreement surrounding the phenomena of drug "abuse" itself.

What does abuse mean?

Is our perturbation mostly outraged morality?

Worry over the significance of millions of young people intentionally violating the law and erecting their own standards for conduct in opposition to those of their elders?

Is our concern really about drugs or do we focus on drugs to blame them for the ugliness or irrationality that lurks within the human animal?

Or are we worried about visible bad effects—accidents, illness, addiction, murders, school dropouts, and the like?

What is it that worries us about drug use?

Certainly we cannot act rationally in creating a responsive and relevant public policy until concerned citizens diagnose what it is that underlies their distress. And, as we examine what it is, we shall find some of these worries arise from myths—the myth of the link between violence and marihuana; the myth of inevitability of progression from soft to hard drugs, the myth that the criminal law is an instrument of demonstrated effectiveness in controlling vice, or the myth that something we call "treatment" must therefore be kindly and efficacious, or perhaps the most sacred myth which holds that if we simply spend enough money or do enough research we can cure or control almost anything.

It is time to lay aside our preconceived notions about drugs. It is time to abandon the futility of an Operation Intercept. It is time to repudiate overly simple relationships between cause and effect. It is time to understand the concepts of the scientific method. It is time to appreciate the multiple determinants of human behavior. It is time to communicate.

The Drug Abuse Education Act of 1969 recognizes this need. Education is an alternative to law enforcement and rehabilitation. Our concern for the drug abuser and narcotic addict is usually expressed too late—after a law has been broken. If we are to alter the course of drug abuse and addiction in this country, we must begin now to educate our children.

The legislation we are considering today, H.R. 14250, deals effectively with this whole concern of mine. I am grateful to Congressman LLOYD MEEDS for his outstanding and early leadership in this area. Extensive hearings and debate have been launched in our committee, touching not only on this phase of the problem, but on all aspects of drug use and abuse. Congressman JOHN BRADEMAS' forceful leadership piloted this legislation through his subcommittee and has brought us closer to launching "Operation Communicate."

Mr. MEEDS. I thank the gentleman from New York for his remarks.

Mr. PRYOR of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I am glad to yield to the gentleman from Arkansas.

Mr. PRYOR of Arkansas. Mr. Chairman, the gentleman in the well, the gen-

tleman from Washington (Mr. MEEDS), has authored and inspired one of the most monumental pieces of legislation which I feel will come before the 91st Congress. The gentleman is certainly to be commended for his tireless efforts and leadership in this area.

Mr. Chairman, we are confronted with a crisis in the field of drug addiction in this Nation. I think all of us recognize the serious proportion of this crisis which we face. As one of the cosponsors of this legislation with the gentleman from Washington, I would like to say that we must all get behind it and face the realities of the situation and support it not only with our vote but also with its implementation if it does actually become a public law.

Mr. Chairman, I rise in support of the Drug Abuse Education Act of 1969, of which I am a cosponsor. I am gravely concerned over the alarming increase in the use of dangerous drugs among our young people. With drugs now apparently becoming installed as fixed props on many college campuses throughout the Nation, smalltown and rural America has begun to share the concern of urban America.

It recently came to my attention that a Stanford University psychologist conducted a survey of one college and found that 57 percent of the students had tried marihuana and that 17 percent had experimented with LSD. That psychologist concluded, incidentally, that what is definitely an expanding use of marihuana and "pep pills" means that the use of stronger drugs will increase. In his recently published book "Students and Drugs," Richard Blums points out:

> As the base number of marihuana-experiencing students expands, so does the proportion willing to risk LSD, DMT, STP, opium, heroin, and the like.

One authority has estimated that unless the present youth generation in America wakes up to what is happening, 50 percent of all young people could become habitual users of narcotics. If anything like that happened, it would mean that a still unestablished part of their potential in life would be burned away.

There is little dispute about the extremely harmful effects of opium, heroin, and LSD on the mind and body. The insidious danger, I think, lies in the use of marihuana. It has been much more difficult to measure marihuana's detrimental effects on one's health. There are those who assert that it may be no more harmful than liquor or tobacco. Despite the controversy surrounding its use, the evidence has rather consistently shown that more and more marihuana smokers have begun to experiment with more dangerous drugs.

In 1964, it was estimated that 50,000 persons in the United States used marihuana. Now, according to some authorities, that figure has risen to between 10 and 15 million.

The Nation's youth must be made fully cognizant of the danger, the risk, and the consequences of drug abuse. It must be impressed upon them that in becoming a slave to drugs they are giving up their self-determination and self-respect. Nothing more disastrous could ever happen to America than to produce a generation dependent on drugs for gratification or for the solution to life's problems.

The Drug Abuse Education Act is essentially designed to encourage the development of drug education in elementary and secondary schools and in community education programs. The concept which it reflects is the very simple one that education is a real, positive factor in shaping attitudes and behavior. If, through the educational process, we can reach youth in other fields—history, mathematics, science—then why can we not reach them in this area?

The important thing is that the right kind of programs be developed. If drug abuse education is going to work, it has to be well done. If, through the resources of the Federal Government—in both the fields of education and health—we can see that some really sound curricula are developed, both as to content and presentation, then we will have accomplished a great mission. The emphasis of the bill, then, is on curriculum development.

Mr. Chairman, I earnestly ask my colleagues to join us in support of this much needed legislation.

Mr. MEEDS. Mr. Chairman, I thank all of my colleagues for their kind remarks and for their contribution toward bringing to the floor of the House this legislation.

I, too, would like to express my thanks to my chairman, the gentleman from Kentucky (Mr. PERKINS), and particularly to my subcommittee chairman, the gentleman from Indiana (Mr. BRADEMAS), who through his untiring efforts and through the utilization of proper hearing procedures in my opinion has brought forth one of the best sets of hearings that I have ever attended on any piece of legislation since I have been in the House of Representatives.

Also, I think this is, perhaps, one of the most bipartisan bills that I have ever worked on and I wish to thank and commend my colleagues on the other side of the aisle for their help and support.

Mr. Chairman, dangerous drugs are not new; the dimension of their abuse is.

Where once we whispered about drugs and narcotics—sometimes called "dope"—existing in the ghettos and on the waterfronts, today they are invading every segment of our society.

Young mothers wound up by hyperactive children swallow tranquilizers to calm down; older citizens knock down depresions to find sleep; truck drivers gulp "bennies" to help them eat up the miles of concrete stretching into the night.

The drug companies, legal and illegal, have gone to market and capitalized on our national anxieties. During the past 25 years, the U.S. production of amphetamines has increased by 500 percent. Barbituates are being manufactured at an annual rate now exceeding 1,000,000 pounds—enough to provide 24 doses to every man, woman, and child in the Nation.

Tom Jefferson's yeoman farmer, self-reliant and sturdy, might be a misfit today in a country where the lifestyle is go-go, rush-rush, learn-learn, worry-worry. Technology has captured us in the chains of freedom. The car lets us go faster and fret more; the telephone brings people closer and makes demands come more often.

No wonder some observers label us a "drug-oriented" culture. For many the use of stimulants and depressants results from the pressures and tensions in our society. For the young the use and abuse of drugs is related to their changing moral concepts, to their desire to escape their environment and to identify with something and someone of their own subculture.

For old and young alike who need a crutch, drugs can provide it. For all who seek escape from the reality, drugs can provide that escape. But, in the final analysis it is an escape to nowhere. The fantasies end, and reality closes in.

Regardless of the causes, there can be no argument that the abuse of drugs has reached epidemic proportions. One cannot read the daily paper without seeing four or five accounts illustrating some facet of the drug problem. Recently, when TV star Art Linkletter lost his daughter as the result of hallucinations induced by LSD, he received 25,000 letters in 10 days, many of which related the anguish of parents also facing the crisis of their own children's involvement.

In testimony before our subcommitte, Martin Kotler, deputy commissioner of the addiction services agency of the city of New York, stated:

> The effects of drug abuse constitute a major community problem in New York City. More than 800 heroin addicts will die here this year because of addiction. It is the leading cause of death in the 15–35 year age group in New York City.

It is impossible to estimate the costs of this problem in dollars and cents. How does one estimate the cost of twisted, ruined lives; the sorrow of grieving parents and relatives; the lost opportunity to brilliant young people who get hooked? While these costs are immeasurable some are not.

Testimony before the subcommittee in four major cities of America—New York, Washington, D.C., Los Angeles, and Seattle—indicated that from 40 to 75 percent of the crimes in those cities involved drugs and narcotics or drug-related crime—crimes committed to obtain money for drugs or narcotics.

We found the situation to be exactly as stated by President Nixon in his message to the Congress on the drug abuse problem. He said:

> The habit of the narcotic addict is not only a danger to himself but a threat to the community where he lives. Narcotics have been cited as a primary cause of the enormous increase in street crimes over the last decade.
>
> As the addict's tolerance for drugs increases, his demand for drugs rises and the cost of the habit grows. It can easily reach hundreds of dollars a day. Since an underworld fence will give him only a fraction of the value of goods he steals, an addict can be forced to commit two or three burglaries a day to maintain his habit. Street robberies, prostitution, even enticing of others into addiction of drugs—an addict will reduce

himself to any offense, and to any degradation in order to acquire the drugs he craves.

Taking a minimum figure of 100,000 narcotic addicts in the United States and assuming a minimum cost of $50 per day to support their habits, you quickly realize that this one facet of the problem involves costs to society of $5 million per day.

Given the enormity and complexity of this problem, one would surmise that substantial efforts were underway to find solutions.

Such efforts are and have been underway for some time. But let us look more closely. Such efforts may be generally categorized as preventative, rehabilitation, and law enforcement.

Under the Harrison Act of 1914, the Marihuana Tax Act of 1937, and the 1965 and 1968 statutes dealing with barbituates, amphetamines, hallucinogens, and similar compounds, the use of these substances often constitutes a crime. Most offenses are punishable as felonies. The States have also enacted their own laws, many of which are as stringent and some more so than the Federal law. If you offer a marihuana cigarette to another person in Georgia and that person accepts it, upon conviction of the second offense, the State requires a mandatory death penalty.

Despite such stringent laws and valient efforts of the Federal, State, and local police to enforce them, the magnitude of the problem increases at such a rate as to require calculators to record the pace.

For example, in 1963 Federal officials seized 6,432 pounds of marihuana at the borders and by 1966 this had increased to 23,260 pounds. Almost that much was seized recently in less than 2 months during a recent border clampdown.

The most alarming increase was manifested when the FBI in August released their crime statistics for the period of 1960–68. The increase in drug arrests during that period was 322 percent, almost twice that of any other increase. As if that were not frightening enough, when broken down by age groups one finds that the increase in drug arrests of persons under age 18 rose 1,860.4 percent during the same period.

Thus, despite the presence of stringent laws, increased activities by law enforcement officials, it is clear that law enforcement alone cannot adequately cope with the problem.

What of rehabilitation? One is met at the beginning with the fact that rehabilitation only comes into use after the damage is done. Most thoughtful people involved in rehabilitation work are quick to admit that their achievements are hard fought, costly, and often short lived. Clearly we must continue our efforts to develop more effective rehab programs, but to put our major efforts here, it seems to me, is to deal with the result and not the problem.

Finally, what of prevention? What have we done and what are we doing to prevent the problem which is so costly in dollars and human lives. While good law enforcement is certainly preventative, there are other aspects which, unfortunately, have not received the attention they merit.

Virtually every witness appearing before our subcommittee acknowledges that education on the use and abuse of drugs and narcotics holds the most promise of success. Seattle Police Chief Frank Ramon put it most succintly when he said:

> Police people who see the misuse of drugs and pharmaceutical preparations recognize that the ultimate answer lies in the education of the potential user. . . . I reiterate that our present techniques have not been adequate to contain, let alone solve this problem. The brightest hope, in my view, is contained in the House bills being considered (the drug abuse education bills).

Despite the unanimity of opinion that education provides the best course of action, very little has been done and is presently being done in this area.

While the Federal Government spends between two agencies—NIMH and Justice—some $50 million per year for law enforcement and rehabilitation of offenders, less than 4.5 percent of these funds are spent for education. State and local governments spend more in some instances and substantially less in others.

It is for this reason that in January of 1969 I began preparing legislation to apply education to this problem. It was clear to me at the outset that the experts must be involved. I received help from the Justice Department, the National Institutes of Mental Health, the Office of Education, the Department of Health, Education, and Welfare, the National Coordinating Council on Drug Abuse Education, and Information, the American Association of Health, Physical Education, and Recreation, and others.

The bill was introduced on March 20, and more than 75 Members of the House of Representatives have signed on as cosponsors. Public hearings on the Drug Abuse Education Act of 1969 were held by the Select Education Subcommittee, of which I am a member. We heard testimony in Washington, D.C., Seattle, Los Angeles, New York City, and South Bend, Ind. Throughout the hearings the response to H.R. 9312 was overwhelmingly favorable. Later, the subcommittee amended the bill and gave it a new number, H.R. 14252.

The bill allocates $29 million in Federal funds over a 3-year period. What follows is a summary of its provisions and why they are necessary.

First, it will help educators, law enforcement officials, counselors, and community leaders attend short term or summer institutes offering drug education courses.

A survey conducted by the Washington State Board of Pharmacy indicated that 60 percent of the high schools questioned felt that their teachers were not trained adequately to conduct thorough drug education courses. But do not blame the educators. Drugs have happened too fast. The subject matter is as difficult to grasp as the "new math" was several years ago.

Washington State School Superintendent Louis Bruno said:

> A massive program is necessary to bring about teacher competence in drug education.

He felt that our bill can have the same impact on the drug problem that the National Defense Education Act of 1958 had on math, science, and English.

Second, the bill makes funds available for colleges, universities, and private groups to develop and test curriculums in drug abuse education. The information would be distributed on request of local school districts or States.

Textbooks, films, courses, and other teaching materials cost money. Many school districts are already hard pressed to furnish the basics without worrying about drug abuse prevention. While many companies have cashed in on the public's concern and have produced colorful and very expensive materials on drugs, no curriculum has ever been tested for effectiveness.

John Porter, assistant superintendent of School District No. 15 in Edmonds, Wash., recommends strongly that qualified educators produce a model curriculum for a total K–12 effort in drug education.

Third, the legislation would furnish assistance to local schools and States wishing to establish pilot programs in drug education.

Since Congress approved the Elementary and Secondary Education Act of 1965, the most popular feature has been that which funds "innovative" programs in education. In our school system there is a great deal of latent creativity waiting for the financial green light.

Fourth, H.R. 14252 would support local schools or communities to provide "drug alert" seminars and similar educational efforts for adults.

Last April I organized in my district the type of project that could be supported under this section of the bill. Working with concerned parents, educators, policemen, and doctors in Snohomish and north King Counties, we set up a drug abuse conference at Meadowdale High School in Lynnwood, Wash.

The conference succeeded because we took the high road. We tried to inform rather than condemn. The facts of drugs, the why of their abuse, and possible deterrents to their growing attraction were explored and debated. For the audience, the most meaningful part occurred when young people on a special panel gave their views and answered questions.

In his prize-winning "A Man For All Seasons," playwright Robert Bolt creates a confrontation between three members of the family of Sir Thomas More. The daughter, Margaret, has stayed up all night to discuss marriage plans with young Will Roper. Angered, Alice More tells her husband that Margaret should be beaten.

Sir Thomas replies:

> No, she's full of education, and it's a delicate commodity.

Sensitive. Touchy. Delicate. Handled properly, drug education can enlighten and deter; compromised by pompous sermonizing and untruths, it can turn off young people and lead them to believe that the dangers of drugs are either exaggerated or nonexistent.

Most parents want their children to learn the facts about drugs so they may cope with their attractions. A community seminar such as we held in Lynnwood might ease fears of teaching this subject

in the schools. Still, there remains a danger that an effective curriculum could be transformed under pressure into a table-pounding, jail-threatening approach.

At our hearings in Los Angeles, we saw a perfect example of why this does not work. Sandy, a pleasant and very bright 18-year-old from a wealthy suburban family, told us that—

I had Health in the 11th grade, you know, just like everybody does. And I used to get stoned to go to my Health class. And when we were studying the unit on narcotics, everyone looked around and smiled at each other, because everybody was stoned, or everybody was getting stoned, and everyone knew it was, you know, bunch of nothing.

This shows how credibility can become a casualty of the generation gap. Drugs have happened too fast. Because parents and teenagers lack a through knowledge of the drugs, facts and understanding have too often been pushed aside by opinions. Drugs have arrived with a tearing and a division not seen since Charles Darwin penned some conclusions about his research in the Galapagos Islands.

Education cannot heal over these differences completely. Congress cannot pass a law against curiosity. No textbook, however well written, can insure comfort for a troubled mind. Yet, our schools can illuminate that which is dark and can bring into sharper focus the nature of drugs and how they relate to the human condition.

In so doing, education can lead to true self-awareness rather than the fantasy of peace obtained by swallowing, smoking, or injecting.

Mr. SANDMAN. Mr. Chairman, will the gentleman submit for a question?

Mr. MEEDS. I yield to the gentleman from New Jersey.

Mr. SANDMAN. Mr. Chairman, I am in favor of the bill, and I want to vote for it. However, I have had some experience with this kind of problem before. I am interested in the provisions of the bill on page 3, subparagraph (1) under section 4, which allows this money to be used for grants into contracts with institutions of higher education and other public or private agencies.

Now, I have no quarrel with the institutions of higher education, but how far do we go in the interpretation of what this means as to other private agencies?

Mr. MEEDS. The gentleman from New Jersey raises an excellent question, and it was one that was debated and discussed quite thoroughly in the subcommittee. As a matter of fact, we left that language in—private agencies and institutions—because in the course of our hearings we came upon several instances where private agencies have really led the way in those fields of drug abuse, education, and in materials in those areas and we felt that we ought not to close the door to private agencies.

Mr. SANDMAN. If the gentleman will yield further, who determines the private agencies, though?

Mr. MEEDS. The Secretary of Health, Education, and Welfare will make that determination.

Mr. SANDMAN. What I am referring to are the appropriations that were made by the Congress in 1967 which were handled through the OEO. New Jersey, for example, received $1 million for one of those particular grants, and at that time instead of the money being handled by an organization within the State that was set up for the purpose, it was turned over to one of these community projects.

Now, my question is: Are those kinds of groups eligible for this kind of a grant?

Mr. MEEDS. I would answer the gentleman by saying that they would be under the language of the bill. But certainly the Secretary of Health, Education, and Welfare is going to make the determinations based on the capability of the group to develop what we are looking for. And the type of group which the gentleman describes would seem to me to be hard put in the developmental field. Perhaps later in the grant stage for programs they would present a bigger question to the Secretary, but I do not believe it presents that large a question at this time.

Mr. SANDMAN. It did in the New Jersey case because, as far as I am concerned, I spent 5 years as the chairman of the New Jersey Narcotics Commission, and as far as I am concerned the whole $1 million was wasted because people in charge of the $1 million did not know what to do with it.

We had an after-care program that we recommended that this money be used for, but under these rules we could not use 5 cents of the money.

Mr. MEEDS. Unfortunately we could not obviate the possibility that what the gentleman is talking about would happen under the legislation, but the only other way we could do it would be to strike out private agencies and there has been and is being some very valuable work done by these people.

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

Mr. MEEDS. I yield to the gentleman.

Mr. HUNT. I want to amplify just a little bit on the question propounded by my colleague, the gentleman from the State of New Jersey, a few moments ago.

When you spoke of private organizations—just who do you have in mind? We would like to have some idea of just what organizations you are speaking of.

Mr. MEEDS. I do not have anyone in mind. I am not suggesting the programs I am talking of are excellent programs and I am not here campaigning for them, but let me suggest to the gentleman that the Lockheed Co. has developed what appears to be a pretty good curriculum for drug abuse.

Mr. HUNT. I might tell the gentleman that for a number of years I was the supervisor and commanding officer of the narcotic squad of the State police in New Jersey and am thoroughly familiar with these addicts and pushers and everything and handled that and worked very strongly with the Federal Bureau of Narcotics Commissioner which my colleague, the gentleman from New Jersey (Mr. SANDMAN) headed.

I have had some very poor experiences with private agencies. I am going to tell you that I intend to offer an amendment to this bill unless it is clarified because when you start doling out money to private agencies, they hand it out before as the OEO, where they do not know what to do with it.

Mr. MEEDS. Is the gentleman suggesting that the OEO is a private agency?

Mr. HUNT. Yes, it is private—you know it is when the money gets over to them. You know what the community action does as well as I do. Do not beat around the bush.

Mr. REID of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, this bill is a reasonable and well-researched thrust toward education and research on the problems of drug abuse.

The great threats to the public and mental health of the Nation have always finally been conquered by research and education, not only by treating the symptoms and rehabilitating the disabled. Polio was not conquered with braces and iron lungs. Neither will drug abuse be contained with methedone and search warrants. The problem this bill deals with is education and prevention.

The widespread ignorance of educators and public officials on drug problems is illustrated by an article that appeared in the Appleton, Wis., Post Crescent only a week ago:

"There is no textbook on drugs, and teachers know almost nothing about them," says G. A. Ediger, head of Appleton high schools' biology departments. This is the dilemma that he and his staff face in developing a drug information unit in sophomore biology classes this fall.

The Associate Director of the Federal Bureau of Narcotics and Dangerous Drugs, Mr. John Finlator, said earlier this year:

We who are in authority find ourselves pretty ignorant about the drug problem around us. The school teacher, the parent, the school administrator, the businessman and the parent are all ignorant of the problem. Thus, when a young person starts talking about drugs, neither his parents nor his teachers are really able to keep up with him.

The result of this embarrassing lack of information is the abundance of misinformation current among students and young people on the effects and dangers of drug use and abuse. As Dr. Robert E. Peterson of NIMH said to our committee:

In the final analysis, playing games with the truth has historically been demonstrated to be a mistake.

The Drug Abuse Education Act of 1969 is designed to provide basic information on dangerous drugs and narcotics. While young people and youthful abusers are the focus of attention, it must be pointed out that the use of drugs is a major and growing problem in all age groups.

It must be stated in all candor that if alcohol were classified as a dangerous drug, it would unquestionably be the major narcotic in use today, and the adult population would be receiving a great deal more attention. While it would be a gross error of public policy to downgrade the problems of alcoholism, our concern in this piece of legislation is with drugs other than alcohol.

