

"It is important that, through personal observations, students see that nonprofessional service positions in their schools are not for members of one race and that harmonious working relationships can exist between members of both races. The Superintendent and Board of Education should therefore take all necessary steps to assure that all staffs are bi-racial."

"Participation in extracurricular activities by students of both races should be actively encouraged by administrators and teachers as a means for developing school spirit and a feeling of belonging."

"School organizations—student government, cheerleaders, musical organizations, athletic teams—must be operated on a non-discriminatory basis and should include students of both races."

"Guidance counselors should be oriented and urged to plan a leading role in successful implementation of the desegregation plan."

"The curriculum should be reviewed and, as necessary, revised to provide recognition of Negro history, culture and contributions to our society. Library books which deal with such subjects should be added to school book collections."

"The Superintendent should direct each principal to establish a student-faculty human relations committee representing both races to aid in the successful implementation of desegregation."

"All school staff and members of the student body should exert extra effort to assure the full participation of all students of both races in extra-curricular programs, including when appropriate the provision of a "late bus" for those staying after school to participate in such programs."

These H.E.W. guidelines not only violate the law but H.E.W. misused its appropriation to prepare them. Sec. 409 of the Appropriation Act under which the H.E.W. employees are paid reads as follows:

"No part of the funds contained in this Act may be used to force busing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance."

And Sec. 410:

"Sec. 410. No part of the funds contained in this Act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular

school in order to overcome racial imbalance as a condition precedent to obtaining Federal Funds otherwise available to any State, school district, or school: *Provided*, That the Secretary shall assign as many persons to the investigation and compliance activities of title VI of the Civil Rights Act of 1964 related to elementary and secondary education in the other States as are assigned to the seventeen Southern and border States to assure that this law is administered and enforced on a national basis, and the Secretary is directed to enforce compliance with title VI of the Civil Rights Act of 1964 by like methods and with equal emphasis in all States of the Union and to report to the Congress by March 1, 1969, on the actions he has taken and the results achieved in establishing this compliance program on a national basis: *Provided further*, That notwithstanding any other provision of law, funds or commodities for school lunch programs or medical services may not be recommended for withholding by any official employed under appropriations contained herein in order to overcome racial imbalance: *Provided further*, That notwithstanding any other provision of law, moneys received from national forests to be expended for the benefit of the public schools or public roads of the county or counties in which the national forest is situated, may not be recommended for withholding by any official employed under appropriations contained herein."

Not only has the Supreme Court condoned violation of the law by HEW but it has authorized the Fifth Circuit to enforce as law the illegal HEW guidelines.

Thursday, we voted on the Selective Service Act. We have seen the Armed Forces of the United States used against our neighbors in Arkansas, Mississippi, and Alabama to enforce lawless court orders. I did not support these amendments. I told the House:

"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."

Together we have overcome many hardships.

For the sake of our children, let us all unite together and work to overcome this latest oppressive wrong.

## BLACK UNITED FRONT ASKS REPARATIONS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 30, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, a friend of mine who is a member of Washington's B'nai Israel Synagogue, recently called my attention to how ridiculous the Black United Front's demands for so-called reparations are becoming.

A representative of the front apparently felt it necessary to demand from the members of the synagogue payments on the basis of their "Christian vision." Without further comment, I should like to include the text of a brief article concerning their encounter with the synagogue janitor who received their demands:

### MISLABLED, MISFIRED AND MISTAKEN

WASHINGTON.—The Black United Front, a militant Negro organization which is demanding reparation in cash from the religious community, sent representatives to read a policy statement on the steps of Washington's B'nai Israel Synagogue on Yom Kippur Eve calling on "Jewish church to shake off the shackles of white racism and capitalist exploitation that have strangled its Christian vision."

A BUF field chairman, Tony Cox, read a statement calling for a \$10 million contribution to the Black Economic Development Corporation from synagogues. Mr. Cox and 16 other Black activists arrived at the synagogue at 8:05 p.m. when the worshippers had gone home to break their fast after Yom Kippur. The statement was read to the janitor of the synagogue.

In the statement, the BUF urged "the Jewish church on this, your Day of high Atonement, to not only stop sanctioning racism but to make amends for its active role in the capitalistic exploitation and economic gerrymandering of the Black community."

If the synagogues refuse, the BUF warned, it could lead to "another Middle East crisis in the District of Columbia or another Vietnam in Washington."

## HOUSE OF REPRESENTATIVES—Friday, October 31, 1969

The House met at 12 o'clock noon.

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

*Come ye and let us go up to the mountain of the Lord; that He may teach us His ways and that we may walk in His paths.—Isaiah 2:3.*

Eternal God, who art our refuge and strength, our present help in every hour of need, we would begin this day with Thee, we would continue it with Thee, and we would end it with Thee. May this be a day when we truly adventure with Thy spirit and in so doing increase in faith, advance in hope, and extend good will in our Nation and in our world.

We pray for our country that our people may learn to be one in spirit, one in purpose, and one in a desire to live together harmoniously. As a result may we endeavor to bring peace to our world, understanding between nations, and a

new sense of responsibility for the welfare of all mankind.

In Thy holy name we pray. 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, who also informed the House that on October 29, 1969, the President approved and signed bills of the House of the following titles:

H.R. 11039. An act to amend further the Peace Corps Act (75 Stat. 612), as amended; and

H.R. 12781. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 73. An act to amend the act entitled "An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak."; and S. 267. An act for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired).

The message also announced that the Senate insists upon its amendment to the bill (H.R. 474), entitled "An act to establish a Commission on Government Pro-

curement," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. RIBICOFF, and Mr. MUNDT to be the conferees on the part of the Senate.

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

S. 2062. An act to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes.

**TRIBUTE TO KENNETH SPRANKLE,  
CHIEF CLERK AND STAFF DIRECTOR,  
COMMITTEE ON APPROPRIATIONS**

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

Mr. MAHON. Mr. Speaker, I take this opportunity to announce to the House the retirement of Mr. Kenneth Sprankle, the chief clerk and staff director of the Committee on Appropriations.

He is retiring effective today, after more than 40 years of Federal service, all of which has been in the service of the House of Representatives except for 3 years in the Navy during World War II.

Mr. Sprankle has been on the staff of the committee for nearly 23 years, serving in his present capacity for some 14 years.

His first House service goes back to December 1925, when the late and beloved former chairman of the Committee on Appropriations, John Taber, brought him here as a page in the 69th Congress. In 1930, he became secretary to Mr. Taber, and served there until he began his service in the Navy in 1943.

The distinguished dean of the House, the gentleman from New York (Mr. CELLER), is the only Member of the present House who was here when Ken came to the House as a page.

Mr. Sprankle is only the sixth person to serve as the chief clerk of the Committee on Appropriations during its 104-year history, having been preceded by Robert Stevens, James Courts, Marcellus Sheild, John Pugh, and most recently, George Harvey.

It has been the consistent policy of the Committee on Appropriations through the years, irrespective of the political control of Congress, of maintaining a permanent career staff of dedicated, able and loyal employees—men of integrity; men of experience and judgment; men expert in both the endless detail and the broad features of Federal fiscal affairs; men who are familiar with legislative procedures and practices; men who are willing and able to be of service to all Members of the committee and of the House.

The public little knows of the tremendous power for good which is exerted by staff members of committees of the House. They are the sine qua non of effective legislation. They provide continuity and strength.

The staff policy of the Committee on Appropriations is not only a wise policy,

it has in my judgment been a successful policy. The committee has a top-flight career staff. Ken Sprankle has been an integral and important part of it. He has a wide circle of friends and acquaintances among Members and Hill employees, among executive branch people, and others who come in contact with the committee.

The committee will miss Mr. Sprankle's valuable and ripe experience. While he is officially retiring today, he will remain temporarily on special assignment to assist the committee to complete its appropriation business for the session.

On behalf of the committee I extend congratulations to Ken Sprankle on a job well done and thanks for his long and distinguished service.

Effective tomorrow, I am appointing Mr. Paul M. Wilson to succeed Ken as clerk and staff director of the committee. Mr. Wilson is no newcomer to the Government and to congressional service. He has been in the Federal service for 36 years, nearly 23 years of which has been with the Committee on Appropriations. He has been the assistant clerk and staff director for the past 14 years.

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

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

Mr. BOW. Mr. Speaker, I should like to join with our distinguished chairman in tribute to Ken Sprankle. I approve of everything the gentleman has said.

May I say that we in the minority will miss Mr. Sprankle. His cooperation with us has always been magnificent.

I came to the committee 20 years ago. Ken Sprankle was able to give me a great deal of advice and scholarly information. It is a complex committee to serve on. I know of nobody in the Congress, Member or otherwise, who knows more about the budget, the procedures of the Appropriations Committee, than does Ken Sprankle. We shall miss him.

He is responsible, I think, Mr. Chairman, for the nonpartisanship that we have on the committee, where we all try to work together for what we believe is right and best for the country.

I will miss Ken Sprankle and his sage advice. I wish him well in his retirement. I am delighted he is going to be with us until we finish the present bills.

I compliment the gentleman from Texas for his tribute to Ken Sprankle today.

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

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

Mr. WHITTEN. Mr. Speaker, I join with my colleagues who have served on the Appropriations Committee for a number of years in paying tribute to the tireless and effective service of Kenneth Sprankle. It has been my privilege to work with Ken during his days when he was with our late friend and distinguished colleague, the ranking minority member and also at one time chairman of the Appropriations Committee, the Honorable John Taber, of New York State; during his years with the budget office of the Navy Department, and on the Appropriations Committee during many years under the longtime chair-

man from Missouri, the Honorable Clarence Cannon, and now under the chairmanship of the Honorable GEORGE MAHON.

I have frequently said that the position of staff member of the Appropriations Committee is probably the most exacting job of which I know. Not only is it essential that the myriad of detail that flows through the Appropriations Committee from every department and agency be checked as to accuracy, but it must be correlated and every subcommittee advised so there will be no duplication of efforts.

Ken Sprankle has filled this job, one it is next to impossible for anyone to fill to his own satisfaction; but never has he shirked the job that was his, which was tremendous in itself. And in addition he has always found time for extra effort in behalf of members of the committee and other members of the staff.

The many, many interests throughout the Government which must be dealt with requires not only a man of real ability but one of infinite patience; not only one who is tireless but one who has the mental capacity and ability to work with the enormous dollar figures involved, and who at the same time must be able to get along with his associates on the staff of the committee, with the investigating staff of the committee, and with the Appropriations Committee members, themselves, and particularly with the chairman, to whom he has final responsibility.

As Ken Sprankle announces his retirement, as of November 1, I can say that he has not only all these attributes so essential to a staff member but even more, because, in keeping with his high standards and outstanding conduct he has risen to be chief of staff, in which position he has served for many years; and notwithstanding his retirement—in line with his sense of obligation and appreciation—he is working on through the months of November and December to conclude the work of this session of the Congress.

As he retires, we wish him many more years of happiness and trust he will transfer his energies into that field of activity in which he finds pleasure not only for himself but for his fine family. We shall miss Ken and just hope that from time to time he will be back with us.

Mr. MAHON. Mr. Speaker, I now yield to the distinguished minority leader (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the distinguished chairman of the Committee on Appropriations yielding to me, because I wish to join with him and the others who have spoken on behalf of the fine record of Ken Sprankle as a member of the staff of the Committee on Appropriations. I served on the Committee on Appropriations for 14 years. I can vividly recall my first experience on that committee. The then chairman was the late Clarence Cannon of the State of Missouri. Subsequently Mr. John Taber of New York was chairman of that great committee. Subsequently the distinguished gentleman from Texas (Mr. MAHON) became chairman. Let me say anybody who could



satisfy Clarence Cannon, John Taber, the gentleman from Texas (Mr. MAHON), and the gentleman from Ohio (Mr. Bow), ranking Republican on the committee, must be an outstanding public servant. Someone just commented that he is a miracle worker. I think the fact that he was able to serve all of the outstanding legislators mentioned above, and satisfy their many whims and satisfy the demands put upon the Committee on Appropriations in a technical way certainly indicates that he deserves commendation from every Member of this body.

I always had the feeling that if you asked Ken Sprankle a question, he gave you a straight answer. He was always willing to cooperate. I am grateful for his many kindnesses to me personally. I wish him the very best in his future years.

Mr. MAHON. Mr. Speaker, I yield to the distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT).

Mr. ALBERT. Mr. Speaker, I thank the distinguished chairman of the committee for yielding to me.

Of course, I have never had the honor to serve on the great Committee on Appropriations, but I have known Ken Sprankle ever since I became a Member of the Congress. He has been a fine public servant. He is courteous, modest, and helpful. He is also able and thorough in his work. He has been a professional staff director and not a political partisan. I would like to say in this connection that I think the Committee on Appropriations in retaining Ken Sprankle and others on the committee, regardless of their political allegiance or regardless of whether they came to the Congress with Republican or Democratic Members, is in the spirit of the Reorganization Act of 1946, which intended for us to have professional staffs and not to divide our staffs between the two parties. There has been a lot of activity in the other direction in recent years, but I think that the soundness of the 1946 act has been proved in Ken's work on this great committee, which in many ways is the most powerful committee in the House. I say this because I know that Ken has served every Member of the House as well as the members of the gentleman's committee, regardless of political affiliation, with skill, with judgment, and always in the most accommodating manner. Personally I want to thank Ken for the many kindnesses which he has extended to me over the years and to wish him a long and happy retirement.

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

Mr. MAHON. I yield to the gentleman from Alabama, a member of the Committee on Appropriations.

Mr. ANDREWS of Alabama. Mr. Speaker, I want to join with the distinguished chairman of the Appropriations Committee in paying tribute to Kenneth Sprankle, chief clerk and staff director of the House Appropriations Committee, who is retiring today after serving his country long and well. In addition to serving in the U.S. Navy during World War II, Ken Sprankle has a most impressive record of 40 years of Federal service—all but 3 of which were spent

on Capitol Hill. Having begun his duties in the 1920's as a page, there are few, if any, on Capitol Hill today who are more knowledgeable of the legislative process than is Ken Sprankle.

I have had the privilege of serving on the Appropriations Committee since 1945. Ken Sprankle joined the committee staff soon afterward, and it has been my pleasure to work closely with him since that time. Under Ken Sprankle's able direction, the staff has maintained its professional and bipartisan standards through the years. Few men have held the position of chief clerk and staff director since the Appropriations Committee was created in 1865, and I venture to say that Ken Sprankle has been the most outstanding staff director in the history of the committee.

While we regret very much to lose the valuable services of Ken Sprankle, I am sure everyone will agree that he has more than earned his retirement. Therefore, I would like to take this opportunity to extend my best wishes to him and to wish for him many happy years of retirement.

Mrs. HANSEN of Washington. Mr. Speaker, it is a real privilege for me to join with my colleagues today in commendatory remarks for a loyal and faithful employee of the House of Representatives who is retiring at the close of business today.

Mr. Kenneth Sprankle, clerk and staff director of the House Appropriations Committee is ending a long and successful career in the House of Representatives of which he can be most proud. The position he has held on the staff committee is an arduous one, requiring infinite patience, great ability backed up by extensive knowledge of the budgetary process, courtesy, loyalty, much hard work and a commanding sense of priorities. In my estimation, Ken Sprankle, in his daily work, has fulfilled all of these requirements—he has done an excellent job.

In my 7 years on the Appropriations Committee, I have found him to be the soul of integrity, capable in all respects, never indicating any inclinations toward regionalism, and very much aware of his responsibilities and duties as a staff member, which, of course, are complementary to the duties and responsibilities of committee members.

It has been my observation that Ken Sprankle generously gave his assistance to all members of the Appropriations Committee regardless of their political affiliation. In my position as chairman of the Subcommittee on Interior and Related Agencies, I have found him to be most helpful, always giving wise counsel, in guiding the Interior bill through the intricate legislative procedures of the Congress.

I extend my very best wishes for a long, happy, and healthy retirement to Ken Sprankle—he has earned it for a job well done.

Mr. SIKES. Mr. Speaker, I want to associate myself with the remarks of the distinguished chairman of the Committee on Appropriations on this occasion of the retirement of Kenneth Sprankle as the committee's chief clerk and staff director. I have known Ken for many years and have found him to be an able

and dedicated man. He has served the Committee on Appropriations well and treated all Members, regardless of party, courteously and forthrightly.

Mr. Speaker, Ken has given the committee and the House many years of faithful service for which I am sure Members are most grateful. We will feel a personal loss without his presence on the committee staff. Ken Sprankle typifies the excellence the committee requires in its staff. He has demonstrated this excellence through his many years of service to the committee and its members. To him we owe a sincere debt of gratitude and the biggest "thank you" that one can offer for a job well done. He deserves the best in life and I wish him all the success and happiness that the Good Lord can bestow.

Mr. JONAS. Mr. Speaker, I should like to associate myself with the comments that have already been made concerning Ken Sprankle. I thought the remarks of the distinguished gentleman from Texas (Mr. MAHON), the chairman of the House Committee on Appropriations, were especially appropriate and wish to endorse and concur in all that he had to say about Ken.

Ken Sprankle's work as chief clerk and staff director of the Committee on Appropriations has been characterized by quiet dignity, complete dedication, and a standard of service that will be difficult if not impossible to match anywhere in Government. The importance of his service to the Committee on Appropriations can be measured by the fact that it was rendered under three committee chairmen: The late Representative Clarence Cannon, of Missouri, the late Representative John Taber, of New York, and the present chairman who is Representative GEORGE MAHON, of Texas. As the distinguished minority leader, Mr. FORD, of Michigan, said, anyone who was able to please these three gentleman and be retained by them as staff director of the committee must indeed have had to have a great deal on the ball.

The Committee on Appropriations is fortunate to have a very able and dedicated staff and indeed it would be impossible for the members of that committee to do their work effectively if it were not for this able staff. While most of us on the committee devote a majority of our time to committee work, we also represent individual constituencies and we have our share of district problems to worry over, our share of visitors, and our share of mail to handle. We rely for much of the detailed committee work on the staff members and I am happy to take advantage of this opportunity to express my personal thanks and appreciation to them for their valuable services and to say a special word of thanks and appreciation to Ken Sprankle for his uniform courtesy, for his willingness to help with any problem I had to present to him, to share with me his vast knowledge of budget and appropriation processes and procedures.

We are going to miss him on the committee but I was pleased to hear the chairman state that he will be succeeded by Paul Wilson, another able, dedicated, and long-time member of the staff. While we will miss the guidance and counsel

of Ken Sprankle, we all look forward to working with Paul, who will have some big shoes to fill but can fill them if anyone can.

Mr. REIFEL. Mr. Speaker, it has been brought to my attention that Mr. Ken Sprankle, chief clerk of the House Appropriations Committee, has decided to enter retirement.

During my service on the Appropriations Committee I have had the opportunity to work closely with Mr. Sprankle in regard to matters concerning the full committee and also the Interior Subcommittee.

Mr. Sprankle's services have been of great value. His management and organizational capabilities have been a guideline to be followed by other staff members on the Appropriations Committee.

Mr. Sprankle should be applauded for his contributions not only to the members of the Appropriations Committee, but to the entire Congress.

I join with the many other Members of Congress who wish him well in his retirement.

Mr. EVINS of Tennessee. Mr. Speaker, as Kenneth Sprankle, clerk and staff director of the Committee on Appropriations, is retiring today after 40 years of dedicated and distinguished service on Capitol Hill, I want to join with others in commending him and wishing Ken Sprankle every good luck and continued success.

Kenneth Sprankle came to the Hill as a page—and he leaves through retirement recognized and appreciated as one of the ablest and most effective staff members in the Congress.

For the past 14 years he has been clerk and staff director of the Committee on Appropriations where his work has been outstanding. He has rendered a distinct public service to the Nation.

I want to join his many other friends in Washington in wishing him the very best of good luck and success as he begins his richly deserved retirement.

Mr. GROSS. Mr. Speaker, I genuinely regret to know that Ken Sprankle is retiring as staff director of the House Appropriations Committee.

Through the years, and on numerous occasions on Saturday, while reviewing the bills to come before the House during the week to come, I have called the Appropriations Committee for information. Invariably I have found Ken on the job. For him there was no such thing as a 5-day week.

Ken Sprankle has been a loyal, dedicated employee of both the Appropriations Committee and the House of Representatives. In mitigation of his leaving, Chairman MAHON has made two announcements. First, that Ken will remain with the committee until the first of next year; and second, that Paul Wilson will take over the post of staff director.

In his retirement I wish for Ken all the good things of life.

#### GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD.

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

There was no objection.

#### RESIGNATION OF FLOOR ASSISTANT TO THE MINORITY

The SPEAKER laid before the House the following resignation:

HOUSE OF REPRESENTATIVES,

Washington, D.C., October 30, 1969.

The Honorable the SPEAKER,  
U.S. House of Representatives,  
Washington, D.C.

Sir: I herewith submit my resignation as floor assistant to the minority, U.S. House of Representatives, effective at the close of business, October 31, 1969.

Respectfully,

HARRY L. BROOKSHIRE.

#### TRIBUTE TO HARRY BROOKSHIRE, FLOOR ASSISTANT TO THE MINORITY, HOUSE OF REPRESENTATIVES

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

Mr. BETTS. Mr. Speaker, today, Harry Brookshire retires from Government service. Personally, I am sorry to hear this news for many reasons.

First of all, Harry has been a respected, trusted, and dedicated public servant for over 30 years. Men of his experience and ability are desperately needed in Government service today.

Particularly, Harry has been minority clerk of the House of Representatives since February 3, 1958. During that time he has earned the respect not only of the Republicans but I am sure all the Members of the House. His capability and broad knowledge of every phase of the legislative process has made him extremely valuable and helpful in the performance of his duties.

In addition to his natural ability, Harry has an impressive background of experience. A native of Marion, Ohio, he served 12 years as administrative assistant to Dr. Frederick C. Smith, my immediate predecessor, as Representative from the Eighth District of Ohio. Dr. Smith was a very popular political figure in Ohio and a respected Member of Congress. As his assistant, Harry made it his business to learn in detail the operation of the vast system of our Federal Government which later was to prove helpful not only to him but all the minority Members. Subsequent to Dr. Smith's retirement, he became executive assistant to Postmaster General Summerfield which position also furnished an abundance of experience.

In February of 1958, I had the privilege of presenting Harry's name to the House Republican Conference for the position of minority clerk to which he was elected and has served continuously ever since.

During that time I have observed that Harry has always been on the job, available, and completely competent in the performance of his duties. Also, during that time I have never heard a word of criticism about his work. His extensive

friendship among the Members is certainly a recognition of that fact.

In addition to all these references to his background and ability, I am more impressed at this time with our long-time mutual friendship. It is not only to a former constituent and Government employee—but also to a loyal friend that I pay my respects to Harry today. He and his wife, Ruth, will soon be leaving Washington for the quiet rolling hills of Ohio and I want him to know that my best wishes go with them.

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

Mr. BETTS. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am grateful that the distinguished gentleman from Ohio has yielded to me at this time because I wish to join him in paying a high compliment to Harry Brookshire.

A little over 4 years and 9 months ago I was given the honor of representing the Republicans on the floor of the House as minority leader. At that time Harry Brookshire held the position that he now holds and from which he is now resigning.

Mr. Speaker, it was very difficult in those early days in 1965. We had our problems on this side of the aisle and I had to rely to a very great extent upon the counsel, the assistance, and the cooperation of Harry Brookshire. I have expressed my gratitude to him for his support during this period.

But I now wish to make it a matter of public record that whatever I have been able to do in the last 4 years and 9 months here, to a very great degree has been the result of the support of Harry Brookshire and his associates who work with us on our side of the aisle.

Harry has had a great record not only in the Congress as a member of the minority staff, but a fine record in public life as well over a long period of time. I simply want to say that I am grateful to Harry, and I wish him and his very lovely wife the very best in the months and years ahead.

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

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

Mr. ARENDS. Mr. Speaker, I would like to join my remarks with those of our minority leader in what he has said about Harry Brookshire and his outstanding service to this House as minority clerk.

I have had the pleasure of serving with Harry on this House floor since he first took over this important office. I have favorably known other Republican House clerks we have had but let me say to the Members that no one has done a finer job or attempted harder to be of real service to the Members and to do those things which are vitally necessary and helpful on this House floor than did Harry Brookshire.

He has been a standout as a public servant on this House floor.

I would like to wish for him, since he has decided now to retire, the very best of everything and many, many years of



enjoyment in doing whatever he cares to do.

I would also like to say that from now on it will often happen here on the House floor when we Republicans will turn around and say "Where is Harry?" He was always on the job. We will miss him.

He may not be here in person, but he will be here with us in spirit. Good luck Harry and all good wishes to you and your wonderful wife.

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

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

Mr. BROWN of Ohio. Mr. Speaker, today one of the very valuable members of the House staff, minority clerk Harry L. Brookshire, ends a career of more than 30 years with this body and a public career of even longer tenure to retire and return to his home in Ohio.

Harry first came to Washington in 1939 as an administrative assistant to the late Congressman Frederick C. Smith from Marion, Ohio, during Dr. Smith's first term in the House. Doc Smith had been mayor of Marion, and Harry served with him in city government there before they came to Washington together. My late father Clarence J. Brown, also came to Washington that year, and he and Harry were friends during the 27 years of dad's service.

Since becoming a Member of this body in 1965, I have become well acquainted with Harry and have greatly appreciated his valuable assistance. During redistricting in the State of Ohio last year, Marion County was placed in the Seventh Ohio District, and it honors me now to be able to have Harry and his lovely wife, Ruth, as constituents, although I am saddened to know that when they leave Washington it will be to retire to a home they have built in rural Morrow County, in Congressman DEVINE's district.

Harry Brookshire did not arrive easily to the post he leaves today. Born in Forest, Ohio, about 30 miles northwest of Marion, as the son of a blacksmith, he was forced to quit school and help support his family during his early teenage years when his father died. He persisted in his goals to attain a better life, however, and returned to high school from which he was graduated at the age of 21. He then went to Oxford, Ohio, to attend Miami University and worked as a helper, and then as a machinist for a railroad.

The late Dr. Smith gave Harry his first opportunity to work in politics during his campaign for mayor of Marion. Harry then served as Mayor Smith's executive assistant until coming to Washington in 1939. He worked for Dr. Smith for 12 years on the Hill, and then for a time as administrative assistant for former Congressman Howard Buffett of Nebraska.

During the Eisenhower presidential campaign in 1952 Harry was a key advance man, in charge of the arrangements for the Eisenhower campaign train through Iowa, Nebraska, Michigan, Oregon, Tennessee, Massachusetts, New Hampshire, and Pennsylvania, and a 3-day motorcade in New York City. After President Eisenhower's victory he went back to Republican National Head-

quarters and assisted in the inaugural activities.

Harry's next job was as executive assistant to former Postmaster General Arthur E. Summerfield.

He was appointed minority clerk of the House February 3, 1958, and his devotion to duty and helpfulness to Members in that post has earned the respect and friendship of those of us on this side of the aisle during a successful 11-year career in this post. We will all miss this help and friendship very greatly. I wish him the best of luck and continued success during his retirement.

Mr. BURLERSON of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. BURLERSON of Texas. Mr. Speaker, I join my colleagues who pay tribute to our good friend Harry Brookshire on the occasion of his retirement.

It has been my privilege and pleasure to have known Harry for nearly 30 years, during which time there has developed a warm and lasting friendship. He has made a very fine and constructive contribution to official life here on Capitol Hill and will obviously carry with him to retirement, not only a great appreciation for his able services to the real affection of his associates.

It is my hope and wish that Harry and his charming wife, Ruth, will find complete satisfaction in their retired life in Ohio. It is my further wish that good health and happiness be theirs always.