In public hearings on this bill, our committee discovered that drug use,

much less abuse, is not very well understood. Few people realize the dangers that are inherent in aspirin, tranquilizers and sleeping pills or any other commonly used, commonly avaliable, drug preparation. For example, ordinary aspirin is probably the most widely recognized pharmacologic agent for a variety of ailments, yet aspirin poisoning is caused by mothers who give children overdoses of aspirin. Similar situations exist for many other drugs which the public assumes to be harmless.

While the numbers and kinds of available drugs has dramatically increased in recent years, the public understands very little about the principles of correct drug use. The abuse of medically unnecessary drugs like LSD and marihuana is a widely recognized problem.

An equal problem is the abuse of medically necessary drugs.

During the hearings, we found that little attention and effort is being given to training teachers about the abuse of dangerous drugs. We also found that medical schools do not provide sufficient training to their students regarding drug abuse and particularly abuses of the medically useless drugs. This is a particular handicap since most students and their parents must seek advice about drugs, and their teachers and their physicians are apparently ill-equipped to provide necessary information.

The Drug Abuse Education Act of 1969 comes to grips with these problems in a number of ways. First, it encourages education on the dangers of the abuse of drugs through a variety of local institutions of which the schools are the most important.

Second, the bill promotes scientifically valid and credible information which must be developed if drug education courses in the schools are to be effective.

Third, the bill seeks to provide essential training in drug abuse education to teachers.

Finally, provisions are made to evaluate the effectiveness of the training programs and the curricula they use.

The purpose of the Drug Abuse Education Act is to provide an effective educational process and one that can be accepted and believed.

While there is an urgent and obvious need for this legislation, it would be unfair to conclude that nobody is presently doing anything about drug education. The National Institute of Mental Health initiated a program early this year of laboratory research on the immediate and long-term effects of marihuana. Study of the effects on various animals is underway and clinical tests on humans have been started. Dr. Stanley Yolles, Director of NIMH, has stated that most of what we need to know about marihuana will be available within 2 to 3 years.

The National Coordinating Council on Drug Abuse Education was formed only a year ago. It is made up of of more than 50 civic and professional organizations and agencies of the Federal Government. Their evaluations of films and audio-visual materials in drug abuse education are very helpful and the drug education bill intends that careful attention be given to existing programs.

The National Education Association has prepared drug abuse education guidelines to assist educators in planning for the prevention of indiscriminate use of drugs by young people. The American Pharmaceutical Association has prepared and distributed a "Drug Abuse Education Guide for the Professions" aimed at pharmacists and other professionals who deal with drugs. Butler University at Indianapolis is developing effective course materials for educators. Projects aimed at the parents of students and youth exposed to drug abuse practices are underway at Beloit College in Wisconsin and the University of Wisconsin is developing a drug abuse education program in the extension division to try to reach concerned adults.

Drug manufacturers are joining in the informational effort. Smith Kline & French Laboratories, for instance, has prepared and distributed drug abuse manuals for law enforcement officers. The State medical society of Wisconsin has been a leader in producing films, booklets, and brochures and making them available to all Wisconsin junior and senior high schools.

Education about drugs has taken place in a near vacuum of information. This situation is changing fast, thanks to programs underway in every sector of American society. But teachers and parents are just catching up on information. Many a student can outlecture his teachers on the subject of drugs. Much of his information is wrong, but he does not know it. So we really have two jobs: First, to undo the past; and, second, to convey the latest and most accurate facts in its place.

As long as we present new information without exaggeration we can be in a good position to teach respect of drugs. In the final analysis, drug respect is probably the only way to curb drug abuse.

I include at this point an article from the Appleton, Wis., Post-Crescent of October 21:

INFORMATION LACK HOLDS UP SCHOOL DRUG USE INSTRUCTION

(By Arlen Boardman)

There is no textbook on drugs, and the teachers know almost nothing about them.

This, says G. A. Ediger, head of the Appleton high schools' biology departments, is the dilemma that he and his staff face in developing a drug information unit in sophomore biology classes this fall.

Administrators last spring requested the unit on the physiological effects of drugs as LSD and marijuana, which many high school students are experimenting with.

This is the first official attempt to develop such a unit, and Ediger admits he is at a loss. The best they can do, he says, is use pamphlets, many of which offer conflicting medical evidence on the drugs' effects.

QUESTIONS ON MARIJUANA

While evidence is fairly conclusive on the dangers of LSD, there is questions about the effects of marijuana.

There have been unofficial efforts to educate Appleton youngsters on drugs. Several teachers, particularly those at Madison Junior High, have included discussions of drugs in their science classes.

Madison ninth grade government class teacher A. G. West has gone even further. He has stimulated interest in drugs for a group of about 20 Madison students and they have met after school to delve into the subject.

Although some teachers feel information only prods the curiosity of youngsters to use drugs, West believes a program of educating students on drugs at the junior high level should be instituted.

"I think if we can get the problem settled here," he says, "we won't have to worry about it in high school."

West has directed his group toward the sociological and physically effects.

"If students have an alternative of things going—as going bowling, to a show or a dance, instead of a pot party —," he says, "they will stay away from drugs."

Madison administrators and teachers also have experimented in a drug information program which is to be used at the other three junior highs. Madison was volunteered earlier this year to try the program.

A FEW PAMPHLETS

Ediger and his staff have been searching for materials for several weeks but about all they have to date are a few pamphlets "by a few so-called experts," he says

"We're in the process of structuring this," he says. "We feel we need to get this in front of the kids somehow."

"We can preach to them to leave it alone but they still will have to make their own decisions," he adds.

Ediger says the recent drug film shown to several schools by a Green Bay television station "is a good start," but more education is needed to follow through.

The hope, he says, is to show students what the actual effects of drugs are on the organs, physical condition and mental make-up.

About 40 classes of Appleton East and West students, or 950 to 1,000 students, will be given the class. The idea is to expose sophomores to the education before they come in contact with drug pushers and users in the high schools.

Ediger says the students are receptive to learning about drugs.

The drug unit also will include information on the effects of alcohol and nicotine, he says.

JUNIOR HIGH CONTACT

Students are coming in contact with drugs in the junior high and undoubtedly in some cases using drugs. West, however, feels that the extensive use is in the high school, not the junior highs.

A survey of his ninth grade government class and seventh and eighth grade science classes indicates more students come in contact with drugs as they get older.

However, West notes this can change from class to class, depending on how active a group may be. With a class heavily active in school and extracurricular activities, there is less chance of influence toward drug use, West believes.

One of six seventh graders said he knows someone who uses drugs; one of three eighth graders, and one of two ninth graders did the same. Similarly, asked if they knew of anyone who had taken drugs at some time, it was one of three in seventh, one of two in eighth and two of three in ninth.

West and his informal student group have gathered much information on drugs, and although most graduated to senior high, the information is there to help him build another discussion group.

He feels this can be the groundwork to a detailed drug information program.

Mr. REID of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. COLLINS).

Mr. COLLINS. Mr. Chairman, I want to say several things and particularly speak to this point that has been raised here about private organizations.

I have had the pleasure of sitting in

on many of the bills but I never saw one that was better handled and where they had more investigations and deeper study and a better balance of witnesses than they did on this particular bill.

Chairman BRADEMAS, and the select committee, brought in more groups and we went out in depth in the field to study this particular bill.

And my colleague, the gentleman from Washington (Mr. MEEDS) any time the gentleman from New York (Mr. REID) had questions in any way, this bill was flexible and it was taken care of.

What you are talking about specifically here is what I think of as a junior chamber of commerce provision in there. Among the groups we talked to, we had witnesses interested in it and we talked to everybody. No group in America was taking more interest in drug abuse than the Junior Chamber of Commerce of America.

They now state they have a director within their group who works on it. You probably have a junior chamber of commerce in your community which is run like any other civic group in a community. This is the man who works on it.

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

Mr. COLLINS. I yield to the gentleman.

Mr. STEIGER of Wisconsin. I simply want to reinforce the statement that the gentleman from Texas is making. I think it is an excellent statement.

The subcommittee in the hearings and in hearing the witnesses, I think became quite convinced that it was not just a question of schools and of education, but it was using the private resources of groups like the Jaycees who ought also to be eligible for this kind of assistance.

So I stand with the gentleman from Texas in support of maintaining the position of the committee.

Mr. COLLINS. All we are doing here is the Jaycees have closer contact with these teenagers. To bring in someone who is 50 years old to try to talk to a teenager, just lacks completely the impact of the Jaycees who are between 20 and 30 years and the impact they would have with them.

When you want to add to this and open up on this and we are talking about spending and nobody in the Congress objects to spending more than I do—whenever they put up a spending bill, I am always on the short end when it comes to spending—what you are talking about here is about an area where many on drugs in the past have gone to save the fellows who have already lost or wrecked their lives through drugs.

What we have to do today in this country is something to save the 5 million people who are going into this drug habit. We need to have these lives. The purpose of the bill is to save the teenage population here. Remember that today 20 million people in this country are involved, and it is growing at a geometric ratio of 5 million a year. I think this is the most conservative funding estimates I have heard projected before the House. It is a very conservative figure.

I want to say one further thing. I think of the Jaycees. I have never participated in an organization that I held in higher esteem than I do the junior chamber of commerce. These men work without salary. They are civic oriented and civic minded. To provide funds for a group of volunteers of that kind to supplement their efforts would be the greatest investment we could make in this country.

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

Mr. COLLINS. I yield to the gentleman from New Jersey.

Mr. SANDMAN. First, I do not wish to be misunderstood. I believe the junior chamber of commerce is a great outfit. There are many others that are great outfits. However, I happen to know, and I think everyone else will admit who has studied the subject at any length, that the reason for 90 percent of the first use of any drugs is one word—"curiosity." The big danger that we face is what kind of an educational program are we going to have? One that is haphazard is worse than no program at all. A bad program of education might even incite an individual to use the drug rather than keep him away from it. This is the great fear that I have.

Now, the point is that if you are going to use this money to educate people who are going to educate others in a program, it seems to me it has to be that kind of group that is expert in that kind of field. That is all I am saying.

Mr. COLLINS. There are no experts today. If I can just finish this thought. What we are trying to do is to broaden the base in order to involve everyone so that we can do the thing that you are talking about—stop people from wandering into drug abuse through curiosity. They have no set rule. They have what they call a developmental program. They are open-minded in the bill.

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

Mr. COLLINS. I yield to the gentlewoman from Hawaii.

Mrs. MINK. I would like to join the gentleman in support of the bill. In response to the question of the gentleman from New Jersey in relation to our insistence that private agencies be included, I would like to call to the attention of this committee that the YWCA must also be added as a group vitally concerned with this problem. I know in my own State they have indicated tremendous concern and interest. I believe there are applicable provisions in this bill which will meet the kind of concern the gentleman has expressed.

Mr. REID of New York. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina (Mr. WATSON).

Mr. WATSON. Mr. Chairman, I thank the gentleman for yielding this time. I take it because of my keen interest in this subject, as everyone who is a Member of this body, and indeed every American, and I guess my interest has been reinforced through my work over the past few months as the ranking member of the minority on the House Crime Committee.

The alarming increase in the use of drugs is shocking. Especially are we concerned about the experimentation with marihuana.

I support this bill without reservation at all. It is a very modest effort. Those who are expecting this to achieve miracles will be disappointed, but at least it is a start in the right direction.

Let me say this. The day after tomorrow, Saturday afternoon, I will be in Spartanburg, S.C., dedicating the opening of our first STAND Center. Those letters stand for Students Talk About Narcotic Dangers. We have found that any drug educational program—as important and well-intentioned as it may be—which is initiated by a law enforcement agency just will not relate to the teenagers who need the message. Unfortunately the young people will not listen to an officer. Moreover—and I know my friend from Indiana is a real educator, and I mean no offense to him and other dedicated teachers—it is very difficult today to get teachers to relate directly to students on this matter. As a result of our experience in moving around the country, I wanted to start strictly a voluntary program, where the students will talk to other students about the narcotic dangers, in language each understands best.

Having made that announcement, I will say I do not do so because we are making a bid for some funds under this bill. I am happy to say the people of South Carolina have responded overwhelmingly to this volunteer effort. Perhaps later on it might be necessary, but I hope it never will be for somehow the compelling spirit of a volunteer will be lost.

I suppose the main reason I took this time was to say that while I wholeheartedly agree with this educational effort, which is primarily a preventive program, we must not forget the two other aspects of drug abuse—namely, medical and legal.

In order to get at the problem, we have to look at the medical approach. Many doctors, in fact most doctors, have done an outstanding job on an individual basis in combatting and preventing drug dependency, but we have been lacking woefully in rehabilitative institutions. I am proud to see some of our doctors and pharmacists volunteering to help us in our STAND program in South Carolina.

Also, we cannot overlook the important legal aspects of this particular problem. What should the sentences for drug abuse, or even use, be?

I would caution my friends as they go out in the educational field, they should not be too quick in releasing our educators and especially some of our sociologists, as well intentioned as they are, into the field of dictating the proper penalties for the use or the abuse of marihuana or these other drugs.

Frankly, I will say to the Members of the House, it was distressing to me to have to call for the resignation of Dr. Stanley Yolles, the Director of the National Institute of Mental Health, for his dangerous and ill-advised attitude in reference to drug penalties. I respect his knowledge in the medical field, but when he testified before our Select Crime Committee and suggested the liberalization of marihuana penalties and the elimination of all minimum mandatory sentences, even for sale of hard narcotics

we can no longer tolerate such irresponsible talk. He is not the only one. Dr. Fort, who wrote the long article in Playboy magazine also advocated—and we heard from him in San Francisco last week—that marihuana should be legalized. Dr. Zinberg on the staff at Harvard, in testifying before our commitee in Boston, called for legalization of possession and use of marihuana. I hope we won't rely upon the advice of these so-called experts who seem to be getting all the spotlight. I know there is honest difference of opinion as far as penalties for simple possession and use of marihuana are concerned. But what really shocked me was that here is a man who is the head of the National Institute of Mental Health, who said he favored removal of minimum mandatory sentences for even the adult who sells hard narcotics, yes heroin, to a minor. Specifically, I asked him: "Do you favor removal of all mandatory sentences?" And Dr. Yolles said, "yes."

The whole audience was shocked. My response to him was that he can peddle this irresponsible philosophy if he wishes but he should not be permitted to peddle it at the expense of the taxpayer.

So may I add a word of caution. Let us move forward with this program. It is a good one and long overdue. It is necessary. It should be the primary focus, the educational aspect, for we must try to prevent both the experimentation with and abuse of drugs.

That is a lucrative racket, and those who traffic in it are not interested in our young people at all.

In conclusion, let me again caution my friends in the field of education, primarily sociology and psychology, not to tamper too much with the legal aspects of the problem. So far as I am concerned, any man who illegally sells heroin or any other dangerous drug to a minor is the scum of the earth, and punishment behind the bars is too good for him. If that be too tough, then make the most of it.

Mr. REID of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. PELLY).

Mr. PELLY. I thank the gentleman for yielding.

Mr. Chairman, I rise as a cosponsor of H.R. 14252, the Drug Abuse Education Act of 1969.

We need do no more than pick up a newspaper or listen to the news on radio and television to realize the great need of drug education in our land today.

It was because of this serious matter of so many drugs in our society and the lack of communication concerning them that I cosponsored this legislation. A well-coordinated program in which funds and assistance are available for effective and meaningful drug education is desperately needed.

Across our Nation we have the educators, law enforcement officials, counselors, and community officials ready and willing to work on this problem. But, what is needed is the assistance from the Federal Government so that the proper and necessary funds are available to achieve these educational programs.

The blind experimentation in drugs being conducted in our society today must halt. The examples of self-destruction because of the ignorance of their effects are well documented.

Mr. Chairman, I strongly urge my colleagues' support of H.R. 14252, the Drug Abuse Education Act of 1969.

Mr. REID of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I do not believe that really I have had an answer to my original questions which I propounded, as to how these arbitrary figures were arrived at.

The gentleman indicates I may be concerned that these figures are too low. That is taking some liberty, because I am usually concerned more with how high a figure is, since I serve on the Appropriations Committee.

How was this arbitrary figure of $7 million for the first year arrived at? Whose prediction was that? Whose "guesstimate" was this, that this could properly be spent in the first year in this particular area?

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

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

Mr. MEEDS. This was the opinion of a representative of the National Institute of Mental Health, a representative of the Office of Education, myself, and some people who were there present from the National Coordinating Council on Drug Abuse Education and Information.

Mr. MICHEL. Did the Government witnesses indicate, for example, that in 1971 they would be willing to back that up with a budget request at that level?

Mr. MEEDS. No. This was not their position.

Mr. MICHEL. Then how could they testify that is the kind of authorizing level we ought to be talking about, if they are not willing to back it up with a budget request?

Mr. MEEDS. They made their estimate based on what they thought the experts in the field could work with. I never asked them to tell me if that is what they would suggest to the Bureau of the Budget.

Mr. MICHEL. This is our problem on these authorizing bills. We never talk about the funding level to any great extent. Then we get into the situation we have been experiencing in the last few weeks, where the Appropriations Committee has to take the rap for a failure to fully fund this and that program. When the authorizing legislation is being considered as it is today I would like to see more discussion upon what basis the funding figures were determined. In our Appropriations Committee we make every attempt to get a dollar's value for a dollar spent or appropriated. On many occasions the testimony dictates that we appropriate less than what has been authorized but here lately we are being criticized because somebody outside says, "the commitment of such and such an amount was made in the authorizing legislation so why do you not fully fund the program?"

Well, my answer has been that we can only appropriate that amount which the testimony shows can be spent wisely and prudently. If we do otherwise, we are not doing our job and we default on our responsibility.

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

Mr. MICHEL. I regret that. Perhaps under the 5-minute rule we will have an opportunity to develop this a little further, because I believe it is a very important point to develop.

Mr. REID of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 14252, to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes.

First, I wish to commend the fine and diligent work on this legislation by the distinguished chairman of the subcommittee (Mr. BRADEMAS) and by the gentleman from Washington (Mr. MEEDS) the author of this bill. Further, I wish to note the contributions to this legislation by Mr. STEIGER, Mr. HANSON, Mr. COLLINS, and Mr. LANDGREBE. Hearings on this controversial issue were conducted with sensitivity and understanding.

I think that all Members are familiar with the very high incidence of the use of drugs, ranging from marihuana to LSD to hard narcotics, among all age and socioeconomic groups. Testimony last month by the Director of the National Institute of Mental Health, Dr. Stanley Yolles, indicated that there are probably about 100,000 to 125,000 active narcotic abusers in the United States and about 8 to 12 million Americans who have tried marihuana at least once. Indeed, there is some evidence that as many as 50 percent of the students in selected urban and suburban high schools have had some experience with marihuana.

There is no question but that the use of drugs, in all forms, is on the increase, that this use is not confined to the casual experimenter or the college student. Equally, I think that recently there has been some evidence that youngsters of only 10 or 11 are using drugs and that these children and older users of marihuana are moving on to heroin and harder drugs when the supply of marihuana contracts.

Our purpose today, however, is not to discuss whether such use is good or bad, or whether penalties for such use should be relaxed or increased; nor the medical or legal approvals to our situation. Surely, these are very relevant concerns and I hope that they will be debated on this floor at a later date. But our concern today is to accept the fact that most forms of drug use are on the increase and to take appropriate steps to see to it that the American public, and especially the young men and women, are informed about the dangers of or the lack thereof of certain drugs.

The legislation before us would authorize the Secretary of Health, Education, and Welfare to make grants to local education agencies and other private and nonprofit organizations for community education programs in drug

abuse. These would be in schools and other facilities for children and parents alike. In addition, the legislation seeks to encourage the development of new and improved curricula in drug abuse education and to demonstrate and develop educational materials on drug abuse, as well as to indicate their effectiveness in model programs. There is also a serious lack of teachers and counselors to provide instruction on the dangers of drug abuse which this bill seeks to alleviate.

The bill would also set up an Interagency Coordinating Council on top Federal officials concerned with drug abuse education in an effort to coordinate the activities of the Federal Government in this area. In its different facets, drug abuse is a matter of concern to the Department of Justice, to the Department of Health, Education, and Welfare, to the Office of Education, to the National Institute of Mental Health, and other Government agencies. One of the principal problems with any drug abuse education program is to insure that all relevant offices are contributing their particular expert knowledge and technical skills to the common cause.

Finally, H.R. 14252 would establish an Advisory Committee on Drug Abuse Education, consisting of persons familiar with the several facets of the problem, to assist in reviewing grant applications.

Appropriations are authorized in the amounts of $7 million for fiscal year 1970, $10 million for fiscal year 1971, and $12 million for fiscal year 1972.

However, Mr. Chairman, I am concerned that the current state of our scientific knowledge of the effects of marihuana and some other drugs is such that it will be difficult to provide objective scientific information to use as a basis for these programs. As the New York Times commented editorially last month:

> If marihuana is indeed harmful, then a staggering percentage of the rising generation is headed for disaster and drastic curbs are in order. If it is not, then hundreds of innocent users, police, school officials and parents, are being put through an ordeal as useless as it is psychologically damaging.

The fact of the matter is that we just do not know really who uses marihuana, to what extent, and what its effects are at both short and long range. President Nixon, in his message to Congress on drug abuse, said:

> Proper evaluation and solution of the drug problem in this country has been severely handicapped by a dearth of scientific information on the subject—and the prevalence of ignorance and misinformation.

The National Institute of Mental Health now has a number of studies in progress, and others are underway financed both through Federal funds and private sources. In a recent letter to me, Dr. Roger O. Egeberg, Assistant Secretary of Health, Education, and Welfare for Health and Scientific Affairs, stated:

> The department, through the National Institute of Mental Health, is placing heavy emphasis on the support and conduct of research in the area of narcotics and dangerous drugs, and the dissemination of scientifically accurate information about these agents. We are convinced that only through such efforts can we develop a firm basis for public decisions in this critical area.

For example, I think that before we can effectively determine the penalties for possession and use of marihuana, we should know as precisely as possible what its immediate and long-term effects are, both physiologically and psychologically, and the nature of the relationship between marihuana use and the abuse of other drugs. Some of the most eminent medical authorities are divided in their answers to these questions, and I do not see how we could presume to prescribe penalties for use of marihuana before we know what we are dealing with. In short, we must focus the attention of the country on the realities of marihuana usage—whatever they may turn out to be—and not the fears.

I think that the bill before us is the first step in this information process, and I urge that it be approved.

Mr. PERKINS. Mr. Chairman, I yield the remaining 2 minutes to the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Chairman, in 1962 the White House Conference on Narcotics and Drug Abuse reported:

> The general public has not been informed of most of the important facts related to drug abuse and, therefore, has many misconceptions which are frightening and destructive. This situation is due to many causes, among which are the failure of the schools to recognize the problem and provide instruction of equal quantity and quality as that provided for other health hazards.

Since 1962, the use of drugs by our young people has increased at an alarming rate. We are presently witnessing a crisis in drug abuse among our younger citizens. From January through June of this year, nearly 65,000 persons were arrested in California alone on drug abuse charges; some 20,500 of them were under 18 years of age. This is a 50-percent increase over arrests for a similar period in 1968.

A 1968 Gallup poll revealed that 6 percent of the students polled at 426 colleges had used marihuana at least once. Dr. Stanley Yolles, Director of the National Institute of Mental Health, has estimated that 25 to 40 percent of all students have at least tried marihuana. He suggested that 12 to 20 million Americans have smoked it at least once.

The drug problem is not limited to college students. The pushers of drugs will sell their product to anyone who has the money. An article in the October 30 Washington Post revealed a shocking story. I commend my colleagues to this story and include it in the RECORD:

> Police today arrested 7 alleged dope pushers in front of a Bronx elementary school and confiscated about $250 in change they said was spent by the preteens to satisfy their drug habit.
>
> The pennies, nickels, dimes and dollar bills were originally intended to buy school lunches for the children, officials said.
>
> Police said they seized 100 decks of a substance believed to be heroin, six ounces of a reportedly pure heroin, and a capsule of cocaine. Also taken into custody was some reportedly stolen merchandise used by the elementary school children to buy the narcotics.
>
> A gang of pushers, according to officials, worked outside the school in South Bronx for almost a month. Officers said the gang operated only between 7 a.m. and 9 a.m. when the children went to school.

What can we do to stem the rising tide of drug abuse? We must deal with this problem on all fronts, but two prime areas of immediate concern are first, to educate the students, the parents, and the total community on the dangers of narcotics. The other is to enforce stringent penalties on the suppliers of these dangers to society.

The Drug Abuse Education Act, H.R. 14252, is designed to educate the parent as well as the child, so that the entire community can be aware and will be prepared to cope with this major problem. Without the facts, parents may not know how to handle children who experiment with drugs. Without facts, teenagers may not realize the irreparable damage they may be causing themselves by experimentation with hallucinatory preparations. Educating them is one of the most rational ways to approach this ever-increasing menace.

We need to take drugs out of the realm of the myth and into the realm of reality. The information is available; we must get this to the places where it is needed the most—to the children, to the parents, to the teachers, to the community. With the pertinent knowledge we can combat the evils of drugs. The noted Frenchman, Maurice Chevalier, said:

> Many a man has fallen in love with a girl in a light so dim he would not have chosen a suit by it.

Let us take drugs—their use and abuse—out of the darkness and into the light where an informed citizenry can know the truth about drugs.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of H.R. 14252, the Drug Abuse Education Act of 1969, and I commend the gentleman from Washington (Mr. MEEDS), and those other Members who joined him in cosponsoring this most worthwhile legislation.

Last year, the Congress enacted the Drug Abuse Control Amendments of 1968, Public Law 90–639, which provided for realistic penalties for the possession and sale of LSD, amphetamines, and barbiturates. I had the privilege of sponsoring that legislation and I am very much aware of the seriousness and the extent of drug abuse in this Nation.

I support the proposed drug abuse education programs which will be made possible through this legislation because I believe that through education we will be able to effectively inform the young people, and their parents, about the inherent dangers of drug abuse, and the personal, social, and economic consequences of the problem.

Because drug abuse is not only a matter of education and law enforcement, but also one of health, I am hopeful that the Commissioner of Education will properly coordinate his activities under this act with the proper health officials within the Department of Health, Education, and Welfare in order that the act may be fully effective.

Mr. BIAGGI. Mr. Chairman, I believe we all realize that drug addiction is one

of the most insidious scourges of our time, competing as it does with the minds and bodies of our young people.

It is a serious challenge which must be met by marshaling the efforts of appropriate Government agencies. For that reason, I strongly support H.R. 14252, a bill that seeks to strike at the heart of the problem—the lack of knowledge on the part of the average citizen, young or old, on the dangers of improper drug use.

This bill would authorize the Secretary of Health, Education, and Welfare to make grants for special educational programs dealing with the perils of drugs. If we are to make any progress in controlling the spread of drug addiction, educational programs are absolutely essential.

Drug use has been increasing in our Nation at an alarming rate. The FBI noted in its 1969 annual report that the number of arrests for drug violations increased by 329 percent since 1960. Early this year, the Department of Health, Education, and Welfare indicated that drug abuse had almost reached epidemic proportions.

The spread of the drug menace is not confined to any one racial, social, or economic group. It is a problem that exists in upper and middle-class communities as well as in the ghetto.

I am certain that the problem has grown to such proportions largely because there is a lack of authoritative information and creative projects designed to educate students and others about the dangers of drug use.

There are cities in our Nation that attribute 50 percent and more of their crime to drug addicts who must steal to support their habits. I have often said that if we can combat the drug problem, crime on the streets would diminish considerably.

The educational programs that would become a reality upon the enactment of H.R. 14252 are surely a step in the right direction.

Mr. BUCHANAN. Mr. Chairman, because I share the very deep concern of parents, health officials, law-enforcement officials, and Members of Congress from all across this Nation, some months ago I joined my distinguished colleague from Washington (Mr. MEEDS) in introducing the measure before the House at this time—The Drug Abuse Education Act of 1969. I commend the gentleman for his initiative in working toward a solution to the growing problem of drug abuse. The Committee on Education and Labor is also to be commended for their recognition of the urgent need for this legislation, and for even strengthening the original bill through increased authorizations.

The alarming increase in the circulation of LSD, marihuana, barbiturates, amphetamines, and even cocaine and morphine among our Nation's young people has indeed become a problem of critical national importance. The committee report on H.R. 14252 contains information from the August 1969 FBI annual crime report indicating that the number of arrests for drug violations had increased by 329 percent since 1960. For persons under 18 years of age, the increase for drug arrests was 235 percent.

The problem becomes even greater in magnitude when one considers the many ways in which drug abuse adversely affects our Nation and its citizens. We are all certainly aware of the very injurious effects of drug abuse on a person's physical health. Such injury to health can occur, furthermore, even when drugs which are normally helpful and medically necessary are used in the wrong way. When drug abuse leads to drug addiction, however, we have a problem which lies at the heart of our Nation's equally alarming problem of the rapid increase in crime. An increasingly large number of robberies, with the accompanying assaults and homicides, are performed by drug addicts who must result to crime in order to feed their expensive habits.

There is no question but that Federal, State, and local law enforcement officials must continue and indeed increase their efforts to crack down on drug traffic and vigorously enforce narcotics laws. The commendable efforts of this administration toward stopping the importation of dangerous drugs into this country should also be continued. I am firmly convinced, however, that substantial inroads into this problem can only be made by adding to the above measures a concerted effort to better inform our citizens on the dangers of drug abuse. I am equally convinced that by more thoroughly familiarizing people—and particularly young people—with these dangers, there will be a significant reduction in the incidence of drug use in this country.

The Drug Abuse Education Act will provide this crucial information to our citizens in a coordinated Federal program. Funds are authorized under the act to devise and evaluate new drug education curriculums; to provide training programs for teachers, counselors, law-enforcement officials, and other community leaders; and for community education programs on drug abuse. An Interagency Coordinating Council—including the Secretary of Health, Education, and Welfare, the Attorney General, and other Government officials—would be created to coordinate the activities of the Federal Government in the area of drug abuse education. The act would also provide for an Advisory Committee on Drug Abuse Education, composed of professionals in the field of drug abuse, who will review applications and make recommendations on grant applications.

Funds authorized to carry out the provisions of this act include $7,000,000 for fiscal year 1971, $10,000,000 for fiscal year 1972, and $12,000,000 for fiscal year 1973. The Secretary of Health, Education, and Welfare would be empowered with the authority to make grants for educational programs and activities, with the advice of the Advisory Committee.

Although most educators and others connected with the drug problem have recognized the need for improved drug education programs; their efforts have been severely hampered by a lack of effective teacher training, the necessary training materials, and the funds with which to set up programs. The committee received testimony from a great many of these people expressing an intense desire for information and educational programs. With the passage of the Drug Abuse Education Act such information and programs can be provided, and it only remains for us to answer this critical need. I cannot urge too strongly that this vital legislation be approved by the Congress.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Abuse Education Act of 1969".

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

Mr. Chariman, today I have previously filed remarks in the body of the RECORD concerning the Drug Abuse Act and the need for legislation in the areas.

I am for this bill. I compliment the committee on bringing it out. I believe in what the bill does. I think we need more education, more pilot projects.

Mr. Chairman, I have probably treated more drug addicts than all others in this room together have ever seen, certainly having originally staffed the hospital at Louisville after it was buit in the service of the Army and turned over as the U.S. Public Health Service narcotics hospital after World War II.

Be that as it may, there is a real problem facing this Nation today in the form of drug addiction. Certainly, we need education and a program a lot like this.

Many of us will recall when the three doctors in this House of Representatives obtained from the Navy a demonstration film and invited all Members and their staffs to attend the showing of the film depicting the dangers of LSD, including the flash-back syndrome thereof which negativizes the use of any sailor under confined circumstances for months thereafter. I am sorry to say that less than a dozen of the Members of Congress and less than 40 members of the staffs attended that repeated showing of the film. I have taken the trouble to obtain a copy of that film and have used it through the Youth Advisory Council and have made it available to everyone else in my district, because I attach this importance to this problem.

But, Mr. Chairman, I am concerned about those "bleeding hearts" and so-called "do gooders" who would get up and say that the drug problem is not taught in our medical schools and that the medical profession has not done anything about it.

I believe a lot of people here today would be worrying more about this problem had the medical profession for years in our medical schools not been teaching the dangers of drugs from the time of the teaching of the basic sciences on up through graduation, to say nothing of the hospitals and the interns and the

residents, even though they receive very low pay and had not been serving to treat solely these people.

Mr. Chairman, I believe in people like Dr. Anslinger who headed the Narcotics Bureau for over 30 years and, had he not been working with the medical problems of the armed services as a whole during World War II involved in the use of narcotics, we would have had a greater problem through the necessary use of Syrettes in first-aid pockets, and so forth.

Mr. Chairman, it grieves me to have people to say flippantly in passing or in order to demagog or make a point more indelibly that the medical profession does not recognize this problem.

I say that we should let the medical profession use their expertise where it is needed. We should keep the penalty in law in the justice people, and those who police us, where needed, and we should never take the advice of social do gooders and those of mere social concern in formulating such laws as this.

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

Mr. HALL. I will be glad to yield to the young man from Indiana.

Mr. BRADEMAS. I thank the gentleman. I thank the old man from Missouri for yielding to the young man from Indiana.

I appreciate that the gentleman from Missouri is one of the few physicians in this body, and I want to say to him that no witness made a more effective contribution to this legislation than the witness from the American Medical Association. And that fact, I may say to the gentleman from Missouri, is represented by the fact that in the committee report we cite at substantial length on page 6 the superb testimony of Dr. Henry Brill, the chairman of the Committee on Alcoholism and Drug Dependence of the American Medical Association Council on Mental Health.

Mr. HALL. I have read the report in detail, Mr. Chairman. I know exactly what it says. I helped commission Dr. Henry Brill during World War II in the Army. I know exactly what he said, and it is because of that very reason that I resent the flippant remark that the medical profession is not interested in this problem, on the floor of this House today.

Mr. BRADEMAS. Will the gentleman yield further?

Mr. HALL. Yes, I will yield.

Mr. BRADEMAS. I do not recall—and I sat here throughout the entire debate, as the gentleman knows, and have taken part in it—any statement by any Member of this body that the medical profession was not interested in this legislation. And if the gentleman will show me where that is I will buy him a good steak dinner.

Mr. HALL. I think the gentleman can find it in his own RECORD when he reads it tomorrow.

Mr. BRADEMAS. Will the gentleman yield further? If he will, I will show him the RECORD before it is corrected, and I will buy the gentleman three steak dinners if he can show me where the gentleman from Indiana said that.

Mr. HALL. I do not think I would care to sup at the gentleman's table.

Mr. BRADEMAS. I would not think that you would.

Mr. Chairman, I demand that the gentleman's words be taken down.

Mr. HALL. Mr. Chairman, I refuse to yield further.

Mr. BRADEMAS. Mr. Chairman, I demand that the gentleman's words be taken down.

The CHAIRMAN. There has been a request that the gentleman's words be taken down.

Mr. BRADEMAS. I just want the gentleman to know that he is not speaking the truth.

Mr. GROSS. Mr. Chairman, a point of order, if he is going to insist on his demand——

Mr. BRADEMAS. I will be glad, in the spirit of amity, to withdraw that demand and renew my offer of three steak dinners.

The CHAIRMAN. The demand is withdrawn.

The gentleman from Missouri is recognized for the balance of his time.

Mr. HALL. Mr. Chairman, I subscribe to the statement made by the gentleman from South Carolina about putting first priorities first, and about putting the right key in the right keyhole, as far as effectively effectuating this report and the legislative bill, which I support, and to which I have and will lend my unstinting support except in the matters on the funding, which obviously have been proved to have had inadequate consideration.

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

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. ADAMS, 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. 14252) to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and other related educational purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill, H.R. 14252, and that all Members who may desire to do so be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12982) entitled "An act to provide additional revenue for the District of Columbia, and for other purposes."

REQUEST TO MEET AT 11 O'CLOCK TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I think I shall have to object to this request. It simply means that tomorrow morning, if there are any committee meetings scheduled for tomorrow morning they will be interfered with, and the afternoon of course will be devoted to legislation.

Mr. Speaker, I must object.

The SPEAKER. Objection is heard.

OPERATION SPEAK OUT

(Mr. BERRY asked and was given permission to address the House for 1 minute and include extraneous matter.)

Mr. BERRY. Mr. Speaker, few can deny that the so-called Moratorium Day of protest has not given new confidence to the enemy. The Hanoi delegates to the Paris peace talks have decided to lean back and wait, for it appears to them that America is splitting at the seams.

It is time we demonstrate to North Vietnam that the spirit of patriotism still exists in this country, and that the October 15 Moratorium Day was nothing more than a distorted view of the feeling of a small minority of people in this country.

I wholeheartedly commend the Veterans of Foreign Wars who have taken the initiative in this matter and have called for patriotic Americans everywhere to join with them in "Operation Speak Out," a program designed to encourage the silent majority to show their support for the Government on the Vietnam question during the week of November 9 to 15.

National Commander in Chief Raymond A. Gallagher, one of my constitutents in South Dakota's Second Congressional District, has called upon all other national organizations to join the VFW in this undertaking.

I insert in the RECORD the remarks of Commander in Chief Gallagher. His comments, entitled "This We Believe" should be read by every Member of this body.

THIS WE BELIEVE

(By Raymond A. Gallagher, Redfield, S. Dak. Commander in Chief of the Veterans of Foreign Wars of the United States)

The single greatest problem we face today in the United States is the security of our country because today our organization is fearful that too many people have forgotten just why we are in Vietnam and we are resentful of those who would, for reasons of political expediency, or any other reason, retreat from Vietnam no matter what the

cost. The Veterans of Foreign Wars of the United States believes that our cause is just and right and proper in Vietnam, and we intend to challenge loudly and clearly those divisive elements in this which would back down from the challenge of Communism and sell out our men on the fighting front.

I say to you that it is high time that some of our amateur diplomats, armchair generals and would-be presidents in our nation be reminded that their continuing harsh and distorted criticism of America's continuing stand against aggression in Vietnam is harmful to the success of our mission and to the security of our nation.

It may not be their intention, but these self-appointed experts of international military and political strategy are providing false hope and misleading comfort to the enemy. They—no less, and perhaps even more, than the so-called anti-war demonstrators—are actually helping to prolong the war rather than to shorten it, as they so zealously claim is their objective. Their expressions of dissent and protest provide the North Vietnamese with a reason to believe that they can achieve the victory our men in uniform are denying them on the battlefront through a split in our ranks on the home front.

The divisive antics of the peaceniks, beatniks and draft card burners, can perhaps be blamed on ignorance or immaturity. It is difficult, however, to find any excuse for the increasing tendency of certain members of Congress and other elected officials to assume they somehow have acquired a special insight and wisdom which qualifies them to render better judgments on policies and actions of the Secretary of Defense, the Secretary of State or the Commander-in-Chief.

Never in the history of our nation has there been a greater need for national unity and support of our constituted leaders. The withholding of traditional bi-partisan Congressional support from the President in the conduct of foreign policy can only serve to undercut his bargaining strength with our enemies and diminish his stature among our friends.

Our military leaders report that our military position in Vietnam is sound. We have gained the offensive and the enemy has sustained crippling losses in men and materials. However, although the North Vietnamese can find little comfort in the trend of the war itself, they have only to read the statements of some of our Senators and Representatives to find reason to believe they can outlast our will even if they cannot outgun our fighting men.

It is difficult for our enemies to understand that America's freedom to debate and dissent does not mean a lack of resolve to honor our commitments. Too often they quote the words of our debaters and dissenters in their newspapers and on their broadcasts as a means of bolstering the morale of their own fighting men.

It is indeed unfortunate that the pressure that our guns and bombs bring to bear on the enemy in an effort to lead him to serious negotiations in Paris is continually negated by the words of the dissenters in this country.

Some of the dissenters say we should halt all bombing. Yet they do not ask that the enemy provide any assurances that he will respond with a comparable de-escalation in military activity, or that he will not use the occasion to build up his weaponry and manpower so that he can launch new offensives and kill more of our American troops.

Some of the dissenters want to restrict our military activities to the defense of isolated enclaves. Yet they do not explain how this will help the South Vietnamese achieve freedom for the people outside these limited areas or how this will help resolve the conflict.

Some of the dissenters even call for a complete withdrawal of our troops. Yet they do not say how we can explain this abrogation of our commitment to the other small nations of the free world who look to us as a bulwark against Communist aggression.

The dissenters do not have a monopoly on a desire for peace.

The administration has honored cease fire agreements during certain holiday observances, but the enemy has used them to infiltrate our lines and reinforce his positions.

The administration has conferred with every interested nation and used every available channel, including the United Nations . . . in its efforts to find some method for bringing about a meaningful cessation of hostilities.

Peace, unfortunately, cannot be achieved merely by making speeches on the floors of Congress or by holding demonstrations in the streets of our cities. And peace cannot be brought about by one side alone.

The enemy must be made to realize that he cannot achieve his goals of expansion and domination by military aggression. He must understand that this nation is committed to the defense of freedom in South Vietnam and that this nation honors its commitments. He must not be permitted the luxury of drawing hope. no matter how unjustified, from the misleading statements of the dissenters within our midst.

We do not need another pause in the bombing of North Vietnam to convince Hanoi of our desire for peace. We tried that, and it didn't work.

What we need to try now is a pause in irresponsible dissent to demonstrate our strength of purpose and unity of spirit. President Kennedy said "the cost of freedom is always high but Americans have always paid it. And one path we shall never choose, and that is the path of surrender of submission."

The path to a just peace is the one where we present a unified front to the enemy, so that he will not fail to recognize the futility of his aggressive course of action. The Veterans of Foreign Wars, therefore, call upon our Senators and Representatives to support our administration in fulfilling its pledge to support our fighting men in Vietnam and to work for a just and honorable peace in Vietnam.

Yes, we have reached a critical juncture in the history of our country. I urge you to raise your voices now. Make them ring with patriotism and devotion to country. Do not stop until they echo through every hamlet and city in the country. Do not permit yourselves to be shouted down by anarchists. Be not shamed into silence by soulless intellectuals and egg heads. Speak out above the ridicule of Communist sympathizers. This is your country. You have fought for it as brave men fight for it today in South Vietnam. Do not forsake it. Never has the nation been more in need of your wholehearted support and understanding. Never has it been more dependent on you for survival.

The Veterans of Foreign Wars will cry out. We shall be heard. We shall not be found wanting. We shall meet this challenge of today as we have met the great challenges of the past.

RURAL REVITALIZATION AS PRACTICED BY LIBERAL, KANS.

(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, as many of us from rural America know, there is a very real crisis today in agriculture as farm income fails to keep up with the higher wages and benefits of urban life. Unfortunately, the story of depressed rural communities and the plight of the family farmer has not received much public attention in that the spotlight of publicity has been focused primarily on our Nation's urban centers.

More and more rural Americans are discovering the best and most immediate answer to rural revitalization lies in the basic philosophy that self-help is best help. It is with this basic philosophy that rural communities have learned to become alert to economic changes in their home area which may open up new avenues of opportunity. In short they have learned to help themselves.

A wonderful example of this kind of self improvement is in Liberal, a southwest Kansas city of 12,000. The citizens of Liberal have taken advantage of changing conditions in agriculture and recruited new industry. The National Beef Packing Co., designed to process 2,000 head of cattle daily, opened its Liberal plant late last month.

It is most important to understand the real impact an industry of this sort can have on a community and the surrounding area. The plant is already having a catalyst effect throughout southwest Kansas. We are on the crest of a wave of new optimism and western Kansas is fast becoming a cattle industry center.

As wheat becomes less profitable and irrigation more common, many farmers are turning to the production of corn, milo, and other feed grains. The feed grains have made possible expanded cattle feeding operations. But, until a packing company came to the area, both feed grains and feeder cattle were being shipped to other States.

The National Beef Packing Co's. Liberal plant makes it possible for southwest Kansas to take full advantage of increased cattle and feed grain production. Liberal was a natural location for this packing plant operation. During negotiations with the National Beef Co., the Liberal Chamber of Commerce conducted a survey showing some 3 million head of finished beef cattle coming out of feedlots annually within a 200-mile radius and production has no doubt increased greatly since then.

All of rural America should be able to profit by Liberal's example—a new industry that now employs 250 people, that will employ 250 more after expansion, an economic shot in the arm for the feed grains and cattle industry, for feedlot operators, farm machinery outlets and the whole agribusiness community. But perhaps most important, the story of the National Beef Packing Co. plant and the city of Liberal illustrates how rural America can help its own economic advancement. The city of Liberal has again proved that self-help is best help.

TAX REFORM AND MUNICIPAL BONDS

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

Mr. WOLD. Mr. Speaker, during the past several weeks we have heard much talk about the provisions of H.R. 13270, the tax reform bill. Recently we were greeted by headlines saying the Presi-

dent would veto the bill unless changes were made to bring revenue losses more in line with revenue gains.