Mr. BUCHANAN. Mr. Speaker, I rise to join my colleagues in paying tribute to Harry Brookshire upon his retirement as clerk to the minority in the House of Representatives. Since being appointed to his position on February 3, 1958, he has made an outstanding contribution to the Government of the United States. Since 1939 he has continually served his country in strategic places of responsibility. From 1939 to 1952 he served as administrative assistant to Representatives Frederick C. Smith, of Ohio, and Howard Buffett, of Nebraska. From 1953 until his appointment as minority clerk he served as executive assistant to Postmaster General Arthur M. Summerfield.

It has been my privilege to know Harry Brookshire not only in his professional capacity but as a neighbor. For almost 5 years it was my good fortune to live next door to him and his wife, who for more than 30 years served ably on the staff of the House Committee on Merchant Marine and Fisheries. They are fine people and good neighbors.

In my association with Harry Brookshire, I have come to respect his keen political insight and his sound good judgment in any matter. We shall miss his efficient services here and wish him a very pleasant and rewarding retirement. He has served his party and his country well. His conscientiousness has not and shall not go unnoticed or unappreciated but shall always be remembered by those who have had the privilege to serve in this body during his tenure in office.

Mr. JONAS. Mr. Speaker, I am happy to have this opportunity to join my colleagues today in paying tribute to Harry

Brookshire on the occasion of his retirement to private life.

We are all going to miss Harry but we all join in wishing for him a long life of joy and happiness in his well-deserved retirement.

While Harry's official service has been directed to Members on the minority side of the aisle, in a broad sense he has rendered service to the entire House of Representatives and he has enjoyed the respect and confidence of Members on both sides of the aisle.

Uniformly courteous and considerate, he has gained a host of friends during his service as clerk to the minority. Harry has always taken his responsibilities seriously and has always discharged them with ability and dedication.

Harry's shoes are going to be hard to fill by his successor because he set a standard in his service so high that it will be difficult to emulate. As he leaves his splendid service to the minority in the House of Representatives, he will take with him the thanks and appreciation of all of us for a job well done.

It is my hope that Harry Brookshire will enjoy long life, good health, and peace of mind in his well-deserved retirement.

Mr. MOSHER. Mr. Speaker, time after time, since my arrival here in the Congress, Harry Brookshire has been wonderfully helpful to me and to my staff. He has never failed to be completely responsive to whatever matter we were bringing to his attention.

Therefore, I speak not only for myself but also for my staff when I say we were always sure our request was in good and capable hands when we left it with Harry.

I want to associate myself—particularly with my colleagues from his home State, Ohio—but also with all the other Members of the House who are expressing today enthusiastic appreciation for Harry Brookshire's loyalty and competent assistance to all of us, on this occasion of his retirement from 30 years of Government service.

We will greatly miss Harry Brookshire, and will find it difficult to break the habit of calling upon him for assistance. However, we wish for him and his wife, Ruth—who retired recently after long and able service to our Merchant Marine Committee—good health and all that is best, knowing that they will enjoy to the fullest doing now many things they never before had time enough to do.

Mr. KLEPPE. Mr. Speaker, Harry Brookshire has earned the right to his retirement. He has earned it through conscientious dedication to his work, his friends, and his country. I want to pay my tribute to Harry for what he has done. I wish him the very best in the years of his retirement. Good luck, Harry.

Mr. STANTON. Mr. Speaker, it is with mixed emotions that I appear here this afternoon to say goodbye to a very personal friend, the minority clerk, Harry L. Brookshire. Mr. Speaker, I say it is with mixed emotions because I realize that as a friend, one knows that Mr. Brookshire's retirement is the proper thing for him to do. He and his lovely

wife, Ruth, are more than entitled to enjoy the many years that lie ahead of them. He has earned this by conscientious hard work and dedication to his country and his fellow man. He has served with honor, distinction, pride, and with an ability that is given to very few men in life.

Mr. Speaker, it is with mixed emotions because as much as we realize that Mr. Brookshire has more than earned this period of enjoyment, it is with deep regret that we also realize that we will be operating in this House of Representatives without him. All of us who have had the pleasure of knowing him, personally, have always felt that there was a true friend. His genial, likable personality is contagious. In the 5 years I have served in this House, I have never known him to refuse a single Member's request. He ran his office with the dedication and ability of the true professional that he is. He is a man well equipped to deal with the many problems and multiple personalities that he encountered in his day-to-day operation. The fact that he will not be with us in the House makes this a black Friday for me, personally.

I extend to Harry and Ruth Brookshire my personal best wishes for a long and happy retirement in the great and beautiful State of Ohio.

Mr. LATTA. Mr. Speaker, it has been my privilege and pleasure to have known Harry Brookshire from the first day I came to Congress. His service as clerk of the minority has been valuable to me but nothing compared to his friendship and counsel. Harry Brookshire is a man among men, a man you can confide in, a man whose word is still his bond, a man you can trust.

We shall miss Harry Brookshire in these Halls, but I hope he comes back to visit us and that he does so often.

Harry Brookshire has rendered countless services to members of the minority. For this I say many, many thanks.

I wish Harry Brookshire and Mrs. Brookshire the best of everything in their retirement. May they enjoy it to the fullest as they both have earned it.

Mr. CLANCY. Mr. Speaker, after nearly 30 years of Federal service, minority clerk Harry L. Brookshire, of Marion, Ohio, will retire on Friday, October 31, 1969. His service represents a lifetime of achievement.

I have become personally very fond of Harry and feel that his departure will mean the leaving of a true friend. This Friday will bring to a close a highly successful career of public service and contribution. We have all come to rely on Harry's ability, integrity, loyalty and experience and we will genuinely miss his presence.

I wish to congratulate this fine Ohio gentleman and welcome him back to his home State. I know that both Harry and his wife, Ruth, will have a very happy retirement.

My best wishes to both of them.

Mr. WATKINS. Mr. Speaker, it is with a great sense of regret that I see this week draw to an end, because I realize that Harry Brookshire, minority House clerk, will lend his many years of faith-

ful service to the House of Representatives and go to richly deserved retirement.

When I came to the 89th Congress as a freshman Representative, Harry became not only mentor and guide, but my good friend. I found him generous with advice and counsel, and no matter how knotty a problem I encountered, "Brooky" never failed to let me have the benefit of his objective judgment, delivered in the pungent and salty manner that is his alone.

During the 90th and 91st Congresses, this friendship grew, and one of the first persons I would seek upon my return to Washington would be the minority House clerk. I could go on like this for thousands of words, but those of my colleagues who have served in the House far longer than I well know how we all have relied upon Harry Brookshire and they will want to pay him tribute also.

"Brooky" should have no regrets when he leaves. Those of us in the House—and I am sure I speak for colleagues on both sides of the aisle—will feel the loss. When his successor is selected, he will find a mighty big pair of shoes to fill.

I should like to pay tribute also to Harry's lovely wife, Ruth, who served the House of Representatives faithfully and well in her many years of committee assignments, and who has preceded her husband in retirement by a few months. To both Harry and Ruth go my best wishes for great happiness in the years ahead. I can only express the hope that occasionally they may find time to return to the House which served as their second home for so long and which owes them a debt of gratitude for dedicated and cheerful service.

Mr. ROUDEBUSH. Mr. Speaker, on Friday, October 31, the House will lose one of its most valuable employees, Minority Clerk Harry L. Brookshire, of Marion, Ohio.

Harry is retiring after nearly 30 years of Federal service in a variety of responsible positions.

I have become personally very fond of Harry during my 9 years service in the House, and admire greatly the many fine qualities this Ohio gentleman possesses.

Harry and his wife, Ruth, also a former congressional employee, are retiring to their new home in Ohio, the State which Harry left more than 30 years ago.

Harry Brookshire's political career is a real American success story. Born in Forest, Ohio, the son of a blacksmith, Harry was forced to leave high school as a sophomore when his father died, but returned later to graduate at the age of 21.

He also attended Miami University, at Oxford, and worked as a helper and later a machinist for a railroad.

Harry's first taste of politics came when he campaigned for former Congressman Frederick C. Smith during Dr. Smith's race for mayor of Marion.

Serving as an executive assistant to Mayor Smith, Harry came to Washington as Dr. Smith's administrative assistant in 1939 and stayed on this job for 12 years.

Harry also was administrative assistant for former Congressman Howard Buffett, of Nebraska.

He was a key advance man for former President Eisenhower during the 1952 presidential campaign. He was in charge of arrangements for the Eisenhower campaign train through Iowa, Nebraska, Ohio, Michigan, Oregon, Tennessee, Massachusetts, New Hampshire, Pennsylvania, and a 3-day motorcade in New York City.

After Ike's election, Harry continued at Republican national headquarters where he was deeply involved in inaugural activities.

He then joined the Post Office Department and served as executive assistant to former Postmaster General Arthur E. Summerfield.

Harry became minority clerk of the House on February 3, 1958, and this Friday closes out an illustrious and highly successful career in this important office.

This highly energetic and genuinely likeable congressional employee will be sorely missed by all of those Members of Congress who have come to rely and depend on Harry's ability, experience, and integrity.

And, for a great many of us, it will not only be the departure of a faithful and loyal employee, it will be the leaving of a fine and true friend.

So, I wish to congratulate my good friend, Harry Brookshire, upon the completion of a long career of public service and contribution, and to wish him and his wonderful wife, Ruth, a most pleasant and enjoyable retirement to their beloved Ohio.

Mr. MYERS. Mr. Speaker, new Members of the House of Representatives need much help during their early days in Congress. Three years ago, I can say that as a new Member I needed lots of assistance. One of the first people to come to me with a helping hand and words of advice was Harry Brookshire, House minority clerk, who today has announced his retirement. The Republican Party, the House of Representatives, and the Nation will lose today a great and dedicated servant. As he returns to his hometown, Marion, Ohio, we shall miss his wisdom and his contributions. Today, I want to thank him for his contributions to the people of this country through his more than 30 years of faithful service. We wish him and his wife, Ruth, many years of happiness.

Mr. DICKINSON. Mr. Speaker, I would like to join in paying tribute to Harry Brookshire upon the occasion of his retirement after more than 30 years of Federal service. We on the minority side will miss Harry, one of the most valuable and dedicated employees of the House, but I want to wish him many happy years of retirement in Marion, Ohio.

Harry Brookshire is the epitome of the dedicated congressional employee. Not only is he a faithful employee of the House, but he is also a personal friend to many of us. During my 5 years' service in the Congress, I have come to depend heavily on Harry and his wisdom in a number of areas, and I deeply regret that we will no longer be able to call on his experience.

You will be missed, Harry, but I join my colleagues in wishing for you and



your wife a most enjoyable and rewarding retirement.

Mr. DUNCAN. Mr. Speaker, one of my best friends and one of the most helpful persons on the Hill leaves us today. I will miss Harry Brookshire because I have always received friendly cooperation from this fine minority clerk.

Harry has been one on whom we could depend. He kept his promises and never forgot a request. I admire his hard work and appreciate the extra effort he has exerted to make my job easier.

Having been in politics for more than 30 years, Harry knows the responsibilities placed on public servants. He certainly has had variety in his career, working for a mayor, Congressman, a postmaster, and most recently for the Republican side of the House of Representatives.

Today, I join my colleagues in saying "thank you" to Harry for faithful assistance and "goodbye" to a good, loyal friend. May the days of retirement be very enjoyable.

Mr. SCHADEBERG. Mr. Speaker, there comes a time in this race of life for each of us when the baton of service is handed on to others who will take over where we leave off. When one has completed his stretch around the track, and has left the race he can reflect upon that which has taken place along the way. Harry Brookshire today releases his grip on the baton of service and will have the time, for many years we hope, to reflect upon those hundreds of men who, coming from all sections of this Nation, have been the recipients of his talents and gracious assistance. We on this side of the aisle will miss his presence not only as a staff member but as a friend.

May God richly bless him and keep him and cause His benevolent love to abide with him through the many glorious years ahead.

Mr. DEVINE. Mr. Speaker, today marks the final day for our highly respected minority clerk of the House, Harry L. Brookshire. His legion of friends in and out of the Congress sincerely regret seeing this dedicated public servant retire from his position, although he well deserves some happy years in retirement.

Over 50 years ago, Harry started as a machinist apprentice for the Erie Railroad in Miami, Ohio, and although required to work, completed high school in 1921. He also attended Miami University in Oxford, Ohio, and at the same time worked for a living. Harry Brookshire served as city clerk and clerk of council in Marion, Ohio, as well as executive assistant to Mayor Frederick C. Smith. He resigned, however, on January 3, 1939, to accept a position as administrative assistant to Congressman Frederick C. Smith of the Eighth Ohio District, and served as Congressman Smith's administrative assistant for 12 years. In 1951, Harry Brookshire was the administrative assistant to Howard Buffett, of the Second District of Nebraska, and thereafter became the executive assistant to Postmaster General Arthur E. Summerfield.

On February 3, 1958, Harry Brookshire was appointed minority clerk of the House of Representatives and has served in this capacity until today.

During these years, Harry has rendered great service not only in his office

capacity, but personally to Republican Members and has been helpful in many capacities. Harry Brookshire will be sorely missed by all Members of Congress, yet we all wish him many years of happiness as he returns to his home State of Ohio to enjoy his well deserved retirement.

Mr. MINSHALL. Mr. Speaker, it is always difficult to say goodbye to old friends.

Harry Brookshire is leaving us after faithfully serving as minority clerk of the House of Representatives for nearly 12 years, rounding out a career in Government totaling 30 years. He is a credit to his Nation and to our party.

The House is like a home to Harry, who came here in 1939 as executive assistant to former Congressman Frederick Smith from Marion, Ohio, for whom he worked for a dozen years. Later he was administrative assistant to former Congressman Howard Buffett of Nebraska.

During the 1952 Eisenhower campaign, Harry was an advance man in charge of arrangements for Ike's campaign train through Ohio, Michigan, Iowa, Nebraska, Tennessee, Massachusetts, New Hampshire, Pennsylvania and a memorable 3-day motorcade in New York City. He joined the Post Office Department as executive assistant to former Postmaster General Arthur E. Summerfield after the 1953 Eisenhower inaugural.

In 1958 we elected him our minority clerk and his loyalty, friendship and unflagging dedication have made him a standby. Now he and his lovely wife, Ruth, are retiring to their home in Marion.

With reluctance we say, "Goodbye Harry and thank you," with one addendum—"We hope to see you and Ruth often in Washington."

Mr. BRAY. Mr. Speaker, with the adjournment of the House today, a long and honorable career of service to the American Republic and its citizens, which has spanned over 30 years, will come to a close. Harry L. Brookshire, minority clerk of the House of Representatives, will retire from the post in which he has served with distinction and great ability for the past 12 years.

My own acquaintance with Harry, both personal and professional, began when he was rendering such superb yeoman service as executive assistant to former Postmaster General Arthur Summerfield. Harry is one of that unsung, unknown, handful of House employees who contribute so much to making the House of Representatives that great "forge of Democracy" which it has become.

The last bells, the last crack of the gavel, will sound for Harry Brookshire today. But, knowing Harry as I do, I like to think that his sentiments, on retiring, are like the following, attributed to Dr. Sam Johnson:

Exert your talents and distinguish yourself, and don't think of retiring from the world until the world will be sorry that you retire.

He has exerted his talents, he has distinguished himself, and now he is

retiring, and we are sorry to see him go. But, Harry, you will not be forgotten, and from me and from all of us who have been proud to call you friend, hall, and farewell.

Mr. GROSS. Mr. Speaker, it was difficult to believe a few days ago when Harry Brookshire told me that he would retire, effective as of today.

It was in the nature of another pillar of the House of Representatives being removed for I have known Harry for many years and through those years he has been most helpful at all times.

Harry's retirement is almost as though a Member of the House had suddenly resigned. I will greatly miss him as a friend and for his good works as an employee of the House of Representatives.

To Harry and his wife I wish all the good things of life as they embark upon their retirement.

Mr. ADAIR. Mr. Speaker, I wish to join the many expressions of good will and bon voyage to our longtime minority clerk, Harry L. Brookshire, who is retiring today. We will all miss his valued assistance on the House Republican side. His 11 years of experience will not be easy to replace. His energetic and efficient service will serve as an example to those who follow in his footsteps.

Harry certainly has my best wishes for a pleasant and enjoyable retirement in Ohio.

Mr. HARSHA. Mr. Speaker. Today marks the end of a long and productive career of a valuable House employee. I am speaking of the retirement of the minority clerk, Mr. Harry L. Brookshire.

For the past 11 years, Harry has served us well in this capacity, and we will indeed miss this dedicated and capable worker among our ranks.

As a fellow native of the Buckeye State, I heartily congratulate Harry on his fine record as minority clerk and applaud his achievements in a successful political career which extends over a magnitude of 30 years. I have come to appreciate this fine and experienced gentleman and I am sorry to see him leave.

I wish him the continued success and happiness which he so rightly deserves when he returns to his home in Marion, Ohio. Although I join my colleagues in Congress who deeply regret his leaving, I have no doubts, however, that the State of Ohio will gladly welcome the return of an outstanding citizen, Mr. Harry L. Brookshire.

#### GENERAL LEAVE

Mr. BETTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks on the subject of the retirement of Harry Brookshire.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

#### ELECTION TO COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 608) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 608

*Resolved*, That Henry P. Smith III of New York be and he is hereby elected a member of the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### RETIREMENT OF PETER LEKTRICH

(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, I am sure all the Members will join with me in singing the praises of Mr. Peter Lektrich and thanking him for the excellent job he has done as chief of records and registrations since 1964. Pete will be retiring today after serving some 19 years in different capacities in the Office of the Clerk of the House. He first came to Washington in 1938 and worked for various agencies in the executive branch until 1949. Pete served as administrative assistant to former Congressman Anthony Cavalcante during the 81st Congress. In 1950 he joined the staff of the Clerk of the House as assistant property custodian and later as assistant bill clerk until he became chief of records and registrations in 1965. His present duties also include the administration of the Corrupt Practices Act and Lobbying Act of 1946. I for one will miss Pete's smiling face and helping hand. I would urge my colleagues to join me in wishing Pete well as he begins his richly deserved life of retirement.

Mr. HARSHA. Mr. Speaker, I want to join my colleagues in expressing deep gratitude and appreciation for the fine services rendered us by Mr. Peter Lektrich, who is retiring from his work with Congress, after serving some 19 years.

I have known Pete for a number of years and consider him to be one of the most conscientious and outstanding employees of the Congress it has been my privilege to know.

He first came to Washington in 1938 and worked for various agencies in the executive branch until 1949. He served as administrative assistant to former Congressman Anthony Cavalcante during the 81st Congress, and in 1950 joined the staff of the Clerk of the House as assistant property custodian. He later was assistant bill clerk until he became chief of records and registrations in 1965.

His wide experience in Government work over the years well qualified Pete for his position as chief of records and registrations in the House of Representatives, and he is to be commended for the excellent job he has done in this capacity.

Pete has always been extremely cooperative and helpful and will be greatly missed by those of us who have had the pleasure of working with him. I wish him many years of happiness in his well-deserved retirement.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to the services of Peter Lektrich.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### SERGEANT ALFRED GONZALEZ

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

Mr. DE LA GARZA. Mr. Speaker, the Rio Grande Valley of Texas counted a new hero today when Mrs. Dolia Gonzalez accepted the Congressional Medal of Honor for her only child, Sgt. Alfred Gonzalez of Edinburg, killed in action at Hue, Republic of South Vietnam, on February 4, 1969.

Sergeant Gonzalez is the first valley man to receive the Nation's highest award in the Vietnam war, joining other border men whose heroism was recognized in past wars. He is Texas' 51st serviceman so dignified.

Vice President AGNEW presented the medal to Mrs. Gonzalez at a ceremony in the Executive Office Building. Three men who have known Sergeant Gonzalez from school days, who had played on the football team with him, who served as pallbearers at his funeral, were also present, Lt. Michael B. Reilly, Sgt. J. J. Avila, and Raul Garcia, the latter now out of the Marines. I was also present, witnessing a ceremony that moves the soul and makes the heart rejoice as the saga of another brave man is unfolded.

The bravery that won Sergeant Gonzalez this award is a panorama of 4 days of highest courage, fighting while wounded but never giving up until life was gone.

Mr. Speaker, the best way to describe Sergeant Gonzalez' actions is to use the Marine Corps citation, which reads:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as Platoon Commander, Third Platoon, Company A, First Battalion, First Marines, First Marine Division, in the Republic of Vietnam. On 31 January 1968, during the initial phase of Operation HUE CITY Sergeant Gonzalez's unit was formed as a reaction force and deployed to Hue to relieve the pressure on the beleaguered city. While moving by truck convoy along Route #1, near the village of Lang Van Long, the marines received a heavy volume of enemy fire. Sergeant Gonzalez aggressively maneuvered the marines in his platoon, and directed their fire until the area was cleared of snipers. Immediately after crossing a river south of Hue, the column was again hit by intense enemy fire. One of the marines on top of a tank was wounded and fell to the ground in an exposed position. With complete disregard for his own safety, Sergeant Gonzalez ran through the fire-swept area to the assistance of his injured comrade. He lifted him up and though receiving fragmentation wounds during the rescue, he carried the wounded

marine to a covered position for treatment. Due to the increased volume and accuracy of enemy fire from a fortified machine gun bunker on the side of the road, the company was temporarily halted. Realizing the gravity of the situation, Sergeant Gonzalez exposed himself to the enemy fire and moved his platoon along the east side of a bordering rice paddy to a dike directly across from the bunker. Though fully aware of the danger involved, he moved to the fire-swept road and destroyed the hostile position with hand grenades. Although seriously wounded again on 3 February, he steadfastly refused medical treatment and continued to supervise his men and lead the attack. On 4 February, the enemy had again pinned the company down, inflicting heavy casualties with automatic weapons and rocket fire. Sergeant Gonzalez, utilizing a number of light antitank assault weapons, fearlessly moved from position to position firing numerous rounds at the heavily fortified enemy emplacements. He successfully knocked out a rocket position and suppressed much of the enemy fire before falling mortally wounded. The heroism, courage, and dynamic leadership displayed by Sergeant Gonzalez reflected great credit upon himself and the Marine Corps and were in keeping with the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

#### PRAYERS FOR THE PRESIDENT

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

Mr. WALDIE. Mr. Speaker, for a long time I have had the personal practice of saying each morning a silent prayer for the good health and long life of the President of the United States.

For the past 9 months I have been listening to the comments and views of the Vice President, and particularly to his statements of recent days. I have now decided to expand that personal practice and to say a silent prayer for the good health and long life of the President each evening as well as each morning.

#### MR. AGNEW'S HALLOWEEN WITCH HUNTING

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

Mr. WOLFF. Mr. Speaker, perhaps it is quite appropriate that I follow the gentleman from California.

Mr. Speaker, it is appropriate that Mr. AGNEW's latest bit of witch hunting is reported on Halloween. It is eerie to realize that our Vice President views free speech as a goblin. That he would make democracy a ghost is certainly terrifying. He is no treat; it must be a massive trick.

#### A TIME TO SUPPORT OUR PRESIDENT AND TO HEAP SCORN ON THOSE WHO SEEK DEFEAT

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

Mr. MICHEL. Mr. Speaker, the Red-led demonstration scheduled for Novem-



ber 15 is being billed by its publicity conscious organizers as a death march. I would like to remind those advocating an immediate and complete withdrawal of our troops that during the Tet massacre in February of 1968 more than 3,000 South Vietnamese civilians—women and children included—were brutally killed by the Vietcong, whose flag these moratorium leaders carry so proudly. These victims were chained together, many of them brained with mattocks, beaten to death with rifle butts, or simply shot. That was a real death march.

This is the kind of blood bath the Communists are working for when they send messages of encouragement to their agents in this country who are organizing the march on Washington. This is what the American public will be supporting if we cater to their plans. Communists always have depended on using unknowingly and altruistic people by piggy-backing their plots onto a common and popular cause.

Everyone wants to end the war. Our President wants more than anything to get it over with. Mass demonstrations harm our peace efforts for they give the enemy false hope that America has turned world coward.

The best thing we can all do at this time is back our President, back our boys who are still in Vietnam, and heap the scorn that rightfully belongs on those who want this country to go down to defeat.

#### REPUGNANT CIGARETTE COMMERCIAL

Mr. BINGHAM. Mr. Speaker, we have all heard a great deal, and properly so, about the encouragement of violence that appears on our television programs.

A TV commercial has been called to my attention which I think is deplorable—a commercial advertisement for Chesterfield cigarettes. It pictures a black-gloved hand reaching out and breaking through a glass window in order to reach the cigarettes.

The clear implication of this commercial, which I regard as quite repugnant and questionable, is that some products are so irresistible that they are justifiable motivations for crime.

I am calling this commercial to the attention of the president of the Liggett & Meyers Co., manufacturers of Chesterfields, in the hope that he will withdraw this rather tasteless commercial from further airing.

I am also calling this advertisement to the attention of the new Chairman of the Federal Communications Commission.

In my view, this particular advertisement is not typical of television advertising in general. Television advertising has contributed greatly to racial integration and other socially desirable developments in this country. It is therefore particularly shocking to see a supposedly reputable company tempting people, especially the young, not only to smoke, but to rob and burgle as well. Young people have enough problems without being encouraged through the media to behave in the manner suggested by this advertisement. The kind of vision we need to

bring the people of this country together in harmony is light years away from the lack of judgment and taste evident in this commercial.

I hope soon to see all TV advertising of cigarettes stopped. In the meantime, I trust that when the president of Liggett & Meyers has an opportunity to reflect on this advertisement, or to see it if he has not already, he will not approve it for further use.

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

#### PRESIDENT NIXON'S PLAN TO SHARE FEDERAL REVENUES WITH THE STATES AND THE DISTRICT OF COLUMBIA

(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 August, President Nixon proposed a sensible plan to share with the States and the District of Columbia a portion of Federal revenues.

The President's proposal is a constructive, practical program of action designed to renew the ability of local and State governments to cope with local and State problems.

The American people have lost faith in the Federal Government's ability to solve problems of local and State nature. In all too many instances these problems have increased in complexity and intensity even as greater and greater amounts of Federal funds have been spent toward their solutions.

We have constructed a Federal grant-in-aid system of staggering complexity and diversity that has impeded rather than aided the effectiveness of local government. It is a system that is characterized, as the President has stated, by overlapping programs at the State and local level; distortion of State and local budgets; increased administrative costs; program delay and uncertainty; a decline in the authority and responsibility of chief executives, as grants have become tied to functional bureaucracies; and, creation of new and frequently competitive State and local governmental institutions.

President Nixon's revenue sharing program will halt these trends, and will make it possible once again for State and local governments to meet their own responsibilities and obligations.

#### SECRETARY OF THE INTERIOR HICKEL SHOULD ANSWER HIS MAIL

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

Mr. HARSHA. Mr. Speaker, Secretary of the Interior Walter Hickel apparently has succumbed to the way of Washington bureaucrats.

On September 26 I wrote the Secretary a letter directing some very timely questions to him concerning water pollution control and his administration of the Water Quality Act.

Some 5 weeks later I still have not received a reply.

Although Mr. Hickel has the time to fly around the country to make speeches, issue dramatic press releases and seek headlines, he seems to be completely unconcerned with congressional interest in proper water pollution control.

Before Mr. Hickel embarks on a nationwide drive to tell the various States how they should handle their own affairs, I think it not misplaced to suggest to the Secretary that he get his own house in order and devote more time to managing affairs of his department here in Washington such as answering his mail.