I am not unaware of the great amount of time and effort that went into the writing of this bill. The actions of the President and the other body raise some questions about the House-passed bill since we are all committed to tax reform.

To me the answer is quite clear. Substantial portions of the bill were ill considered—not out of intent but from haste. As you all know we had less than 72 hours to pass judgment on the voluminous bill from the time it was reported to the floor.

One of the most ill-considered portions of the bill, in my judgment, is the section dealing with municipal bonds.

To me, it makes little sense to destroy the ability of local government to finance itself in an attempt to get at a handful of taxpayers who invest heavily in tax-exempt bonds and thus pay little or no tax. There are far better ways to insure every American pays his fair share of taxes.

Much has been made of the fantastic increases in the Federal Government's budgets over the past decade. The increases, however, have not been relatively as great as has spending by local and State governmental units.

The reason for this trend is quite simple: State and local governments still provide the bulk of the essential services to the public in education, in the maintenance of public order, public health, housing, and welfare. Indeed the primary responsibility for basic governmental services remains at the level of government closest to the people—our States and municipalities.

Yet local units of government are not able to employ the most effective device for generating revenue—the income tax—because the Federal Government has effectively preempted it.

With the income tax effectively closed to them, municipalities have had to resort to the sale of bonds to meet their burgeoning needs for revenue. This reliance is shown by figures estimating that during the 20-year period from 1955–75, the total outstanding debt of State and local governments will increase from $44.3 billion to $169.4 billion.

And what has been the reaction of Congress to the needs of the municipalities. If the proposed change in tax rules for municipal bonds is any indication of our attitudes, I submit they are negative.

The proposals dealing with municipal bonds will have far-reaching effects if enacted. Indeed, I have heard from any number of constituents from my district, the Great State of Wyoming, who say the proposals would effectively destroy their ability to meet their responsibilities. These are responsible people making such statements—mayors, school superintendents, and other elected officials—not the people who benefit from the current laws.

Enactment of the proposal would effectively force local government to look even further to Washington to solve its problems.

I ask you, "Can we take on additional local responsibilities?" I think not. Even if we were prepared to spend the money, which is doubtful, the lessons of the past decade have shown Washington does not have the capability to effectively analyze and solve all local problems.

The other body has acted to change the municipal bond provisions of H.R. 13270. I would urge this body to take the same course in conference.

LINKLETTER TALKS TO THE CHILDREN

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

Mr. BLACKBURN. Mr. Speaker, Art Linkletter, following the tragic death of his daughter, has done an outstanding job of alerting the youth of our Nation to the dangers inherent in the use of drugs.

Reg Murphy, editor of the Atlantic Constitution, calls attention to Mr. Linkletter's efforts. The message should be observed by all.

LINKLETTER TALKS TO THE CHILDREN

(By Reg Murphy)

Art Linkletter is an unlikely counter-revolutionist, but he is having an impact on some young Americans.

Watch any junior high school student as he listens to Linkletter's new album, "We Love You . . . Call Collect." You will see a child getting hit right in his bittersweet adolescent emotions.

The record itself is a cliche of country music—a letter from a father to his 16-year-old runaway daughter, read with emotion to the accompaniment of moaning woodwinds.

Linkletter tells how Mother is standing over his shoulder watching him write. She approves of what he says and lets him know by touching his shoulder affectionately.

The message itself is a lonesome, wounded cry from a father for a child facing dangers she cannot imagine. With breaking voice, he urges the girl to call collect.

What makes the record different is that Linkletter is doing it. He has been a humorist and television host. He did a college lecture series a few years ago which was highly successful.

About two weeks ago, you may recall his own daughter jumped out a window and died in the fall. Perhaps you will recall that Linkletter said this was no suicide. Rather, he called it murder by a manufacturer of LSD who was hungry for dollars.

That message got home to a part of young America. Nobody can even guess how many children heard and understood and are being moved by what Linkletter said. Perhaps there were only a few here and there.

That few, though, could start the counter-revolution against the widespread use of drugs. Talk to the youngsters who do remember it, and you will see anger welling up in them. It is directed at the dope pushers and manufacturers who have so tormented them.

If they should decide to banish the racketeers and profiteers, they could be more effective than any number of narcotics agents. They might, if they get the idea that the lives of their friends are being harmed or destroyed by the peddlers.

Dope now ranks as a major concern of students as young as the eighth grade. They talk about it and think about it among themselves—and occasionally with a sympathetic adult.

Linkletter is particularly effective with this group. There always has been some chemistry between him and children. His books, "Kids Say the Darndest Things," have appealed to sentimental mothers, but they also have quoted the children with a particularly touching sympathy.

The new record album also is a study in understanding. He confesses that he failed "to read the silences" in his daughter. And he admits that he sometimes has been too afraid to allow the freedom his daughter needed.

Ask if it is a tear-jerker, and the answer is yes. It is also sensitive, and it speaks to a generation just emerging into these hard questions.

I don't know whether it was recorded before tragedy befell Linkletter's daughter. I do know that it speaks to the wave of children who follow her.

SUPREME COURT DECISION PERMITS SPARK THAT CAN IGNITE OUR INVOLVEMENT IN WAR

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

Mr. TALCOTT. Mr. Speaker, under the holding of a Supreme Court decision, Afroyim against Rusk, American citizens can serve in the armed forces of Israel, Jordan, Lebanon, or any other friendly nation without jeopardizing their citizenship. Under the same decision, an American citizen can serve in the armed forces of an enemy nation without losing his U.S. citizenship. He can engage in military action against our country and still maintain his U.S. citizenship.

Numerous American citizens have served in the Israeli armed services during the last few years.

An American citizen can serve as an elected official in the highest legislative, administrative, or executive branch of a foreign, enemy, or allied government. He can literally declare war on the United States and retain his U.S. citizenship.

This Supreme Court decision applies to natural and naturalized citizens. A foreign national can purposefully obtain his naturalized U.S. citizenship, return to his native country, vote in elections in his native country, serve as an official in his native government, participate in a declaration of war against the United States, volunteer for service in his country's armed forces against our Nation, inflict casualties against our military personnel and civilians—all without losing or even jeopardizing his U.S. citizenship. Incredible? Yes. Impossible? No. Correct? Yes.

The Supreme Court held, in effect, that no U.S. citizen can lose his U.S. citizenship unless he intentionally and voluntarily, in writing, renounces his U.S. citizenship. Presumably, such renunciation could be conditional and limited.

Under this interpretation of our Constitution, the national interests of the United States can be prejudiced and gravely endangered.

U.S. citizens with multinational allegiances, or with allegiances paramount to the United States, or with allegiances adverse or detrimental to the United States, can cause or provoke embarrassing confrontations among nations whose relationships are now delicate, estranged, hostile, or in open warfare with the United States.

It is not difficult to imagine an Israeli-American pilot strafing an important

city in Egypt, or a sacred place in Cairo, and setting off an ugly, regrettable incident inculpating or involving the United States. It would be easy to initiate an international incident in the tinderbox of the Middle East.

A Lebanese-American pilot could easily strafe a Soviet vessel. It takes little imagination to contemplate the disastrous consequences which could follow the ascertainment that a U.S. pilot sank a Soviet ship in the Mediterranean.

U.S. citizens can travel to Hanoi and do all manner of acts to aid, abet, and prolong the war against us—and thereby cause deaths of their "fellow citizens" and our allies—and still maintain their U.S. citizenship.

There are myriads of other ways in which U.S. citizens can flaunt their citizenship, aid and abet the enemy, aline themselves with the enemy, or designedly inflame hostilities between the United States and some other nation or nations.

This terrifying situation could easily be avoided by authorizing the Congress to establish laws regulating the revocation of the U.S. citizenship of any citizen who voluntarily serves as an elected official, or in the military forces, of another nation.

An essential ingredient of national citizenship ought to be exclusive allegiance to one Nation.

If citizenship cannot be revoked for any cause, no matter how heinous, treasonable, or detrimental to the Nation, then citizenship in our Nation loses its worth and esteem. The citizenship of every citizen is degraded to the level of the multinational citizen or the citizen who flaunts his U.S. citizenship.

How can it be possible for a resident of one nation to claim the rights and prerogatives of that nation and give paramount allegiance to another nation?

Somehow we ought to clearly notify all other nations that any untoward act of a multicitizen is not the act of our Nation. We can only do this by revoking U.S. citizenship when one of our citizens acts for, and on behalf of, another Nation.

I speak out on this very special and limited aspect of U.S. citizenship not only to forewarn Members of the Congress and citizens of our United States of a likely calamity that may result as a consequence of the Afroyim against Rusk decision of the Supreme Court, but to urge adoption of a constitutional amendment to permit the Congress to establish laws providing for the revocation, as well as the granting, of U.S. citizenship. It seems strange that the Congress can enact laws regulating the granting of U.S. citizenship but cannot enact law regulating the revocation of U.S. citizenship.

STOCK MARKET CRASH IN 1929

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

Mr. CORMAN. Mr. Speaker, on October 29, 1929, America experienced Black Tuesday—a date that spelled doomsday for the stock market, and ushered in a troubled era.

Forty years from that date—yesterday—October 29, 1969, America experienced an event that spelled doomsday for lawlessness in this country in the field of racial justice. It ushered in a better day for the Nation.

All of us who are dedicated to the principle of law and order hailed yesterday's decision by the Supreme Court that no longer can a fundamental right be denied to 45 million American schoolchildren; no longer will this Nation tolerate the lawlessness that has forced these millions of children to attend racially segregated schools.

We have regretted the apparent reluctance of the Attorney General, the Secretary of Health, Education, and Welfare, and the President himself to vigorously and unequivocally end the lawless practice of the dual school system. We hope, now that the standard of so-called "all deliberate speed" is no longer constitutionally permissible, that the Nixon administration will enforce the law and terminate the dual school system "at once," as the Court decreed.

American children—both black and white—who have been forced to attend illegally segregated schools have had before them a daily example of lawlessness, because each day they have been forced to attend illegally segregated schools. For some of these children, this defiance of the law has meant a degradation of spirit and a deprivation of an adequate education. For the others, it has instilled in them unfounded bigotry and prejudice, and a contempt for the law they saw broken every day.

Yesterday, the law of the land was again clearly spelled out. No longer could lawlessness be hidden behind the screen of "all deliberate speed." And, I would hope that this House would never again attempt to deny to law-abiding school administrators the tools with which to comply with the law—as it did by the Whitten amendment. It would be incredible for us to deny funds to the Federal Bureau of Investigation to enforce laws against organized crime. It is equally unacceptable to deny to the Commissioner of Education the necessary tools that would enable him to carry out the law that would end forever dual school systems in this country.

A law-abiding era began in 1954 when the Supreme Court, under Chief Justice Warren, outlawed deliberate segregation of our schools. This was practiced in some parts of our country in complete defiance of rights granted to all Americans by our Constitution. I am pleased that this era of law and order established by Chief Justice Warren 15 years ago has been supported and strengthened by Chief Justice Burger in his first major decision as Chief Justice of the Supreme Court of the United States.

THE FEDERAL CITY COLLEGE

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 15 minutes.

Mr. SCHWENGEL. Mr. Speaker, I note with profound satisfaction that Washington's recently instituted Federal City College has acquired the collection of American historical literature privately formed by Dr. Roy Franklin Nichols and his wife, Dr. Jeannette Paddock Nichols. This is a happy augury for the reason that no institution of higher education can ever be greater than the resources provided by its library. This is a truism demonstrated by experience, and it is fortunate that founders have acknowledged—have accepted—the requirement.

Thomas Jefferson, in laying out the University of Virginia, placed the library at the central eminence of those stately pavilions, lawns, and ranges. Yale was based upon the books of a company of ministers who met at Branford. Dartmouth grew from a gift of 20 volumes presented by William Dickson. At its beginning the University of Pennsylvania inherited the working library of Dr. Franklin's Academy. Of John Harvard it was written that he "was a Scholler and pious in his life and enlarged toward the country and the good of it in life and death." When he died of consumption on September 14, 1638, he left half his property and all his library to the college at Cambridge.

Distinguished accessions confer new statute and widened usefulness upon the institutions to which they come. When my lifelong friend, Judge James W. Bollinger, bequeathed to the University of Iowa his magnificent collection of Lincolniana, its library became at once known throughout the world as a rich storehouse for the study of the life and travails of the greatest American. And when that library received the literary library of Luther A. Brewer, proprietor of the Torch Press, in Cedar Rapids, it was instantly and firmly established as the center for work on Leigh Hunt, his life, his place in letters, his contemporaries, and his times.

It is these considerations which explain the portentous significance of the Nichols collection for the students and faculty of Federal City College.

Certainly the Nichols are, and for years have been, an outstanding couple in the scholarly community. A descendant of a passenger on board the Mayflower, Roy Nichols is a native of Newark, N.J. At Rutgers, where he earned his A.B. and M.A., he was elected to the Phi Beta Kappa Society and awarded the Sprader history prize. In 1921 he received his doctorate at Columbia. In 1925 he joined the faculty of the University of Pennsylvania where, until his retirement in 1966, he served successively as assistant professor, professor, dean of the graduate school of arts and letters, and vice provost. He has been visiting professor at Trinity College, Cambridge, and Fulbright lecturer in India. He is a past president of the American Historical Society, a past vice president of the American Philosophical Society, and a past chairman of the Social Science Research Council. His degrees and honors, include Litt. Ds. from Franklin and Marshall and Muhlenberg; LL.Ds. from Moravian College, Lincoln University, Knox College, an L.H.D. Rutgers, a D.Sc. Lebanon Valley College, and a D.C.L., University of Pennsylvania. His bibliography is extensive—too extensive to be repeated here, but it should be noted that in 1949 he won the Pulitzer Prize in history for his "Disruption of American Democracy," a study of the fateful quinquennium that preceded the outbreak of the Civil War.

Dr. Jeannette Nichols was born in Rochelle, Ill. At Knox College, in Galesburg—the birthplace of Carl Sanburg—she received her A.B. and M.A. degrees, and later an honorary LL.D. While a successful candidate for a Ph. D., at Columbia, she met and married Roy Nichols. At the University of Pennsylvania she has been an associate professor of history, and, since 1950, research associate in economic history. She has been a visiting lecturer at England's University of Birmingham, and a Fulbright lecturer in India and Japan. In collaboration with her husband and independently she is the author of many scholarly monographs and articles, and has been a contributor to the monumental "Dictionary of American Biography."

When word reached Dr. Paul L. Ward, executive secretary of the American Historical Association, that the Nichols collection had passed to Federal City College. He wrote:

To Whom It May Concern:

Jeannette and Roy Nichols are a unique team among the leaders of historical work in the United States today. Forty-five years ago their first works of historical scholarship were reviewed in successive issues of the *American Historical Review*, the lady, as was appropriate, preceding her husband by one issue. That first book of hers was on Alaska; his was the first of his many books and articles on the evolution of the American democratic process. By 1927 Roy Nichols was chairman of the Committee on Membership of the American Historical Association, and he has continued to play a vital role in the work and counsels of the Association ever since, serving as its President in 1966. Jeannette Nichols extended her special competencies to include international monetary relations, serving as consultant to the Department of the Treasury in 1944. *His* memorandum on "Current Research in American History" launched the Social Science Research Council in 1942 on the process of producing its memorable report of 1946 on "Theory and Practice in Historical Study", written by a Committee on Historiography on which *she* served. Two years later he published in the *Review* an article on "The Post-War Reorientation of Historical Thinking" which is now recognized as the first clear signal of history's attainment in this country of the sense of its own character which has characterized historical work ever since.

The two Nichols therefore symbolize to their fellow historians the high quality of leadership the profession enjoys, and its openness to cooperation and learning from the social sciences, and the practical world. The Federal City College can count itself honored to be the repository of the working library of these two distinguished scholars, itself the embodiment of their interests and of the leadership they have contributed to their chosen sector of American life.

PAUL L. WARD,
Executive Secretary.

And almost simultaneously from across the land, there came a telegram from an elder statesman, the dean of American historians and my old and honored friend, Allan Nevins.

This is evidence enough of cause for national gratulation.

ROONEY BLAMES CORPORATE PRESSURES FOR HIGH VOLUME SALES AS THE ROOT CAUSE OF MAGAZINE SALES FRAUDS

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 10 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, on numerous previous occasions I have commented in this Chamber upon various aspects of an investigation I began last February into complaints of widespread deceptive practices used to sell magazine subscriptions.

One of my first acts was to inquire of the Federal Trade Commission what authority it has to control deception and fraud in door-to-door sales activities and what specifically it was doing about unscrupulous magazine sales practices. I learned that the FTC had made some rather extensive investigations of magazine sales companies several years ago and that, largely as the result of those investigations, the magazine sales industry had proposed a code of fair practices for FTC endorsement. The code was to be administered by the Central Registry of Magazine Subscription Solicitors, an industry-sponsored agency for self-regulation. FTC reaction to the proposed code was generally favorable. The code subsequently won FTC endorsement in May of 1967 and went into effect in January 1968.

Thus, the code had been in effect for more than a year when my inquiry began. Nevertheless, based on the volume of complaints and other evidence of rampant deceptive practices in magazine selling which poured into my office within a few weeks, it was apparent the code was not achieving its purpose.

Gradually, the code's flaws became evident. It was not being administered forcefully. Procedures for channeling complaints to central registry were not clearly defined nor were they fully utilized by those traditional sounding boards for consumer complaints—local chambers of commerce, better business bureaus, and emerging offices of consumer affairs. Further, the code is not capable of providing expeditious action against violators, nor of stopping abuses from recurring. Central registry has no ultimate enforcement authority since its member sales agencies are voluntary members free to withdraw at will.

But what now appears to be the most serious flaw in the code's inability to control what I am convinced is the "root cause" of most subscription sales abuses. The deceptive sales pitch, the forged contract, the hidden gift subscription, are merely end products of corporate organizational structures and operational policies which are keyed more to quantity sales than quality.

True, some of these shortcomings can be surmounted and have been, at least to a degree. There are recent signs of more forceful administration, particularly since Mr. Stephen Kelly assumed the presidency of the Magazine Publishers Association earlier this year and had an opportunity to acquaint himself with many of the abuses. Through his initiative, the Magazine Publishers Association is demanding that its members which operate subscription sales agencies correct abuses that have prevailed in subscription selling for many years. I am pleased that my office and his have been able to develop a cooperative relationship which can only help to combat deceptive and fraudulent sales.

Recently, Mr. Kelly, as MPA president; Mr. Norman Halliday, MPA vice president for legislative affairs, and Mr. Robert Goshorn, executive secretary of central registry, met with members of my staff and myself to review steps being taken to stop sales abuses. A report submitted to me at that time merits public attention and I will include it with my remarks, alhough I dispute some of its contents.

For example, I challenge the claim of central registry that there have been substantial reductions of subscription sales complaints in 1969 as opposed to 1968 as the report contends. My investigation has satisfied me that thousands of complaints being registered by consumers are not being channeled to central registry by chambers of commerce and better business bureaus. If these reached central registry, as they should, 1969 complaints would show a marked increase over 1968 figures. Further, as I pointed out during this meeting, many of the examples of consumer deception I have been able to identify in magazine sales are so neatly concealed the consumer most likely will never realize that he was victimized.

And as I will describe in further detail, I strongly dispute the view which is widely held in the magazine industry that the way to stop the serious sales abuses is to fire field personnel—salesmen and sales dealers. The report indicates some 100 have been dismissed since early in 1969. While I have no doubt that some of these individuals deserved to be dismissed for their actions, I have discovered that in far too many instances subscription sales companies tend to use the "little guy" in the field as a sacrificial lamb. Certain organizations, when confronted with serious sales abuses, loudly proclaim that they have fired the salesman or dealer when instead they ought to be taking steps to correct the corporate policies which led to the sales abuses.

Nevertheless, there are two steps which are being taken by the Magazine Publishers Association to which I want to draw attention. One of these is the fact that a great many of MPA's 130 publishers, representing nearly 450 individual periodicals, have had their fill of the unscrupulous practices utilized by certain publisher-owned subscription sales companies. These concerned publishers have begun to serve notice on their colleagues they had better upgrade their practices or find their subscription orders rejected. Mr. Gibson McCabe, president of Newsweek and chairman of the MPA/CR committee, last month urged publishers "to really become involved" in demanding proper sales practices of the sales agencies they authorize to sell their publications.

Some publishers already have withdrawn magazines from agencies which have ignored demands that they clean up their sales practices. Certainly, publishers have a responsibility to insure that any agencies which sell their publications do so by honest means.

I am particularly impressed by the MPA executive committee's recent action proposing a change in MPA bylaws to

authorize the revocation of membership of any publisher found "to have repeatedly conducted its business in violation of law or of the written standards prescribed for the industry by this association and in a manner which adversely affects the industry or the public interest." The MPA membership will be asked to formally approve this proposal. Its approval certainly will be viewed as an act of good faith on the part of a majority of publishers, particularly if its authority is exercised when necessary in the future.

Nevertheless, some shortcomings of the "code of fair practices" administered by central registry simply cannot be overcome by industry self-regulation. CR can punish members for code violations, but it cannot move swiftly to halt violations. Admittedly, the FTC's existing legislative authority does not permit swift action either. But Congress can and must give the FTC authority to seek preliminary injunctions to bring allegedly deceptive practices to a halt while their propriety is in the courts.

Further, I see no means by which central registry's code can ever hope to combat what I believe is the "root cause" of deceptive practices in subscription selling. It is this underlying cause that I want to discuss here in detail. In doing so, I will cite specific information I have compiled regarding magazine sales companies which are subsidiaries of Cowles Communications. The selection of Cowles' subsidiaries was based on the large volume of complaints they have generated and the substantial number of individuals familiar with Cowles' operations who have assisted in my investigation.

I want to state for the record that many of the circumstances I will describe apply to other magazine sales organizations as well, particularly those which conduct magazine sales through franchised dealerships. These include some sales subsidiaries of Hearst Corp., of the former Curtis Corp., which now is known as Perfect Films, and of other organizations. Family Publications Service, Inc., a subsidiary of Time, Inc., does not utilize franchised dealerships, choosing instead to maintain a higher degree of corporate responsibility for selling practices in the field through the use of district sales managers. This direct corporate control has substantially controlled sales abuses but not eliminated them, according to a recent surge of complaints involving a "family welcoming service" sales pitch.

THE HEART OF THE PROBLEM—FRANCHISED DEALERSHIPS

Without exception, every dealer I have interviewed—whether he has sold for Cowles or other subscription agencies—has traced the present decay of subscription sales practices to Cowles Communications' acquisition of its first sales agencies about the mid-1950's.

More specifically, the single act blamed for the unscrupulous practices which mark subscription selling today was Cowles' decision to establish franchised dealerships. The franchise contract devised and introduced in the 1950's proved to be a one-way ticket to destruction—financially, morally, and socially—of many men who signed on the dotted line.

With relatively few exceptions, men who entered into contractual agreements to operate subscription sales franchises for any of a number of Cowles subsidiaries which have been in operation at one time or another since 1955 have seen their entire business seized by Cowles. Once prosperous dealers were left virtually penniless. Some found their bank accounts attached and business records taken away. Many, plunged into despair by the loss of the business they had made their career, sought consolation in alcohol. Some eventually lost their families. A few, overwrought by their fate, suffered emotional breakdowns and wound up in mental hospitals.

Virtually all—at some point before their downfall—found themselves trapped by debts. They could accept the demise of their business and lose their shirts, financially. Or they could bow to the pressures applied by corporate agents to attain higher sales production by whatever means possible. Inevitably, "by whatever means possible" meant trickery, deception, and fraud.

In short, the one-sided contracts were drawn in a manner which in the long run benefitted only the parent sales corporation. For the franchised dealer who applied his signature, the contract represented programed catastrophe. It would be only a matter of time until a deadly combination of contractual obligations and corporate sales pressures would corner him. Then, he could quietly accept the loss of his business and the income it provided. Or he could fight to keep his head above water by tricking hundreds of consumers into signing subscription contracts to attain a level of sales activity which could bail him out of his indebtedness. Even the latter course soon led to the dealer's downfall. When his deceptive and fradulent sales practices attracted the attention of the law, inevitably he was dismissed for "cause" and his business seized anyway.

The so-called franchise contract itself is a cleverly conceived document. Magazine subscription dealers have estimated that the impossible conditions it imposes will ruin the average dealer in no more than 4 years. Very few manage to survive for as long as 5 or 10 years. Magazine industry personnel have been able to identify for me only a few individuals who have worked continuously as Cowles dealers from 1956 to the present time. And one of them, Joe Mosey of Buffalo, has a reputation of ruthlessness in the industry which strikes fear in the hearts of many men who have sold magazines.

Fear of falling victim to personal harm, or of seeing members of their family harmed, is common among those who have left the magazine sales industry and sought employment elsewhere.

One dealer who has been in contact with my office has received several telephone threats that his family would be harmed unless he stopped talking to "those Congressmen." At least three others have expressed fear for their lives. Some insist that friends still active in the industry have been instructed not to associate with them nor speak to them. An ex-dealer from New Jersey explained:

> Magazine dealers I have known and worked with for years cross the street to avoid me because they are afraid of reprisals if they are seen with me.

What reason do magazine dealers offer to explain their fears? Some claim to know of a dealer who was murdered and whose killers have never been identified. They mention acquaintances who were roughed up or beaten. "If anything happens to me, please do what you can for my family." I have been asked several times since I began my investigation of magazine sales practices. As a result, the threats and expressions of fear have been called to the attention of the FBI.

One key feature of the franchise contract which gives the parent company a stranglehold on its franchises is the sales quota. Contracts I have examined set quotas of 200 or more sales per month. Depending on the size of the subscription "packages" being pushed by the franchise, this quota is likely to represent sale of $20,000 to $30,000 worth of subscriptions monthly.

A typical franchise contract spells out the quota terms in this manner:

> Dealer's quota shall be not less than two hundred (200) properly verified subscription orders per month. This quota is subject to change by (parent sales company) upon 60 days written notice to the dealer.

Thus, the dealer initially is obligated to produce 200 orders monthly but at the whim of the parent company could find his quota increased to virtually any figure. Since the dealer's signature is not required to authorize the quota change, the dealer can be forced into a breach of contract by merely adjusting his sales quota to a level which is unattainable.

Another typical provision of the franchise contract specifies that at least 50 percent of the sales quota must be met within 4 months and that 100 percent of the quota must be attained within 9 months. Failure to do so, a contract in my posssesion states—

> Shall be considered a material breach by dealer of this agreement and grounds for immediate cancellation of the within agreement by parent sales company.

Contracts commonly consist of 15 to 20 legal-size pages of requirements, restrictions, and limitations, nearly all of which are imposed upon the franchisee. A breach of any of the contract provisions is sufficient reason for revocation of the franchise and seizure by the parent company of the franchise business.

The contracts specify that—

> Subscriptions shall be sold and payment therefor collected from the public at not less than the regular published and advertised prices as stated by the publishers and under such sale contracts, terms, and conditions as shall be authorized or approved from time to time by (sales agency's name).

In other words, the contract itself shows that magazines are not sold at bargain rates. Franchise contracts also provide:

> All subscription sales by Dealer's organization and representatives or agents thereof, shall, be made honestly and without misrepresentation and all solicitations, sales and

collections shall be made in compliance with publishers' terms and conditions and all applicable requirements, rules and regulations of the United States Post Office Department, the Audit Bureau of Circulation, and the Central Registry Bureau of the Magazine Publishers Association, Inc.

Full responsibility to prevent any violations or misrepresentations thus is placed upon the franchised dealer, according to the contract. It is on this point I have found the parent company's actual practices to be inconsistent with its proclaimed policy.

Although the parent agency attempts to place full blame for deception or fraud upon the franchised dealer, agents of the parent company exploit the dealers and pressure them to sell by trickery. If the dealer refuses, he may be intimidated by threats that his contract will be voided and his business taken away.

As one dealer explained recently:

Educational Book Club representatives have furnished me on numerous occasions sales talks (which) not only (were) not approved by the Central Registry of Magazine (Subscription Solicitors) but (which were) in direct violation of the C.R. Code. These telephone sales talks included using the phrases "free," "bought for" or "paid for you by the advertiser" along with using the word "quiz" to infer there was something won by the people for answering a simple question.

Some of these dealers have given me actual copies of deceptive and fraudulent sales talks which were given to them by regional directors and higher corporate officials with specific instructions that they be utilized to bring sale production up to contract quotas. These same corporate officials have threatened and implemented various reductions of the dealer's rights under his contract to pressure him for higher sales by utilizing deceptive and fraudulent sales pitches. Dealer loans, borrowing rights, and interest charges have been manipulated by corporate officials to force dealers to use trickery to increase sales.

One individual borrowed a sum of money and then was sent a promissory note in an amount more than double the loan for his signature. He said:

I was told to sign the thing or they would take the whole thing out of my collections due me for that month.

He also enclosed a copy of a letter in which a director for the parent company imposed new contract limitations on the dealer for failing to meet a sales quota.

Dealer after dealer has faced the same unavoidable pressures from the parent sales company in the years or months before his business finally was seized. The pressures was great enough to convince most dealers that they would lose all unless they became petty thieves and utilized deceptive practices proposed by company representatives.

Unfortunately, some of the abuses I have found are so serious that to disclose them publicly might compromise the investigations which currently are underway in several Federal agencies. I can say that scores of dealers have seen subscription sales businesses which they built to six- and seven-figure marks grabbed by parent sales agencies. None of the men I have interviewed ever received any return of collections made on their accounts after they were taken over by the parent company.

Some of these businesses were taken over in proceedings participated in by the president of Look magazine's five subscription agencies, Lester Suhler. A number of other dealers fell victim to pressures applied by vice presidents and general managers of Look's subsidiaries. And many more were the victims of Look agents described as regional directors.

On repeated occasions Look officials have visited my office to express indignation that I should imply their sales practices are anything less than absolutely ethical. I have shown these officials, including Cowles' vice president and general manager of Civic Reading Club, Richard Y. Long, actual documents which blow gaping holes in their good intentions.

I have asked them to explain numerous unscrupulous sales tactics but with out receiving satisfactory responses. Deceptive methods which Cowles representatives including Mr. Long contend are forbidden can be found in wholesale, widespread use by Cowles subsidiaries. But undoubtedly one of the most serious claims I have heard from a Look franchised dealer is the contention:

Central Registry (the subscription sales industry's regulatory agency) is nothing but a cover for Look magazine's operations to make them appear legitimate. . . .

And, continued this Look dealer, "Central registry is controlled by Look magazine."

Perhaps Look does not have the desired control since its candidate for the post of executive secretary of central registry failed to win that position. Nevertheless, a dealer recently explained how a Cowles subscription agency official exerted his influence to have magazine selling rights and back premiums cancelled for several dealers of a competitor firm.

When I have advised Cowles officials that I contend the parent company must be held accountable for the practices of its dealerships, their routine response is: "We can't be held responsible for what a few bad characters may do." Of course, if the franchise contracts are meaningful, they are correct. The contracts specify that the dealer "further agrees to hold harmless and indemnify the—parent company—and its officers, directors, and stockholders from any damages, expenses, claims, fines, penalties, or losses of any kind in any way arising out of a dealer's violation or failure to comply with such regulations, rules, laws, statutes, or ordinances." But it is my view such contractual provisions are invalidated by the pressures and influences the parent company exerts.

Just what brings about the downfall of magazine dealerships is a staggering snowballing of events. An overwhelming factor almost always involves compounded debts to the parent organization—the result of advances and loans from the parent company, plus interest, secured by sales. Also, there are a variety of charges and fees and penalties imposed upon the dealer, such as penalty fees for order cancellations, or subscription substitutions, and so forth.

Unanticipated difficulties can arise for a dealer when a popular magazine is withheld from him—another means to "whip an upstart into line." One dealer attributes his demise to company withdrawal of his right to sell a major magazine which had been the key to his success. Withdrawal was the penalty for his refusal to "push" another periodical the parent company wanted him to push. The day after his business was seized by Cowles, his successor was again authorized to sell the magazine which had been withheld from him.

I have found that some dealers are prohibited from making sales outside a vaguely defined "franchise territory" if the out-of-bounds community lies within the supposed territory of a more favored rival dealer. Sales made in such areas are rejected by the company. In reverse, however, a favored dealer is not penalized for selling outside his territory, although he, too, may be working territory assigned to another dealer.

Even more serious is a painstakingly concealed policy which prohibits sales to Negroes. The discrimination policy is practiced in various ways. One method described by former dealers is to designate Negro neighborhoods of urban centers as "off limits" to magazine salesmen. Subscription contracts sold in off-limits areas, which are outlined on territorial maps, are rejected by the parent company. If there is some doubt about the race of the subscriber, his selection of some Negro-oriented periodical such as "Ebony" magazine is said to be a deciding factor in determining whether to accept or reject the sale. I am aware of still other, more intricate methods to screen Negro subscribers which I choose not to reveal at this time. The purpose advanced for the prohibition on sales to Negroes is an intent to screen individuals regarded as poor credit risks. As a result, this policy may create financial difficulties for those dealers who anticipate loans on such sales, only to find the sales rejected and the loans withheld.

It quickly becomes evident that an honest but slow-selling sales pitch simply will not sustain the financial obligations to the parent company which have begun to snowball. Thus, a pitch designed to trick the consumer into believing he is getting something for nothing or at bargain rates often meets with little resistance from the dealer when it is offered by a regional director with the observation:

This one is really making sales in Jersey (or wherever the pitch may have been used).

In fact, one man who worked for a time as a regional director recalls how another director "carried a briefcase full of bad pitches around with him. When he ran into a dealer who was having trouble he pulled out any old pitch and told the guy that it was a real winner in St. Louis or somewhere. More likely than not, the

guy using it in St. Louis was not making his quota either."

At any rate, when the dealer finally is notified that he is being bought out by Cowles because of indebtedness or he is terminated for cause, the open accounts from which he derives his income through monthly collections are taken over by the parent company. Of course, the contract provided for such takeover.

To quote from a contract:

Should the dealer be or become insolvent or bankrupt or fail to keep or fully perform any of the terms of this agreement on his part to be kept, then in any such event (parent company) may immediately and forthwith terminate this agreement by written notice sent to dealer by mail or telegraph.

The dealer thus can be terminated almost instantaneously. Overnight, he loses a business which may have a gross value of hundreds of thousands of dollars. His income is cut off immediately. He is stuck with payroll to meet, payroll and personal taxes to pay, outstanding rent and telephone service obligations, and a variety of incidental bills related to his former business operation.

The parent company takes over collection of his open accounts. But the unpaid bills and obligations are the ex-dealer's headaches. By the time accountants for the parent company are through, invariably the ex-dealer will receive none of the proceeds from his open accounts and the company will file suit to collect on the outstanding loans made to the dealer.

Of course, some dealers take the parent company to court. More than likely the parent company will take the ex-dealer to court. In either event, the dealer finds it impossible to underwrite the costs of a long court fight for money which he believes is properly his. In the end he usually signs some settlement plan, acknowledging that he is obligated to pay a sum of thousands of dollars to the company. One dealer successfully won three successive court decisions against the parent sales company only to reach the limit of his own finances when the company filed a new appeal. He subsequently accepted an unfavorable settlement. Obviously, it is impossible for an individual to fight a multimillion dollar corporation.

Another provision of the franchise contract covers the takeover of business records. It states in part:

The dealer agrees to sell and immediately transfer, assign and deliver to (parent company) all outstanding subscription sales contracts, . . . together with all copies of contracts orders, books of account, and other records relating to the operation of the franchise, in effect on the date when the termination becomes effective.

The parent company quickly exercises its rights under the contract terms and secures court orders, when necessary, to achieve possession of the records. With all business records in the company's hands, the dealer finds it virtually impossible to protect himself against company claims in court. After losing a suit instituted by Cowles, a dealer advised me:

We tried to have the court force Cowles to produce records but to no avail. I still don't know where they get the figures they claimed that I owe them.

But the proverbial "last straw" is something I discovered in reviewing court decrees against defeated Cowles dealers. By court order, some dealers are "prohibited" from filing or pursuing complaints "with any governmental body with respect to the plaintiff—parent company—or otherwise disparage the name or reputation of the plaintiff." I am convinced such provision of a court decree violates the dealer's constitutional rights and an official of the U.S. Department of Justice has informally concurred in my view.

In conclusion, it seems evident to me that a company which contends it does not have control over the use of unethical sales practices by its franchised dealerships certainly exercises an overwhelming degree of control over every other aspect of its franchise operations and should, in fact, be held responsible for sales practices as well.

The report referred to follows:

PROGRESS REPORT, OCTOBER 16, 1969, FOR THE HONORABLE FRED B. ROONEY

(By Central Registry Magazine Publishers Association, Inc.)

CR PROGRAM PROVIDES MEANS TO DEAL WITH IMPORTANT INDUSTRY SALES PROBLEM

The purpose of Central Registry is "to serve the public interest by maintaining ethical standards among door-to-door magazine subscription salesmen and to protect the public against fraud and loss in magazine solicitations."

Over the past eight years the industry has invested over a million dollars in the CR program. These expenditures have increased considerably in the past three years with the work done on the development of the Selling Code for PDS Agencies to strengthen the program.

Our Central Registry program was developed because of the industry's concern over the fact that legislative or statutory approaches were not providing the protection the industry recognizes is necessary. The Central Registry program is in existence today because of the very limitations of law, and the costliness of law enforcement in this respect. It is because self-regulation, with the full cooperation and support of the participants, can do a better job that Central Registry was initiated.

CUSTOMER COMPLAINTS ON PDS ORDERS ARE DOWN 38 PERCENT THIS YEAR VERSUS 1968

The records indicate that with the CR program improvement is constantly being made. You have received a copy of the annual report submitted to the Federal Trade Commission covering the first year's activity under the PDS Code program. We have just recently received a report for the first half of 1969 from the National Better Business Bureau. In this report it is pointed out that "in the second quarter of 1969 subscriber reports received by Bureaus and Chambers show encouraging decreases in allegations of dissatisfaction in dealing with Paid-During-Service agencies."

The figures compiled by the NBBB show that in the first half of 1969, as compared with the same period last year, there was a 38% decrease in the number of formal written complaints by subscribers. Reports alleging Code violations were down 28%; billing problems were down 32%.

The number of formal complaints in the second quarter of 1969 was also down 11% from the first quarter totals.

SALES COMPLAINTS ARE ALSO DOWN IN MOST CODE CATEGORIES

It is further pointed out in the NBBB report that "an analysis of these reports points to decreases in almost every complaint category involving the PDS Code."

Reports of misuse of a survey approach were down 16% from the first half of last year; reports of offers of "free magazines" or similar misrepresentation were down 37%; reports of misrepresentation regarding cancellation were down 40%; reports of improper identification were down 46%. Even more significant were the decreases in the number of reports of obtaining the signature on the contract by deception, down 68%, or of misrepresentation concerning the basic terms of the contract, down 73%.

These last two items are particularly meaningful. In more and more instances the subscriber is entering into the contract knowingly and more knowledgeably. The reports of misrepresentation of the basic contract terms have dropped by almost three-quarters; reports of obtaining the signature on the contract by subterfuge are down by two-thirds.

It is also noteworthy that in the first half of 1969 there was a 40% decrease in the number of reports alleging failure to cancel upon request within 72 hours as compared with the corresponding period of 1968.

CUSTOMER COMPLAINTS ON CASH SALES IN MAY AND JUNE WERE DOWN ONE-THIRD FROM APRIL

Similarly, complaints concerning cash sales currently show a favorable trend.

The six-months survey in this respect showed that while more complaints were received in April than in any other single month, the number of complaints reported in May and June were down ⅓ from this April total. Preliminary figures from the National Bureau for July and August are likewise encouraging.

PERFORMANCE RECORDS ARE REVIEWED BEFORE ISSUANCE OF CR CREDENTIALS

As you know, as a part of our Registry program the record concerning the sales practices of each solicitor and manager is also reviewed prior to and in conjunction with the issuance of the CR credentials. Each agency, of course, has the right of appeal in cases where the credentials are withheld.

This also enables CR to identify for the agencies those managers and solicitors whose record indicates repeated failure to comply with the CR Standards of Fair Practice, the handful of solicitors and managers who cause a disproportionate share of the reports of improper sales methods.

MANY WITH "BAD" SALES RECORDS ARE NO LONGER WITH CR AGENCIES

As a part of the Registry program, agencies may terminate personnel "for cause" when in their opinion such action is indicated. Early this year a new classification of termination "for serious cause," to identify for all agencies participating in the CR program individuals whose records indicated repeated failure to comply with the CR Standards of Fair Practice to the detriment of the public and the industry, was introduced. During the first nine months, over 100 persons with such records were identified by the agencies in this manner. While the judgment as to who shall be authorized to represent an agency is made by each individual agency, virtually none of the persons so identified now represents an agency participating in the CR program, within the limitations of existing statutes in this respect.

ADMINISTRATION OF PROGRAM CANNOT BE "KANGAROO COURT," AGENCIES MUST HAVE PROCEDURAL "DUE PROCESS"

You are also familiar with the program established by Central Registry for the assess-

ment of liquidated damages when it is established that an agency has violated the Standards of Fair Practice set forth.

Obviously, in reviewing reports of violations for the assessment of liquidated damages, CR can in no way set itself up as a "Kangaroo Court." Each case must be investigated and reviewed to provide the agency with procedural due process of law and the opportunity to reply to the customer's allegations. I am sure you will agree that in these cases the customer is not always right, and that his allegations sometimes stem from a desire to avoid the obligations of a contract properly sold and entered into. In each case, the final determination is based on a review of the entire record. The agencies are also provided the right to appeal the findings that are made. This review and procedure is obviously time-consuming, but it is also a cornerstone in making this aspect of the program truly meaningful.

CODE ADMINISTRATOR HAS PREPARED 287 FINDINGS SINCE CODE IN EFFECT

It is significant that even with these procedural requirements the Administrator of the Code has prepared 287 formal Findings in the less than 21 months that the Code has been in operation. Of these, 198 have been issued and distributed to the agencies in the program; the remaining 89 are in preliminary stage pending review by counsel.

It has been suggested that the manner in which these cases have been investigated and reviewed and decision made is considerably faster than similar action by governmental agencies, additional evidence of the values of a self-regulatory program in this respect and of the industry's desire to make it meaningful.

Further, the information in all reports received is forwarded promptly to the agency for immediate corrective action and adjustment, pending the more formal investigation and review under the Code's provisions.

The findings by CR and the Code Administrator have stressed repeatedly the need for proper screening and training and supervision to insure compliance with the Standards of Fair Practice the industry has set for itself, and for constructive programs before the solicitations are made, rather than simply to take limited corrective action with the solicitor concerned after the fact. It is through such constructive programs that the CR objectives will be fulfilled.

Incidentally, during this same period over 600 reports concerning cash field selling agencies were similarly investigated and reviewed and determinations made with regard to the assessment of liquidated damages.

SPECIAL MEETINGS WITH AGENCIES AND WITH PUBLISHERS HAVE BROUGHT PROBLEM INTO DIRECT FOCUS

The principal role of CR, however, is its educational one. Since the first of the year special meetings have been held with both agency principals and publishers to stress the importance of the CR Standards and compliance with them.

It was from such a meeting with the agency principals that the provisions of "termination for serious cause" were developed. As a result of such meetings the sales methods and presentations of field selling subscription personnel have been reviewed by the agencies. Sales meetings have been held with key personnel. Sales talks have been reexamined to insure compliance with the Standards of Fair Practice the industry has set forth. Supervisory procedures have been instituted to see that these Standards are being observed and complied with.

These meetings have also been augmented by meetings or conferences by personnel of the National Better Business Bureau.

At the annual meeting of MPA in New York last month, Mr. Gibson McCabe, president of Newsweek and chairman of the MPA/CR committee, specifically charged each publisher of his responsibilities in this respect: "For Central Registry to be effective it must have the support not only of the agencies but of every publisher in this room. I urge each of you to review your field selling program in relation to the CR objectives, to insist upon proper sales procedures by the agencies you authorize, to really become involved in this matter."

In this connection, it should be noted that while CR was established to maintain ethical standards among door-to-door magazine subscription salesmen to protect the public, the program is not solely altruistic, for in some ways the CR program is also in the interests of the industry. And paradoxically, it is because the program is also in the industry's own interest that it has the potential to protect the public in an effective manner. As we protect the public from sales abuses and from loss in magazine solicitations, so do we protect the image of our industry and retain the confidence of our readers which is so essential.

As we protect the public through our self-imposed sales standards, so do we protect each individual agency and publisher from those who would operate with lower ethical standards and thus obtain for themselves at least a temporary unfair competitive advantage. It is because we want, selfishly perhaps, to provide protection for our industry and the individual companies that comprise our industry, that the public will also get the protection you and we both recognize as so necessary in today's market. When consumer protection is provided for self-centered reasons such as these, it is effective and meaningful.