#### TRIAL OF THE "CHICAGO 8"

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

Mr. EDWARDS of Alabama. Mr. Speaker, during the last few weeks a good deal of dust has been kicked up during the trial of the so-called "Chicago 8" who are answering charges of conspiracy to incite a riot. Both in and out of the courtroom, pro and con arguments can be heard over the application of a gag and restraining straps to one of the defendants, Black Panther leader Bobby Seale.

The judge, Julius J. Hoffman, has a great obligation to carry out the duties of his office. If this country is to maintain its sound legal basis, the very instrument of the administration of the law must remain intact and operable. The actions of Seale in cursing the judge, his frequent disruptive outbursts and other conduct unbecoming a civilized person, are in themselves a clear indication of his disrespect for the law and unwillingness to live within the constraints of an orderly social system.

Seale and others like him seek to live in America only on their own terms. He will not be happy in our society until he has been enthroned as the No. 1 citizen above all others—the king fish in a pond of minnows.

As a result of true freedom—freedom with responsibility—an honest, hard-working judge must bear the brunt of insults and vile diatribes against his person and his office. Yet in spite of all this, he continues the trial which is guaranteed to the curser and vilifier in his court. May God give him strength to discharge his duties and bear up under the wrongful accusations against him from within and without the courtroom.

#### IN DEFENSE OF SECRETARY OF THE INTERIOR HICKEL

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

Mr. BUCHANAN. Mr. Speaker, my colleague from Ohio has expressed an understandable frustration over the slowness of the executive branch of the Government in answering important requests from the Congress. I think it ought to be said, however, that Walter Hickel is one of the strongest and finest

men in the Government, a dedicated public servant, who, like all of the other members of the Nixon Cabinet, inherited a vast bureaucracy comprised primarily of civil service personnel. I think it is not entirely fair to hold that one man at the top and his thin line of people that he can bring in with him responsible for all of the evils of a vast bureaucracy. I feel certain that is not the case.

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

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

Mr. HARSHA. Does the gentleman think 5 weeks to answer a congressional inquiry is unreasonable?

Mr. BUCHANAN. I think it is completely unreasonable, and I expect the bureaucracy is fully responsible. I am certain that the Secretary will correct the situation as soon as it comes to his attention.

#### SECRETARY OF THE INTERIOR HICKEL SHOULD ANSWER HIS MAIL

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

Mr. HOWARD. Mr. Speaker, I heard the gentleman from Ohio lamenting the fact that our Secretary of the Interior Hickel had not responded to a letter that he had sent down there 5 weeks ago. He was very disturbed about it and thought that is not the way for a Cabinet official to act in response to letters from Members of Congress, but I would tell the gentleman from Ohio that I wrote a letter to Secretary Hickel on March 18. I wrote two letters to Secretary Hickel with questions last January. I have not yet received a reply nor even the courtesy of an acknowledgement of the receipt of any of the three letters. So, as far as I am concerned, I am not even sure that there is a Wally Hickel.

#### SECOND ANNUAL REPORT OF THE DEPARTMENT OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-189)

The Speaker laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations:

*To the Congress of the United States:*

I hereby submit the Second Annual Report of the Department of Transportation, covering Fiscal Year 1968.

RICHARD NIXON.

THE WHITE HOUSE, October 31, 1969.

#### DRUG ABUSE EDUCATION ACT OF 1969

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 14252) to au-

thorize 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 further consideration of the bill H.R. 14252, with Mr. ADAMS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through section 1 ending on line 4, page 1, of the bill.

If there are no further amendments to this section, the Clerk will read.

The Clerk read as follows:

#### STATEMENT OF PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that drug abuse diminishes the strength and vitality of the people of our Nation; that such abuse of dangerous drugs is increasing in urban and suburban areas; that there is a lack of authoritative information and creative projects designed to educate students and others about drugs and their abuse; and that prevention and control of such drug abuse require intensive and coordinated efforts on the part of both governmental and private groups.

(b) It is the purpose of this Act to encourage the development of new and improved curricula on the problems of drug abuse; to demonstrate the use of such curricula in model educational programs and to evaluate the effectiveness thereof; to disseminate curricular materials and significant information for use in educational programs throughout the Nation; 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, on drug abuse problems.

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

Mr. Chairman, I intend to vote for this bill but I have serious misgivings about it. In the first place, I think it is probably overly funded for a trial run. I do not like the advisory board, the creation of a brandnew advisory board, in the Government. I again display this compilation of 218 pages of committees, commissions, and advisory boards, this being compiled by the Library of Congress. You name them and you will find this Government has got them.

And here in this bill we create another one with 21 members at \$100 a day per diem when they meet, plus their expenses and so on and so forth.

Mr. Chairman, I want to do all I can, as does every other Member of the House, realizing the gravity of the narcotics and drug addiction problem, to put an end to it. But I do not think it is going to be done through the process of education. Helpful though it may be, it will not be done that way.

I would rather take some of this money and build a stockade out in the desert and then insist upon mandatory and drastic penalties for the peddlers and pushers of narcotics and drugs. For example, let us start with about 20 years for a peddler, the scum of the earth. I would start with about a 20-year sentence for the first offense for peddling

dope to youngsters in this country—starting them on a life of addiction. This is how and when you will get results.

Yes, Mr. Chairman, let us build a big stockade out in the desert where it is not too cold, and not too warm; where they are not fed too much but not too little to starve, give them long-term sentences and then watch the population of criminals, the peddlers of this dope, decrease. It is time to stop coddling the crime syndicates and their peddlers and pushers.

The Navy has an excellent film on the use of drugs and I had the opportunity of circulating that film last year to the schools in the Third Congressional District of Iowa. It is a tremendous film. That educational program is already going on. I do not see how you could do a better job of educating the youngsters of this country, those of high school age and younger, to the dangers of dope than with visual aids of this kind.

I will go along with this bill for what it can do in the next 3 years, but unless it shows real results, as one Member of this body I will have no hesitancy in cutting down the appropriation or abolishing the program altogether.

I am sick and tired of building up a bureaucracy that fails to produce results. I am convinced that the answer to this question is strict and drastic law enforcement for those who peddle narcotics and drugs, but the situation is such that I will join in this attempt.

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

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

Mr. Chairman, we do have a great problem of drug addiction throughout our country.

LSD perhaps has become more familiar as a dreadful drug than any other in the past year or two. We have not known much about LSD until recently, but our Navy and other branches of the armed services have issued educational films which have been used throughout our country. Education as to what LSD causes has resulted in a lesser use of this drug.

Mr. Chairman, I feel that one of the things we must do is to educate the people of our country as to what drugs actually do to the person. For instance, we know that LSD does affect future generations, and that it does affect the genes, the genes of young people, so that when they marry their offspring are liable to be crippled or disabled. The knowledge of the fact that LSD does this has resulted in a lessened use of the drug throughout the country.

I feel that education as to the effect of other drugs will be extremely helpful.

As for marihuana, there are some people who are taking perhaps a more liberal attitude on that particular drug. It too is a dangerous drug, but we should know more about it.

If we read the history of this drug, we find that it is what is called cannabis Indica; that in ancient times it was known as hashish, which is another name for "assassin," and that actually as far as we can go back in history people would smoke hashish, and then they would go out and assassinate people.



I am saying that this is a dangerous drug. It is called by some "pot," "muggles," and by various other names, and as I say it, too, is a dangerous drug.

Many years ago I had a young friend who meant to go to medical school with me. He was a user of this drug, and before he entered school he became depressed and committed suicide.

It is my feeling, Mr. Chairman, that better education of the young people throughout our country will result in a lessened use of the dangerous drugs when they know how the drugs will affect them and their progeny.

Mr. Chairman, I strongly support this bill, and I urge the enactment of the legislation.

I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 3. There are hereby authorized to be appropriated \$7,000,000 for the fiscal year beginning July 1, 1970, \$10,000,000 for the fiscal year beginning July 1, 1971, and \$12,000,000 for the fiscal year beginning July 1, 1972 for the purpose of carrying out this Act. Sums appropriated pursuant to this section shall remain available until expended.

#### USES OF FUNDS

SEC. 4. (a) From the sums appropriated pursuant to section 3, the Secretary of Health, Education, and Welfare, hereinafter referred to in this Act as the "Secretary", shall assist in educating the public on the problems of drug abuse by—

(1) making grants to or entering into contracts with institutions of higher education and other public or private agencies, institutions, or organizations, for—

(A) projects for the development of curricula on the use and abuse of drugs, including the preparation of new and improved curricular materials for use in elementary, secondary, and adult education programs;

(B) pilot projects designed to demonstrate, and test the effectiveness of curricula described in clause (A) (whether developed with assistance under this Act or otherwise);

(C) in the case of applicants who have conducted pilot projects under clause (B), projects for the dissemination of curricular materials and other significant information regarding the use and abuse of drugs to public and private elementary, secondary, and adult education programs;

(2) undertaking, directly or through contracts or other arrangements with institutions of higher education or other public or private agencies, institutions, or organizations, evaluations of the effectiveness of curricula tested in use in elementary, secondary, and adult education programs involved in pilot projects described in paragraph (1) (B);

(3) making grants to institutions of higher education and local educational agencies to provide preservice and inservice training programs on drug abuse (including courses of study, institutes, seminars, workshops, and conferences) for teachers, counselors, and other educational personnel, law enforcement officials, and other public service and community leaders;

(4) making grants to local educational agencies and other public and private nonprofit organizations for community education programs on drug abuse (including seminars, workshops, and conferences) especially for parents and others in the community.

(b) In addition to the purposes described in subsection (a), the Secretary may make available not to exceed 5 per centum of the

sums appropriated to carry out this Act for each fiscal year for payment of the reasonable and necessary expenses of State educational agencies in assisting local educational agencies in the planning, development, and implementation of drug abuse education programs.

#### APPROVAL OF APPLICATIONS

SEC. 5. (a) Financial assistance for a project under this Act may be made only upon application at such time or times, in such manner, and containing or accompanied by such information as the Secretary deems necessary, and only if such application—

(1) provides that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) provides for carrying out one or more projects or programs eligible for assistance under section 4 and provides for such methods of administration as are necessary for the proper and efficient operation of such projects or programs;

(3) sets forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 4, and in no case supplant such funds;

(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(5) provides for making an annual report and such other reports, in such form and containing such information, as the Secretary may reasonably require and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(b) Applications from local educational agencies for financial assistance under this Act may be approved by the Secretary only if the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

(c) Amendments of applications shall, except as the Secretary may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

#### INTERAGENCY COORDINATING COUNCIL ON DRUG ABUSE EDUCATION

SEC. 6. (a) The Secretary shall establish an Interagency Coordinating Council on Drug Abuse Education which shall consist of the Secretary (or his designee) as Chairman, the Attorney General (or his designee), the Commissioner of Education, the Director of the National Institute of Mental Health, and with the consent of such other Departments or agencies as the Secretary may from time to time designate as having a substantial interest in the field of drug abuse education, representatives of such Departments and agencies.

(b) The Council shall advise in the coordination of the respective activities of the Federal Departments and agencies concerned in drug abuse education.

(c) The Secretary of Health, Education, and Welfare shall promulgate regulations establishing the procedures for consultation with other agencies and with other appropriate public and private agencies.

(d) The Secretary of Health, Education, and Welfare may not approve an application for assistance under this Act unless he has given the Interagency Coordinating Council an opportunity to review the application and make recommendations thereon within a period not to exceed sixty days.

#### ADVISORY COMMITTEE ON DRUG ABUSE EDUCATION

SEC. 7. (a) The Secretary of Health, Education, and Welfare shall appoint an Advisory Committee on Drug Abuse Education, which shall—

(1) advise the Secretary concerning the administration of, preparation of general regulations for, and operation of, programs supported with assistance under this Act;

(2) make recommendations regarding the allocation of the funds under this Act among the various purposes set forth in section 4 and the criteria for establishing priorities in deciding which applications to approve, including criteria designed to achieve an appropriate geographical distribution of approved projects throughout all regions of the Nation;

(3) review applications and make recommendations thereon;

(4) review the administration and operation of projects and programs under this Act, including the effectiveness of such projects and programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for improvements in this Act) to the Secretary for transmittal to the Congress; and

(5) evaluate programs and projects carried out under this Act and disseminate the results of such evaluations.

(b) The Advisory Committee on Drug Abuse Education shall be appointed by the Secretary without regard to the civil service laws and shall consist of twenty-one members. The Secretary shall appoint one member as Chairman. The Committee shall consist of persons familiar with education, mental health, and legal problems associated with drug abuse, young persons, ex-users, parents and others familiar with drug use and abuse. The Committee shall meet at the call of the Chairman or of the Secretary.

(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

#### TECHNICAL ASSISTANCE

SEC. 8. The Secretary of Health, Education, and Welfare and the Attorney General shall, when requested, render technical assistance to local educational agencies, public and private nonprofit organizations and institutions of higher education in the development and implementation of programs of drug abuse education. Such technical assistance may, among other activities, include making available to such agencies or institutions information regarding effective methods of coping with problems of drug abuse, and making available to such agencies or institutions personnel of the Department of Health, Education, and Welfare and the Department of Justice, or other persons qualified to advise and assist in coping with such problems or carrying out a drug abuse education program.

#### PAYMENTS

SEC. 9. Payments under this Act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

#### ADMINISTRATION

SEC. 10. In administering the provisions of this Act, the Secretary is authorized to utilize

the services and facilities of any agency of the Federal Government of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

#### DEFINITIONS

SEC. 11. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

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

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

There was no objection.

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

Mr. Chairman, I support this legislation, but frankly I am not optimistic about the ultimate benefit of the program. We tend to put too much faith in book learning. Too frequently, finding ourselves without solutions to problems, we actually hide behind education as a panacea.

I am perfectly willing to give the proposition a chance. Perhaps what I am really saying is, I hope we will not consider that this bill is the answer to the entire problem.

In this day the school itself has a great amount of competition from other factors in the business of education. We had some startling figures a week or 2 ago showing that the average youngster probably spends more time watching television than he spends in the classrooms. It is suggested, according to current figures, that by the time a teenager is ready to attend college, he has spent more time watching television commercials than he will spend in the classroom in college obtaining his baccalaureate degree.

This is one example of outside school education, audiovisual education. And remember, audiovisual education has great impact in or out of school, but the in-school proposition bothers me even more, because education in schools is certainly more than book learning. In every learning situation there are concomitants—development of habits, attitudes and motivations. Employing oversimplification, I think it might be said that book learning develops the intellectual being and the concomitants develop the human being.

It is one thing for a student to learn the answer to such questions as, What are drugs? What are the effects of drugs? That is the easiest part of this business of drug education. Much more difficult is the development of character and the values of things, the nature of which are so inherently a part of the drug problem.

The matter of drug abuse, of course, is a single thread of this whole fabric of today's living and I do not think it can be successfully isolated and treated.

Let me be specific. One detail which will inevitably be a subject of discussion is the potential hazard of marihuana. When we debate the penalties for the use of this product today, we argue quite generally that the present penalties are too severe. Automatically, this suggestion connotes that the use of marihuana is not as hazardous as we have said in the past—and this is not true at all.

What we are really arguing is that if the penalties for the violation of any law are too severe, they will not be imposed consistently.

Marihuana is probably nonaddictive, yet we know that many present narcotic addicts started on marihuana and many still use grass. Others got their first shot of heroin while under the influence of a nonaddictive drug.

One of the toughest questions I get when I talk to students is the one that comes from the youngster who says, "Why is marihuana worse than alcohol?" This is a hard and embarrassing question. We excuse alcohol in our society even though in terms of dollar costs and social costs it is absolutely the most expensive bad habit that we have.

If marihuana is one-half as costly as alcohol, in those same terms—who needs it?

There is another difference. There are very few individuals who imbibe for the purpose of getting drunk. But every single individual who lights a joint does so with the prospect of getting drunk from the use of marihuana.

So often the use of drugs is symptomatic of deep psychological and sociological problems. That is a valid statement. It suggests that what we really need in this business of education is more effective guidance and counseling effort in the schools and that this kind of attention to psychology might be a better route to follow.

As I said, this drug abuse is just a little part of the total illness of our society. In fact, it is a symptom as well as a problem in itself.

We have an instability in the land, a frustration, an uncertainty. As a Nation, we are close to paranoia. The reasons for the general condition are inherent in the reasons for the drug problem itself.

We have spent a lot of time and effort of late trying to figure out what we do not believe and in discarding standards felt irrelevant to today's living. What we really need now is an attempt to find out what we do believe, and until those beliefs and standards are established and accepted, we will have no stability or harmony. Until then, and in spite of all the book learning that bears on the subject matter of education, we are going to have drug problems and all the other problems which we have in this society.

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

Mr. Chairman, yesterday I raised the question as to how the Committee on Education and Labor determined its authorization figures for this bill, as it appeared as though the \$7, \$10, and \$12 million figures authorized here were merely pulled out of the air. Today I am still

concerned that authorizing committees prepare their cost analysis on a more rational basis so that when appropriating committees have to make their final determinations they have a reliable basis of information.

I want to point out, that I am not raising these questions because I oppose this bill or mean to downgrade the subject of drug abuse education. In fact, the contrary is true. I have a long and deep interest in this area. I have made the point many times as a member of the Subcommittee on Appropriations for the Department of Health, Education, and Welfare that funding for drug abuse education is necessary and that, when Government money is spent, we get the most for our dollar.

Funding for an important area of national concern such as drug abuse education is not really an issue here today. My concern is how the expenditure of these funds will be made. I think that it is important that Members understand how this money will be utilized and what educational techniques will be employed, because I feel that it is impossible for us to project budgeting for programs in education which may or may not be possible to implement, particularly when we have few prototypes from which to evaluate.

My principal concern in this matter is that, while we all know that education in the problem of drug abuse is essential and that this specter menaces every household in this country, we must have practical, workable, and well-designed programs in education to counter this grave threat to the fabric of our society.

While I am sure that this bill before us today will expand Federal efforts in drug abuse education, I wish to point out that there are and have been significant efforts made within HEW to attack this problem.

I have been aware of one such project conducted through the National Institutes of Mental Health for several years and have followed its preliminary planning, development, and progress with interest. Admittedly there are numerous techniques for informing and educating young people, parents, and officials about the problem. There are many methods and devices which can be employed.

On Saturday evening, October 25, in Washington, D.C., the Academy of Television Arts and Science presented two awards for documentary excellence to "The Distant Drummer." This series of special telecasts on drug abuse was produced by the George Washington University Medical Center, Department of Medical and Public Affairs, for the National Institute of Mental Health. These programs were conceived by Dr. Stanley Yolles, Director of the National Institute of Mental Health, and his staff to counter the countrywide problem of drug abuse. Murdock Head, M.D., professor and chairman of the Department of Medical and Public Affairs, was the executive producer of this excellent series.

This is the fourth such award received by this educator for outstanding documentary achievement. Previous awards have been received for programs on heart attacks and air pollution. The tril-



ogy on drugs has also earned an award from the International Film Festival in Atlanta and is, I understand, presently entered into the Venice Film Festival competition.

"The Distant Drummer" series is only a beginning in what should be a major effort in education on the drug problem. Special films should be developed for every elementary and high school in the country. Educational films should be available to medical schools, physicians, educators, parent groups, teachers, and police officials.

The programs, produced by the George Washington University, have been translated into Spanish, Italian, and Japanese. These specials have consistently appeared in prime time in cooperation with county medical societies throughout the United States. These programs on the drug problem have presently been programmed to over 175 cities and are scheduled to appear in over 200.

This timely series not only appears on prime time television once, but is rebroadcast on an average of three times in each city in educational time or as repeat programming. These films have been shown to professional meetings, civic groups, universities, public schools and to industry. It was estimated that the earlier program on heart attacks was shown over 700 times before counting was discontinued. Dr. Head holds degrees in dentistry, medicine, and law and has, in the past 10 years, developed a rapport with university centers, professional associations and broadcasters throughout the country. The American Academy of General Practice, the American Medical Association, the Student American Medical Association, the American Society of Medical Executives, and other professional organizations have cooperated in the distribution of these television specials.

One of the major problems confronting the Department of Health, Education, and Welfare over the past decade has been criticism of the Department to demonstrate to the professions and to the public the results of many important research efforts. For this reason there has been criticism of the Department stemming from the academic community, from professional organizations and from the Congress.

This effective communications technique in drug abuses has evolved from a decade of effort and has been followed by not only myself but by Melvin Laird, formerly of this committee, and by the late John Fogarty—all of whom had been interested in the development of a method for improving communications from the Department of Health, Education, and Welfare to the American citizen.

The George Washington University communications research project began modestly but has resulted in one of the most productive efforts in the field of science information. In my judgment, this remarkable record of production and distribution on the part of this university department should be commended. I hope that, based upon the important contribution to education of this project, it will be possible to encourage other members of the medical profession to

devote full time to biomedical communications. While pure "bench" research in the classic sense is vital, if the appropriate information is not made available to, and accepted by, the professional—who is to utilize the results, or to the public, who is the ultimate consumer—effectiveness of such research is greatly reduced.

Many of the problems arising in our environment—such as population, pollution of our cities, mental health, and others—involve controversial areas which preclude the utilization of the existing information resources of the Department of Health, Education, and Welfare. This purpose can best be accomplished by such a scientist who is also a professional communicator. The Department of Health, Education, and Welfare cannot buy the television time required for these programs. They can best be distributed by this association with local professional organizations and civic groups to achieve maximum visibility and acceptance.

It is my understanding that a grant has been approved for the continuation of this fine effort in other important areas of mental health, including suicide and alcohol, as well as environmental problems. As a member of the Subcommittee on Appropriations, I look forward to following the development of these new programs and expect they, too, will be of similar quality and afford the impact that the series on drug abuse has provided.

In conclusion, I wish to commend Dr. Stanley Yolles, the National Institute of Mental Health staff; Dr. Murdock Head; and the Department of Medical and Public Affairs of the George Washington University Medical Center for their outstanding contribution to the education of the American physician and the public on one of the most dangerous and troubling problems of our society.

(Mrs. HANSEN of Washington (at the request of Mr. MEEDS) was granted permission to extend her remarks at this point in the RECORD.)

Mrs. HANSEN of Washington. Mr. Chairman, I am delighted to join my distinguished colleague, the gentleman from the great State of Washington (Mr. MEEDS), in urging the adoption of H.R. 14252. Mr. MEEDS' service on the Education and Labor Committee has been outstanding, but his leadership as principal sponsor of the proposed Drug Abuse Education Act of 1969 is singularly commendable.

No greater problem faces our Nation today than drug abuse. No solution is more reasonable than education. This Nation must shut off the human demands for drugs. This can only be accomplished through enlightenment. We must strike down the prevalent ignorance about drug abuse.

Through Federal grants and contracts to local educational agencies, the bill provides for programs to be devised and funded to train teachers, lawmen, and other officials who, in turn, will carry truth about drug misuse to children and their parents.

The moneys involved—\$7 million next year, \$10 million and \$12 million the succeeding 2 years—is a modest price tag

for this program. The scars, tragedies, and deaths from drug abuse which we see increasingly these days are greater payments.

Each of us has heard the demands for a fresh approach to combating drug abuse. This bill, which I am pleased to cosponsor, offers that new look through education. I urge my colleagues to support H.R. 14252, for the need is great.

To point up the widespread human tragedies of the problem, I quote here a news story appearing in the October 24, 1969, edition of the Longview, Wash., Daily News:

#### ARTICLE BY GENE HANDSAKER

HOLLYWOOD.—A letter from Magnolia, Ill., said "On Memorial Day I buried my 20-year-old son. He, too, was murdered by LSD . . ."

From Honolulu: "May the youngsters of this world take heed of your brave and magnificent words . . ."

From Richmond, Calif.: "You have brought me and my family many hours of smiles and happiness. What can we do for you now?"

Such is the mail pouring in for television star Art Linkletter—25,000 letters in the last 10 days, he told President Nixon and congressional leaders Thursday—after his daughter Diane's death.

Twenty-year-old Diane, youngest of his five children, died Oct. 4 in a plunge from the kitchen window of her sixth-floor apartment.

From rich and poor, young and old, prominent citizens and obscure, the letters to Linkletter express sympathy, sorrow, concern—and admiration for his forthright blaming of LSD immediately after the tragedy.

"What a fine person you are, to make the story known to all of us who have young people in our homes," says a letter from Columbus, Ohio.

Some letters, telegrams and telephone calls request speaking engagements. Some letters say, "God bless you," or "tell me what I can do to help" with the drug problem.

Some say, "Please write to my son." These are from parents who know their children are involved with drugs but don't know what to do.

"Frankly, I can't tell them what to do because I don't know," Linkletter, 57, told the two-hour White House meeting on the President's proposals dealing with drug problem.

Linkletter said at the meeting that his daughter "leaped to her death in a depressed state from bad LSD trips six months before . . . She thought she was losing her mind."

He urged that an educational program be aimed at both parents and pupils beginning in the fourth, fifth and sixth grades.

In Hollywood, meanwhile, three secretaries continued opening and answering the letters. Some are from college officials, ministers, bankers, doctors, lawyers, judges. All the letters express sympathy.

Anxious parents included one in Chicago: "Please advise me what course to follow as I'm so worried and fearful of my daughter's future."

Neptune Beach, Fla.: "My daughter is 17 and on LSD. It is wrecking her life and health. If you can send me any advice of any kind, I will appreciate it greatly."

Georgia: "My 17-year-old son has been in jail for over a month awaiting trial for possession and selling of LSD. We are a low-income family. He got started on it from a small salary he made from working at a drive-in."

Another Georgian knows the Linkletters' grief first-hand: "I also lost a daughter who jumped from a 17-story building."

Van Nuys, Calif.: "My son, who would have been 18, took his life by hanging from taking LSD."

San Diego: "I have lost two children to dope, a son and a daughter. They are still alive in body, but I know they have no conscious life left."

San Antonio, Tex.: "My 27-year-old son is taking some kind of narcotics. It caused my husband to die of a heart attack."

Panorama City, Calif.: "My son's last downfall was an overdose of LSD . . . This boy is what they term a vegetable, totally disabled, only 25 years old and finished."

Other letters have a religious tone.

Charleston, S.C.: "Perhaps Diane's death is God's way of calling you to accept the great challenge of your life."

A fourth grader, Astoria, Long Island: "We in our class offered prayers for your family and especially Diane . . . You always loved children and made them happy."

Many letters express admiration for Linkletter.

Indianapolis: "With all my talking, all my pleading to warn my four children of the dangers—it surely has meant more coming from you."

(Mr. HANNA (at the request of Mr. MEEDS) was granted permission to extend his remarks at this point in the RECORD.)

Mr. HANNA. Mr. Chairman, last April the citizens of Garden Grove, Calif., held a series of three "town hall meetings" on the mounting drug abuse problem in their community. At first there was some skepticism—there were some who doubted Garden Grove had a problem.

However, an enterprising reporter for the Orange County Evening News dramatically demonstrated the depth of the community's problem when he purchased an assortment of dangerous drugs from a young pusher in front of the city's main high school. With this, all doubts were cast aside. Concerned parents literally jammed the high school auditorium the night of the first meeting. They were treated to quite a demonstration.

Teachers, law-enforcement officials, students, clergyman, and the enterprising Evening News reporter told a frightening story to the assembled parents.

Reporting on the easy availability and shocking assortment of dangerous pills; children in junior high school "freaking out" and overdosing, bad "trips," "bummers," and horror stories that could easily have come from the pen of Poe; the citizens of Garden Grove were brutally jolted from their former apathy.

In two subsequent meetings, panels of local experts, including some young addicts, possible solutions were discussed.

The overwhelming consensus of all those who participated in the community "awakening" was the urgent need for new and intensive education programs. Education about drugs, their use, their availability, rehabilitation, causes for addiction—everything connected with the problem was lacking, and if this community was going to be successful in meeting this challenge, a program had better be put together. This was Garden Grove's conclusion. And I am convinced that this is the conclusion of thousands of other communities like Garden Grove.

To answer this need, the Drug Abuse Education Act of 1969 was conceived.

When Garden Grove citizens started examining available resources for an intensive program—they found none. Local resources were already exhausted, little if anything was being done by the State—so they turned to Congress as are millions of other Americans on this issue.

The bill we are considering today will provide funds to communities like Garden Grove. With these funds, local educators and law enforcement officials will be able to provide creative, carefully prepared educational programs designed to get across the message of the dangers of drug abuse.

Three million dollars is authorized for the first year of operation, with increases, as the program expands, to \$10 million. The scope of the problem requires immediate attention and massive funds. The modest approach in the bill will probably forestall an impressive immediate impact, but it is a good first step and deserves the full support of the House.

At this point I would like to include a statement by Daniel P. Casey, regional director, U.S. Department of Justice, Bureau of Narcotics and Dangerous Drugs. The statement provides some insight to the extent of the problem in my home State of California:

STATEMENT OF DANIEL P. CASEY, REGIONAL DIRECTOR, U.S. DEPARTMENT OF JUSTICE, BUREAU OF NARCOTICS AND DANGEROUS DRUGS, BEFORE THE CONGRESSIONAL AD HOC COMMITTEE, SAN DIEGO, CALIF., JULY 11, 1969

I would like to thank the members of this committee for their invitation to appear today to discuss the current narcotic and dangerous drug problem in California and the efforts of the Bureau of Narcotics and Dangerous Drugs to combat this problem.

It is difficult to assess analytically the magnitude of the drug problem in California because of the problems involved in adequately counting the number of drug addicts and drug abusers. Until January 1, 1968, the State of California maintained excellent statistics on the number of hardcore narcotic addicts, based on a one hundred percent sampling of drug arrests within the State. As of January 1, 1968, this figure was quoted as 23,676. Since that time, because of the increasing volume of drug arrests, the State had to revert to a thirty percent sampling in 1968 and, this year, to a twenty percent sampling. This addict figure has continued to climb, according to some experts, at a minimum of two hundred additional addicts per month.

To estimate the number of individuals who have used marihuana, cocaine, LSD, methamphetamine and other dangerous drugs, is even more difficult especially when one considers the grey area between the one time casual user and the habitual user. Without question, the abuse of these drugs constitutes an extremely serious problem in the State of California. For the benefit of the committee, I would like to discuss briefly the principal drugs of abuse in California with particular reference to their origin.

Most of the heroin consumed in California is illegally smuggled from Mexico. This heroin is usually of Mexican origin, however, some is transshipped via Mexico City from France and is of Middle East origin. I would like to point out to the committee that all current estimates indicate that the Far East is playing a more important role as a source for the heroin users of the United States.

Virtually all of the marihuana that appears in California is of Mexican origin. This statement holds true not only for California

but for the balance of the United States. There has been a definite trend in the past year on the part of the habitual marihuana user to shift to a more potent derivative of the marihuana plant: namely, hashish. Hashish is the resin of the marihuana plant and is considered to be ten times more potent than marihuana. Large seizures of hashish have been made in California during the past year and the source has been identified primarily as Lebanon and secondarily, Morocco, Israel and India. To date we have no evidence that Mexico is a source of supply for hashish.

Lysergic acid diethylamide (LSD) appears in large quantities on the illicit market in California, and usually is a product of clandestine laboratories in the United States and Europe. There is no direct evidence at the present time that Mexico is a significant source for this product.

One of the most dangerous and most frequently abused drugs in California is methamphetamine, better known as "speed." The illicit source of this product is clandestine laboratories in the United States and to a lesser degree, diversion or burglaries from legitimate stocks in the United States.

Cocaine is appearing in the illicit traffic in California in increasing quantities. This drug originates in South America and is frequently trans-shipped into the United States via Mexico.

According to recent statistics released by the State of California, there has been a marked increase in dangerous drug violations in California and two of the more important drugs of abuse in this category are the amphetamines and barbiturates.

Our investigations to date indicate that some significant seizures of amphetamines from illicit market in California are of United States manufacture, legally exported to Mexico, diverted and smuggled back into the United States. We have also encountered several instances of clandestine manufacture of the product in Mexico.

The illicit source for the barbiturates in California closely parallels that of the amphetamines in that in some instances the drug is of United States manufacture legally exported and smuggled back. There have been several reported instances where barbiturate powder, originating in the United States or Europe, finds its way into illicit channels in Mexico, is capsulated and smuggled into the United States.

There is a twofold reason for the existence of the problem relating to amphetamines and barbiturates. First, there is inadequate export control in the United States, and secondly, there are no laws in Mexico controlling the regulation, importation or distribution of those drugs.

It is the opinion of the Bureau of Narcotics and Dangerous Drugs that new legislation should be drafted to control the exportation of dangerous drugs from the United States. Hopefully, by controlling the flow of dangerous drugs out of the United States, the bureau will be able to stop the consequential illicit flow of such dangerous drugs back into the United States.

We have also been advised that legislation has been drafted in Mexico, to control the production and distribution of dangerous drugs in that country and is currently awaiting introduction before the legislature in Mexico.

The principal goal of the Bureau of Narcotics and dangerous drugs is to change the present escalation of the mis-use of dangerous substances, to deescalate this trend and minimize the social misery attendant with drug abuse. Hopefully, this minimization can be effected by:

1. Vigorous law enforcement directed against major drug sources both in the United States and in foreign countries identified as sources for the United States.
2. Education.



### 3. Research.

To achieve our enforcement mission in California, we have set as one of our primary objectives, the development of criminal cases in Mexico against sources of supply responsible for the introduction of narcotics, marihuana and dangerous drugs into the United States. Such cases are developed in cooperation with Mexican Federal Judicial Police in the Mexican border cities adjacent to this region. As a result of information reported to Mexican authorities by our bureau 56 defendants were arrested in Mexico in 1968 and the following drugs were seized: 5 tons of marihuana, 5½ kilograms of heroin, 10 kilograms of opium and ½ kilogram of cocaine. The Bureau of Narcotics and Dangerous Drugs has received excellent cooperation and intelligence from local, state and other Federal agencies toward the identification and apprehension of major sources of supply in Mexico.

One month ago today meetings were concluded in Mexico City between a United States delegation led by Richard G. Kleindienst, Deputy Attorney General of the United States and a Mexican delegation headed by Julio Sanchez Vargas, Attorney General of Mexico. Both governments agreed that an increased enforcement effort was necessary to deal with the border narcotic problem.

I would be remiss if I did not point out to the committee that our enforcement efforts in the United States and in Mexico are only a partial solution to California's problem. In the decade of the sixties, we have witnessed an unparalleled shift of drug abuse from the ghettos to the middle class and to our affluent citizenry.

Recently, John E. Ingersoll, the director of our Bureau succinctly stated the problem as follows:

"And for some reason that you and I do not understand, literally hoards of young people from all walks of life, shed their clean clothes, their beautiful homes, their sports cars, their money, their material things, their parents, and just walked out of society."

I submit to the members of this committee that these young people who walked out of society and into a drug sub-culture, made their decision despite California's proximity to the Mexican border and not because of it. In my judgment, education is our real hope to reach today's youngsters, so that they may be adequately informed as to the dangers and possible consequences of the uncontrolled and indiscriminate use of drugs. Despite the most vigorous enforcement efforts of the United States and Mexico, we will still not have touched the root causes of why our youth rebel against the establishment and express this rebellion, in part, by the misuse of drugs and all the other manifestations we find so disturbing as this decade closes.

AUSTIN GERIATRIC CENTER, INC.—NONPROFIT CORPORATION PROVIDING HOME FOR ELDERLY

(By unanimous consent, Mr. PICKLE was allowed to speak out of order.)

Mr. PICKLE. Mr. Chairman, the wire services this morning carried comments about a proposed geriatric center for old folks in Austin, Tex. In my opinion, the inferences made by a prominent public official was a low blow against a very worthy and humanitarian project.

That project is in my hometown, and I would like to set the facts of the matter straight.

The project is a plan to build a home for the elderly poor folks. A public non-profit organization intends to build and operate it. The home will also serve as a research center with the cooperation of the Texas educational system, particu-

larly the University of Texas. The non-profit organization is headed by Frank Erwin, chairman of the board of regents of the University of Texas. The other two directors are Roy Butler, president of the Austin School Board, and John Burns, a local civic leader and president of the City National Bank of Austin, and a member of the Austin Public Housing Authority.

The home will be built on land given free by the people of Austin to the Federal Government at the request of the then Congressman Lyndon B. Johnson, a number of years ago, for the construction of a fish hatchery. After 30 years of operation, the Department of the Interior recommended that the fish hatchery be abandoned and the land was returned to the people of Austin as the site of a model home for old people.

Actually, the site has another purpose as well—3½ acres has been used to develop model low-cost homes in the \$5,000 to \$8,000 range for poor families.

This demonstration housing project attracted national attention when it was dedicated last fall. It was the forerunner—a full year ahead—of Operation Breakthrough which we hear so much about these days. President Johnson was there to dedicate it, at my request. The local and national press covered it. I wonder why the news took so long to reach Delaware?

The central fact is that this is a non-profit corporation involved here. The three public-minded citizens serving as directors serve without pay, as will other public-minded citizens who will be added once construction of the project is underway. In no way can they benefit financially from this project.

The nonprofit corporation was deliberately set up to prevent that.

The State of Texas understands that. The Texas Legislature, in recognition of the humanitarian nature of the project, specifically relieved this nonprofit corporation from payment of State and local taxes in this particular instance. The city of Austin granted a zoning permit. So the people of my district know its value to the community. Perhaps even the critics, who have suddenly appeared, know the truth, really. But they find it hard to pass up a chance at a headline.

It is difficult for me to understand how people who raise no objection to this land being used as a hatchery for fish object to its being used as a home for our senior citizens in the twilight of their lives. I say shame on those who cast aspersions by innuendo.

This is a very poor way to bring us together, and I hope we will not later find that the genesis of this Senator's speech came from highly placed political sources in the executive department.

Mr. Chairman, Mr. Frank Erwin, the distinguished chairman of the board of regents of the University of Texas, made a statement in Austin yesterday that sets forth the full truth of this situation, and I insert it in the RECORD:

STATEMENT OF FRANK C. ERWIN, CHAIRMAN OF THE BOARD OF REGENTS, THE UNIVERSITY OF TEXAS

Last year, a group of Austin businessmen formed a Texas non-profit corporation to

build and operate in Austin a home for the elderly poor—both sick and well.

One of the primary purposes of the home is to be a research facility for the use of The University of Texas System, with the research to be conducted through contracts between the non-profit corporation and The University of Texas in the fields of medicine, nursing, psychiatry, psychology, social work and other related areas.

This public non-profit corporation, The Austin Geriatric Center, Inc., applied for and received through Title II a tract of land in Austin that had been declared surplus by the federal government.

This land was held by the federal government as a fish hatchery site, having been given to the federal government by the people of Austin. The government in this action returned it to the local public non-profit corporation to be used for the benefit of local residents as a home for the elderly poor. That land is presently held by the public non-profit corporation in exactly the same condition as it was when it was received.

The public non-profit corporation also applied for and received approval of the Department of Housing and Urban Development a grant to assist in conducting the proposed research into the problems of the elderly poor. Since the grant was an operating grant and the center has not yet been constructed, no part of that grant has been given to the corporation by the Department of Health, Education and Welfare.

The public non-profit corporation also applied to HUD for an FHA loan to cover the construction cost of the building. A commitment was received for the loan, but no construction contract has been executed. And no money has ever been advanced by the federal government under that loan commitment.

Indeed, the public non-profit corporation has never received a single dollar from any source and has never paid out a dollar to anyone for any purpose, because thus far all the services rendered in connection with this project have been donated without a cost to the corporation.

The public non-profit corporation was structured in such a manner that no one can benefit financially from this project. This humanitarian endeavor was recognized earlier this year when a Texas Legislature adopted legislation relieving this non-profit corporation from payment of state and local taxes.

Senator Williams has seen fit to suggest—at least by implication—that there is something improper or unethical about this worthy project. This is most unfortunate because the project was conceived with nothing but the highest motives and has thus far been carried on in a manner above reproach.

As a matter of fact, this entire project has been reviewed several times throughout 1969 by the federal departments of Housing and Urban Development and Health, Education and Welfare. During these reviews this year no question has ever been raised concerning the propriety or legality of this worthwhile project.

We welcome any investigation by the Justice Department or any other appropriate agency of the federal government and urge that such an investigation be conducted promptly so that this humanitarian effort can become a reality without unnecessary delay.

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

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

Mr. GONZALEZ. I wish to commend the gentleman from Texas—from Austin—and to join him in this plain act of justice in resisting a shoddy, malicious

attempt to embroil a former President of the United States in what the local press here attempts to describe as a shoddy affair, an attempt to gain Federal property.

We are all grateful to the gentleman for presenting the true facts to the House.

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

Mr. Chairman, I rise in support of H.R. 14252.

Mr. Chairman, drug abuse in the United States is reaching alarming proportions. Millions of young people—young people living in our urban slums, in our affluent suburbs, in small towns—are experimenting with drugs ranging all the way from marihuana to morphine.

Medical evidence accumulated over the past decade shows that they are flirting with a host of psychological and physiological disorders—in some cases, even with death. Drug abuse takes many forms, cutting across all social and economic boundaries. It means a college student smoking marihuana in search of the elation he finds lacking in everyday life, a high school boy swallowing pep pills to keep alert during final exams, a slum girl shooting heroin to escape the bleakness of her existence.

Drug abuse, however, is not confined to the young and impoverished—not to the fraternity party or the back alleys of a ghetto.

Drug abuse is so commonplace today that it ranks as one of our major health problems—indeed, perhaps our single most pressing health problem.

The best way to combat this problem is through education—through a frank and straightforward presentation of the facts on drug abuse. No young people—nor people of any age, for that matter—will be moved by pious homilies or angry exhortations. The Surgeon General's report stopped more people from smoking than all the righteous platitudes of the past half century.

A striking example of the kind of educational program this country needs is the drug abuse conference scheduled for next week—November 4, 5, and 6—in my congressional district. Sponsored by the public school system of Springfield, Mass., and open to educators from Springfield and its surrounding communities, the conference will explore virtually every aspect of drug abuse ranging from narcotics addiction to experimentation with marihuana. I arranged for Dr. Joel Cantor, Assistant Director of the Center on Drug Abuse within the National Institute of Mental Health, to deliver the keynote address at the conference. I further arranged for the distribution of NIMH instructional materials on drug abuse at the conference and to school systems throughout my congressional district.

The bill now before us—the Drug Abuse Education Act—would help create many more conferences like the one I have just cited.

This legislation concentrates on the preventive approach to drug abuse, coordinating the efforts of public and private groups to put a stop to desires for experimentation with dangerous drugs.

The bill goes further than just dealing with the potential drug user—the young person. It aims at educating his family, his community, and—most important—his teachers.

Today, drug abuse is most alarming because it strikes primarily at the younger generation. Statistics on a national scale are at best approximations. In 1967 the National Institute of Mental Health put college users of marihuana at 20 percent. A Gallup poll of college students conducted last month showed 22 percent saying they had tried marihuana. Some local studies show usage of dangerous drugs by college students over the 50 percent mark.

Of 539 persons arrested within a New York suburb for drug abuse offenses in 1967, over 60 percent were in the 16 to 20 age group, 85 percent were 16 through 24 and 95 percent were 16 through 29.

We do not have to look at statistics to know that drug experimentation and even regular use has become a fashionable and accepted phenomena in the world our young people inhabit. It is no longer confined to the antiestablishment hippie group but has reached through to young people of a more conventional outlook. It is not confined to particular socioeconomic backgrounds, but reaches the rich, the poor, the urban, suburban, and rural.

In an alarming study, "Drugs and Students," Richard Blum describes the trend thus far and projects future trends concerning drugs and our young people:

What we see now is a rapidly increasing tempo. While it took approximately 10 years for experimentation and use to shift from older intellectual-artistic groups to graduate students, it took only an estimated 5 years to catch on among undergraduates, only 2 or 3 years to move to a significant number of high school students, and, then, within no more than 2 years, to move to upper elementary grades.

Blum points out the marihuana is by far the most widely used drug—and it is considered the least potent—but "as the base number of marihuana-experienced students expands, so does the proportion willing to risk LSD, DMT, STP, opium, heroin, methamphetamine, and the like."

Why the fascination with drugs on the part of our young people? There seems to be no clear reason—flouting parental authority, disenchantment with the "establishment," a feeling of being part of an "in" craze. It has ever been suggested that the publicity given to drug abuse by the mass media may lead to experimentation to see "what the story really is." The most important realization we must come to is that drug use is accepted by a large portion of the young generation with apparent disregard to its consequences. We must fight this acceptance through an extensive educational program alerting our young people to the facts about drugs and their dangers.

In 1963, the President's Advisory Commission on Narcotics and Dangerous Drugs concluded that "—a critical need exists for an extensive and enlightened educational effort on drug abuse," and commented on the distorted attitudes

about the problem that cloud the thinking of not only the general public but even many professionals. The Commission also stressed that an effective education program should concentrate on the teenager who may see drug abuse as an escape from the world around him or as an entrance to his peer world. Finally it called for the Department of Health, Education, and Welfare and the Federal Bureau of Narcotics to be responsible for dissemination of educational materials concerning drugs.

Subsequent efforts in drug abuse education at the Federal level have obviously been unsuccessful or at least have not been commensurate with the magnitude of the problem. In 1967 the President's Commission on Law Enforcement and Administration of Justice recognized that Federal activities in the area of drug education were not sufficient and recommended an intensive program administered chiefly by one agency.

Education should be our most immediate concern in grappling with the problem of drug abuse because it is the way we can most immediately help prevent its expansion. There seems to be a credibility gap between the younger generation and their elders as to the real dangers of drugs. Perhaps this is because past educational efforts have been pervaded by ignorance and fear of drugs, or by sermonizing on the part of people who simply argue that drug experimentation is bad because it is illegal. No wonder these programs have had such little impact when often the student knows more about the subject and even may have a more enlightened approach than the teacher.

Our primary concern should be to develop curriculums that is unclouded by uninformed prejudices against drugs and that intelligently presents the facts—why people take drugs; the dangers to the body and to the mind, from casual experimentation to regular usage; the effects of the different kinds of drugs and the varying degrees of danger they pose; and the laws against drug abuse and their penalties. Teachers must be well educated in the subject matter so that they will be able to carry on a dialog with the students, gaining insight into their reasons for turning to drugs.

This cannot be done with movies or with a single lecture. This is the general posture of drug education today, which we know is ineffective. Ongoing programs should be developed, suitable for the different age levels we are trying to reach. Experts in the various disciplines concerned, especially educators, should have the means and the encouragement to produce these kinds of intensive programs.

Recently, we heard the tragic account of the death of Art Linkletter's daughter resulting from an experience with the dangerous drug, LSD. Courageously, Mr. Linkletter has since led an active personal campaign against drug abuse. Only last week he met with the President and a number of our congressional leaders, strongly urging intensive educational programs on drug abuse from the fourth grade up throughout the country. He also admitted that he did not know what to



tell parents to prevent such tragedies in their own families.

Here we see the importance of education going beyond the schools into the homes and the communities. Parents should be just as aware of the dangers of drugs and the reasons behind their use as their children are. They should especially be aware that the problem is just as likely to strike their own child as it is their neighbor's. The problem may be averted if the communications barrier between parent and child is broken. The family and the community must be able to listen to their young and their problems, understand, and be able to offer advice and alternatives to drug usage. Only in this way can we attack the cause and avert the consequences.

The Drug Abuse Education Act of 1969 has provisions meeting all of our needs in the area of drug abuse education—curriculum development at all levels, training of educators, and family and community educational programs. Furthermore, it coordinates the resources and activities of the Federal Government in drug education throughout the Interagency Coordinating Council on Drug Abuse Education. I think this bill offers a real chance for effective preventive measures in combating drug abuse, especially among our teenagers. I urge its passage.

#### AMENDMENT OFFERED BY MR. GROSS

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

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 2, line 22, after the word "appropriated," insert the words "not to exceed"; on line 23, after "1970", insert the words "not to exceed", and on line 24, after the word "and" insert the words "not to exceed".

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

Mr. GROSS. I am glad to yield to the gentleman from Kentucky.

Mr. PERKINS. Let me say to our distinguished friend from Iowa (Mr. GROSS) that the amendment at the bottom of page 12 is self-explanatory, it merely makes clear that the figures for the fiscal years 1971, 1972 and 1973 are "not to exceed" the amount authorized by this section.

We accept the amendment.

Mr. GROSS. I thank the gentleman.

Mr. Chairman, I would only say I offered the amendment because I did not feel that justification had been submitted for these individual figures of \$7 million, \$10 million and \$12 million over the 3-year period. I want to leave the Appropriations Committee some elbow room, when they hold hearings, as I assume and hope they will, on the matter of appropriations to fund this bill. For instance, half the current fiscal year will have elapsed before this legislation is enacted and therefore there should be no requirement for all the \$7 million.

As the gentleman from Illinois (Mr. MICHEL) the ranking Republican member of the subcommittee has said, the committee will consider this appropriation and seek justification through the process of establishing what programs and what procedures it will be necessary to finance.

I thank the gentleman.

Mr. REID of New York. Mr. Chairman, I move to strike the requisite number of words.

I merely wish to state that our side has no objection whatsoever to the amendment offered by the gentleman from Iowa (Mr. GROSS).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The amendment was agreed to.

Mr. ADDABBO. Mr. Chairman, I wholeheartedly support H.R. 14255, the Drug Abuse Education Act of 1969, which authorizes the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs.

As a cosponsor of this bill there is no doubt that one of the most immediate concerns today for parents is the health hazard presented to their children in the illicit use of drugs by the youth of this country. Part of the reason for the widespread drug experimentation by the youth is the lack of factual information available as to the relative dangers of various drugs. From testimony presented to the committee, 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.

Congressional approval of this bill will not solve the problem overnight but it will be a step in the right direction in that educational programs will be initiated to tackle the drug abuse problem. Our schools, as well as our community organizations interested in these programs, are in need of trained teachers, materials, and research and evaluation on the effects of the use of these materials. Passage of this bill will make this possible.

Mr. Chairman, at my own cost and expense, I had a pamphlet prepared and distributed to the people in my district regarding drug abuse, entitled: "Death From Within." I had a very good response from my constituency, and I will be happy to provide my colleagues with a copy of my pamphlet.

Mrs. REID of Illinois. Mr. Chairman, I rise in support of H.R. 14252, which seeks to help eliminate drug abuse by striking 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.

Accurate statistics on the percentages of college and high school students as well as older persons who have experimented with LSD, marijuana, hashish, and other drugs, are difficult to obtain, but it is undeniably clear that abuse is on the increase. The importance of preventive education as a control measure in this situation has been widely recognized and many agencies within and outside of Government have taken an active role in developing educational programs. But up to the present time these programs have consisted of scattered undertakings, mostly on a pilot level, divided among areas and related to each other only in a general way.

The purpose of the Drug Abuse Education Act is to establish a well coordinated and scientifically developed pro-

gram of drug abuse education and information that will enable all sectors of American youth to receive information in the most effective and appropriate form. In my opinion, the provision in the bill to bring the education materials to local and State agencies through an assistance program specifically funded for this purpose is especially good since it is through such local agencies that much of the actual work of education must be carried out.

Following the tragic death of his daughter, Diane, who jumped out of her apartment window while in a depressed, suicidal frame of mind as a result of LSD experiments some 6 months before, Art Linkletter—the television master of ceremonies—has been speaking out in an effort to alert parents that their children may be tempted to take dangerous drugs and to shock the Nation into a realization that no family can consider itself immune from the growing problem of drug abuse. He said recently that "from the fifth grade up children should be grounded as thoroughly in the dangers of putting drugs in their systems as they are in walking across a super highway with their eyes shut." Mr. Linkletter is to be commended for speaking out in regard to the case of his own daughter to help prevent such tragedies from happening to other families.

We all know, of course, that the Drug Abuse Education Act won't make the problem disappear overnight. But our schools and communities cannot afford to stand by idly and allow young people to experiment blindly with their own self-destruction. Proper knowledge of the effects of drug abuse may serve to avoid many future tragedies. In my judgment, highest priority should be given to Federal programs to coordinate and disseminate such information as widely as possible and H.R. 14252 is an important step in this direction.

Mr. HELSTOSKI. Mr. Chairman, before this day is out we will pass a bill which will make an effective contribution toward resolving one of the most difficult problems that afflicts our present day society.

It is just impossible for us not to be aware of the fact that this Nation has a serious drug abuse problem.

There is much concern in this country because young people use drugs. Many thoughts have been put forth on this subject, yet no one seems to have the answer. So many factors come into consideration as reasons why we have the extent of drug usage and abuse by our younger generation.

As a cosponsor of this legislation, I feel that it represents a sound and constructive step in the proper direction. If we are to be successful in our attack on drug use, we must attack the problem in various ways: through law enforcement, rehabilitation, and education.

I am happy to associate myself to the gentleman from Washington (Mr. MEEDS) in this legislation which will help us to find some of the answers to drug use. This bill aims squarely at the problem and we hope that it will begin to establish a foundation on which we can stimulate more action and an effective State and local effort and build an

education program which can be truly responsive to a demonstrated need.

Progress in the education of our youth regarding the dangers in the use of drugs, through spot announcements sponsored by the mental health group, have been aimed to get the danger of drug abuse across to our youth.

The addiction and abuse of drugs is not confined to an isolated sector of our population. The problem which was once fairly limited to lower-income slum dwellers is now found in all levels of our society. The rich and the poor, the urban and suburban, the young and the middle aged of both sexes are involved. No segment of our population is immune from the intrusion of this means of moral decay and self-destruction.

The problem is also found in college campuses and in city and suburban elementary, junior and senior high schools.

The key to this entire problem is education which can unlock the door to root out the causes of drug abuse and narcotic addiction.

Mr. Chairman, the drug abuse and narcotic addiction problems strike at the very core of our society. These problems act like an unknown and underrated cancerous growth that is spreading over our Nation. It is impossible to live in this country today and not know about the drug abuse threat to our national health.

Education is the best hope that we have for combating drug abuse. Our children, the teenagers, the young adults deserve more in the way of protection from drug abuse than legal prohibitions. The bill pending before us offers them the tools to build their defense, knowledge and understanding.

Through education we can present new information and be in a good position to teach the population a respect for drugs. Drug respect is probably the only way to curb drug abuse.

Mr. Chairman, this is a bill which can be of great impact to our country, and I urge its speedy passage.

Mr. DELLENBACK. Mr. Chairman, no Member of this body needs to be told how serious the drug abuse problem in our country has become. In his July 14 message to the Congress, President Nixon highlighted the severity of the problem with one particular comment:

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.

Perhaps the most frightening aspect of this statement is that, within the near future if not today, it can be applied to high schools as well as to colleges.

I strongly believe that enlightenment through sound and comprehensive education at every level will provide the best means of coping with our growing problem of drug abuse. To make this education available throughout the United States as soon as possible, I urge my colleagues to act favorably on the bill H.R. 14252 before us today, the Drug Abuse Education Act of 1969.