PUBLISHER RESPONSIBILITY IS FURTHER PINPOINTED IN PROPOSED AMENDMENT TO MPA BY-LAWS

The concern of the industry is further reflected in another action being taken by the MPA at the suggestion of the MPA/CR Committee. Recognizing the importance of the individual publishers in requiring proper discipline in the sale of their magazines, an amendment to the MPA By-Laws has been prepared which provides that "Any member of the Association may be removed from membership in the Association by vote of two-thirds . . . of all of the directors of the Association then in office where such member has been found to have repeatedly conducted its business in violation of law or of the written standards prescribed for the industry by this Association and in a manner which adversely affects the industry or the public interest."

This amendment has been formally approved by the Executive Committee of the Association. A special meeting is now scheduled for November 6 for its formal approval by the membership.

PROBLEMS DO OCCUR, BUT CR PROGRAM HAS CONTRIBUTED TO HIGHER STANDARDS FOR SUBSCRIPTIONS

While the NBBB figures show progress, these are some of the things we've done during the past year to make CR more effective. We are the first to admit that this progress is no cause for any complacency. The problem obviously has not been eradicated, though material progress has been made and the means for making further progress have been established.

At the same time, CR has contributed materially to the maintenance of higher sales standards in subscription field selling. Sales abuses which led to its formation (including a failure to clear orders or to enter on complaint subscriptions sold on an agency's receipts) now occur only very rarely. In instance after instance, the subscribing public has received adjustments and satisfaction which would not have resulted without the CR program.

OF 86 MILLION CALLS OVERWHELMING MAJORITY RESULT IN NO COMPLAINT AND SATISFACTION

Your attention has already been called to the perspective of complaints to the total calls made by representatives. We estimate that some 86 million calls are made by subscription sales representatives in the course of the year. It is by them that in many instances the industry is judged. The total number of complaints, in relation to this total, indicates that in the overwhelming majority of calls the solicitor leaves a satisfied customer or prospect.

INDUSTRY IS DETERMINED TO MAKE CR EFFECTIVE MEANS TO PROTECT CUSTOMERS AND ITSELF

To summarize, in Central Registry the magazine industry has a program which reflects and identifies the interest of the industry in the protection of the public and the maintenance of ethical standards in magazine subscription field selling. It is in many ways a unique program. It is a program in which over a thousand Better Business Bureaus and Chambers of Commerce participate on a joint basis to answer magazine inquiries and resolve subscriber complaints. It is a program whose effectiveness is recognized by Attorneys General in many states and by other law enforcement agencies as one that is meaningful and one with which they can, and do, cooperate.

It is a program that offers protection to the subscribed and to the public, because of a self-interest of the industry. The very nature of magazines, being dependent upon the good will and confidence of the public, demands that we make this program effective and insures that it will continue to be successful.

It is a program that we feel has done a great deal of good and which has potential to provide the mechanism to make continued progress in this important area of consumer protection.

SCHOOL INTEGRATION

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. COHELAN) is recognized for 10 minutes.

Mr. COHELAN. Mr. Speaker, yesterday the Supreme Court of the United States ruled unanimously that integration of our schools must begin now and hereafter. I applaud this decision.

In 1954, 15 years ago, the Court declared the doctrine of separate but equal unconstitutional and ordered integration with all deliberate speed. That one phrase, all deliberate speed, has been perverted to the extent that it became no speed at all. Mr. Speaker, that day is ended. In its decision the Court said in no uncertain terms that "all deliberate speed is no longer constitutionally permissible," and that it is "the obligation of every school district to terminate dual school systems at once."

While I applaud this firm and unambiguous restatement of the law, I cannot rejoice. Justice has been delayed for 15 years, and the order in this decision, Alexander against Holmes County Board of Education, is a stinging rebuttal to those who would pervert a lawful decision by intransigence and outright evasion. This delay, Mr. Speaker, has been a violation of law and order in the most blatant form.

We cannot retain the duality of the educated and noneducated, the full citizen and half citizen and continue to call ourselves a civilized nation.

The Supreme Court recognized this yesterday. Its decision is short and concise. No long opinion was needed—the history of delay for 15 years speaks for itself. The Court simply stated that the fundamental rights of many thousands of schoolchildren have been denied and this denial must end immediately.

I enclose for the benefit of my colleagues the text of the Supreme Court's decision and order. In its brevity it can speak for itself:

[No. 632; October term, 1969, Supreme Court of the United States]

BEATRICE ALEXANDER ET AL., PETITIONERS, *v.* HOLMES COUNTY BOARD OF EDUCATION ET AL. ON WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE FIFTH CIRCUIT

(October 29, 1969)

PER CURIAM.

These cases come to the Court on a petition for certiorari to the Court of Appeals for the Fifth Circuit. The petition was granted on October 9, 1969, and the case set down for early argument. The question presented is one of paramount importance, involving as it does the denial of fundamental rights to many thousands of school children, who are presently attending Mississippi schools under segregated conditions contrary to the applicable decisions of this Court. Against this background the Court of Appeals should have denied all motions for additional time because continued operation of segregated schools under a standard of allowing "all deliberate speed" for desegregation is no longer constitutionally permissible. Under explicit holdings of this Court the obligation of every school district is to terminate dual school systems at once and to operate now and hereafter only unitary schools. *Griffin* v. *School Board*, 377 U.S. 218, 234 (1964); *Green* v. *County School Board of New Kent County*, 391 U.S. 430, 438–439, 442 (1968). Accordingly,

It is hereby adjudged, ordered, and decreed:

1. The Court of Appeals' order of August 28, 1969, is vacated, and the cases are remanded to that court to issue its decree and order, effective immediately, declaring that each of the school districts here involved may no longer operate a dual school system based on race or color, and directing that they begin immediately to operate as unitary school systems within which no person is to be effectively excluded from any school because of race or color.

2. The Court of Appeals may in its discretion direct the schools here involved to accept all or any part of the August 11, 1969, recommendations of the Department of Health, Education, and Welfare, with any modifications which that court deems proper insofar as those recommendations insure a totally unitary school system for all eligible pupils without regard to race or color.

The Court of Appeals may make its determination and enter its order without further arguments or submissions.

3. While each of these school systems is being operated as a unitary system under the order of the Court of Appeals, the District Court may hear and consider objections thereto or proposed amendments thereof, provided, however, that the Court of Appeals' order shall be complied with in all respects while the District Court considers such objections or amendments, if any are made. No amendment shall become effective before being passed upon by the Court of Appeals.

4. The Court of Appeals shall retain jurisdiction to insure prompt and faithful compliance with its order, and may modify or amend the same as may be deemed necessary or desirable for the operation of a unitary school system.

5. The order of the Court of Appeals dated August 28, 1969, having been vacated and the case remanded for proceedings in conformity with this order, the judgment shall issue forthwith and the Court of Appeals is requested to give priority to the execution of this judgment as far as possible and necessary.

PROPOSED CONTROLLED DANGEROUS SUBSTANCES ACT OF 1969

(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 would like to comment on the "Proposed Controlled Dangerous Substances Act of 1969," as one who has treated those addicted and is of necessity trained in most facets of the problem.

The penalty provisions of the bill are particularly heartening to me. First, the bill makes a clear distinction between drug users and drug traffickers. Severe penalities for drug traffickers are appropriate to a drug control, but lesser penalties for victims—the users—should also be a part of any new legislation.

Similarly, the provisions for a special parole term which requires the court to impose provisions regarding parole supervision to a convicted possessor are important. If we are to have effective rehabilitation, adequate supervisory followup after release is essential.

The question of minimum mandatory sentences is also raised by the bill. I support the position of the American Bar Association's Subcommittee on Sentencing and Review which suggests penalty structures geared for average cases, not the worst cases. Explicit increases should be permitted if facts call for more severe penalties. The problems of prosecutors in obtaining convictions and the complaints of judges because of their inability to provide what they consider appropriate sentences will be alleviated by such a structure.

I also support the provisions setting stiff penalties for professional criminals, the recognition of a difference between the penalties for marihuana as opposed to some of the more dangerous drugs, and the first-offender treatment for persons who possess drugs for their own use.

Our country cannot but benefit from the adoption of this excellent program of legislation.

NOW IS WORSE TIME TO QUIT IN VIETNAM

(Mr. BLACKBURN asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, the voices of those opposing our involvement in Vietnam are being imposed on us to a great extent these days. What those who would have us surrender lack in numbers, they make up in noise until it would seem that a majority of our people are in favor of our unilateral withdrawal from Vietnam.

That this is not the case I believe is attested by the actions of our fighting men in Vietnam. These men believe in what they are doing. They have seen with their own eyes the atrocities of the Vietcong and North Vietnamese and they know what would happen to the South Vietnamese were we to fail to honor our commitment there.

Mr. Speaker, columnist Hugh Park of the Atlanta Journal recently wrote on this subject, giving excerpts from a letter written by a Georgian who is serving in Vietnam. Believing both the column, and particularly the words of the soldier to represent the true spirit of a vast majority of Americans, I commend them to my colleagues.

The column follows:

NOW IS WORSE TIME TO QUIT IN VIETNAM

(By Hugh Park)

He is fighting over there, he is intelligent, and has the right to be heard more than most. He is Lt. James Tate, son of Mr. and Mrs. Roscoe Tate of Clarkston. His father is an engineer with the state highway department and he himself is a graduate of Tech in chemical engineering and of George Washington University Law School. He had decided to practice in Virginia and had passed the Virginia bar exams when called into the army.

Here are excerpts from his first letter to his parents after arriving in Vietnam where he is serving with the 101st Airborne:

"It can truly be said that no amount of reading and talking with others about Vietnam can substitute for actually being here. There is no way to describe the feeling you have when you look into a 19-year-old private's eyes and see the fear and homesickness there.

"Should the decision to send these young boys to die ever rest in my hand, you can be sure of two things: (1) The vital interests of the nation will be at stake. (2) The rest of the nation will know and understand the sacrifice being made for its benefit and will share as much as possible the hardship of the G.I. private draftee.

"I must say the 101st Airborne is taking these sacred young boys and making soldiers out of them—soldiers confident of their fighting ability. I know this is happening because it is happening to me. The key factors are good leadership among the sergeants and complete candor about telling the troops what they are up against.

"The military might of the United States over here is something to behold. Never before in history have only a half million men commanded such effective fire power. The war here is definitely controlled by us. When the papers say Bien Hoa was mortared and five people were killed, the importance of the enemy's strike is blown out of all proportion.

"An analogy at home would be throwing four sticks of dynamite in four different places in DeKalb County. People may be killed or hurt but the DeKalb police department is in no danger of being overthrown.

"I understand that our prolonged presence here is beginning to have its effect. One officer stated that over half a million North Vietnamese soldiers have already been killed here. North Vietnam has only 16 million people so one wonders, should this officer only be close in his estimate, how long they can keep the present pace up.

"At home we want to know when it will all end. When can we bring the boys home and stop spending such enormous sums of money

that could be put to use in urgently needed domestic programs. Before dealing with the political questions, let me say that in my opinion we have never been more effective over here. We are hurting the enemy right now worse than we have ever hurt him. The South Vietnamese are hurting him worse than ever before.

"Officers who have been down South in the Delta say that the Vietnamese are moving back to farm rice paddies that haven't been farmed since the Japanese came in World War II. In short, just when at home we are most anxious to quit, our presence here is producing the most results. A study of history will show that the same was true of almost every war we have been engaged in. The people are ready to quit just before the tide turns.

"I can't help but cite the case of the Civil War. In 1863, just when the fighting strength in the North was becoming effective, public opinion in the North was decidedly for negotiating a peace with the South. Only strong leadership saved the day then. Only strong leadership will save the day now.

"The real battle is at home, where the war will be won or lost.

"Now to address the political questions. People at home ask, 'Is Vietnam worth the price we have paid and are paying?' I agree with the critics so far as I am able to judge at present. We should never have become involved in this jungle land war. But the question is no longer 'Should we be here?' WE ARE HERE. The question is now one of honor. A great nation has made a commitment.

"The most terrible disaster that could happen would be for other nations to lose confidence in our word. If they do, World War III is imminent. Imagine what would have happened in 1962 if Khrushchev had not believed us when we told him we would strike if the missiles were not removed from Cuba. The human suffering caused by the Vietnam war is only a spit in the ocean to what woud have resulted if World War III had been ignited. Great leadership is needed at home to explain to the people what is at stake and gain their support for what must be done. I am confident this leadership will come. Should the enemy become convinced of our resolve, the military portion of our effort will be greatly reduced in short order."

SERIES ON "LAW AND ENVIRONMENT"—PART VI

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the sixth and final article in the Christian Science Monitor's series on "Law and Environment" reports on some of the suggestions advanced at the recent Arlie House conference relative to the future role of the lawyer and environmental concerns. Among the suggestions were: creation of a national organization of environment-oriented lawyers, the establishment of an environmental law center, and the start of a publication on environmental law. I am happy to report that many plans are already underway to implement some of the suggestions.

The article notes the conferee's agreement that the legal system has tended to favor development issues over conservation-environment issues. A lawyer's program for the future must be to find a legal balance between the issues. This will be a difficult task in light of the public's demand for the immediate application of the results of technological processes. The application of such technology almost invariably raises legal questions and, unfortunately, new legal processes do not keep up with technological progress. Even with our concern now with the new field of environmental law we will be at least two steps behind the times. A legal crash program is indicated; failing that, the polluters will overwhelm us. Technologically, it is possible to have production-without-pollution; whether or not this is achieved will depend in large part on the development of a new breed of legal talent. The Arlie House conference was a first step in the direction of creating this new breed.

Readers of these articles by Mr. Cahn will be interested to know that the edited proceedings of the conference will be published next year for the Conservation Foundation. The book will include the 11 papers prepared for the conference, along with much of the discussion and related material.

The sixth and final article in the series follows:

LAND-USE CASES DRAW LEGAL SPOTLIGHT

(By Robert Cahn)

WASHINGTON.—A medley of proposals for action emerged from the two days of discussion at the first conference on law and the environment held recently in Warrenton, Va.

The participants and observers did not vote or agree on any single future course of action. There was general agreement, however, that the field of environmental law is at the threshold of achieving a major role in the legal arena.

These are among the proposals:

That a national organization of lawyers be formed, with local chapters, similar to the American Civil Liberties Union, which would seek to protect citizens' rights to an unpolluted environment. This idea was suggested by lawyer Gladys Kessler of Washington, D.C.

That an ombudsmanlike organization be formed under Congress to assess and criticize technological developments as they relate to the environment. It would be comparable to the General Accounting Office and would report to Congress and the public rather than to the president. This idea was submitted by Prof. Harold P. Green of George Washington University Law School, Washington, D.C.

Statewide zoning plans are a necessity, said Philip H. Hoff, former Governor of Vermont.

A national land-use policy was suggested by Rep. Paul N. McCloskey (R) of California and by Ann Louise Strong of the University of Pennsylvania.

ADVERSE EFFECTS CITED

Lawyers should challenge the way corporate decisions are made affecting the environment. This was suggested by consumer advocate Ralph Nader.

That an early-warning system is needed whereby citizen conservation organizations and interested lawyers can get timely notice of major environmental modifications. This suggestion was made by lawyer Russell L. Breneman of New London, Conn.

That an environmental law center be organized as a clearing house and research facility to serve lawyers and conservation organizations. This suggestion was made by Benjamin W. Nason of the Conservation Law Foundation.

A publication on environmental law was proposed by the conservation foundation to provide the basic source of information on court decisions, legislation, and administrative proceedings affecting the environment. This publication is being planned now by the conservation foundation and the Public Law Education Institute of Washington.

A basic assumption underlying all the participants' proposals is that the law and the economic system tend to favor development interests which often adversely affect the environment.

One of the root causes of environmental degradation cited by conference participants was the fascination of the American public with the marvels of technology and willingness to take part in the benefits without recognizing the costs to the environment.

"We now know that our society has the technological capacity to do virtually everything that we are really interested in doing," commented lawyer Anthony Z. Roisman of Washington, D.C. "We can build a power plant which will not pollute. We can also build, if we need to, a power line which will not be visible. We can construct an industry which can get rid of its solid wastes without polluting anything around it. We can get rid of vermin that cause crop damage without also damaging the people who eventually eat the crops.

"All of those things are well within the capacity of the technological part of the society to accomplish. The question is: Do we pay them for doing it? Do we ask them kindly if they would please do it? Or do we in effect force them to do it by giving them no reasonable alternative?

INGENUITY TRUSTED

"Our society seems to function best under the stick and not the carrot. . . . Then watch the American ingenuity—which in World War II created artificial rubber when we had no real rubber—come up with the answers to the problems," Mr. Roisman said.

Participants acknowledged that technology, itself, does not provide the answer to the increasing problems of a threatened environment. Nor does litigation alone, nor better legislation, nor more effective public decisions, nor citizen protest.

"Each discipline feels that it has the corner on the environmental market," stated Roger Hansen, lawyer and conservation leader from Denver. "We feel that litigation is the way. But it is just one cog in the system we have to use. It is no more the answer to every environmental problem than systems ecology as advocated by the ecologists, or planning and development as advocated by architects and planners.

"We must recognize that the talents and the expertise from a whole range of disciplines has to be brought to bear more and more in almost every case of threatened environment," he said.

ELIMINATING GUN CRIMES; SUPPORT RECEIVED FOR H.R. 14426

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, several days ago I introduced H.R. 14426 which will provide additional penalties for the use of firearms in the commission of certain crimes of violence. At last count, 39 bills had been proposed to do roughly the same thing which is a good indication of the concern Members have with respect to crime. My bill is unique in that it defines the crimes, specifies the penalties, and makes sentencing mandatory. The bill provides for an additional sentence

if the "crime of violence" is committed with a firearm, and it shall not be served concurrently with a sentence imposed for the crime itself. Admittedly, H.R. 14426 is a "tough" bill, but we have a tough problem to lick.

Recognizing that the impact of Congress on the national crime problem is limited by the Federal-State division of responsibility regarding criminal law, my bill focuses on Federal crimes of violence. Its importance to crime deterrence in the District of Columbia is obvious. I have received support for the bill from a number of Washington, D.C., organizations. They agree that H.R. 14426 is the correct approach to the problem of reducing gun crimes. One letter writer states:

Your bill should reduce and practically eliminate gun crimes, both nationwide and in Washington, the Nation's Capital.

Mr. Speaker, I have appended copies of some of the letters I have received regarding the bill, knowing that our colleagues are interested in seeing how H.R. 14426 could be the beginning of the end of the violent gun crimes throughout the Nation.

The letters follow:

THE OCCIDENTAL RESTAURANT,
Washington, D.C., October 23, 1969.

Hon. JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SAYLOR: We wish to register our enthusiastic support for your new Bill. HR 14426 "to provide additional penalties for the use of firearms in the commission of certain crimes of violence".

This Bill is long overdue. As you know, President Johnson called for mandatory minimum sentences in a Message to Congress on March 13, 1968. Furthermore, President Nixon called for such legislation in his campaign for the office of President in 1968.

Your Bill defines "Crime of violence" as meaning any of the following crimes: Murder; voluntary manslaughter; Presidential assassination, kidnaping, and assault; killing certain officers and employees of the United States; rape; kidnaping; assault with intent to kill, rob, rape, or poison; assault with a dangerous weapon; robbery; burglary; theft; racketeering; extortion; and arson.

As we read your Bill, it builds on the stricter sentencing Bill, S. 849, introduced in the Senate by Senator Michael J. Mansfield and other leading members of both parties. It also builds on HR-14200 by Rep. John Dingell, and HR-319 by Rep. Richard Poff. These measures have been supported by the National Rifle Association, and we have no doubt that your Bill will have the support of the NRA and the Sportsmen and law-abiding citizens of the Nation. It is high time that the domestic peace and tranquillity guaranteed by the Constitution to law-abiding citizens and their families took precedence over the rights of criminals to practice their craft.

There are over one hundred and thirty thousand (130,000) gun crimes committed each year in this Nation. We feel certain, as did President Johnson, and President Nixon in last year's campaign, that your approach to the rising flood of violence in our Nation can and will reduce gun crimes drastically in this Nation. We urge you to ask your colleagues in the House—from both parties—to join you in co-sponsoring your fine new anti-crime legislation.

Respectfully,
S. B. MORIN,
Secretary-Treasurer.

DUPONT CIRCLE CITIZENS ASSOCIATION,
Washington, D.C., October 23, 1969.

Hon. JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SAYLOR: The citizens of every state, your Congressional District, and of the Nation's Capital have every reason to be proud of you for your action in two vital matters. Please ask other Congressmen to co-sponsor your new bill, H.R. 14426.

As to your new bill, H.R. 14426, to provide additional penalties for the use of firearms in the commission of certain crimes of violence. Many people don't know, or have forgotten, that President Johnson, in a Message to Congress on March 13, 1968, said: "Each time a storekeeper is threatened at gunpoint—each time a woman is terrorized on her way home from work—each time a burglar breaks into a home at night—the liberty of every citizen is diminished. Crime today is the first problem in the nation's first city. It is on the rise. . . . Last year, almost 2,500 major crimes were committed in the Nation's Capital at gunpoint—murders, assaults and robberies. . . . The proposal I have recommended would add ten years imprisonment to the regular penalty when a firearm is used in a robbery or an attempted robbery."

President Nixon pledged to the American people during his Presidential campaign last year that he would call for mandatory minimums in gun crimes. There are over 130,000 gun crimes annually, according to the FBI. Recently President Nixon held a conference on crime at the White House. This was on October 9. The Chief of Police of Washington, D.C., Jerry Wilson, said, according to a report in the *Congressional Record* of October 21, page 30697, that: "We have had an increase in burglary from 1,700 to 10,000 offenses in 11 years, and in auto theft, some 900 offenses to some 4,600 offenses . . . we will rise, unless something is done, from 55,000 annually as of 1969, to some 80,000 offenses annually as of 1972."

Your bill, H.R. 14426, as noted by both President Johnson and President Nixon, would reduce and practically eliminate gun crimes, both nation-wide and in Washington, the Nation's Capital. More power to you. In successfully eliminating the fund for the Pennsylvania Avenue Commission you saved the American taxpayer perhaps as much as $1,000,000,000.00—according to informed estimates—on a boondoggle which should have been stopped years ago, and which was never authorized by Congress, and which citizens of Washington, D.C. have strongly opposed. Everyone is grateful to you for your leadership in this too.

Respectfully yours,
PHILIP J. BROWN,
Delegate.
Dupont Circle Citizens Association.

DISTRICT OF COLUMBIA
POLICE WIVES ASSOCIATION, INC.,
Washington, D.C.

Hon. JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SAYLOR: We are writing to express the grateful appreciation which the policemen and the wives of policemen feel, not only here in the nation's capital but in all other cities and states clear across this great nation of ours, for your courage and leadership in introducing your fine new bill, H.R. 14426.

Your Bill, H.R. 14426, would provide additional penalties for the use of firearms in the commission of certain crimes of violence, and it has the same basic sentence structure as the bi-partisan bill, S. 849, which is sponsored by Senator Michael J. Mansfield and 5 other Senators, three from the Democratic Party and three from the Republican Party. S. 849 is strongly backed by the National Rifle Association, by sportsmen and by law-abiding citizens. The only people who won't like your bill are the criminals who, according to the FBI, commit more than 130,000 crimes at gunpoint each year.

Senator Mansfield said on July 1, on the floor of the Senate that "It seems to me that no leeway or discretion is needed for a criminal gun user who employs this weapon in the committing of a crime. The ultimate application of this amendment, if approved, will be up to the criminal himself."

Representative John Dingell has introduced a bill, H.R. 14200, which is identical to the Mansfield Bill. The Mansfield and Dingell bills have our full support, and both are supported by the National Rifle Association, NRA leaders told us. It seems to us that your bill is an improvement over both of these measures, however, in defining, as it does, crimes of violence to cover "murder; voluntary manslaughter; Presidential assassination, kidnaping, and assault; killing certain officers and employees of the United States; rape, kidnaping; assault with intent to kill, rob, rape, or poison; assault with a dangerous weapon; robbery; burglary; theft; racketeering; extortion; and arson."

In closing, we urge you to ask all your colleagues in the House of Representatives—both Democrats and Republicans—to join you as co-sponsors of your landmark measure. We can assure you that every policeman in the nation, their wives, and their children, feel grateful to you for having had the moral courage and vision to introduce H.R. 14426. It should aid you to know that both President Johnson and President Nixon have called for legislation to provide mandatory minimum sentences in gun crimes, and this knowledge should encourage Members of Congress from both parties to join as co-sponsors of your vital new bill.

Respectfully yours,
MRS. ELIZABETH HERSEY,
President.

KALORAMA CITIZENS ASSOCIATION,
Washington, D.C., October 24, 1969.

Hon. JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SAYLOR: We have just read your new stricter sentencing bill, H.R. 14426, and we write to request you to invite every member of the House of Representatives to co-sponsor it.

We make this unusual request because of the fact that your bill provides stricter sentences for crimes of violence which are defined as "murder; voluntary manslaughter; Presidential assassination, kidnaping, and assault; killing certain officers and employees of the United States; rape, kidnaping; assault with intent to kill, rob, rape, or poison; assault with a dangerous weapon; robbery; burglary; theft; racketeering; extortion; and arson."

The Catholic Standard, the weekly newspaper of the Catholic Archdiocese of Washington carried a lead editorial September 18, 1969 which said: "the District's gun registration law was badly conceived, hasn't worked, and won't work in its present muddled concept. For some months now radio station WMAL (which is owned by the Evening Star newspaper) has been editorializing against the law as it now stands. saying from practically the beginning of its imposition that it didn't make sense. The succeeding weeks and months have proven the station, sadly, to be right. WMAL suggested that the law be scrapped, and a substitute written which would protect the law-abiding citizen, and penalize the violator. The tacking on of an automatic five-year additional term to the criminal's sentence for use of a firearm during felony activity should be a deterrent, it argued. We agree . . . the odds are very great that the man who will own (a gun) for sport, protection of his home, business or

family will have few qualms about undertaking the interminable processes to register it. The man who will own one for the purpose of armed robbery will not. He is the one who should be punished."

The Catholic Standard's editorial makes the point that the man who owns a gun for the purpose of armed robbery will not register it. This is undoubtedly true, and, in fact, the decision of the Supreme Court of the United States in the case of Haynes against the United States actually protects the criminal if he decides not to register his weapon. The defendant Haynes had been prosecuted under the National Firearms Act for possession of an unregistered sawed-off shotgun which is one of the prohibited weapons under the Act. Haynes argued before the Supreme Court that to register his illegal weapon would have been self-incriminating, and that if he registered the weapon as required by the Act, he would incriminate himself under another section of the same Act. Haynes pointed out that the Constitution protects citizens from being forced to incriminate themselves, and claimed immunity from the requirement of the National Firearms Act as to registration. The Supreme Court agreed with Haynes, and in a landmark ruling held that Haynes could not be forced to register his weapon since this amounts to forcing a criminal to testify against himself and therefore violates his constitutional rights under the fifth amendment. The Supreme Court ruled that Haynes had the legal right not to register his prohibited weapon. In short, the Supreme Court ruling means that gun registration laws apply only to law-abiding citizens.

The criminal elements must read the Supreme Court decisions, because gun crimes have risen to over 130,000 annually in our nation. The very fabric of our nation is being torn asunder in our major cities. The peace and tranquillity offered by the Constitution—and for which it was designed to establish and protect—has become a myth. It is in this context that your fine new bill, H.R. 14426, must be understood and read.

President Johnson, in a Message to Congress on March 13, 1968—a speech which was utterly ignored by the newspapers—called on the Congress to "add ten years imprisonment to the regular penalty when a firearm is used in a robbery or an attempted robbery." The House of Representatives adopted on July 24, 1968, by a vote of 412 to 11, the amendment offered by Rep. Richard H. Poff which applied nation-wide the concept offered by President Johnson in his March 13, 1968 Message to Congress. Unfortunately, the Poff Amendment was watered down in the Senate-House Conference, and the language which was adopted after the conference did not lessen crime or deter criminal activity.

As noted by Rep. Poff (see CONGRESSIONAL RECORD, vol. 114, pt. 23, p. 30583) the Gun Control Act of 1968 now actually provides that "the criminal who is tempted to use a gun in the commission of his crime can still do so with the full knowledge that he has at least a 50–50 chance, even after being caught, convicted and sentenced, of never serving a day in jail. And even if it is his second offense, he knows that any jail term he may be required to serve may run concurrently with the same term that can be imposed under present law for the base felony. With such odds, why should he refrain from using a gun?"

It is clear that your fine bill, H.R. 14426, will close the loopholes which were written into the Gun Control Act of 1968 which actually do little to deter criminals.

Further, H.R. 14426, while containing the basic sentence structures of the Mansfield bill, S. 849, and the Dingell bill, H.R. 14200, actually broadens their concept in the public interest.

The Kalorama Citizens Association was formed in 1919, and its area includes part of an inner city section at 18th and Columbia road—and the so-called Adams-Morgan area, which badly needs to be rebuilt. Two factors are needed if that inner city section is to be improved. It must be made safe for all people, the 50,000 Spanish-speaking residents, the thousands of fine, law-abiding citizens who are Black, or Spanish-speaking, the young white families, and the elderly—and the officials and employees of embassies and chanceries of many nations.

Your bill will bring safety to everyone, and new high-rise zoning could provide new housing units, new commercial and light-industrial opportunities, and thousands of jobs.

Your bill, H.R. 14426, will make the streets of all American cities safe again. The National Association for the Advancement of Colored People and other observers have said that a very high percentage of crime is committed against Negro families, and that they are deserving of the best protection possible. Your bill will provide that protection here and in other cities.

President Nixon, talking about crime in the Nation's Capital at the White House on October 9 said that "today it has reached crisis proportions." Your bill is long overdue, and we hope President Nixon will redeem his campaign pledge of last year to the American people and ask Congress now to enact mandatory minimum sentences into law.

Respectfully yours,

GEORGE FRAIN,
Elected Delegate,
Kalorama Citizens Association.

COMMITTEE FOR THE RIGHTS OF THE WASHINGTON, D.C., BUSINESS COMMUNITY, INC.
Washington, D.C., October 23, 1969.

Hon. JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SAYLOR: We are writing to tell you how grateful all law-abiding citizens must be and the American business community must be as well, with your new bill, H.R. 14426.

We are sure that just as soon as people know about your bill they will support it.

It is in line with recommendations made by President Johnson to the Congress early in 1968, and with the campaign promises made by President Nixon last year.

We think it is very significant that Donald E. Santarelli, Associate Deputy Attorney General, Department of Justice, in testimony which he presented to the Senate Subcommittee to Investigate Juvenile Delinquency on July 24, 1969 said:

"You have also asked for our views on S. 849, a bill to amend the penalty provisions for crimes committed while armed. S. 849 provides mandatory, additional consecutive sentences for persons who carry or use firearms during the commission of felonies in violation of Federal law. Sentences under this section could not be suspended, nor could offenders be given probation. Such sentences are designed to persuade the man who sets forth on a criminal venture to think twice of the consequences of going forth armed. A man who is armed in the commission of a crime is a man prepared to commit murder. We believe that the certainty of punishment for such conduct under mandatory sentence provisions will serve to deter, to some degree, such conduct."

As we understand your bill, H.R. 14426, it uses the same sentence structure as President Johnson recommended to the Congress in a little-noticed speech on March 13, 1968. Those recommendations by President Johnson are incorporated in the bipartisan Mansfield Bill, S. 849 which is sponsored by 3 Republican Senators and 3 Democratic Senators. Those recommendations are also incorporated in the Dingell bill, H.R. 14200.

However, your bill, H.R. 14426 takes note of the assassination of President John F. Kennedy and Senator Robert F. Kennedy, and it provides stiff penalties for this and other gun crimes—as it should.

Recently, the *Washington Post* (Sept. 11, 1969) said: "An attack on crime, akin in magnitude and determination to the launching of a major campaign in the course of a war, is more than ever a domestic imperative. The need for such an attack, mobilizing all the resources at the community's command, has long been evident. But despite the sounding of an alarm by President Johnson and an equally insistent call by President Nixon, the necessary nationwide sense of urgency simply isn't evident except perhaps in the trenches, where outnumbered, under-equipped police forces battle on against impossible odds."

We believe your fine bill, H.R. 14426 provides the police forces of the nation with the necessary tools to fight crime. The impossible odds will be put against the criminals where they belong—if your bill is adopted.

We hope you will give every Member of the House the opportunity to co-sponsor your fine new bill immediately, and invite them to be co-sponsors. May we hear from you?

Respectfully yours,

Mrs. SARAH E. ELLIS,
Chairman.

"DELIBERATE SPEED" NOT GOOD ENOUGH TO BUILD THE WILDERNESS PRESERVATION SYSTEM

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the Supreme Court has ruled against a policy of "deliberate speed" as regards school desegregation and the Nation's press has waxed eloquent about the decision. Predating the Court's action, Mr. Mike Frome, writing in American Forests, questioned another use of the "deliberate speed" doctrine—that practiced by the U.S. Forest Service and the U.S. Park Service with respect to bringing areas into the national wilderness preservation system. So far, the press has not taken up the cudgel for the wilderness areas.

Mr. Frome says the Forest Service is proceeding with "deliberate speed" but the addition of 31,000 acres to the system—if all current proposals are accepted—is not in my opinion a very good track record for an agency that controls all but 3,750 acres of the area proposed for the system. Regarding the National Park Service, Frome discovers what many of us in Congress have known for a long time; namely, that the Service is also lagging in carrying out its responsibilities under the act. Only five of 17 first-review-period proposals have been cleared to date. This in spite of the fact that half of the total period of the act's mandate have expired. The Park Service Director is applauded in the article for his new "watchwords" but it seems to me that "action" would be a better goal and more in keeping with the provisions of the Wilderness Act. I am particularly concerned about the Director's apparent desire to open wilderness areas to the automobile. For the life of me, I cannot

see how a "motor nature trail" is consistent with the concept underlying the Wilderness Act of 1964.

The article reflects many of the views I have expressed over the years; naturally, it is encouraging to find support, but more important, the article indicates a deepening public awareness of the crisis regarding the Nation's wilderness areas because of bureaucratic misreading of congressional intentions.

The article follows:

[From American Forests, October 1969]

THE WILDERNESS LAW

(By Mike Frome)

The Wilderness Law, which President Lyndon B. Johnson proudly signed on a pleasant day in 1964 before a host of onlookers in the Rose Garden of the White House, represents for me one of the truly great legislative documents of history, not just of the history of the United States but of all civilization.

It was enacted only after a long hard struggle, over the opposition of powerful, well entrenched enemies, with many public hearings conducted both in Washington and the West, thus clearly asserting the deep desire of the American people in the democratic fashion.

In all the long tableau of organized human society, the United States became the first country anywhere to proclaim through legislation a recognition of wilderness as part of its culture and legacy to the future. By so doing, it provided a model to other countries which they must presently recognize and follow, with urgency, as the means of saving some wildness in the world from the onrushing flood-tide of people and the hyper-industrialization mistaken as progress.

The Wilderness Law inscribes into the record books of time a creed of enlightenment that says: We cannot cast our shadow on the rising of the sun or alter the rhythm of waves; but we recognize these components of the greater world as part of our humanity; we rise above other life forms, which act and react instinctively, by striving through design for integrity and completeness with the infinite surroundings. The passage of this law stands forth in my mind as more significant than man's flight to the moon and, in the context of human ethics, morality and intellectuality, as boding more good for the race in the long run.

We are now five years into the life of the law. How goes it, how does it fare? In some respects, apparently all goes well, but in others only fair. But let us look closer.

The National Wilderness Preservation System became a reality with the Law itself. The law designated for inclusion at once a little more than nine million acres previously classified as wild and wilderness areas. These are now protected and managed to preserve their wilderness character. It specified further that areas classified as primitive by the Forest Service—thirty-four in number—be reviewed within ten years for inclusion in the System, and that similar procedure be followed with reference to roadless portions of national parks, monuments, wildlife refuges and ranges—an additional seventy areas. Authorities anticipated at the outset that all of these would ultimately constitute a Wilderness Preservation System of 50 million acres or more. Indeed, in recent testimony before the House Interior Committee, Assistant Secretary of Interior Leslie L. Glasgow judged that almost 47 million acres of national parks and national wildlife refuges alone qualify for study under the law.

With one-half the time gone between signing of the law and termination of its ten-year deadline, the Wilderness System embraces but 10 million acres. Less than one million acres have been added through the prescribed procedures of agency review, public hearings, departmental and presidential recommendations, climaxed by Congressional action. In 1968, Congress approved the first five additions, including four in national forests and one in a national wildlife refuge. So far this year only one addition has been approved: the 98,000-acre Ventana Wilderness, in the Los Padres National Forest near Carmel, California. And another may presently be added in the 63,500-acre Desolation Wilderness above Lake Tahoe, also in California.

Clearly the wilderness review mill is grinding slowly, too slowly in face of pressures of highways, mining, mass recreation and other intrusions, slower than the law intended. It stipulated that reports on one-third of all areas be ready for presentation to Congress within three years after enactment (by 1967), a second third within seven years (1971) and the remainder by 1974. These schedules are not being met.

The Forest Service is proceeding with deliberate speed toward finishing its primitive area reviews well before the 1974 deadline. It has positioned the Department of Agriculture on schedule, or better. Of the entire Wilderness System to date, the Forest Service administers all but 3,750 acres.

The only wilderness established thus far under jurisdiction of the Interior Department lies in the Great Swamp National Wildlife Refuge in northern New Jersey. Small, but nonetheless important, it marked the first proposal for a wilderness of less than 5,000 acres, and it blocked the Port of New York Authority from placing its finger on the site for the location of a jetport. Eight other wilderness units of the national wildlife refuges are likely to be established by the 91st Congress. Most of them are islands.

"These island refuges contain some of the most diverse and fragile environmental features in this nation," as Assistant Secretary Glasgow testified before the House Committee. "Many of them are small, but their values cannot be measured in size. Their value lies in the ecological, biological, scenic, scientific and historic features they contain. Many are vitally essential to the preservation of rare flora and fauna, and some represent ecological features which will be preserved as wilderness nowhere else in this country."

This is significant, but passage of all eight of these proposals will add only another 31,000 acres to the Wilderness System—hardly a major contribution to the 47-million-acre study area envisioned by Dr. Glasgow. Officials of the Bureau of Sport Fisheries and Wildlife have expressed the hope that 70 percent of the total refuge and range area be included in the System in order to insure protection of many species of fish and wildlife. They must face up to the large, controversial areas and have a long way to go!

As for the National Park Service, it lags far behind. Its first proposal, covering the Great Smoky Mountains, was a fiasco, intended more to deny the wilderness marvel of Southern Appalachia than to protect it. At the public hearings, which I attended, not one single national conservation leader, scientist or representative of a major outdoors organization spoke in support of the Park Service proposal; the plan for that park is still pending. Only five of the first seventeen first-review-period Park Service proposals have cleared the White House to date. Not a single field hearing has been scheduled for the second review period.

Since I admire the National Park Service for its achievements in conserving wilderness, this disappoints me deeply. The Director of the National Park Service, George B. Hartzog, Jr., has prescribed "creativity," "innovation," and other such commendable exercises as the modus vivendi of his agency, but the approach to wilderness he and his colleagues advance seems to be packaged in "motor nature trails" and "loop roads," little synthetic devices which delude the people into a false sense of discovery based on urban ways they seek to leave at home. The real imagination Mr. Hartzog hopes to infuse into his agency must be directed toward leading park visitors on paths which know no motors.

The Wilderness Law at this writing is the law of the land. Possibly it should be amended, but this is not a question of the moment. As long at it remains in force, the law demands the full compliance it is not now receiving. The land management agencies, the executive departments to which they report, and the White House itself must be spurred by Congress to meet their responsibilities. The two Interior Committees of Congress, in which the Wilderness Law was written, should accelerate their own efforts to keep on course in order to achieve the stated mission of securing for the American people "the benefits of an enduring resource of wilderness."

The Wilderness Law, it seems to me, delineates more than a procedure but a point of view, a philosophy of management. It declares that administration of units in the National Preservation System must be designed to protect and preserve their wilderness character, that use and enjoyment must leave these units unimpaired for future use and enjoyment—as wilderness.

In addition, the administrators are directed to gather and disseminate information regarding use and enjoyment of wilderness. This is not being done to any appreciable extent, as far as I can determine. If it were being done, surely there would be a better understanding of the means of qualifying new areas. Considering the declared intention of the law and the potential uses it specifies (to provide outstanding opportunities for solitude and for a primitive and unconfined kind of recreation), there should be no doubt that areas where the human imprint is noticeable only to a minor degree—with capability for wilderness restoration—are fully acceptable. The Great Smoky Mountains in Tennessee-North Carolina and the Boundary Waters Canoe Area in Minnesota are classic illustrations of the restoration of superb wilderness.

There is also need in the Forest Service for enunciating a clear policy on protecting the so-called de facto areas—lands not already classified as primitive but nonetheless suitable for inclusion in the Wilderness System—until Congress is able to act, and also in the management of scenic and recreation areas adjacent to wilderness.

It seems ludicrous that Colorado citizen conservationists should be forced to hail the Forest Service into court in order to block timber cutting and road building in a choice tract contiguous to the Gore Range-Eagle Nest Primitive Area until a full wilderness study is made in the context of the law. Or that citizens in Wyoming should be obliged to send out an SOS for a panel of experts from The American Forestry Association, Izaak Walton League, National Wildlife Federation and Sierra Club to save the fringe of the Bridger Wilderness. Does it take a consultant to advise a trained forester in the public service that (as did Thomas Kimball of the Wildlife Federation in a letter to the Forest Service) "little direction has been given toward the adjoining lands or buffer strips which should provide essential access to wilderness, as well as to protect the esthetic values and quality outdoor experiences the wilderness areas were designed to perpetuate."

As I continue my excursions into the wilderness and to enlarge my small understanding of life, wilderness becomes more precious and in more ways.

I have learned that endangered species of wildlife, which find an assured sanctuary in wilderness, must be protected for reasons

other than to enhance the pleasures of people. The decimation or disappearance of a species represents a danger signal of stress to the environment of which man is part; the loss of such a species as a bird of prey means not simply that we shall be deprived the beauty of the hawk or eagle in flight, but that we have suffered the loss of an important and irreplaceable link in the ecological chain

Much is made of the need to tame or reshape wild country in order to sustain hordes of visitors. This chorus was chanted by the utility companies, assorted agencies of the Interior Department and chambers of commerce at public hearings held in Idaho on proposals to dam the Snake River in Hells Canyon. "It would be laughable, if it weren't so tragic, responded Martin Litton, a runner of Western rivers, and otherwise an editor of Sunset Magazine, "to hear people speaking of increasing the opportunities for recreation when they are wiping out the opportunities for the very highest and most ennobling kind of recreation, the contemplation of creation." I wish I had said that.

Conserving wilderness offers to this generation one of its monumental opportunities. It may not be overstating the case to compare it with securing peace among nations and recognition of man's brotherhood with men. All of these are interwoven in the search for true progress. The Wilderness Law cannot solve all our problems, but it does stimulate awareness and sensitivity to help us find our way.

DISSENT: RIGHT OR PRIVILEGE?

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, throughout the history of every society placing any premium on individual dignity, there have been innumerable acts of group and individual disagreement with prevailing government policies. Some societies have institutionalized the right to disagree, ours among them. The test of any society's political maturity and national viability has been its attitude toward protest movements and individual dissenters.

Some govenments have failed the ultimate test, suppressed dissent and become tyrannies. Others have respected such rights, undertaken to understand and listen to them, and have progressed to greater political and national maturity. Today, America faces such a test and choice.

Across the Nation during the past several years, dissent has grown, taking a variety of forms. Most have been aimed at our Vietnam involvement, civil rights, and civil liberties. Some disagreement has been violent. Emotional confrontations have proliferated, raising fears in some hearts and hopes in others. If anything, the intensity of such protests is increasing all around us, straining patience and institutions. The answer from some has been condemnation and suppression. Increasingly, our present Government seems to be encouraging such responses rather than answering with viable alternatives or explanations. These reactions bode ill for the future of the republic.

It is imperative that Americans respond with political maturity and social awareness which dissent requires if it is to thrive and continue along constructive channels. Otherwise, we face repression, reaction, and a major threat to every citizen's civil liberties and rights. For if we answer disagreement with condemnation and suppression, we shall lose the very soul of the Nation.

The ultimate form of dissent is revolution. Thwarting legitimate, peaceful forms of protest only forces it into violent channels. Recent pronouncements by certain national leaders take the form of seeing a revolutionary in every dissenter. To deviate from the norm or criticize national policy becomes in some eyes an act of treason. Nothing could do a worse disservice to an honorable tradition of opposition by the people to government policies. Violence is justified only when legitimate dissent is forbidden. If the present trend by our Government continues, violence will spread until disagreement can take no other form.