Current estimates show that more than 75 percent of those who have used marihuana are "experimenters" or first users. Since this statistic may well apply

to users of narcotics and other hallucinatory drugs, we must face the question of why young people are apparently so willing to experiment with drugs. Cutting down on the illegal traffic of narcotics must be part of the battle against drug abuse; but we cannot win this battle without answering that question.

In my opinion, part of the explanation lies in the fact that young people are simply not adequately educated on the potential dangers of using drugs even one time. Too often we have tried to assume that merely outlawing drugs would effectively minimize their use, but certainly the growing use of drugs in recent years has pointed up the fallacy of this assumption. Now we must face the issue squarely by trying to educate young people before they join the ranks of the "experimenters." As with so many of our Nation's problems, education can offer the best solution.

My colleagues, Mr. MEEDS, who originally introduced the bill, and Mr. BRADEN, who led the hearings on it in the Select Subcommittee on Education, are to be commended for their efforts in bringing the Drug Abuse Education Act of 1969 before us today. With numerous cosponsors from both sides of the aisle, H.R. 14252 is a bipartisan bill which deserves overwhelming bipartisan support from the House. The \$7 million authorization for fiscal 1970 seems a relatively small price to pay for what this bill can provide. In my opinion, if we do not pay the price of prevention now, we will have to spend a great deal more for the tragedy of drug abuse in the future.

Mr. PODELL. Mr. Chairman, in the last several decades, the American people have reaped the benefits of preventive medicine. We no longer wait for illness to strike; whenever possible, we have instituted programs of immunization. Such farsighted planning has done much to restrict the spread of unwanted disease.

Drug abuse is now reaching epidemic proportions in our society. In 1967, some 62,000 active narcotic addicts were recorded by the Bureau of Narcotics and Dangerous Drugs. As chairman of the Joint Legislative Committee on Penal Institutions in the New York State Legislature, I received testimony stating that the number of addicts in New York City alone had reached the 100,000 mark. This figure did not include individuals who had become addicts accidentally or because of medical reasons. Because reporting is incomplete, the dimensions of the problem are even greater than they first appear.

Drug addicts are sick people unable to cope with their environment. They often turn to drugs for relief from their pressures without full knowledge of the consequences of such action. Yet the philosophy of preventive medicine has not yet replaced hand wringing as a response to the problem. I believe a meaningful program of prevention is the best cure for drug abuse.

The Drug Abuse Act is a good first step toward the goal of prevention. Harsher penalties for drug abuse have been notably ineffective in halting the spread of drugs. The junkie—the brazen middleman in the drug trade—will not surrender his lucrative business as long as

there remains a ready market for his product. We must then act to decrease the size of his following.

A systematic program of information about the evils of drugs—their debilitating effects on the physical and mental capacities of the individual, the costs to society—seems essential. The scope of past programs of drug education strike me as unduly narrow in scope. I am glad to see that parents, educators, counselors, and public and private institutions will be included in this educational program. It is through these channels that much information reaches our youth.

The concern and action of Congress should not stop here. Self-congratulatory handshakes are not warranted at this time. Education is important, yet it will not totally eliminate the problem. The causes of drug abuse are complex; programs for prevention must be sophisticated enough to meet the challenges posed. If the supply of drugs reaching our shores were to be curtailed, diminished drug abuse would be likely to follow; if the junkie were eliminated as a drug source, our crime statistics might drop soaring; if imaginative rehabilitation programs were forthcoming, addicts might release their parasitic hold on society.

A new and comprehensive approach to the problem of drug abuse is needed. I am presently working on such a program and plan to introduce drug legislation in the near future. No family, no individual is fully immune from the evils of drug abuse. The roots and causes lie deep in our society. Before the epidemic spreads still further, I say it is time to practice a little preventive medicine.

Mr. EDMONDSON. Mr. Chairman, I support H.R. 14252 and commend the committee for bringing it to the floor.

There is an urgent need for reliable information and education on the serious drug abuse problems of the Nation, and this bill is a necessary first step to meet this need.

The able gentleman from Washington (Mr. MEEDS) has performed a significant public service by his leadership on this measure.

Let us hope the bill will be overwhelmingly approved by the Congress and effectively implemented by the administration.

The President has stated correctly that narcotics addiction is one of the Nation's most pressing problems, and has called for action to deal with it. I support his efforts all along the line to meet this growing danger, and urge the committees dealing with other proposals in this field to expedite their recommendations.

Everyone who has law-enforcement experience knows very well the longtime role of the narcotics trade and the narcotics addict in our crime problem.

This is a frontline in the war on crime in America, and we will not make real progress in the control of crime until we are making progress in control of illegal narcotics traffic and addiction.

Let us pass H.R. 14252 and get on with the job, all along the line.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge the House to overwhelmingly approve this measure now before



us, H.R. 14252, the Drug Abuse Education Act of 1969.

The very title of the bill constitutes, in itself, a most convincing appeal for its speedy adoption.

Mr. Chairman, the unanimous authoritative evidence presented in support of this bill clearly and impressively convinces us that the most effective factor in controlling and correcting the abuse of drugs is complete and widespread knowledge and information about the terrible dangers of drugs to those who misuse them.

We are urged, by all these authorities, to project a Federal informational program and campaign, through the cooperation of teachers, doctors, nurses, the police, social workers, and every other level of contact, that will tell the American people, of all ages, plainly and sensibly that the misuse of drugs is as dangerous, in the dramatic words of Mr. Art Linkletter, "as walking across a super-highway with your eyes shut."

Mr. Chairman, the abuse of drugs is not, statistics show, confined to the young people, but it is, unfortunately widespread within this country and expert testimony advises us it is increasing at a rapid rate.

It is emphasized that the most effective way of stopping this abuse is to educate potential users about the ruinous and killing effects of drug misuse. That is the single purpose of this bill. By any standard of judgment, this measure represents a timely, prudent investment in the public interest and I hope it will be resoundingly approved without prolonged delay.

Mr. GARMATZ, Mr. Chairman, in connection with the bill before the House today to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes, I know you will be glad to learn of the concern of one of my young constituents on the subject of drugs.

Brian Blumenfeld, an eighth grade student at Herring Run Junior High School in Baltimore, Md., age 12, was so perturbed at the death of Art Linkletter's daughter as a result of her use of drugs, that he expressed his feelings in the following poem:

#### DRUGS

(By Brian Blumenfeld)

Maybe you think drugs do no harm,  
Or maybe you think they work like a charm  
Maybe you think, they make you slick,  
Or maybe you take them "just for the kick".  
You better think again.  
Psychedelic posters on your wall,  
Or maybe they aren't there after all,  
Drugs can do many things  
And once you try it, to it you will cling  
Don't get hooked.  
Maybe you think L.S.D. "makes you hip,"  
But don't you think it's all a big slip?  
Don't you think it's a slip to the end of  
your life?  
It's just as deadly as a gun or knife.  
Don't get hooked.  
Don't become an "acid head"  
Or maybe one day, they'll find you dead.

It is most encouraging to know that some of our young people realize the great danger involved in their use and I hope they will be able to influence many others.

Mr. GONZALEZ, Mr. Chairman, I support the drug abuse education act.

Like my colleagues, I recognize the rising amount of drug abuse in this country, both innocent abuse of ordinary medicines and the powerful abuse of drugs that have no known medicinal value. I am concerned not only by the increase in drug abuse, but also by the fact that the illicit drug traffic is changing in nature; there is a rapid rise in the use of so-called hard drugs ranging from heroin to the synthetic hallucinogens.

More is needed to combat this dangerous trend than simple law enforcement. Drug abuse must be stopped before it ever starts. It is far simpler to prevent drug abuse than it is to correct it.

Education is the best approach to the prevention of drug abuse. Education must be used to counter the ill-advised and misconceived preachings of such drug cultists as Timothy Leary, and to correct the widespread misbelief that drugs can be used without ill effects. This educational effort must be sufficient to reach every household in the land. It must be deep enough to impress upon every conscience the dangers of drug abuse. Above all, it must be honest in its approach; it would do little good to attempt to overcome with myths the myths of the drug cultists. Fiction will be recognized for what it is and discarded, but facts will be recognized for what they are. I believe that awareness of the dangers of drug abuse will go far toward reversing the present dangerous trends toward deliberate experimentation with dangerous, medically useless drugs, as well as abuse of valuable but nevertheless potent and dangerous drugs.

We have much to learn in this land about drugs. We need to start learning now.

Mr. BRADEMAS, Mr. Chairman, I want to take just a minute to comment on a matter that came up yesterday during the debate on the Drug Abuse Education Act in a colloquy between the gentleman from Missouri (Mr. HALL) and me.

The gentleman from Missouri misunderstood my observation in the debate to the effect that the evidence showed that very little instruction was given in great medical schools toward the training of our physicians as to the dangers of the abuse of dangerous drugs.

The gentleman from Missouri apparently thought that I had stated that the drug problem is not taught in our medical schools and that the medical profession has not done anything about it.

On the contrary, as I pointed out in debate, no witness was more effective in testifying before our subcommittee on the need for drug abuse education legislation than Dr. Henry Brill, chairman of the committee on alcoholism and drug dependence of the American Medical Association Council on Mental Health.

I would reiterate, however, my observation that more efforts need to be given in medical schools to provide medical students, our future physicians, more instruction with respect to drug abuse. In this connection, I believe that Members will read with interest the following letter to me from Peter G. Hammond, executive director of the National Coordinating Council on Drug Abuse Education and Information, Inc. This council is

made up of civic, professional, and Federal agencies.

The text of Mr. Hammond's letter follows:

NATIONAL COORDINATING COUNCIL  
ON DRUG ABUSE EDUCATION AND  
INFORMATION, INC.  
Washington, D.C.

HON. JOHN BRADEMAs,  
Chairman, Select Subcommittee on Education,  
U.S. House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN BRADEMAs: To the best of our knowledge no extensive survey has been conducted to determine the types of institutions which offer drug abuse education programs. There is an obvious need for institutions of higher learning and specifically the professional schools to provide interdisciplinary courses on drug abuse education.

Dr. Alfred Freedman, Chairman of the New York Medical College, reports that most medical students get little more than one lecture on the problems of drug usage and this lecture is usually limited to the pharmacological effects of drugs. He says, "There is a great need to enhance and encourage medical schools to undertake extensive courses on all aspects of the drug problem. This is an area in which medical schools have been neglectful, and it is essential to encourage this kind of activity."

The research conducted for S. 1816, the Drug Abuse Prevention and Rehabilitation Act of 1969, substantiates this conclusion and schools of medicine, psychology, psychiatry, sociology, and social work are singled out for special attention.

I trust this information will be helpful to you.

Sincerely,

PETER G. HAMMOND,  
Executive Director.

Mr. FISH, Mr. Chairman, I would like to comment briefly on the Drug Abuse Education Act of 1969. By passage of this vitally important measure, the bill will provide a program of education most sorely needed in our country—a program which in the long run will prove to be the most effective weapon against drug abuse.

The first approach toward eliminating the problem of drug abuse is to strike at the heart of the problem, which is the lack of knowledge on the dangers of improper drug use. To carry out this purpose, the bill authorizes a program of grants and contracts for: First, the development of curriculums on drug use for our schools; 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.

This bill will assist in alleviating a critical problem which touches virtually every social, racial, and economic group in our country. Testimony presented to the committee overwhelmingly indicates that the most effective manner of curbing and preventing the improper use of dangerous drugs is through an effective and greatly expanded educational program. At this time, 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.

My personal experience with drug education is more than academic. In 1965 my village of Millbrook, N.Y., with a population of under 2,000 became very concerned over the activities of one of its residents, Dr. Timothy Leary—a leading exponent in the nonmedical use of mind-affecting drugs. I was privileged to serve with the clergy of the community, educators and physicians in a group that attempted to deal with this problem.

Our solution was drug education—the best weapon to forewarn both parent and child. Speakers, movies, comic books, clinical works—all were utilized in our efforts.

Fundamental to our approach—and I believe correct—was that youth will not accept threats or emotional appeals but will respond to cold accurate facts. It was also quite clear that lack of a full understanding of drugs and their affects left many parents playing far less effective roles than they should have played.

The Drug Abuse Education Act of 1969 is a comprehensive coordinated approach to the problem of drug education. It recognizes the need for development of a relevant, up-to-date curriculum, pilot projects, and evaluation of the effectiveness of curricula aimed at all ages. It recognizes the fact that teachers, counselors and law enforcement personnel also need training on drugs and drug abuse. More importantly, it recognizes the need for education of parents.

The community education programs on drug abuse will give parents the concrete facts needed when facing the most difficult problem of the use of drugs in one's family.

Education is always our greatest weapon. The use of drugs, particularly hallucinogenic drugs, will not decrease through law enforcement alone. It is important that youth be informed at the earliest possible age. We have a responsibility to see that our youth has the knowledge and ability to cope with the problem when they are confronted with it.

The Drug Abuse Education Act of 1969 is the first and most important step toward development of our greatest weapon in the fight against drug abuse—education.

Mr. PICKLE. Mr. Chairman, although we are told that some 12 million Americans have experimented with drugs, I have some question in my mind that drugs are that popular.

However, I am concerned that those Americans using drugs do not fully comprehend the pitfalls—for the sake of a few hours free ride on a drugged trip, these people are risking permanent damage to themselves and possibly to their offspring.

I think it is the responsibility of Congress to help bring forth the truths—good and bad—about the use of drugs. We owe it to the people of this Nation to explode some of the romantic motions attached to the use of drugs.

Without question, the use of marihuana is dragging in more and more people. The question is—are our laws

keeping step. For one thing, I think our laws should be directed more toward the seller than the user. We are strapping it on too many of our young people while we are letting the organized crime rings get off relatively easy. Punishment does not match the crime.

Accordingly, I support the Drug Abuse Education Act. Furthermore, I hope the research money in this bill can be used to determine several drug myths with some degree of finality:

Is usage over a long term harmful?

Is marihuana addictive?

What prompts someone to change from marihuana to heroin?

Which drugs actually affect and harm the reproductive process?

And most important of all, how can we best educate our people about this misuse of drugs? This bill can help answer many of these questions, and I therefore support the measure wholeheartedly.

Mrs. MAY. Mr. Chairman, the rapidly growing problem of hard drug abuse among young people was discussed in a special report I sent to the people of my congressional district in April of this year. Since then I have received letters from parents and other citizens in the district advising me of their discoveries of drug abuse among young people in their own communities. These letters serve to confirm the fact that narcotics use is no longer a problem in just the big cities. It has become a serious national threat to the personal health and safety of millions of Americans everywhere.

I have also found, as have many of my colleagues, a lack of good drug education material available in sufficient quantities to parents, students, and other members of the public.

The legislation before us today should go a long way in correcting this situation, and I am pleased to be a cosponsor of this bill. I am sure that all of us recognize the urgent need for the Drug Abuse Education Act of 1969.

President Nixon pointed out in his drug abuse message to the Congress that the lack of knowledge and the great amount of misinformation about drugs and drug abuse has compounded the situation and is contributing to the alarming growth of drug abuse among young people.

This bill is not the final nor the complete answer to drug abuse. The President has proposed a 10-point program that, when implemented, will attack this problem on a number of fronts. But I am confident that by approving the Drug Abuse Education Act of 1969, we will be dealing effectively with a very important phase of a multifaceted situation.

And I am just as confident that we will take up those additional measures that require legislative action to assure that we deal effectively and completely with this drug abuse problem that cries for a solution.

Mr. MONAGAN. Mr. Chairman, I support H.R. 14252, the Drug Abuse Education Act of 1969.

One of the most difficult and dangerous problems threatening our Nation today is the increasing use and misuse of dangerous drugs and narcotics.

While I strongly endorse the increased efforts of various law enforcement agencies to crack down on illegal drug traffic, it must be recognized that these efforts alone will not provide a complete cure for the problem. We must not confine our efforts to halting the supply in drugs, but we must also try to slow down and obliterate the illegal and unwarranted demand for drugs.

The greatest cause for the increase in drug traffic is the lack of knowledge on the part of users of the inherent physical and mental damage involved in drug abuse. This bill, by vastly increasing available resources to educate the general population on the dangers of drug and narcotic abuse, attacks the heart of the problem. If people are taught the ugly consequences of drug abuse early enough, hopefully they will never get started on trying drugs.

This bill authorizes the Secretary of the Department of Health, Education, and Welfare to make grants to local educational agencies and other private, non-profit organizations for community education programs on drug abuse. Under the bill, training programs will be set up for teachers, counselors, law enforcement officials, parents, and other citizens of the community.

The educational programs provided for under the bill are critically needed. Earlier this year the Department of Health, Education, and Welfare stated that drug abuse has reached epidemic proportions. In a recent discussion with Congressman CLAUDE PEPPER, chairman of the House Select Committee on Crime, he pointed out that the 15-year-old age group is the one in which most crime is perpetrated in the country today, and that about half of the violent street crimes are committed by young people obviously for the purpose of getting money to pay for heroin to which they have become addicted. The Federal Bureau of Investigation reports that since 1960 arrests for drug violations have increased by 329 percent; for persons under 18 years of age the drug arrests have risen by the shocking figure of 1,860 percent. These figures alone demand that Congress and the Nation come to grips with the problem before it gets totally out of hand.

I particularly endorse the provisions of the bill which set up an Interagency Coordinating Council on Drug Abuse Education. Presently several Federal agencies have programs concerning the problem of drug abuse, and the coordination of their activities will allow their collective experience and expertise to deal more effectively with the problem.

The tools provided for in this bill are crucial for an effective fight against the drug abuse problem, and I urge immediate and favorable consideration of this measure.

Mr. RUTH. Mr. Chairman, drug abuse is a crisis problem that has appeared suddenly and viciously in communities across the Nation. It is a danger which most parents and many teachers do not fully understand since it is something they never faced in their own childhood.

Yet today the improper use of dangerous drugs has spread rapidly from the



street to college campuses, into high school corridors, and of late has even penetrated into elementary schools.

Those who guard and protect children in their growing years too often know nothing or very little about meeting this difficult situation head on. For this reason I have cosponsored H.R. 14252, known as the Drug Abuse Education Act of 1969. This bill will 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.

This bill seeks to help eliminate drug abuse by striking at the heart of the problem—the lack of knowledge on the part of the average citizen, young and old, on the dangers of improper drug use.

Those in responsible positions in the care of children have tried their best to inform young people of the serious consequences resulting from experimenting with drugs. But even some of the published material on the subject contains factual inaccuracies, distortions, and ineffective sermonizing.

In addition, reliable drug education has been hampered by at least three factors: First, lack of effective teacher training; second, uncertainty about and unavailability of the right teaching materials, and third, community resistance to drug education—which is in reality a reflection of fear and controversy.

This bill is designed to overcome these obstacles to drug education. The bill contains many important features. In the first place, its administration is placed under the Department of Health, Education, and Welfare.

In the second place, the act would create a 21-man advisory committee with seven of its members being appointed by the Attorney General. They will review the act's administration, recommend priorities, and evaluate programs and expenditures.

In the third place, the Commissioner of Education will approve funds only after review and comments by the Bureau of Narcotics and Dangerous Drugs and by the National Institute of Mental Health. In addition, the legislation calls for Federal-State cooperation.

Finally, the Federal Government will help in financing the program, to provide short-term courses for instructors, enable schools to sponsor seminars for parents, assist in developing teaching materials about drugs, and help evaluate existing educational projects.

The proposed new drug education program will not make the problem disappear overnight. But our schools and communities cannot afford to stand by idly and allow young people to experiment blindly with their own self-destruction.

While the lure of the unknown and the forbidden will always remain fascinating to young people, knowledge tempered by restraint can strip away the lure and serve to avoid many future tragedies.

Mr. Chairman, I urge the Members of this body to vote for the measure to help us protect our children.

Mr. DON H. CLAUSEN. Mr. Chairman, as a cosponsor of the Drug Abuse Education Act of 1969, I firmly believe

the time has come when our educational institutions in this country must "wake the Nation and tell the people" that drug abuse has become a frightening social menace in America, and that only through knowledge and truth can we hope to save millions of young lives from the nightmare world of drug addiction.

This, Mr. Chairman, is the prime reason for my enthusiastic support of the Drug Abuse Education Act of 1969. Experience has demonstrated that present "after the fact," stop-gap measures for dealing with the problem of drug abuse are too little and too late. What we need is a hard-hitting educational program for teenagers and adults alike that tells it like it is—before it is too late.

Using the Drug Abuse Education Act of 1969 as a vehicle of coordination and cooperation, I can foresee all parties to the drug abuse problem joining forces—parents, teachers, students, law-enforcement officials, and community leaders. Only in this way can we achieve the understanding that is vitally necessary and absolutely essential to combat drug abuse in America.

Along with enactment of this legislation, we must, in my judgment, move forward on many other fronts. Among them are:

First. Law enforcement: Federal and State enforcement agencies must crack down even harder on the "pushers" who prey on the weaknesses of human beings.

Second. Community action: More communities must develop action programs such as the "awareness house" concept which utilizes rehabilitated addicts to "tell it like it is" and reveal the real dangers to young drug abusers.

Third. Coordination and cooperation: The critical necessity at every level of government and within every political subdivision to enlist the support of the news media, civic and social groups, and our educational and law enforcement institutions to work together to combat drug abuse through education, information, and a better understanding of the nature and scope of the problem.

Fourth. Drying up the source: A more concentrated effort to determine and eliminate the sources of narcotics and dangerous drugs that are entering this country and being made available to the general public.

Fifth. Education and training: The fundamental ingredient of any effective drug abuse program is factual and meaningful education and training. In this regard, Federal legislation, such as the Drug Abuse Education Act, must be supplemented and coordinated by local drug abuse education programs that are tailored to cope with special or local problems.

Sixth. Treatment and rehabilitation: Greater emphasis must be placed on treatment and rehabilitation rather than on disciplinary action in coping with addicts, and these programs must be expanded to provide "aftercare services" in the community. These services could be provided by private hospitals, "halfway houses," religious groups, and privately endowed centers.

Finally, in a time of spiraling inflation and skyrocketing costs, the necessity for priority spending is most acute.

However, in my judgment, the need for a high priority in domestic spending is nowhere more acute than in the area of drug abuse.

Quite frankly, I view the drug problem in America as part and parcel of the decay that is sweeping America. I see it as an integral part of a deliberate effort to alienate young people from family, church, and school. What better way to alienate young Americans than to "bend their minds and bodies" with easily acquired drugs and narcotics?

With the Drug Abuse Education Act of 1969, we can provide a positive, well-coordinated and integrated national program for realistic, effective, and vitally needed drug abuse education.

Therefore, Mr. Chairman, I urge favorable and swift passage of this legislation in the belief that it is imperative that we in the Congress move on a positive and constructive way to put down this threat to American youth and the society in which we live.

Mr. WALDIE. Mr. Chairman, I am in full support of this legislation and consider its passage to be among the most important acts of this body in this session.

If drug users knew what they are doing to their bodies and their minds with the continued use of harmful drugs we would not have the problem we have today.

I consider this legislation to be a tremendous step toward halting unwitting and excessive use of harmful drugs by providing the funds and the programs to educate present drug users and perhaps more importantly, the potential users to the very real dangers of drug abuse.

As a member of the Select Committee on Crime, I have seen at first hand the enormous scale of the drug abuse problem throughout this Nation.

I have found, Mr. Chairman, that perhaps the greatest deficiency existent in this problem is not in the area of law enforcement, but in the area of education.

Educators and law-enforcement officials are now hampered in providing the necessary drug abuse education programs because of the lack of effective training, programs and materials.

I think this legislation will go far in correcting these deficiencies.

While the Congress is to be commended for this positive action, I think it is indicative of our late recognition of this widespread social problem that we have waited this long before acting on drug abuse legislation.

I must admit that my own State of California is even more remiss in its responsibility. Governor Reagan recently vetoed \$55,000 of an \$85,000 drug abuse research program authorized by the State legislature.

The extent of the drug abuse problem is so great and so acutely dangerous that it will require complete dedication of all levels of government, local, State and Federal, before solutions can be found.

Any slackening of efforts by the State administration can only be measured in the extra young people who will be damaged irreparably by their continued exposure to this evil.

Mr. CORDOVA. Mr. Chairman, I rise in support of H.R. 14252, the Drug Abuse

Education Act of 1969 and it is with pleasure that I commend the strong bipartisan support which this measure has received.

This piece of legislation before us constitutes, I believe, an indication by all of us that we publicly recognize the critical need for Federal financial assistance to educate our young citizens on the subject of drug abuse.

No one, either here in the mainland United States or in Puerto Rico, can rest assured that the passage of this legislation will remove the cancerous scourge of drug abuse prevalent in the land. But it is a strong step forward in providing all possible means of support and assistance to our local institutions and personnel who must deal with this problem.

H.R. 14252 is our reaction to a problem from which we cannot hide.

There is a national clamor for more research that will define adequately the relative danger of marihuana smoking and many medical men, legal defenders, and politicians are beginning to assert their voices.

There are other measures, both in the House and the Senate, which concern the revamping of existing laws to deal with drug offenders and, because of this, I want to make it clear that this legislation is primarily an educational measure and not one primarily dealing with criminal aspects of drug abuse.

It strikes at the core of only one aspect of the problem of drug abuse but, in doing so, it will fill a gap that is critical: the need for our schools to educate their students more effectively in this area.

The legislation would, among other things, allow the Department of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs.

Evaluation of any new curriculum is provided for in the legislation and training programs for teachers, counselors, law enforcement officials and other public service and community leaders is authorized.

As Resident Commissioner from Puerto Rico, I represent nearly 2.7 million of your fellow citizens and I address myself to Members of Congress from both political parties when I say that this bill represents a courageous step forward in dealing with a public problem that many choose to ignore.

The legislation provides for effective coordination of existing programs within Government through the establishment of the Advisory Committee on Drug Abuse Education and the provision allowing the Secretary of Health, Education, and Welfare to give technical assistance to local educational agencies, public and private nonprofit organizations, and institutions of higher education in carrying out the purposes of this bill.

As a cosponsor of this legislation, I join the hope of the many Members of Congress supporting this bill that it will be speedily implemented.

Because drug abuse in this country is increasing at an alarming rate, not to

act on this problem is to retreat. This legislation offers hope to our school systems that, in the long run, they will be better equipped to cope with an urgent social problem.

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

I take this time to make sure that the record here is ample in support of the authorizations which we have asked. I should like at this time to point out that the American Medical Association before our committee in testimony said:

The scope of our efforts in drug education is undoubtedly circumscribed by fiscal limitations. At present we know only of less than \$1 million in Federal funds which are earmarked for the purpose of drug abuse education and information. And to the best of our knowledge, the total available from all sources does not far exceed this sum. This falls far short of what is required to control the problem. \* \* \*

The Student American Medical Association before our committee in very similar testimony said:

Although this bill merely authorizes funds and does not appropriate them, I would hope that a high priority would be given to the appropriation of these funds. Compared to the size of the legal and illegal drug market in the U.S., this amount is negligible. Furthermore, these funds would serve as a catalyst for many private organizations which are currently interested in drug abuse programs, but are inexperienced concerning methodology, and thus hesitant to begin such programs.

Mr. Chairman, I would like to point out to the committee that witness after witness came before our subcommittee and said that they felt what we were asking in this legislation was inadequate—inadequate—to deal correctly with this problem. I must confess that I think it is inadequate, also, but I do not think it is inadequate to get started and do what we can at the present. So I would hope that the record is clear that we are very serious about what we are asking in this bill and that we will be very serious when we go before the Committee on Appropriations and ask that it be fully funded.

The CHAIRMAN. Under the rule, the Committee rises.