Taking this argument a step further, we can state that not every demonstrator is a protestor. Rather, most acts of this type are individual expressions of dissatisfaction with trends of events and consequences of policies. Protest of this kind is required if there is to be orderly evolution within the framework of our society.

Recent protests have shown mature citizens have a significant capacity to impose personal limitations upon themselves. Hordes of armed representatives of the state have been unnecessary to preserve order and guard the government. This in turn is proof of respect Americans have for their society, its institutions and our capacity for constructive change and evolution. Their protest becomes an act of faith rather than one of disloyalty. To condemn such activities is immature, undemocratic and self-defeating. It is the negation of democracy.

If today's protestors are wrong, the error of their stand can be easily proven. Weak ideas in a democratic society cannot long survive or command allegiance from an informed citizenry. The only way, therefore, to defeat a false idea is with a better one, not by criticizing people because they exercise their constitutionally guaranteed rights. Freedom does not bestow upon anyone or any regime the privilege to destroy or erode the freedoms and rights of others. Only tyrants need fear ideas and disagreement. Only those who are ideologically bankrupt need live in apprehension of such phenomena. Name-calling and overbearing oratory will never intimidate those with the courage to disagree. Accusations of lack of patriotism are a flimsy shield to cower behind. Alternatives and answers are far better than roaring accusations.

Every policy we follow is supposedly based upon and rooted in our national principles. Those principles can only be strengthened through a process of intensive questioning. When other avenues are closed, particularly those traditionally available through our political institutions, people can only seek to alter them through exercise of their freedoms. To deny them this is to rupture their faith in their efficacy.

Our deeds must match the language of our promises, both abroad and at home. How can we fight for freedom abroad if we deny or threaten it at home? Dare we court ideological bankruptcy? Dare we begin to confirm the beliefs and preachments of those with a vested interest in violence and democracy's failure?

Let those in authority bear this in mind in the days to come.

AFTERMATH OF PEACE MORATORIUM

(Mr. ASHBROOK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASHBROOK. Mr. Speaker, it is increasingly obvious that many of the October 15 moratorium followers now realize they were taken. They were taken by the slick operating Communist and radical militants who set the wheels in motion and let the good, conscientious American who might sympathize with their ends be their means.

The real tragedy is that the only respectability this group had came not from itself, not even from its purposes but from the Senators, Congressmen, and other good and conscientious Americans who followed behind their banner. It can be hoped that those on the American left will look before they leap the next time and not be used by these patently anti-American militants who have nothing in common with the vast majority of those who marched in protest on October 15.

At the July 4–5 Cleveland meeting which set up the October 15 protest, the plans were well laid. These plans call for an escalation of peace activities.

One of the smart strokes which the Cleveland peace group made was to move away from the word "strike." Previous use of the word in student strikes had denoted something which most Americans wanted to avoid. They changed from the idea of a general nationwide strike to a nationwide moratorium and found this far more palatable to those who might be in sympathy with their motives.

Adopted as conference resolutions in Cleveland were the following:

First. Support a mass march on President Nixon's summer White House at San Clemente, Calif., on August 17, 1969.

Second. Endorse an enlarged "reading of the war dead" demonstration in Washington, D.C., in early September 1969.

Third. Support plans of the Vietnam Moratorium Committee for a "moratorium on campuses" on October 15, 1969.

Fourth. 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.

Fifth. Support a "broad mass legal" demonstration around the White House in Washington, 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 Young Socialist Alliance newspaper, the Militant, carried an article in its July 4 issue which suggested:

The movement must avoid the trap of projecting its actions in a way that would alienate people instead of winning them over. The politically effective way to confront the warmakers is to build demonstrations that can mobilize hundreds of Americans in independent action in the streets.

This is precisely what happened on October 15 as a result of their carefully laid plans. The Young Socialist Alliance is a Trotskyite Communist organization.

Mr. Speaker, it would take the rest of the year to fully document here on this floor all of the obvious links between the peace groups and the Communist revolutionaries throughout the world. These anti-American forces are closely linked to the World Peace Assembly and the World Peace Council which have been manipulated by the Communists for years in their propaganda efforts. Take just one link. One of the original conferees at Cleveland on July 4–5 was Ishmael Flory, of the Afro-American Heritage Association.

When the Communists put together one of these shows at Alma Ata in the U.S.S.R. recently, Brezhnev, General Secretary of the Communist Party of the Soviet Union gave the greetings. Ishmael Flory addressed the group which was billed as a "symposium on national liberation struggles." He told the group that the Soviet Union's "rise from colonial oppression and backwardness under the czars to growth and development under socialism" had great meaning "for people dominated by imperialism and colonialism and oppressed peoples everywhere." He emphasized the great responsibility "that rests upon class conscious progressive and peace forces in the United States to fight and defeat their own imperialists."

As if to prophecy future violence, Flory added that the symposium in Alma Ata brought together the rich experiences of the militants from Africa, Asia and Latin America, and which was drawing on the successful experiences in solving the national question in the Soviet Union "will be of invaluable service to the forces fighting for black liberation and peace in the United States." You cannot miss the implications of that, no matter how hard you try.

I could go on and on with the chapter and verse on these individuals, their organization, their tactics, their motives. Most of this is from the public record. Yet, liberals consciously follow behind this breed of anti-American.

One of the principals in the peace movement is Robert Greenblatt. Mr. Greenblatt has had his views on record many times.

Robert Greenblatt, for example, was a witness before the House Committee on Un-American Activities last December. One of the documents in his possession when he was intercepted making an illegal trip was a letter written from SDS leader Tom Hayden to one of the North Vietnamese negotiators in Paris. The letter stated:

JUNE 4, 1968.

DEAR COLONEL LAO: This note is to introduce to you Mr. Robert Greenblatt, the coordinator of the National Mobilization to End the War in Vietnam. He works closely with myself and Dave Dellinger, and has just returned from Hanoi.

If there are any pressing questions you wish to discuss, Mr. Greenblatt will be in Paris for a few days.

We hope that the current Paris discussions go well for you. The news from South Vietnam seems very good indeed.

We hope to see you this summer in Paris or at a later time.

Good fortune! Victory!

TOM HAYDEN.

This is but one of many specific citations which could be made regarding the organizers of the October 15 moratorium. Few good and conscientious Americans have anything in common with the Dellingers, Haydens, and Greenblatts who are fronting for the North Vietnamese Communists in our Nation. In fact, Premier Pham Van Dong was not speaking by accident in his "Dear American Friends" letter which he sent to those participating in the October 15 observance. His letter is as follows and should give second thoughts to the good people who fell in line behind this motley crew:

HANOI,
October 14, 1969.

DEAR AMERICAN FRIENDS: Up until now the U.S. progressive people have struggled against the war of aggression against Vietnam. This fall large sectors of the U.S. people, encouraged and supported by many peace- and justice-loving American personages, are also launching a broad and powerful offensive throughout the United States to demand that the Nixon administration put an end to the Vietnam aggressive war and immediately bring all American troops home.

Your struggles eloquently reflects the U.S. people's legitimate and urgent demand, which is to save U.S. honor and to prevent their sons and brothers from dying uselessly in Vietnam. This is also a very appropriate and timely answer to the attitude of the U.S. authorities who are still obdurately intensifying and prolonging the Vietnam aggressive war in defiance of protests by U.S. and world public opinion.

The Vietnamese and world people fully approve of and enthusiastically acclaim your just struggle.

The Vietnamese people demand that the U.S. Government withdraw completely and unconditionally U.S. troops and those of other foreign countries in the American camp from Vietnam, thus allowing the Vietnamese people to decide their own destiny by themselves.

The Vietnamese people deeply cherish peace, but it must be peace in independence and freedom. As long as the U.S. Government does not end its aggression against Vietnam, the Vietnamese people will persevere in their struggle to defend their fundamental National rights. Our people's patriotic struggle is precisely the struggle for peace and justice that you are carrying out.

We are firmly confident that, with the solidarity and bravery of the people's of our two countries and with the approval and support of peace-loving people in the world, the struggle of the Vietnamese people and U.S. progressive people against U.S. aggression will certainly be crowned with total victory.

May your fall offensive succeed splendidly.

Affectionately yours,

PHAM VAN DONG,
Premier of the DRV Government.

Speaking as one who has been a close observer of the groups and the individuals who have participated in these anti-Vietnam programs over the years, it is easy to see the interconnection between the various organizations. A few short years ago, it was a "declaration of conscience" rather than a moratorium which served as the focal point of their attack. Their literature shows the same basic group of individuals—Dave Dellinger, Sidney Lens, and Stewart Meacham, for example.

They talked of nonviolence, but since that time several of them have been convicted for illegally entering draft boards and destroying draft records. In fact, while all of these groups talk of nonviolence, they often resort to illegal tactics including violence. They simply proclaim then that this was done because of their conscience.

If anything should clinch the case to the average American who unwittingly participated in the October 15 moratorium without checking his leaders, it should be the announcement that Hanoi will use these "leaders" to disseminate information about American prisoners of war. This news came from William Kunstler, defense attorney for the so-called Chicago eight and Rennie Davis and Dave Dellinger. The latter two are among the eight defendants in the Chicago trial and leaders in the anti-Vietnam movement. The timing should be obvious to the most naive. Hanoi indicated that all future information regarding prisoners of war would be made through the New Mobilization Committee To End the War in Vietnam. This is a typical Communist tactic. Quite the opposite from building up the respectability of this fifth column group in our country, it should only serve to underscore the duplicity of this so-called peace group.

SUPREME COURT DECISION INVOLVING PUBLIC SCHOOLS OF MISSISSIPPI

(Mr. FLOWERS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FLOWERS. Mr. Speaker, the far-reaching implications of yesterday's Supreme Court decision involving the public schools of Mississippi greatly disturb me. It seems that the Court is working in tandem with those who would destroy and disrupt our time-proven institutions such as public education. In making its ruling, the Supreme Court went against the judgment of all in authority in the State of Mississippi, the President of the United States, the Department of Justice, and even the Department of Health, Education, and Welfare. All responsible persons at every level agreed that the immediate implementation of total desegregation would completely disrupt public education in Mississippi, and this reason alone was sufficient to postpone such action. As in the past, the school systems in Mississippi will do the best they can under the tremendous burden and strain imposed on them just as the school systems in our State of Alabama are doing. The ones that suffer most are the schoolchildren, both black and white, who are being deprived of what should rightfully be their heritage in this great land of ours; and by this I mean public education of the highest conceivable quality.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the President's message on consumerism in the body of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. KEE of West Virginia, for Friday, October 31, 1969, on account of official business.

Mr. BYRNE of Pennsylvania (at the request of Mr. BARRETT), for Thursday, October 30, 1969, on account of illness.

Mr. JONES of North Carolina, for October 31, 1969, and November 3, 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. FRASER, for 60 minutes, on November 5; to revise and extend his remarks and include extraneous matter.

Mr. SCHWENGEL (at the request of Mr. MCKNEALLY), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. FLOWERS), to revise and extend their remarks and to include extraneous matter to:)

Mr. ROONEY of Pennsylvania, for 10 minutes, today.

Mr. COHELAN, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN in two instances and to include extraneous matter.

Mr. DANIEL of Virginia to revise and extend his remarks and include extraneous matter.

Mrs. SULLIVAN to extend her remarks on the President's message on consumerism immediately after the statements of the leadership on both sides.

Mr. KING and to include extraneous matter with his remarks today.

Mr. GERALD R. FORD to extend his remarks immediately following the reading of the President's message on consumerism.

(The following Members (at the request of Mr. MCKNEALLY) and to include extraneous matter:)

Mr. SCHWENGEL in three instances.

Mr. MESKILL.

Mr. MINSHALL.

Mr. BROOMFIELD.

Mr. DAVIS of Wisconsin in two instances.

Mr. LIPSCOMB.

Mr. ROUDEBUSH in two instances.

Mr. BRAY in two instances.

Mr. O'KONSKI.

Mr. MICHEL.

Mr. WYMAN in two instances.

Mr. ARENDS.

Mr. FOREMAN.

Mr. LANDGREBE in two instances.

Mr. DEVINE.

Mr. FISH.

Mr. TALCOTT in two instances.

Mr. SNYDER.

Mr. CONABLE.

Mr. GOLDWATER.

Mr. DEL CLAWSON.

Mr. RUPPE in two instances.

Mr. NELSEN.

Mr. DUNCAN in three instances.

Mr. BROYHILL of Virginia in five instances.

Mr. ASHBROOK.

Mr. RAILSBACK.

Mr. REID of New York.

Mr. WHALLEY.

Mr. DERWINSKI.

Mr. WIDNALL.

Mr. MCEWEN.

Mr. PRICE of Texas.

Mr. DENNEY.

(The following Members (at the request of Mr. FLOWERS) and to include extraneous matter:)

Mr. OTTINGER.

Mr. O'HARA.

Mr. MONTGOMERY.

Mr. MOORHEAD in two instances.

Mr. HUNGATE.

Mr. STEED.

Mr. CORMAN.

Mr. ALBERT.

Mr. ALEXANDER.

Mr. SLACK.

Mr. SYMINGTON in two instances.

Mr. GONZALEZ.

Mr. ANDERSON of Tennessee in two instances.

Mr. COHELAN in two instances.

Mr. KARTH in three instances.

Mr. CABELL.

Mr. MINISH.

Mrs. CHISHOLM.

Mr. RODINO.

Mr. STUCKEY.

Mr. ASHLEY.

Mr. OLSEN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1508. An act to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States; to the Committee on the Judiciary.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 164. Joint resolution to provide for a temporary extension of the authority conferred by the Export Control Act of 1949.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Friday, October 31, 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:

1302. A letter from the Assistant Secretary of the Interior, transmitting notification of the enlargement of the Buffalo Rapids Irrigation District No. 2 on the Buffalo Rapids project, Montana, pursuant to the provisions of section 8 of the Reclamation Project Act of 1939; to the Committee on Interior and Insular Affairs.

1303. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to extend and improve the provision relating to the construction and operation of community mental health facilities, and of specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCMILLAN. Committee of conference. Conference Report on H.R. 12982. (Rept. No. 91-605.) Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 14596. A bill to amend the Immigration and Nationality Act to facilitate the entry of foreign tourists into the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 14597. A bill to amend chapter 45 of title 39, United States Code, to change salary steps and promotions in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. MICHEL (for himself, Mr. ADDABBO, Mr. CUNNINGHAM, Mrs. HECKLER of Massachusetts, Mr. MIKVA, and Mr. QUIE):

H.R. 14598. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. PEPPER:

H.R. 14599. A bill to amend the act of August 13, 1946, to increase the Federal contribution to 90 percent of the cost of shore restoration and protection projects; to the Committee on Public Works.

By Mr. ROBERTS (for himself, Mr. ALBERT, Mr. ASPINALL, Mr. BARING, Mr. BOGGS, Mr. BOLLING, Mr. BRADEMAS, Mr. BROOKS, Mr. CABELL, Mr. CASEY, Mr. DORN, Mr. DUNCAN, Mr. EVINS of Tennessee, Mr. FALLON, Mr. FISHER, Mr. WILLIAM D. FORD, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. GARMATZ, Mrs. HANSEN of Washington, Mr. HANSEN of Idaho,

Mr. HATHAWAY, Mr. HICKS, Mr. HOLIFIELD, and Mr. HUNGATE):

H.R. 14600. A bill to authorize the coinage of 50 cent pieces to commemorate the life of the Honorable Sam Rayburn and to assist in the support of the Sam Rayburn Library; to the Committee on Banking and Currency.

By Mr. ROBERTS (for himself, Mr. JOHNSON of California, Mr. LANDRUM, Mr. LENNON, Mr. MCMILLAN, Mr. MATSUNAGA, Mr. MILLER of California, Mrs. MINK, Mr. MONAGAN, Mr. NIX, Mr. PATTEN, Mr. PEPPER, Mr. PERKINS, Mr. POAGE, Mr. POWELL, Mr. SIKES, Mr. SISK, Mr. STEED, Mr. STUBBLEFIELD, Mr. SYMINGTON, Mr. TEAGUE of Texas, Mr. WAGGONNER, Mr. WHITE, Mr. WRIGHT, and Mr. YOUNG):

H.R. 14601. A bill to authorize the coinage of 50 cent pieces to commemorate the life of the Honorable Sam Rayburn and to assist in the support of the Sam Rayburn Library; to the Committee on Banking and Currency.

By Mr. SPRINGER:

H.R. 14602. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of California:

H.R. 14603. A bill to authorize the Secretary of the Interior to study the desirability of establishing a national wildlife refuge in California and/or adjacent Western States for the preservation of the California tule elk; to the Committee on Merchant Marine and Fisheries.

By Mr. DON H. CLAUSEN:

H.R. 14604. A bill to protect interstate commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAM D. FORD:

H.R. 14605. A bill to amend title 39, United States Code, to restrict the mailing of unsolicited credit cards; to the Committee on Post Office and Civil Service.

By Mr. HUTCHINSON:

H.R. 14606. A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds; to the Committee on Public Works.

By Mr. LENNON:

H.R. 14607. A bill to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of the interests of consumers, to coordinate Federal programs and activities affecting consumers, to assure that the interests of consumers are timely presented and considered by Federal agencies, to represent the interests of consumers before Federal agencies, and to serve as a clearinghouse for consumer information; to establish a Consumer Advisory Council to oversee and evaluate Federal activities relating to consumers; to authorize the National Bureau of Standards, at the request of businesses, to conduct product standard tests; and for other purposes; to the Committee on Government Operations.

By Mr. O'KONSKI:

H.R. 14608. A bill to authorize the District of Columbia to compensate holders of class A retailer's licenses issued under the District of Columbia Alcoholic Beverage Control Act who return such license to the District of Columbia for cancellation; to the Committee on the District of Columbia.

H.R. 14609. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 14610. A bill to amend title 38 of the United States Code to provide, in certain instances, up to 18 months of additional educational assistance for graduate or professional study; to the Committee on Veterans' Affairs.

By Mr. SANDMAN (for himself and Mr. KEITH):

H.R. 14611. A bill to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make low-interest loans for the financing and refinancing of new and used fishing vessels and increase the capital available for such loans; to the Committee on Merchant Marine and Fisheries.

By Mr. STUBBLEFIELD (for himself, Mr. BURLISON of Missouri, Mr. JONES of Tennessee, Mr. ALEXANDER, Mr. WHITTEN, Mr. PRYOR of Arkansas, Mr. MONTGOMERY, Mr. GRIFFIN, and Mr. PASSMAN):

H.R. 14612. A bill to amend the Flood Control Act of 1966 as it relates to certain bank revetment work on the Mississippi River; to the Committee on Public Works.

By Mr. TAFT:

H.R. 14613. A bill to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of the interests of consumers, to coordinate Federal programs and activities affecting consumers, to assure that the interests of consumers are timely presented and considered by Federal agencies, to represent the interests of consumers before Federal agencies, and to serve as a clearinghouse for consumer information; to establish a Consumer Advisory Council to oversee and evaluate Federal activities relating to consumers; to authorize the National Bureau of Standards, at the request of businesses, to conduct product standard tests; and for other purposes; to the Committee on Government Operations.

By Mrs. DWYER (for herself, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BOLAND, Mr. CAHILL, Mr. CONYERS, Mr. DULSKI, Mr. MACGREGOR, Mr. RODINO, Mr. ST GERMAIN, Mr. ST. ONGE, Mr. STAFFORD, Mr. TAFT, and Mr. YATRON):

H.R. 14614. A bill to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of the interests of consumers, to coordinate Federal programs and activities affecting consumers, to assure that the interests of consumers are timely presented and considered by Federal agencies, to represent the interests of consumers before Federal agencies, and to serve as a clearinghouse for consumer information; to establish a Consumer Advisory Council to oversee and evaluate Federal activities relating to consumers; to authorize the National Bureau of Standards, at the request of businesses, to conduct product standard tests; and for other purposes; to the Committee on Government Operations.

By Mr. GONZALEZ:

H.R. 14615. A bill to amend title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1954 to extend the coverage of military service under the old-age, survivors, and disability insurance system to include inactive service performed by reservists and members of the National Guard in attending training drills; to the Committee on Ways and Means.

H.R. 14616. A bill to amend title II of the Social Security Act to provide that an individual who has a service-connected disability incurred or aggravated while on active duty in a combat zone and rated by the Veterans' Administration at 50 percent or higher, or who dies as a result of disease or injury incurred or aggravated while on such duty, shall be considered to be fully insured, and to be insured for disability benefits, under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H.R. 14617. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to extend and improve the provisions relating to the construction and operation of community mental health facilities, and of specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California:

H.R. 14618. A bill to establish marine sanctuaries; to the Committee on Interior and Insular Affairs.

By Mr. CABELL:

H. Con. Res. 433. Concurrent resolution urging the adoption of policy to offset the adverse effects of Government monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. JONES of Alabama:

H. Con. Res. 434. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. CABELL:

H. Res. 605. 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.

By Mr. GIAIMO (for himself, Mr. BIAGGI, Mrs. CHISHOLM, Mrs. GREEN of Oregon, Mr. HOWARD, Mrs. MINK, Mr. ST. ONGE, Mr. TIERNAN, Mr. FRIEDEL, and Mr. WALDIE):

H. Res. 606. Resolution in support of a cease-fire and accelerated U.S. troop withdrawal from Vietnam; to the Committee on Foreign Affairs.

By Mr. KOCH (for himself, Mr. ADDABBO, Mr. BRASCO, Mr. FARBSTEIN, Mr. HELSTOSKI, Mr. KARTH, Mr. REES, Mr. SCHEUER, and Mr. TUNNEY):

H. Res. 607. Resolution in support of a cease-fire and accelerated U.S. troop withdrawal from Vietnam; 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. BEALL of Maryland:

H.R. 14619. A bill for the relief of S. Sgt. Lawrence F. Payne, U.S. Army (retired); to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 14620. A bill for the relief of Apolinario A. Gregorio, Angelica Gregorio, and Lloyd Gregorio; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

311. By the SPEAKER: Petition of the Common Council, Buffalo, N.Y., relative to the war in Vietnam; to the Committee on Foreign Affairs.

312. Also, petition of the City Council, Philadelphia, Pa., relative to modernization of postal service and continuation of the present governmental postal system; to the Committee on Post Office and Civil Service.