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 for other related educational purposes, pursuant to House Resolution 602, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 294, nays 0, not voting 137, as follows:

[Roll No. 254]

YEAS—294

Adair	Fish	McMillan
Adams	Fisher	Macdonald,
Albert	Flood	Mass.
Alexander	Flowers	MacGregor
Anderson,	Flynt	Mahon
Calif.	Foley	Mailliard
Anderson, Ill.	Ford, Gerald R.	Mann
Anderson,	Fountain	Marsh
Tenn.	Fraser	Mathias
Andrews, Ala.	Frelinghuysen	Matsunaga
Andrews,	Frey	May
N. Dak.	Friedel	Mayne
Annunzio	Fulton, Pa.	Meeds
Arends	Fulton, Tenn.	Melcher
Aspinall	Gallfanakis	Meskill
Ayres	Garmatz	Michel
Beall, Md.	Gaydos	Miller, Calif.
Belcher	Gialmo	Miller, Ohio
Bennett	Gilbert	Minish
Betts	Goldwater	Mink
Bevill	Gonzalez	Minshall
Blester	Goodling	Mize
Bingham	Green, Oreg.	Mizell
Blanton	Gross	Mollohan
Blatnik	Grover	Montgomery
Boggs	Gubser	Mosher
Boland	Gude	Moss
Bolling	Havan	Murphy, Ill.
Bow	Haley	Murphy, N.Y.
Brademas	Halpern	Myers
Brinkley	Hamilton	Natcher
Brooks	Hammer-	Nedzi
Broomfield	schmidt	Nelsen
Brotzman	Hanna	Obey
Brown, Mich.	Hansen, Idaho	O'Hara
Brown, Ohio	Hansen, Wash.	O'Konski
Broyhill, N.C.	Harsha	Olsen
Broyhill, Va.	Hathaway	Ottinger
Buchanan	Hechler, W. Va.	Passman
Burke, Fla.	Heckler, Mass.	Fatman
Burke, Mass.	Helstoski	Fatten
Burleson, Tex.	Hogan	Pelly
Burlison, Mo.	Hollifield	Perkins
Burton, Utah	Horton	Pettis
Byrnes, Wis.	Hosmer	Philbin
Carter	Howard	Pickle
Chamberlain	Hull	Pike
Clark	Hungate	Poage
Clay	Hunt	Podell
Cleveland	Hutchinson	Pollock
Collier	Ichord	Preyer, N.C.
Conable	Jacobs	Price, Ill.
Conte	Johnson, Calif.	Pryor, Ark.
Corman	Johnson, Pa.	Purcell
Coughlin	Jonas	Quillen
Culver	Jones, Ala.	Railsback
Daniel, Va.	Jones, Tenn.	Randall
Davis, Ga.	Kastenmeier	Rarick
Davis, Wis.	Kazen	Rees
Dawson	Keith	Reid, Ill.
de la Garza	King	Reid, N.Y.
Dellenback	Kleppe	Reifel
Dennis	Kyl	Roberts
Derwinski	Kyros	Robison
Dickinson	Landgrebe	Rodino
Diggs	Landrum	Rogers, Colo.
Dingell	Langen	Rogers, Fla.
Donohue	Latta	Rooney, N.Y.
Dorn	Lennon	Rooney, Pa.
Dulski	Lloyd	Rosenthal
Duncan	Long, La.	Roth
Dwyer	Long, Md.	Roudebush
Eckhardt	Lowenstein	Roybal
Edmondson	Lukens	Ruth
Edwards, Ala.	McCarthy	Ryan
Edwards, Calif.	McCloskey	St. Onge
Erlenborn	McClure	Satterfield
Evans, Colo.	McDade	Saylor
Evins, Tenn.	McDonald,	Schadeberg
Fallon	Mich.	Scherle
Farbstein	McEwen	Scheuer
Feighan	McFall	Schneebell
Findley	McKneally	Schwengel



Scott  
Sebelius  
Shipley  
Shriver  
Sisk  
Skubitz  
Slack  
Smith, N.Y.  
Springer  
Stafford  
Stanton  
Stelger, Wis.  
Stratton  
Stubblefield  
Stuckey  
Sullivan  
Symington  
Talcott

Teague, Calif.  
Thompson, Ga.  
Thompson, N.J.  
Thomson, Wis.  
Tiernan  
Tunney  
Udall  
Ullman  
Van Deerlin  
Vander Jagt  
Vanik  
Vigorito  
Waldie  
Wampler  
Watson  
Watts  
Weicker  
Whalen

White  
Whitehurst  
Whitten  
Widnall  
Williams  
Wilson  
Charles H.  
Wold  
Wolff  
Wright  
Wyman  
Yates  
Yatron  
Young  
Zablocki  
Zwach

## NAYS—0

## NOT VOTING—137

Abbutt  
Abernethy  
Addabbo  
Ashbrook  
Ashley  
Baring  
Barrett  
Bell, Calif.  
Berry  
Biaggi  
Blackburn  
Brasco  
Bray  
Brock  
Brown, Calif.  
Burton, Calif.  
Bush  
Button  
Byrne, Pa.  
Cabell  
Caffery  
Cahill  
Camp  
Carey  
Casey  
Cederberg  
Celler  
Chappell  
Chisholm  
Clancy  
Clausen  
Don H.  
Clawson, Del.  
Cohelan  
Collins  
Colmer  
Conyers  
Corbett  
Cowger  
Cramer  
Cunningham  
Daddario  
Daniels, N.J.  
Delaney  
Denney  
Dent  
Devine

Dowdy  
Downing  
Edwards, La.  
Elberg  
Esch  
Eshleman  
Fascell  
Ford  
William D.  
Foreman  
Fuqua  
Gallagher  
Gettys  
Gibbons  
Gray  
Green, Pa.  
Griffin  
Griffiths  
Hall  
Hanley  
Harrington  
Harvey  
Hastings  
Hawkins  
Hays  
Hébert  
Henderson  
Hicks  
Jarman  
Jones, N.C.  
Karth  
Kee  
Kirwan  
Kluczynski  
Koch  
Kuykendall  
Leggett  
Lipscomb  
Lujan  
McClory  
McCulloch  
Madden  
Martin  
Mikva  
Mills  
Monagan  
Moorhead

Morgan  
Morse  
Morton  
Nichols  
Nix  
O'Neal, Ga.  
O'Neill, Mass.  
Pepper  
Pirnie  
Poff  
Powell  
Price, Tex.  
Pucinski  
Quie  
Reuss  
Rhodes  
Riegle  
Rivers  
Rostenkowski  
Ruppe  
St Germain  
Sandman  
Sikes  
Smith, Calif.  
Smith, Iowa  
Snyder  
Staggers  
Steed  
Steiger, Ariz.  
Stephens  
Stokes  
Taft  
Taylor  
Teague, Tex.  
Utt  
Waggonner  
Watkins  
Whalley  
Wiggins  
Wilson, Bob  
Winn  
Wyatt  
Wydler  
Wylie  
Zion

So the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Morse.  
Mr. Addabbo with Mr. Ashbrook.  
Mr. Sikes with Mr. Bell of California.  
Mr. Brasco with Mr. Burton.  
Mr. Daddario with Mr. Corbett.  
Mr. Carey with Mr. Bray.  
Mr. Daniels of New Jersey with Mr. Cahill.  
Mr. Gettys with Mr. Cougar.  
Mr. Monagan with Mr. Smith of California.  
Mr. Pucinski with Mr. Nix.  
Mr. Steed with Mr. Berry.  
Mr. Biaggi with Mr. Esch.  
Mr. Hébert with Mr. Blackburn.  
Mr. Byrne of Pennsylvania with Mr. Don H. Clausen.  
Mr. Hays with Mr. Devine.  
Mr. Henderson with Mr. Brock.  
Mr. Karth with Mr. Lyon.  
Mr. Kluczynski with Mr. Cederberg.  
Mr. O'Neal of Georgia with Mr. Camp.  
Mr. Rivers with Mr. Morton.  
Mr. Morgan with Mr. Del Clawson.  
Mr. Moorhead with Mr. Clancy.  
Mr. Rostenkowski with Mr. Collier.  
Mr. St Germain with Mr. Cunningham.  
Mr. Nichols with Mr. Foreman.

Mr. Fascell with Mr. Bush.  
Mr. Caffery with Mr. Denney.  
Mr. Brown of California with Mrs. Chisholm.  
Mr. Madden with Mr. Harvey.  
Mr. Green of Pennsylvania with Mr. Eshleman.  
Mr. Griffin with Mr. Kuykendall.  
Mr. Barrett with Mr. Hastings.  
Mr. Hicks with Mr. McClory.  
Mrs. Griffiths with Mr. Hall.  
Mr. Reuss with Mr. McCulloch.  
Mr. Fuqua with Mr. Cramer.  
Mr. Koch with Mr. Stokes.  
Mr. Hawkins with Mr. Ellberg.  
Mr. Dent with Mr. Pirnie.  
Mr. Delaney with Mr. Martin.  
Mr. Mills with Mr. Lipscomb.  
Mr. Waggonner with Mr. Poff.  
Mr. Teague of Texas with Mr. Price of Texas.  
Mr. Jones of North Carolina with Mr. Snyder.  
Mr. Colmer with Mr. Steiger of Arizona.  
Mr. Mikva with Mr. Ruppe.  
Mr. Celler with Mr. Rhodes.  
Mr. Taylor with Mr. Sandman.  
Mr. Burton of California with Mr. Riegle.  
Mr. Cabell with Mr. Quie.  
Mr. Abbutt with Mr. Taft.  
Mr. Abernethy with Mr. Utt.  
Mr. Jarman with Mr. Watkins.  
Mr. Ashley with Mr. Whalley.  
Mr. Baring with Mr. Wiggins.  
Mr. Casey with Mr. Bob Wilson.  
Mr. Pepper with Mr. Winn.  
Mr. Cohelan with Mr. Wyatt.  
Mr. Dowdy with Mr. Wylder.  
Mr. Edwards of Louisiana with Mr. Zion.  
Mr. Kirwan with Mr. Kee.  
Mr. Gray with Mr. Gibbons.  
Mr. Gallagher with Mr. Hanna.  
Mr. Staggers with Mr. Smith of Iowa.  
Mr. Leggett with Mr. Stephens.  
Mr. Chappell with Mr. Harrington.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

#### COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON AGRICULTURE

The SPEAKER laid before the House the following communication from the chairman of the Committee on Agriculture, which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

OCTOBER 30, 1969.

HON. JOHN W. MCCORMACK,  
Speaker of the House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered and unanimously approved the work plans transferred to you by executive communication and referred to this Committee. The work plans involved are:

[Watershed, State, and Executive Communication]

Lower Pine Creek, California, No. 1049, 91st Congress.

Aowa Creek, Nebraska, No. 1229, 91st Congress.

North Concordia, Louisiana, No. 1229, 91st Congress.

Pond Run, West Virginia, No. 1229, 91st Congress.

South Florida Conservancy District, Florida, No. 1229, 91st Congress.

As you will note in the attached Resolution concerning Lower Pine Creek, California,

only that portion of the project at or above the Arroyo del Cerro Dam is approved.

Yours sincerely,

W. R. POAGE,  
Chairman.

#### CEILING ON APPROPRIATIONS FOR ADMINISTRATIVE CONFERENCE

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 579 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 579

*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. 4244) to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations. 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 the Judiciary, 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 any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. 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 with or without instructions.

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

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio (Mr. LATTA) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 579 provides an open rule with 1 hour of general debate for consideration of H.R. 4244 to increase the statutory ceiling on appropriations for the Administrative Conference of the United States.

The purpose of H.R. 4244 is to increase the authorized annual appropriation for the Administrative Conference from the present ceiling of \$250,000 per annum to a new ceiling of \$450,000.

The \$250,000 was imposed when the Conference was created in 1964. Since that time there has been a very substantial increase in general costs, which include a full-time staff, intermittent employment, printing and reproduction expenses, travel expenses, and supplies.

The cost of the legislation cannot exceed \$200,000 per year, the difference between the present ceiling and the new ceiling.

Mr. Speaker, I urge the adoption of House Resolution 579 in order that H.R. 4244 may be considered.

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

Mr. ANDERSON of Tennessee. I yield to the gentleman from Iowa.

Mr. GROSS. Is it not something of a misstatement to say the cost of this leg-

isolation will only be the \$200,000 increase, when it is proposed to lift the ceiling to \$450,000, or am I misinformed?

Mr. ANDERSON of Tennessee. What I meant was that the additional cost, the cost of this revision in the legislation, could only amount to \$200,000. The total would be, as the gentleman says, a maximum of \$450,000.

Mr. GROSS. The title on the report, it seems to me, is a misnomer, "Ceiling on Appropriations for Administrative Conference." What it actually proposed is a lifting of the ceiling, and adding \$200,000.

What does the gentleman think of the language in the report on page 5 which says the reason for this legislation is to carry out its important work. What is the important work of this conference? Does the gentleman have any idea? Perhaps I can get it from someone else, but there surely must have been some justification made to the Committee on Rules.

Mr. ANDERSON of Tennessee. If I might, I would like to yield to the gentleman from Wisconsin (Mr. KASTENMEIER) who is in a better position to answer that.

Mr. KASTENMEIER. I thank the gentleman from Tennessee for yielding to me.

I would say to the gentleman from Iowa, of course, I intended once the rule was granted to discuss the work of the Conference, but I can identify some of the subject areas that they have been concerned with as recently as the last 10 days in their annual plenary conference. These are areas like those dealing with enforcement of NLRB orders, elimination of duplicative hearings on FAA safety, recertification cases—

Mr. GROSS. What kind of safety?

Mr. KASTENMEIER. FAA safety. That is the Federal Aviation Administration.

Mr. GROSS. FAA safety. Let us just take that one. The last table of organization I saw for the Transportation Office showed there were five or six safety divisions in the Department of Transportation Office, which includes the FAA. What in the world would this outfit be doing in connection with safety in the FAA?

Mr. KASTENMEIER. As I indicated, it refers to the elimination of duplicative hearings. I think that the gentleman just made the point why this particular conference ought to look into it. It is because there were so many hearings of this sort.

Mr. GROSS. If the gentleman will yield further, I have asked these questions because I think this rule ought to be defeated and we should dispense with this legislation without going further. On the basis of the report and the hearings on this bill, this \$250,000 is a waste of money that could be spent in untold places throughout this Federal Government to far better advantage.

Mr. ANDERSON of Tennessee. Mr. Speaker, I appreciate the gentleman's contribution. May I refer back to the title of the bill and point out that the title on page 2 is amended to read, "A bill to raise the ceiling on appropriations of the Administrative Conference of the United States." So there is an amendment to the title.

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

Mr. ANDERSON of Tennessee. I will be delighted to yield to the gentleman.

Mr. KYL. Do I understand the report to indicate that the salary of the chairman would be increased from \$20,500 a year to \$42,500 a year?

Mr. ANDERSON of Tennessee. I would like to yield to the gentleman from Wisconsin to answer that question.

Mr. KASTENMEIER. I thank the gentleman from Tennessee for yielding to me.

His salary has been, along with other agency heads to which he is equivalent in the Federal bureaucracy, raised to \$42,500. This is not done by this bill, but it has been raised by the laws which we have already enacted in the Congress this year, just as our salaries have been raised.

Mr. KYL. If the gentleman will yield further, was his salary then, as a matter of fact, increased from \$20,500 to \$42,500 by previous action of the Congress?

Mr. KASTENMEIER. No. If the gentleman will yield further on that point, that refers to what in 1964 was his estimated salary which had gone to \$30,000. As I recall, the last salary increase raised the departmental and congressional salaries to \$42,500. He is authorized to receive a salary according to the law we passed in 1964 providing that the chairman shall receive compensation at the highest rate established by law for the chairman of an independent regulatory board or commission.

And, there is a reason for that. The reason is that he sits in conferences with his peers who are also agency heads. When this was originally established in 1964, and all the measures leading up to it, it was determined that he too shall serve as an equivalent of any Federal regulatory head and he is compensated accordingly.

Mr. KYL. Mr. Speaker, if the gentleman will yield for one further observation, I would like to say that I become more satisfied with the fact that I voted against the establishment of the Salary Commission which did these wondrous things.

Mr. KASTENMEIER. If the gentleman from Tennessee will yield further, I would point out to the gentleman that there was not a vote on this in 1964. It was overwhelmingly supported both in the other body and this body, and there has not been to my knowledge a record vote cast against this conference that was created to date.

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

Mr. Speaker, I believe that the colloquy between the various gentlemen which has been held has indicated that, perhaps, we need some further discussion of this matter within the Committee of the Whole House on the State of the Union.

The purpose of the bill is to increase the statutory ceiling now fixed for appropriations for the Administrative Conference of the United States.

Created in 1964, the Conference has as its responsibility the development of recommendations for improvement in the procedures by which Federal departments and agencies fix the rights and

obligations of private business and individuals through administrative adjudication, rulemaking and investigation. The Conference has no regulatory power; it reports to the President, the Congress, the judicial Conference, and the departments and agencies of the executive branch.

Statutory language now limits the appropriations each year for the operations of the Conference to \$250,000. This figure is based upon 1964 estimates. Current cost estimates total \$400,590. The Committee on the Judiciary believes that the appropriations ceiling should be increased to \$450,000 per year to insure some leeway.

There are no minority views. The Bureau of the Budget and the Department of Justice support the bill as introduced which completely removed the appropriations ceiling. The committee believes a ceiling is helpful to it in discharging its oversight responsibilities.

Mr. Speaker, I have no further requests for time and in order to get into the Committee of the Whole I yield back the balance of my time.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. KASTENMEIER. 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. 4244) to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations.

The SPEAKER pro tempore. (Mr. ALBERT). The question is on the motion offered by the gentleman from Tennessee.

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. 4244, 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 Wisconsin (Mr. KASTENMEIER) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. BIESTER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. KASTENMEIER).

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

Mr. Chairman, this legislation concerns authorization to appropriate for the Administrative Conference of the United States.

As originally introduced, at the request of the Conference, the bill would simply have removed the present ceiling of \$250,000 per annum. As amended by our committee, however, the bill would retain an appropriation ceiling and



would raise the existing annual ceiling from \$250,000 to \$450,000.

Mr. Chairman, the Administrative Conference of the United States was created in 1964 by Public Law 86-499 as a continuing agency of the Federal Government to study Federal administrative procedures and to recommend improvements.

In the creation of the Conference in 1964 the other body, acting first, imposed no limitation on appropriations. The present limitation was inserted by amendment in the House. It was insisted, as a matter of fact, in the full Committee on the Judiciary.

The Conference advises that the present limitation is too restrictive, having been based on estimates which did not include sufficient funds for the salaries of the Chairman or the full-time staff, and wholly failed to take into account the full salary increases and general costs that have taken place in the meantime.

Actually, the cost estimates in 1964 were taken from the preceding conference of 1961 and 1962. The total estimate of 1964 was \$256,500. The present costs, according to testimony before the Committee, in terms of what their mission requires them to do, is \$400,590. The Conference indicates that approximately \$200,000 of its present appropriation of \$250,000 will be required for fixed charges, with the result that only \$50,000 will be available for the necessary employment of consultants, for travel, per diem, printing, for reproduction and for all the other expenses attendant to the Conference.

The committee is persuaded that the present \$250,000 limitation is unduly restrictive. It does not follow, however, that the ceiling on appropriations should be entirely eliminated. The committee believes that, especially with regard to relatively new programs like that of the Administrative Conference of the United States there is an advantage in terms of legislative oversight to maintain some limitation on appropriations. The Conference has offered figures indicating a present annual cost of approximately \$400,000. The Chairman of the Conference testified that this figure itself is insufficient to constitute an adequate future maximum. He conceded that he could not see the need in the near future for more than \$500,000 a year.

In the circumstances, the committee is of the opinion that a ceiling of \$450,000 per annum is a fair one, bearing in mind both the needs of the Conference for adequate financing, and the desirability of periodic legislative oversight.

Both the Johnson and the Nixon administrations supported and support H.R. 4244 as introduced. However, the Administrative Conference itself has now accepted the \$450,000 ceiling proposed by the Committee on the Judiciary, and has so advised the other body.

The additional cost of the proposed legislation to the United States cannot exceed \$200,000 per year. Actually, there can be no cost at all to the United States unless the Conference persuades the Committee on Appropriations that an increase is warranted, and the Commit-

tee on Appropriations in the final analysis is the one to appropriate the money which is authorized.

Mr. Chairman, I would like to spend just a few moments on what the Administrative Conference of the United States is.

It is an independent agency of the Federal Government. It arose out of two 18-month conferences in 1953 and 1954 under Judge Prettyman in the Eisenhower administration, and in 1961 and 1962 under the Kennedy administration.

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

Mr. KASTENMEIER. I yield to the gentleman.

Mr. GROSS. Did the gentleman just say in effect that the House should pass the buck to the Committee on Appropriations in the matter of what they appropriate for this and other authorization?

Mr. KASTENMEIER. Not the authorization, but in terms of the ultimate justification for the actual money needed that they are going to have to justify that to the House Committee on Appropriations.

Mr. GROSS. That is what we ought to have here today, a justification and I hope we will get it before there is a vote to jump this spending to \$450,000. I am surprised to hear today the suggestion to pass the buck to the Committee on Appropriations. They are estimable gentlemen, but I think we ought to assume our responsibility here today.

Mr. KASTENMEIER. I appreciate the gentleman's views. But I think I must disagree with the gentleman when he says that I said we would pass the buck. I merely stated that we are increasing the authorization, but in the final analysis the justification will be gone over a second time by the Committee on Appropriations of this House.

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

Mr. KASTENMEIER. I yield to the gentleman.

Mr. SCOTT. Unless we do agree to the authorization, then the Appropriations Committee will have nothing to act on and we can stop this matter right now.

Mr. KASTENMEIER. No. I disagree with the gentleman. The Committee on Appropriations will survey the request of this committee or this conference whether or not we pass this bill.

Mr. SCOTT. If the measure now before us is defeated, it can still be considered by the Committee on Appropriations?

Mr. KASTENMEIER. Well, the Committee on Appropriations is not authorized to appropriate more than \$250,000 for this conference.

Mr. SCOTT. If this measure is defeated, then the Committee on Appropriations cannot appropriate more than \$250,000.

Mr. KASTENMEIER. That is correct.

Mr. SCOTT. I thank the gentleman.

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

Mr. KASTENMEIER. I yield to the gentleman.

Mr. BOW. The gentleman has said that the Committee on Appropriations will have an opportunity to look this over, and that is true. But there has been a tendency recently to talk about full funding so that even if the Com-

mittee on Appropriations makes a careful study and comes in with something lower than the authorization, then we have a great deal of talk about full funding and the Committee on Appropriations recommendations are usually boosted up. So I would be in favor of keeping this \$250,000 and not put the Committee on Appropriations in the position of not recommending or appropriating the full funding and then have somebody get up on the floor and say, "We authorized \$450,000 and they should have given it to you."

Mr. KASTENMEIER. I do not know that that necessarily follows. I hope the gentleman's recommendation in this regard will not be followed because the House has indicated in the past and, indeed, the other body has as well, a strong disposition to support the Conference and its mission.

I do not think there is any doubt among other things that the commission or the conference saves money. After all, we have one of the largest bureaucracies in the world. We spend between \$100 and \$200 billion a year. If we cannot somehow add another instrument to enable us to operate more efficiently and more economically and serve the public interest in terms of the bureaucracy and in terms of the red tape that regulatory agencies and departmental constituencies produce within our Government within the Federal establishment, I think indeed we will have failed to serve the country well.

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

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

Mr. ZWACH. The gentleman says we have built up a tremendous bureaucracy, and that is true. But the Congress has done most of it since we had this Conference. What have they done to hold down bureaucracy? What would be the bureaucracy without them? Would this not be one place where we could establish priorities and hold this funding at this time at the lower level?

Mr. KASTENMEIER. I think the question should better be directed to the Congress. What has Congress done about the bureaucracy? The Administrative Conference is not directed to attack the bureaucracy. It really is directed to making it operate a little better, making the bureaucracy which the Congress has created operate a little more efficiently. We cannot blame the Administrative Conference for failings in the federal system as far as efficiency, economy, or fairness to litigants, to your constituents and mine, to those who come before the Federal agencies in terms of the expeditious handling of various matters.

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

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

Mr. HUTCHINSON. Can the gentleman tell the House when the Administrative Conference actually got underway? When did the Congress first authorize it, and when did it actually get underway pursuant to the legislation now in effect?

Mr. KASTENMEIER. I will say to the gentleman that I was starting to give

the background of the Conference when I yielded to questions of our other colleagues. The Conference itself was created by legislation pursuant to the recommendations, as the gentleman well knows, of many in August 1964. It was not actually underway until after January 1968, when the Johnson administration found the man, according to the testimony, they were looking for to be Chairman of the Conference, Hon. Jerre Williams. He then acquired staff and got underway as the gentleman knows, in the year 1968.

A conference was held late in 1968, a plenary conference. As the gentleman knows, this involves some 82 members. There are 10 council members, the Chairman, 10 council members—82 members of the Conference. They came up with a recommendation in this matter. Another plenary conference was held last week, October 22 and 23.

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

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

Mr. HUTCHINSON. How often does the Conference convene?

Mr. KASTENMEIER. It is required to hold at least one plenary session each year, but the Conference has convened twice preceding 1964 and since 1968 twice, that is, late 1968 and last week.

Mr. HUTCHINSON. What is the accomplishment of the Conference to date?

Mr. KASTENMEIER. I think my colleague also knows from the hearings that many of the accomplishments of the Conference are not addressed in terms of concrete, black and white, and the reason for this is that we did not empower the Administrative Conference to issue regulations. It does not have any rule-making power. We expect the agencies to conform, insofar as possible, with the recommendations made by the Conference. This sort of compliance is effected by means other than orders or matters emanating from the Conference itself. As I said earlier in response to the gentleman from Iowa, in last week's Conference they recommended simplification in hearings on FAA safety. I have been advised that the implementation of this recommendation alone will save \$500,000 per annum, a sum in excess of the ceiling which the amended bill would establish.

The Conference will also have, in due course, if not already, recommendations for the Congress to act in terms of legislation. We, ourselves, can judge to what extent this brings efficiency and economy in the executive branch. I assume we ourselves are going to be responsible for that. These are some of the matters.

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

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

Mr. GROSS. Are we not now spending a substantial sum of money on a reorganization group in Congress, to tell us what we should do in that area?

Mr. KASTENMEIER. That is true.

Mr. GROSS. Then why do we need this outfit to tell us in Congress what to do? This is duplication, waste, and extravagance. I do not understand the purpose of this outfit. I wish the gentleman would explain.

Mr. KASTENMEIER. As the gentleman from Iowa recalls from the debate he participated in in 1964, the chairman of the Committee on Interstate and Foreign Commerce, one of the ranking members of the Government Operations Committee, and many others testified of the need for this Conference.

Furthermore, the suggestion was—and I think it still pertains—that we are not in a position to administer the nuts and bolts of these agencies in terms of rulemaking and the like. We are in no position to exercise that sort of oversight.

In the final analysis, this is an aggregation of Federal administrators in conference, 82 of them, including people from the outside, practitioners who appear before the agencies, and these people through plenary session and through committees try to follow the mandate Congress has put down for them to effectuate streamlined procedures and economies in terms of administrative procedure. This is its mandate. As far as I am concerned, it has been following this.

May I say we have had no complaints from the agencies of this Conference in the 2 years it has been in operation or even of the ad hoc conferences that preceded it.

Mr. HUTCHINSON. Mr. Chairman, do I understand the gentleman to say that two plenary conferences have been held to date?

Mr. KASTENMEIER. Yes.

Mr. HUTCHINSON. One each year, one in 1968, and one in 1969?

Mr. KASTENMEIER. Yes.

Mr. HUTCHINSON. Would the gentleman tell the House what the Chairman and the staff of the Conference do between sessions?

Mr. KASTENMEIER. There are the working committees. There are 10 committees formed under the Conference. If the Chairman of the Conference had the money, it is his job among other things to acquire the expertise on a per diem basis in various areas of administrative reform, so they work and proceed to the next full plenary conference.

Presently I gather he does not have this sort of money and he cannot commence the sort of work we would expect him to do.

I think there is no question this hampers the output but once we have funded them and authorized at any rate what they require to continue the mandate, I think we will see more than mere recommendations.

The recommendations I suggest to the gentleman—and the Conference has put out recommendations both last year and this year, or will shortly this year—are followed among the Federal commissions and governmental agencies. That is largely the purpose of it.

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

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

Mr. HUTCHINSON. Mr. Chairman, will the gentleman explain the length of term of the Chairman and how the membership of the Conference is comprised? Who appoints the members of the Conference? I understand there are approximately 82 members of it.

Mr. KASTENMEIER. Yes.

Mr. HUTCHINSON. The Chairman is appointed by the President on what terms?

Mr. KASTENMEIER. The Chairman is appointed by the President and the Senate confirms the Chairman for a term of 5 years. Of course, the question the last time was an interesting one raised now by the gentleman from Michigan, but it was raised by the gentleman from Iowa (Mr. Gross) the last time, and it was suggested the Chairman's term ought to be something else other than 5 years. But, as I think the distinguished gentleman from Arkansas, Mr. Harris, who is not now a Member of this body but who at that time was chairman of the Interstate and Foreign Commerce Committee, suggested it would be better to have a term of 7 years rather than 5 years, because the Chairman is the one person identified with the Conference as a continuing body. Therefore, his term might well be longer. It should be at least 5 years. Some people suggest 7.

The Council members, and there are 10, are recommended by the President, but not confirmed by the Senate. That is for 3 years. The remainder of them, the 71 members of the Conference serve for a term of 2 years. I think they are selected first of all so that agencies are represented, and each independent regulatory agency is represented, but others are selected by the Conference.

Mr. HUTCHINSON. One last question, if the gentleman will yield for it.

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

Mr. HUTCHINSON. Can the gentleman tell the House in what appropriation bill is the work of the Conference funded?

Mr. KASTENMEIER. Mr. Chairman, I confess I am not certain whether it is independent offices or the judiciary and other related agencies. I will have to verify that for my colleague.

Mr. HUTCHINSON. Those two bills have already been passed by the House this year, have they not, for fiscal year 1970?

Mr. KASTENMEIER. My colleague probably knows better than I that they have.

Mr. HUTCHINSON. I thank the gentleman.

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

Mr. KASTENMEIER. I yield to my colleague from New Jersey.

Mr. HUNT. As a matter of clarification, did I correctly understand the gentleman to say that the Chairman is appointed for 5 years by the President with the consent of the Senate?

Mr. KASTENMEIER. Yes.

Mr. HUNT. Then there are 10 Council members also selected by the Senate but not requiring Senate confirmation. The other members, 82 in number, are appointed by the Conference itself?

Mr. KASTENMEIER. That is my recollection. If I am not correct, I stand to be corrected. I yield to the gentleman from Connecticut for an answer.

Mr. ST. ONGE. The balance of the membership is appointed by the Chairman with the approval of the Council.

Mr. KASTENMEIER. Yes.



Mr. HUNT. How did we get them in the first place? Who appointed them in the first place to appoint themselves later? This seems to be a self-perpetuating Conference here. How were they appointed in the first place, in 1964?

Mr. KASTENMEIER. First, of course, they start out with the Chairman and the Council.

Mr. HUNT. Right.

Mr. KASTENMEIER. As I understand it, the Council appoints others for a term of 2 years. These are in and out of Government. I believe the report and the proceedings indicate standards we expect to be applied.

Often these are outstanding students in law or the administrative process, or they are practitioners before the administrative bodies, and others outside the Federal Government. Those within the Federal Government are fairly well identified with the ICC, the FTC, FCC, FAA, and all the various boards and independent regulatory agencies represented, as well as the departments.

I might say that at least one former Member of this body serves. The present Secretary of State, the Honorable William Rogers, was until recently a member of the Conference.

Mr. HUNT. So originally in 1964 the 10 members of the Council made the selection of those persons in the community who were highly qualified, in their estimation?

Mr. KASTENMEIER. Yes.

Mr. HUNT. From that time on, of course, they then appoint themselves.

Did I correctly understand the gentleman likewise to say that it took 3½ years to find a man to fill this position as Chairman? Did I understand the gentleman correctly to say they could not find this man from 1964 until sometime later on?

Mr. KASTENMEIER. The committee interrogated witnesses on that point. The explanation was given. As I indicated earlier, this Conference was created congressionally in August 1964. The Chairman presumably was found some 3 years later, and appointed and confirmed in January 1968.

We were told that the President had a great deal of difficulty in finding a person who was not committed to certain points of view with respect to administrative law. He found a person who was recommended to him and who seemed to suit the bill, as far as the testimony suggested. I believe he was a professor of law at the University of Texas, Mr. Jerre Williams.

So far as the committee can determine, he serves his position well. We have seen no adverse comment whatsoever regarding Mr. Williams.

Mr. HUNT. Is that Dr. Williams?

Mr. KASTENMEIER. Yes.

Mr. HUNT. Was his salary at the time when he was appointed \$20,500?

Mr. KASTENMEIER. I believe his salary at that time, January 1968, would have been \$30,000. It would have been at the highest rate for a regulatory agency in January 1968. I assume that was \$30,000.

Mr. HUNT. Then, it is now \$42,500?

Mr. KASTENMEIER. Yes. As yours and mine are.

Mr. HUNT. I thank the gentleman.

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

Mr. KASTENMEIER. I am glad to yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, I would like to make these comments. The Chairman of this Conference is Dr. Williams. He served as professor of constitutional law at the University of Texas for several years and is considered one of the outstanding legal minds in the country. I know, having attended several of these conferences myself, that it renders a great service. It is the one place where the regulatory agencies have a commission or a conference that they can go to in order to try to iron out differences and make their various rules and regulations uniform. It is also one of the only places through which individuals can come to their Government to learn to abide by certain rules and regulations that they prescribe.

A lot of outstanding men belong to this Conference. I have been there myself and sat in on sessions. I know one of our former colleagues, Joe Kilgore, who served here in the House for some 10 years, told me just 2 weeks ago that he considered this one of the most important conferences or commissions in the Government. It is just that vital to the economy of the Government as well as to the preservation of the rights of individuals and agencies. It can save us a lot of money. Over and above that, it gives the opportunity to people in the Government to operate under the same rules and regulations as other agencies. It is highly important, and I commend the gentleman from Wisconsin for bringing this bill to the floor of the House. I hope it passes.

Mr. BIESTER. Mr. Chairman, I rise in support of this bill.

I believe those who vote against this bill need not wait for a flow of letters from any particular interest group objecting to your having done so. I do not think it will occasion any great stir in your offices for having voted down this legislation. Yet I think voting it down would be a great mistake. We are talking about an increase here of \$200,000. We are talking about the one unit, that functions within this whole bureaucracy whose precise responsibility is to make the impact of regulatory agencies more equitable, more fair, and more efficient as they touch all of our constituents. We all spend a great deal of time railing against the bureaucracy and pointing out those times and occasions when we consider it to be too big, too cumbersome, too inefficient, and too inequitable and unfair. Here is a unit of the Government whose prime and only responsibility is to make that system work and work better.

When you talk about the allocation of resources in a society, we are talking about a unit that will help in the spending of billions so that it will be done in a better way, perhaps, and we are only spending \$200,000 extra on it. There is not a large corporation in this country which either does not hire efficiency experts to review its programs or retain within its staff a body whose function is to do precisely that. Yet if we vote

down this bill, we will be leaving our Government without the aid of this Conference, because if we leave the figure at \$250,000 with the already mandated salary increases with the already mandated cost increases, then we will not permit this operation to continue at anything like an efficient pace. So it is very easy for us to rail against the bureaucracy, but it may be more difficult for us to do so if we are only content to do so with table pounding and not with analysis.

Now, analysis means you have somebody who goes in and takes a good hard look at these procedures. We can have a Hoover Commission—we can have a second Hoover Commission—and we can periodically go in and take a look at the way in which our bureaucracy works. But, unless you have a continuous and sustained program of dedicated people with which to do this, of course you will not have the consistency that you will have under the provisions of this bill.

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

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

Mrs. GREEN of Oregon. Would the gentleman tell me how often this Conference meets in plenary session?

Mr. BIESTER. It is my understanding that it has met twice this year in plenary session. Now, we are dealing—

Mrs. GREEN of Oregon. What is the usual length of such sessions?

Mr. BIESTER. Sometimes 2 days or 3 days.

Mrs. GREEN of Oregon. I notice in the report that there is an amount listed of \$127 for air fare, \$13 for buses and so much per diem. It further states that the average trip would be \$164 which would indicate that that would be just a 1 day conference; is that not correct?

Mr. BIESTER. I think that those travel arrangements are not only for the conferences themselves, but also for council meetings and other meetings which may be for staff consultation or which may be for a research man to come into Washington and report upon what he has been doing before a committee.

Mrs. GREEN of Oregon. My conclusion is that very busy people are appointed as members and as in so many study groups, because the name lends prestige. The work is really done by staff people; is that correct?

Mr. BIESTER. I suspect it is both, because what we are dealing with here is two kinds of work. We are dealing with staff work which is the digging kind of research into a problem and the nonstaff work of coming to a judgment thereon. It has been our experience that those who are the busiest people are usually more capable of exercising the best kind of judgment.

Mrs. GREEN of Oregon. The reason I have asked this question is because I have been asked to serve on various conferences and usually in areas in which I am at least supposed to have some knowledge. I find when we go into these conferences that the work and recommendations are made by unknown staff people. But I sit there for a few hours, and there is really no possibility to exercise judgment because many of the

things that the staff recommends as desirable or not desirable are things with which time truly does not allow us to become familiar and when they come up for a vote, the work of the people of the conference is one of just simply satisfying the staff recommendations with insufficient time or knowledge to make value judgments.

This is true for congressionally authorized "reading" panels or committees who come to Washington.

Such committees have available only the materials that the agency staff has not previously screened out—on the recommendations that the staff has decided are worthwhile. If the gentleman will yield further? Of the 82 members, how many are agency heads?

Mr. BIESTER. I am sorry, but I did not hear the gentlewoman's question.

Mrs. GREEN of Oregon. How many of the 82 are agency heads?

Mr. BIESTER. There is the chairman of every independent regulatory agency or his delegate.

Mrs. GREEN of Oregon. How many of the 82 are agency people?

Mr. BIESTER. I would have to enumerate that later. I am sorry that I do not have that figure at my fingertips.

Mrs. GREEN of Oregon. Would it be a dozen?

Mr. BIESTER. Possibly.

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

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

Mr. KASTENMEIER. My recollection is that 52 are presently agency people. The law requires that not less than one-third or more than two-fifths of the total Conference be other than Federal Government people and that ratio will vary from time to time out of the 82. At the present time it is approximately 52 or 53.

Mrs. GREEN of Oregon. If the gentleman will yield further, there are two additional questions which I would like to ask.

Mr. BIESTER. I would like to respond with an example to one question which the distinguished gentlewoman asked before, because I think it deserves a clearer response than I gave earlier.

If the gentlewoman will refer to page 18 of the hearings she will find a series of recommendations by the conferees with regard to one of their last plenary sessions. There she will find a series of disagreements on the part of the conferees, distinguished people who take a personal position in disagreeing with or explaining the limitation of their position with respect to a number of positions. I think they represent an aggressive interest on their part and not simply just rubberstamping what has been recommended.

Mrs. GREEN of Oregon. It is my understanding that a part of the work is contracted out to various universities, or individual professors?

Mr. BIESTER. That is correct.

Mrs. GREEN of Oregon. How much of the budget is spent on this kind of contract?

Mr. BIESTER. About \$100,000.

Mrs. GREEN of Oregon. About \$100,000? For specific studies?

Mr. BIESTER. That is correct.

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman will yield further, I would express my concern about the way we are moving in governmental contracting. Every agency in Government is doing it with no knowledge of what other offices are doing. The other day on the floor on the Health, Education, and Welfare continuing resolution I said there were 9,000 consultants on the active files of the Office of Education alone in addition to the large number of consultants hired through contracts or sub-contractors by the Office of Education. It is my judgment that we have thousands and thousands of reports that are on library shelves and in closets and every place else that no one has read and no one has ever done anything with. They only gather dust. No one knows what the other is doing. I am convinced, that in the Office of Education and OEO alone, we are literally spending many hundreds of thousands of dollars on contracts for research and study that end right there at the time the study is filed. I even suggest this contracting business with private agencies and the use of consultants has reached epidemic proportions and may result in one of the most serious institutional health problems.

Mr. BIESTER. Mr. Chairman, I am pleased the gentleman from Oregon made that point, because it offers me the opportunity to also point out that one of the recommendations of this Conference appearing on page 16 of the committee hearings is the recommendation No. 4, the creation of a consumer bulletin, and this recommendation would lift from the Federal Register those items of particular interest to consumers that are buried in there, and not ordinarily found there, and permit those to be especially promulgated to the consumers, and proposes the expansion of that concept into a general consumers' bulletin.

I am very pleased that our administration has, I believe yesterday, endorsed that kind of concept and urged the creation of just that kind of program so that it is not a sterile or wasted effort on the part of this Conference.

Mr. Chairman, I believe that the most important aspect of this is the concept, and if the concept is to be served rationally I would say the fixing of \$200,000 is in my opinion an appropriate figure.

I might say this in the history of this subject, that the Conference requested originally an open-end appropriation, or open-end authorization for their work. Such an open-end authorization was approved by the Department of the Budget on March 4, 1969, and such an open-end authorization was approved by Mr. Kleindienst, Deputy Attorney General, on May 5, 1969.

The committee rejected that concept. We rejected the concept of an open-end authorization, and we proposed the authorization figure limitation of \$450,000, believing that to be a rational figure, and believing that to be consistent with the wishes of the House.

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

Mr. BIESTER. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, the statement was made here earlier that one recommendation made by the Conference just ended about 2 weeks ago, if followed, would save the Government an estimated \$500,000. Is this true?

Mr. BIESTER. I believe that is correct, and it deals with the FAA Safety requirements.

Mr. MATSUNAGA. So that if that saving is effectuated by following this one recommendation, it will more than make up for what the bill authorizes. Is that not correct?

Mr. BIESTER. That is absolutely correct, and although we cannot cite the specific instances in the future, I believe it is likely to occur over and over again.

Mr. MATSUNAGA. Mr. Chairman, if the gentleman will yield further, what sort of a recommendation was this? I am curious to know.

Mr. BIESTER. For the precision of that I would refer to the chairman, the gentleman from Wisconsin (Mr. KASTENMEIER).

Mr. KASTENMEIER. If the gentleman will yield, it is relating to the elimination of duplicated hearings in the Federal Aviation Agency.

Mr. MATSUNAGA. I thank the gentleman.

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

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

Mr. GROSS. Mr. Chairman, I will give you a recommendation, and it will not cost you a nickle, that probably we can save \$2 billion if you vote against the foreign aid—the foreign giveaway—bill when it comes up.

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

Mr. BIESTER. I yield to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, I thank the gentleman for yielding.

I have been listening to the remarks of the Members who are here, and I have some feeling that this bill may be running into difficulty.

I rise to indicate my support for enabling the Administrative Conference to be continued and strengthened.

I say that because one of the things about which I have always had concern as a legislator is the inability of those of us who serve in public office to really keep track of what is happening in the bureaucracy.

The distinguished gentlewoman from Oregon has pointed to example after example, and she does her homework better than most. I am one of those who have tried to keep the Administrative Conference busy by sending cases to that group for their analysis and for their comment.

I must say I have been surprised at the willingness of the Conference chairman and his staff to take specific examples of alleged abuses of the rules and regulations that exist in the independent agencies and attempt through this vehicle to make corrections.

I cannot do this as an individual legislator—I cannot get any kind of pattern out of what happens to my constituents



in Wisconsin as contrasted to those constituents who are in New Jersey or Pennsylvania, Oregon or Washington. But the Administrative Conference is the one vehicle that is available to us which can begin to determine whether abuses of the rules and regulations do take place within the bureaucracy.

That is what this Administrative Conference is all about. I think it would be shortsighted for the Congress of the United States not to give this concept, and this vehicle, at least a fighting chance. I have sent cases down there relating to the FCC, for example.

I have asked the Administrative Conference to give me their reaction to complaints and their recommendations as to whether or not the law was being followed accurately and whether or not there has developed a pattern of abuses.

I think we would be very, very remiss if we were not to try to take advantage of this concept and of this opportunity because I do not know how any of us as Members of the Congress can begin to get a handle on our massive Federal bureaucracy. The Administrative Conference is perhaps an imperfect vehicle. But if the Members of the House will refer to the inserts that I have made in the past 2 years in the CONGRESSIONAL RECORD, I have attempted to portray this group and its Chairman, Jerre S. Williams, as the only kind of ombudsman that exists at the Federal level today. We do need someone, somewhere who can work to correct agency wrongs and imperfections, for this reason I hope that the bill can be supported and approved by the House. We can take advantage of this group's availability to help us do a better job for our constituents. That, I think, is a goal worth striving for.

Therefore, I intend to support the bill.

Mr. BIESTER. I thank the gentleman for his comments.

With respect to the gentleman's comments, I think it is important to remember that this Administrative Conference deals in very large part with the regulatory agencies and these are agencies which touch on the affairs of all of our constituents and they touch Americans individually and the inefficiency or the inequity of these regulatory agencies has an adverse impact on our people.

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

Mr. BIESTER. I yield to the gentleman.

Mr. GROSS. Since this Conference is designed, according to some people, to save the Government a lot of money, I am going to be interested in that great day that will dawn upon the House when the gentleman from Wisconsin (Mr. STEIGER) joins with some of us to cut some of these bills—since he is going to have so much help with this Conference.

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

Mr. BIESTER. I yield to the gentleman.

Mr. STEIGER of Wisconsin. May I say to the gentleman from Iowa that I have on a number of occasions joined with him in voting against bills which I thought were not appropriate, and I hope to continue to do so.

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

Mr. BIESTER. I yield to the gentleman.

Mr. JONAS. We have a committee of the House in addition to the Comptroller General's office, the General Accounting Office, and the Government Operations Committee charged with the responsibility of doing this very same kind of work.

Can the gentleman tell the Committee how many staff members the Committee on Government Operations has employed now?

Mr. BIESTER. I can only tell the gentleman that the minority has three. I cannot tell him how many the majority has.

Mr. JONAS. I mean the whole committee?

Mr. BIESTER. I can only tell you that the minority has three, but I do not know what the full committee has.

Mr. JONAS. I would like to have somebody inform the Committee of the extent of the activities of this Committee on Government Operations in this very field.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of Ohio. I think I can contribute something to the question of staff allowance for the Government Operations Committee. The Government Operations Committee is probably one of the most thoroughly staffed committees in the Congress. I think the number now runs something like 60 in all.

Mr. GROSS. Did the gentleman say six or 60?

Mr. BROWN of Ohio. Sixty. I think we have a budget that is about \$900,000 a year on that committee, the Oversight Committee. Unfortunately, we also have some subcommittees that are not too active.

I think the gentleman might well ask how many study commissions we have in the Federal Government that are studying ways of providing efficiency and economy in the operations of the Government, and perhaps ask how much these cost. Maybe we would get a little more efficiency and economy in the Government if we would stop forming new commissions and similar groups. To bring about increased efficiency and economy in the Government, that might be one place to start.

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

Mr. BIESTER. I yield 2 minutes to the gentleman from Michigan.

Mr. HUTCHINSON. I thank the gentleman for yielding.

Mr. Chairman, I am opposed to this bill. If this bill were not passed, the Administrative Conference would still continue with an authorization of a quarter of a million dollars a year.

This Conference actually did not get under way until 1968. At least to my satisfaction there has not been a sufficient justification based upon its work to date to justify so large a percentage of increase in authorization over just a 2-year period. Perhaps a justification can be made, but I do not feel that it was made before the Judiciary Subcommittee

of which I am a member. I will concede that it is not expected generally that the same kind of justification would be made before a legislative subcommittee as would be made before the Appropriations Subcommittee. However, if I understand the statement of my subcommittee chairman today it is to the effect that the appropriation for this agency is provided for either in the judiciary bill or in the independent offices bill. My recollection is that both of those appropriation bills have passed this House this year.

Mr. CONTE. Post Office and Treasury.

Mr. HUTCHINSON. I understand it is in the Post Office and Treasury bill. All right. That bill has also passed the House, presumably at the \$250,000 level. In other words, this authorization bill comes too late this year to affect 1970, and under the circumstances I think the bill should be recommended to the committee. I propose to offer a straight motion to recommitt.

Mr. BIESTER. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin.

Mr. KASTENMEIER. Mr. Chairman, I appreciate the comments of my distinguished friend from Michigan, who serves so well on the subcommittee that I chair. However, I do think the facts and figures suggest a different story. Presently the staff is small. I think it consists of nine members. The chairman's salary and his staff today cost \$200,120 of the \$250,000 appropriation that it was suggested they have lived with for 2 years, but was established in 1964 out of a 1961-62 Conference level. So we are not dealing with a current increase. This is an increase literally for an 8-year period, during which the estimates for their salaries have risen from \$121,000-plus to \$200,000. It leaves less than \$50,000 for equipment supplies, furniture, travel, printing, reproduction, and particularly, per diem employment.

While they would like to operate on the \$100,000 level, perhaps they cannot do so and are not able to do so presently. The Bureau of the Budget has allowed them every dollar they have got coming, because the Bureau of the Budget knows the difficulty they are in under this particular administration and the past administration. It is their intention, if authorized, to seek a supplemental appropriation if there is an increase in authorization. I cannot speak as to the success of that application. That is up to the Congress, and whether it is effective in fiscal 1970 or otherwise, but I do know they feel very definitely that the limitation imposed on them many years ago is today a limiting factor.

At this time, I want to express my appreciation for the underlining of the major purpose of the agency and how it serves, as so eloquently attested by the gentleman from Wisconsin (Mr. STEIGER). I think we would be acting penny wise and pound foolish to deny this small Conference, in terms of size and cost, the facilities and resources to cope with a \$100 billion bureaucracy that we and not they created.

I would also say, in terms of our own

constituents and people from our areas who appear before Government agencies, the Members ought, indeed, to seek every possible means to make sure these agencies are responsive to our people. We can do this by helping at least one agency of the Government dedicated to this.

Mr. BIESTER. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Chairman, I would like to ask the chairman of the committee about the figures he quoted a few minutes ago about the staff. Are we talking about the chairman's salary and full-time staff?

Mr. KASTENMEIER. Yes. The present costs, in the figures I have to show the chairman receives \$42,500 and the full-time staff receives \$157,620.

Mr. MILLER of Ohio. I see. So that leaves approximately \$200,000 for printing and reproduction and travel and other expenses?

Mr. KASTENMEIER. Yes. If they were authorized the additional amounts, this is what they would propose to use the money for.

Mr. MILLER of Ohio. My question primarily is, if the amount of money in this bill, approximately \$200,000 was not approved what service that the Conference is now offering could not be offered?

Mr. KASTENMEIER. Principally they would not be able to contract, in my estimation—although this would be up to the chairman, and he has to distinguish between things he can and cannot do—but I would assume his ability to seek part-time per diem employment would be limited to the point where he could virtually not use it at all, because he would have to have the balance, and he would have to use his money for just housekeeping expenses. He has only \$50,000 for expenses. He has to be able to authorize the travel money at the present per diem rate, whatever it is, \$16 or \$20, to those non-Federal participants who come to the parliamentary conference. He probably cannot print or reproduce many materials, and I assume that would be part of it, in addition to cutting down on the per diem employment.

Mr. MILLER of Ohio. The material that is printed and reproduced—where does it go? Do we have it? Does the gentleman receive it in his office?

Mr. KASTENMEIER. To my knowledge I do not. Of course, there is a report made to the Congress and to the President. I assume we all get that report. The printing and reproduction does not principally go to that, but for other matters, for internal circulation among the 82 participants within the Conference. There is a rather large community served by the executive agency.

Mr. MILLER of Ohio. The reason I ask, the statement was made that we in Congress were advised by the Conference. That is why I was wondering about the printing, how we were advised if we do not have it sent to our offices. That information would be helpful.

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

Mr. MILLER of Ohio. I yield to the gentleman from Texas.

Mr. MAHON. Insofar as I know, the Subcommittee of the Appropriations Committee on Post Office and Treasury, headed by the gentleman from Oklahoma (Mr. STEED) has thought well of this Conference, and the committee approved the budget estimate this year of \$250,000, as I recall.

I know among some of the members of the committee there is a feeling that if the Conference is going to do the job it has set out to do some additional funds may be required. While I cannot speak authoritatively as to precisely how much might be required for this purpose, I myself favor giving the administration more flexibility in making requests for the program for next year and I therefore feel that the pending authorization should be approved. If the full amount is not required, and I trust it will not be, the Appropriations Committee after full hearing can present the required figure in the appropriation bill next year.

Mr. MILLER of Ohio. We are assuming that there is additional work to do, and additional workload each year, to require the additional funds and staff people, plus the increased salaries per year.

Apparently the Conference is riding herd on many independent agencies, and apparently what we are doing on the floor today is riding herd on the Conference. To my knowledge I have not received quite enough information to know that the Conference is doing what it is supposed to do. I believe we need additional information yet as to the additional workload they have for the \$200,000 which is requested.

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

Mr. MILLER of Ohio. I yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. Of course, most of what the Conference does, does not serve Congress directly. It does have printed material, and I assume this generates a report to the Congress which would come to the office of each Member in January, very probably. The bulk of the work is in terms of the agencies themselves within the executive branch. As such, I believe it is not likely to be as visible to us as we might want.

I believe this is largely a matter of the Member's own discretion. If he cares to use the facilities of the Administrative Conference they are at his disposal for the purposes mentioned before.

Mr. BIESTER. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Chairman, it would appear from the report there is going to be an increase of over \$80,000 here in payments to the chairman and full-time staff, so that there will be over \$200,000 being paid just for these full-time employees. With that kind of outlay and in these times of fiscal stringency it would seem very questionable to me that in addition \$115,000 a year should be paid to law professors at the tune of \$100 a day for what is labeled "research" in this report. That does not count the travel expenses they will get, which will be additional and which will probably bring

the amount paid to law professors for travel to Washington to do research under this bill an additional \$150,000.

This item alone makes this bill extremely vulnerable, in my judgment.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

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 section 576 of title 5, United States Code is amended to read as follows:*

"§ 576. Appropriations

"There are authorized to be appropriated sums necessary, not in excess of \$450,000 per annum, to carry out the purposes of this subchapter."

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That section 576 of title 5, United States Code is amended to read as follows:

"§ 576. Appropriations

"There are authorized to be appropriated sums necessary, not in excess of \$450,000 per annum, to carry out the purposes of this subchapter."

Mr. GROSS. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, as I understand this situation, this Conference was statutorily created in 1964 but no chairman was appointed until 1968 or 1969. Is that correct?

Mr. KASTENMEIER. If the gentleman will yield?

Mr. GROSS. I yield to the gentleman.

Mr. KASTENMEIER. Yes. In answer to the question of the gentleman from Michigan, we discussed that, and that is correct.

Mr. GROSS. And the reason no chairman was created, I believe the gentleman from Wisconsin (Mr. KASTENMEIER) said earlier in his remarks, was that they could not find a chairman who was equipped for the job. Is that correct?

Mr. KASTENMEIER. That was the thrust of the answer given by the Executive Director of the Conference.

Mr. GROSS. And they were looking for an individual who was trained in administrative law. Is that correct?

Mr. KASTENMEIER. No. Just the opposite. The feeling was that those who were schooled exclusively or primarily in administrative law would have a point of view with respect to the Conference that would make them not desirable.

They wanted someone close to this area of law but not so thoroughly immersed in it that he was partisan for the purpose. That was the testimony that was given to us, at least. Finally the testimony was that they found Mr. Williams, who, as the gentleman from Texas suggested, had been a constitutional law professor and done some work in the field and in other respects.

Mr. GROSS. But did not the present chairman testify before your committee that he taught administrative law?

Mr. KASTENMEIER. He said he had taught it formerly at one time.

Mr. GROSS. Yes. He taught administrative law. He so testified before your committee. Now, lest there be any misconception about how this money will be



spent, the hearings plainly state that the additional money—and this is the chairman testifying—"is money we need to pay travel expenses to our members," and also "to pay the per diem costs of our experts, young law professors hired in many instances at our maximum per diem of \$100 per day." That is what this shooting is all about. It is for more travel for conference members and their hirelings and to pay young law professors to tell the Congress, among other things, how to run Congress?

Mr. KASTENMEIER. No. I do not agree with the gentleman.

Mr. GROSS. The gentleman can comment on his own time. I cannot think of a worse boondoggle that has come down the pike in a long, long time, Mr. Chairman.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

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. 4244) to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations, pursuant to House Resolution 579, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

#### MOTION TO RECOMMIT OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HUTCHINSON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HUTCHINSON moves to recommit the bill H.R. 4244 to the Committee on the Judiciary.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 130, nays 134, not voting 167, as follows:

#### [Roll No. 255]

##### YEAS—130

Adair	Haley	O'Konski
Alexander	Halpern	Passman
Andrews, Ala.	Hammer	Pelly
Andrews, N. Dak.	schmidt	Pettis
Beall, Md.	Hansen, Idaho	Pollock
Betts	Hastings	Quillen
Bevill	Heckler, Mass.	Rarick
Bow	Hogan	Reid, Ill.
Brinkley	Horton	Reid, N.Y.
Broomfield	Hosmer	Reifel
Brotzman	Hull	Robison
Brown, Mich.	Hunt	Rogers, Fla.
Brown, Ohio	Hutchinson	Rooney, N.Y.
Buchanan	Ichord	Roth
Burke, Fla.	Johnson, Pa.	Roudebush
Burlison, Mo.	Jonas	Ruth
Burton, Utah	Keith	Satterfield
Byrnes, Wis.	King	Schadeberg
Carter	Kleppe	Scherle
Chamberlain	Kyl	Schneebell
Chappell	Landrum	Schwengel
Collier	Langen	Scott
Conte	Latta	Sebelius
Daniel, Va.	Lloyd	Shriver
Davis, Ga.	Lukens	Skrutitz
Davis, Wis.	McClure	Springer
Dellenback	McDade	Stuckey
Dickinson	McDonald, Mich.	Talcott
Dorn	McKneally	Teague, Calif.
Duncan	McMillan	Thompson, Ga.
Dwyer	Mailliard	Thomson, Wis.
Edwards, Ala.	Mann	Vander Jagt
Erlenborn	Marsh	Vanik
Findley	Mathias	Wampler
Flowers	May	Watson
Ford, Gerald R.	Mayne	Welcker
Fountain	Miller, Ohio	Whitehurst
Fulton, Pa.	Minshall	Whitten
Gaydos	Mize	Widnall
Gialmo	Mizell	Wold
Goodling	Montgomery	Wyman
Green, Oreg.	Morton	Yatron
Gross	Myers	Zwach
Grover	Nelsen	

##### NAYS—134

Adams	Gonzalez	Patten
Albert	Gray	Perkins
Anderson, Calif.	Gude	Philbin
Anderson, Ill.	Hamilton	Pickle
Annunzio	Hanna	Pike
Aspinall	Hathaway	Poage
Bennett	Hechler, W. Va.	Podell
Bier	Helstoski	Preyer, N.C.
Bingham	Hollifield	Price, Ill.
Blanton	Howard	Pryor, Ark.
Blatnik	Hungate	Randall
Bolling	Jacobs	Rees
Brademas	Johnson, Calif.	Roberts
Brooks	Jones, Ala.	Rodino
Broyhill, N.C.	Jones, Tenn.	Rogers, Colo.
Burke, Mass.	Kastenmeier	Rooney, Pa.
Burleson, Tex.	Kazen	Rosenthal
Clark	Kyros	Roybal
Clay	Lennon	Scheuer
Conable	Long, Md.	Shipley
Corman	Lowenstein	Slack
Coughlin	McCarthy	Smith, N.Y.
Culver	McCloskey	Stafford
Dawson	McFall	Stanton
de la Garza	Macdonald, Mass.	Steiger, Wis.
Dennis	MacGregor	Stratton
Dingell	Mahon	Stubblefield
Donohue	Matsunaga	Symington
Dulski	Meeds	Teague, Tex.
Eckhardt	Melcher	Thompson, N.J.
Edmondson	Meskill	Tiernan
Edwards, Calif.	Miller, Calif.	Tunney
Evans, Colo.	Minish	Udall
Evins, Tenn.	Mink	Van Deerlin
Fallon	Mollohan	Vigorito
Farbstein	Moss	Waldie
Feighan	Murphy, Ill.	Watts
Fish	Murphy, N.Y.	Whalen
Fisher	Natcher	White
Foley	Nedzi	Wolf
Fraser	Obey	Wright
Friedel	O'Hara	Yates
Fulton, Tenn.	Olsen	Young
Gallafanakis	Ottenger	Zablocki
Garmatz	Patman	

#### NOT VOTING—167

Abbott	Dowdy	Monagan
Abernethy	Downing	Moorhead
Addabbo	Edwards, La.	Morgan
Anderson, Tenn.	Eilberg	Morse
Arends	Esch	Mosher
Ashbrook	Eshleman	Nichols
Ashley	Fascell	Nix
Ayres	Flood	O'Neal, Ga.
Baring	Flynt	O'Neill, Mass.
Barrett	Ford	Pepper
Belcher	William D.	Pirnie
Bell, Calif.	Foreman	Poff
Berry	Frelinghuysen	Powell
Blaggi	Frey	Price, Tex.
Blackburn	Fuqua	Pucinski
Boggs	Gallagher	Purcell
Boland	Gettys	Quile
Brasco	Gibbons	Railsback
Bray	Gilbert	Reuss
Brock	Goldwater	Rhodes
Brown, Calif.	Green, Pa.	Riegle
Broyhill, Va.	Griffin	Rivers
Burton, Calif.	Griffiths	Rostenkowski
Bush	Gubser	Ruppe
Button	Hagan	Ryan
Byrne, Pa.	Hall	St Germain
Cabell	Hanley	St. Onge
Caffery	Hansen, Wash.	Sandman
Cahill	Harrington	Saylor
Camp	Harsha	Sikes
Carey	Harvey	Sisk
Casey	Hawkins	Smith, Calif.
Cederberg	Hays	Smith, Iowa
Celler	Hébert	Snyder
Chisholm	Henderson	Staggers
Clancy	Hicks	Steed
Clausen, Don H.	Jarman	Steiger, Ariz.
Clawson, Del	Jones, N.C.	Stephens
Cleveland	Karth	Stokes
Cohelan	Kee	Sullivan
Collins	Kirwan	Taft
Colmer	Kluczynski	Taylor
Conyers	Koch	Ullman
Corbett	Kuykendall	Utt
Cowger	Landgrebe	Waggoner
Cramer	Leggett	Watkins
Cunningham	Lipscomb	Whalley
Daddario	Long, La.	Wiggins
Daniels, N.J.	Lujan	Williams
Delaney	McClory	Wilson, Bob
Dent	McCulloch	Wilson, Charles H.
Derwinski	McEwen	Winn
Devine	Madden	Wyatt
Diggs	Martin	Wydler
	Michel	Wylie
	Mikva	Zion
	Mills	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Poff for, with Mr. Addabbo against.  
Mr. Long of Louisiana for, with Mr. Flood against.

Mr. Abernethy for, with Mr. Brasco against.  
Mr. Caffery for, with Mr. Monagan against.  
Mr. Arends for, with Mr. Charles H. Wilson against.

Mr. Rhodes for, with Mr. Kluczynski against.

Mr. Bob Wilson for, with Mr. Boggs against.  
Mr. Lipscomb for, with Mr. Blaggi against.  
Mr. Williams for, with Mr. Hays against.

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

Mr. Frelinghuysen for, with Mr. Barrett against.

Mr. Goldwater for, with Mr. Daniels of New Jersey against.

Mr. Pirnie for, with Mr. Dent against.  
Mr. Michel for, with Mr. Delaney against.

Mr. Martin for, with Mr. Eilberg against.  
Mr. Lujan for, with Mr. Gallagher against.

Mr. Landgrebe for, with Mr. St. Onge against.

Mr. Ashbrook for, with Mr. St Germain against.

Mr. Hébert for, with Mr. Reuss against.  
Mr. Del Clawson for, with Mr. Pucinski against.

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

Mr. Corbett for, with Mr. Madden against.  
Mr. Devine for, with Mr. Leggett against.

Mr. Smith of California for, with Mr. Staggers against.

Mr. Cowger for, with Mr. Green of Pennsylvania against.

Mr. Snyder for, with Mr. Gilbert against.

Mr. Watkins for, with Mr. Daddario against.

Mr. Wydler for, with Mr. Cohelan against.

Mr. Gubser for, with Mr. Celler against.

Mr. Cunningham for, with Mr. Carey against.

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

Mr. Don H. Clausen for, with Mr. Boland against.

Mr. Bray for, with Mrs. Sullivan against.

Mr. Zion for, with Mr. Ashley against.

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

Mr. Waggonner for, with Mr. William D. Ford against.

Mr. Dowdy for, with Mrs. Griffiths against.

Mr. Griffin for, with Mr. Hanley against.

Mr. Hagan for, with Mrs. Hansen of Washington against.

Mr. O'Neal of Georgia for, with Mr. Harrington against.

Mr. Henderson for, with Mr. Hawkins against.

Mr. Gettys for, with Mr. Rostenkowski against.

Mr. Frey for, with Mr. Sisk against.

Mr. Denney for, with Mr. Smith of Iowa against.

Mr. Abbitt for, with Mr. Stokes against.

Mr. Cleveland for, with Mr. Ullman against.

Mr. Camp for, with Mr. Karth against.

Mr. Belcher for, with Mr. Kee against.

Mr. Kuykendall for, with Mr. Kirwan against.

Mr. Price of Texas for, with Mr. Koch against.

Mr. Steiger of Arizona for, with Mr. Mikva against.

Mr. Bush for, with Mr. Morgan against.

Mr. Utt for, with Mr. Pepper against.

Mr. Winn for, with Mr. Ryan against.

Mr. Wylie for, with Mr. Nix against.

Mr. Nichols for, with Mr. Conyers against.

Mr. Eshleman for, with Mr. Steed against.

Mr. Derwinski for, with Mr. Fassel against.

Mr. Flynt for, with Mr. Moorhead against.

Mr. McCulloch for, with Mr. Diggs against.

Mr. Purcell with Mr. Button.

Mr. Sikes with Mr. McClory.

Mr. Mills with Mr. Morse.

Mr. Stephens with Mr. Quile.

Mr. Rivers with Mr. Mosher.

Mr. Taylor with Mr. McEwen.

Mr. Wyatt with Mr. Rallsback.

Mr. Wiggins with Mr. Riegle.

Mr. Whalley with Mr. Taft.

Mr. Powell with Mrs. Chisholm.

Mr. Sandman with Mr. Ruppe.

Mr. POLLOCK changed his vote from "nay" to "yea."

Messrs. WRIGHT, TEAGUE of Texas, WATTS, and BLANTON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

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

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 133, nays 127, not voting 171, as follows:

[Roll No. 256]

#### YEAS—133

Adams	Gray	Patten
Albert	Hamilton	Perkins
Anderson, Calif.	Hanna	Pettis
Anderson, Ill.	Hansen, Wash.	Philbin
Annunzio	Hathaway	Pickle
Aspinall	Hechler, W. Va.	Pike
Bennett	Helstoski	Poage
Bier	Holifield	Podell
Bingham	Howard	Preyer, N.C.
Blanton	Hungate	Price, Ill.
Blatnik	Jacobs	Pryor, Ark.
Boggs	Johnson, Calif.	Randall
Bolling	Jones, Ala.	Rees
Brademas	Jones, Tenn.	Reid, N.Y.
Brooks	Kastenmeier	Roberts
Brown, Mich.	Kazen	Rodino
Broyhill, N.C.	Kyros	Rogers, Colo.
Burke, Mass.	Lennon	Rosenthal
Burleson, Tex.	Long, Md.	Roybal
Clark	Lowenstein	Scheuer
Corman	McCarthy	Shipley
Culver	McCloskey	Slack
Davis, Ga.	McFall	Smith, N.Y.
Dawson	Macdonald, Mass.	Stafford
de la Garza	MacGregor	Stanton
Dennis	Mahon	Steiger, Wis.
Dingell	Matsunaga	Stratton
Donohue	Meeds	Stubblefield
Dulski	Melcher	Symington
Edmondson	Miller, Calif.	Teague, Tex.
Edwards, Calif.	Minish	Thompson, N.J.
Evans, Colo.	Mink	Tiernan
Evins, Tenn.	Mollohan	Tunney
Farbstein	Moorhead	Udall
Feighan	Moss	Van Deerlin
Fish	Murphy, Ill.	Vigorito
Fisher	Murphy, N.Y.	Waldie
Foley	Natcher	Watts
Fraser	Nedzi	White
Friedel	Obey	Wolff
Fulton, Tenn.	O'Hara	Wright
Galifianakis	Olsen	Yates
Garmatz	Ottinger	Yatron
Gonzalez	Patman	Zablocki

#### NAYS—127

Adair	Hagan	Nelsen
Alexander	Haley	O'Konski
Andrews, Ala.	Halpern	Passman
Andrews, N. Dak.	Hammer-schmidt	Pelly
Beall, Md.	Hansen, Idaho	Pollock
Betts	Hastings	Quillen
Bevill	Heckler, Mass.	Rarick
Bow	Hogan	Reid, Ill.
Brinkley	Horton	Reifel
Brotzman	Hosmer	Robison
Brown, Ohio	Hull	Rogers, Fla.
Buchanan	Hunt	Rooney, N.Y.
Burke, Fla.	Hutchinson	Roth
Burlison, Mo.	Ichord	Roudebush
Burton, Utah	Johnson, Pa.	Ruth
Byrnes, Wis.	Jonas	Satterfield
Carter	Keith	Schadeberg
Chamberlain	Kleppe	Scherle
Chappell	Kyl	Schneebell
Collier	Landrum	Schwengel
Conable	Langen	Scott
Conte	Latta	Sebelius
Daniel, Va.	Lloyd	Shriver
Davis, Wis.	Lukens	Skubitz
Dellenback	McClure	Springer
Dickinson	McDade	Stuckey
Dorn	McDonald, Mich.	Talcott
Duncan	McKneally	Teague, Calif.
Dwyer	McMillan	Thompson, Ga.
Edwards, Ala.	Mailliard	Thomson, Wis.
Erlenborn	Mann	Vander Jagt
Findley	Marsh	Vank
Flowers	Mathias	Wampler
Ford, Gerald R.	May	Watson
Fountain	Mayne	Weicker
Fulton, Pa.	Meskill	Whalen
Gaydos	Miller, Ohio	Whitehurst
Glaimo	Minshall	Whitten
Goodling	Mizell	Widnall
Green, Ore.	Montgomery	Wold
Gross	Morton	Wyman
Grover	Myers	Zwack

#### NOT VOTING—171

Abbitt	Dowdy	Monagan
Abernethy	Downing	Morgan
Addabbo	Eckhardt	Morse
Anderson, Tenn.	Edwards, La.	Mosher
Arends	Ellberg	Nichols
Ashbrook	Esch	Nix
Ashley	Eshleman	O'Neal, Ga.
Ayres	Fallon	O'Neill, Mass.
Baring	Fascell	Pepper
Barrett	Flood	Pirnie
Belcher	Flynt	Poff
Bell, Calif.	Ford,	Powell
Berry	William D.	Price, Tex.
Biaggi	Foreman	Pucinski
Blackburn	Frelinghuysen	Purcell
Boland	Frey	Quile
Brasco	Fuqua	Rallsback
Bray	Gallagher	Reuss
Brock	Gettys	Rhodes
Broomfield	Gibbons	Riegle
Brown, Calif.	Gilbert	Rivers
Broyhill, Va.	Goldwater	Rooney, Pa.
Burton, Calif.	Green, Pa.	Rostenkowski
Bush	Griffin	Ruppe
Button	Griffiths	Ryan
Byrne, Pa.	Gude	St Germain
Cabell	Hall	St. Onge
Caffery	Hanley	Sandman
Cahill	Harrington	Saylor
Camp	Harsha	Sikes
Carey	Harvey	Sisk
Casey	Hawkins	Smith, Calif.
Cederberg	Hays	Smith, Iowa
Celler	Hébert	Snyder
Chisholm	Henderson	Staggers
Clancy	Hicks	Steed
Clausen, Don H.	Jarman	Steiger, Ariz.
Clawson, Del	Jones, N.C.	Stephens
Clay	Karth	Stokes
Cleveland	Kee	Sullivan
Cohelan	Kling	Taft
Collins	Kirwan	Taylor
Colmer	Kluczynski	Ullman
Conyers	Koch	Utt
Corbett	Kuykendall	Waggonner
Coughlin	Landgrebe	Watkins
Cramer	Leggett	Whalley
Cunningham	Lipscomb	Wiggins
Daddario	Long, La.	Williams
Daniels, N.J.	Lujan	Wilson, Bob
Delaney	McClory	Wilson,
Denney	McCulloch	Charles H.
Dent	McEwen	Winn
Derwinski	Madden	Wyatt
Devine	Martin	Wydler
Diggs	Michel	Wylie
	Mikva	Zion
	Mills	
	Mize	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Poff against.  
Mr. Flood for, with Mr. Long of Louisiana against.

Mr. Brasco for, with Mr. Abernethy against.  
Mr. Monagan for, with Mr. Caffery against.  
Mr. Charles H. Wilson for, with Mr. Arends against.

Mr. Kluczynski for, with Mr. Rhodes against.

Mr. Biaggi for, with Mr. Bob Wilson against.  
Mr. Hays for, with Mr. Lipscomb against.  
Mr. Byrne of Pennsylvania for, with Mr. Williams against.

Mr. Barrett for, with Mr. Berry against.  
Mr. Daniels of New Jersey for, with Mr. Frelinghuysen against.

Mr. Dent for, with Mr. Goldwater against.  
Mr. Delaney for, with Mr. Pirnie against.  
Mr. Ellberg for, with Mr. Michel against.  
Mr. Gallagher for, with Mr. Martin against.  
Mr. St. Onge for, with Mr. Lujan against.  
Mr. St Germain for, with Mr. Landgrebe against.

Mr. Reuss for, with Mr. Ashbrook against.  
Mr. Pucinski for, with Mr. Hébert against.  
Mr. O'Neill of Massachusetts for, with Mr. Del Clawson against.

Mr. Madden for, with Mr. Cederberg against.

Mr. Leggett for, with Mr. Corbett against.  
Mr. Staggers for, with Mr. Devine against.



Mr. Green of Pennsylvania for, with Mr. Smith of California against.  
 Mr. Gilbert for, with Mr. Cowger against.  
 Mr. Daddario for, with Mr. Snyder against.  
 Mr. Cohelan for, with Mr. Watkins against.  
 Mr. Celler for, with Mr. Wylder against.  
 Mr. Carey for, with Mr. Foreman against.  
 Mr. Brown of California for, with Mr. Cunningham against.  
 Mr. Boland for, with Mr. Clancy against.  
 Mrs. Sullivan for, with Mr. Don H. Clausen against.  
 Mr. Ashley for, with Mr. Bray against.  
 Mr. Burton of California for, with Mr. Zion against.  
 Mr. Waggoner for, with Mr. William D. Ford against.  
 Mrs. Griffiths for, with Mr. Dowdy against.  
 Mr. Hanley for, with Mr. Griffin against.  
 Mr. Rooney of Pennsylvania for, with Mr. O'Neal of Georgia against.  
 Mr. Harrington for, with Mr. Henderson against.  
 Mr. Hawkins for, with Mr. Gettys against.  
 Mr. Rostenkowski for, with Mr. Frey against.  
 Mr. Sisk for, with Mr. Denney against.  
 Mr. Smith of Iowa for, with Mr. Abbitt against.  
 Mr. Stokes for, with Mr. Cleveland against.  
 Mr. Ullman for, with Mr. Camp against.  
 Mr. Karth for, with Mr. Belcher against.  
 Mr. Kee for, with Mr. Kuykendall against.  
 Mr. Kirwan for, with Mr. Price of Texas against.  
 Mr. Koch for, with Mr. Steiger of Arizona against.  
 Mr. Mikva for, with Mr. Bush against.  
 Mr. Morgan for, with Mr. Utt against.  
 Mr. Pepper for, with Mr. Winn against.  
 Mr. Ryan for, with Mr. Wylie against.  
 Mr. Nix for, with Mr. Nichols against.  
 Mr. Conyers for, with Mr. Eshleman against.  
 Mr. Steed for, with Mr. Derwinski against.  
 Mr. Fascell for, with Mr. Flynt against.  
 Mr. Fallon for, with Mr. King against.  
 Mr. Clay for, with Mr. Mize against.  
 Mr. Diggs for, with Mr. Quile against.

#### Until further notice:

Mr. Anderson of Tennessee with Mr. Ayres.  
 Mr. Baring with Mr. Hall.  
 Mr. Colmer with Mr. Blackburn.  
 Mr. Gibbons with Mr. Bell of California.  
 Mr. Downing with Mr. Mize.  
 Mr. Hicks with Mr. Esch.  
 Mr. Casey with Mr. Brock.  
 Mr. Edwards of Louisiana with Mr. Collins.  
 Mr. Fuqua with Mr. Harvey.  
 Mr. Cabell with Mr. Broyhill of Virginia.  
 Mr. Jarman with Mr. Saylor.  
 Mr. Jones of North Carolina with Mr. Harsha.  
 Mr. Purcell with Mr. Button.  
 Mr. Sikes with Mr. McClory.  
 Mr. Mills with Mr. Morse.  
 Mr. Stephens with Mr. McCulloch.  
 Mr. Rivers with Mr. Mosher.  
 Mr. Taylor with Mr. McEwen.  
 Mr. Wyatt with Mr. Railsback.  
 Mr. Wiggins with Mr. Riegle.  
 Mr. Whalley with Mr. Taft.  
 Mr. Powell with Mrs. Chisholm.  
 Mr. Sandman with Mr. Ruppe.  
 Mr. Eckhardt with Mr. Gude.  
 Mr. Broomfield with Mr. Coughlin.

Mr. ADAIR changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to raise the ceiling on appropriations of the Administrative Conference of the United States."

A motion to reconsider was laid on the table.

#### LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the calendar, if any, for the remainder of this week and the program for next week.

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

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

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have completed the business for the week and will ask to go over until Monday upon the announcement of the program for next week, which is as follows:

Monday is Consent Calendar Day.

Tuesday is Private Calendar Day.

On Tuesday we will begin consideration of H.R. 6778, to amend the Bank Holding Company Act, under an open rule with 5 hours of debate.

On Wednesday there are two suspensions scheduled, as follows:

House Joint Resolution 934, to increase the authorization for the food stamp program; and

H.R. 13949, to provide certain equipment for use in the offices of Members.

For Wednesday and the balance of the week we will continue consideration of H.R. 6778, to amend the Bank Holding Company Act, and also we will consider H.R. 14465, to provide for the improvement of the Nation's airport system and for the imposition of airport and airway user charges, subject to a rule being granted. A hearing on this bill has, I understand, been scheduled by the Committee on Rules for next Tuesday.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program may be announced later.

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished majority leader agree with this observation: looking at the two rather major bills, H.R. 6778 and H.R. 14465, in all likelihood, if not certainly, there will be a session next Friday?

Mr. ALBERT. It certainly is a distinct possibility, and I believe Members should govern themselves accordingly.

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

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

Mr. GROSS. I wonder if there is anything that can be said with respect to Veterans Day?

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

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. That, of course, is the week after next. I do not want to be bound by this at this stage of the game, because the gentleman knows that there are certain matters pending, but we had not planned—I think I am free to say this after discussing it with the Speaker

and the minority leader—to have a session on Veterans Day, but we will have to cross that bridge when we announce the program next week.

#### ADJOURNMENT TO MONDAY NOVEMBER 3, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

#### PERSONAL STATEMENT

Mr. ECKHARDT. Mr. Speaker, I was unavoidably detained in my office on a matter of extreme urgency when the vote was taken on the matter of H.R. 4244 concerning the Administrative Conference. Had I been present, I should have voted "yea."

#### SUPPORT FOR \$1 BILLION MORE FOR EDUCATION

(Mrs. MINK asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. MINK. Mr. Speaker, I commend the House for voting this week to reaffirm our action of last July to provide \$1 billion more for education in the United States than was provided by President Nixon's budget request to Congress for fiscal year 1970.

The House action added nearly \$7,200,000 for education programs in Hawaii for the current fiscal year, over what President Nixon sought, bringing the State total of Federal funding for education to \$20,795,650 under the House bill which I supported.

Despite the rapidly increasing student population in Hawaii and other States, President Nixon asked Congress to appropriate only \$3.1 billion this year for the U.S. Office of Education—a substantial reduction from the \$3.6 billion provided in the previous year, and obviously far short of our current requirements.

I was proud to help lead the emergency effort last July in which the House increased the Office of Education budget by more than \$1.1 billion over the President's request for education programs in Hawaii and other States. The Senate, however, has yet to act on this bill, so the Office of Education and other

Federal agencies have been continuing their programs at the low Nixon administration funding level under a continuing resolution passed by Congress. This delay has caused our schools and colleges to be denied the benefit of the higher funding for this year contained in the House-passed bill.

This week the House considered an extension of this continuing resolution, but voted to repudiate the Nixon education budget by allowing the Office of Education to fund programs at the higher level approved by the House pending final congressional action on its 1970 budget.

All of this still means nothing for our schools unless the other body agrees.

It is hoped that they will give the Office of Education budget top priority and pass this bill immediately. We are already 4 months into the current fiscal year, 1970, and further delay would hamper the cause of education which we sought to benefit last July.

Approval of these increases will be of tremendous benefit to Hawaii across the whole education spectrum. They will raise funding of the title I program for educationally deprived children in Hawaii by more than \$428,000 over the President's request. Other elementary and secondary school increases would total \$679,000.

A \$5 million increase for Hawaii over the President's request would be provided for our schools under the federally im-

pacted area program. We would also get more than \$550,000 over what the President sought for vocational education in Hawaii.

Under this proposal the budget for higher education in Hawaii would be increased by more than \$200,000 over what President Nixon asked. Library and community service funds in Hawaii would go up by more than \$150,000.

All of these increases are vitally important to Hawaii if we are to keep pace with the increased student enrollments in our schools and colleges.

Following is a table showing the increased funds for education in Hawaii which would be provided under the House action, which I supported:

## OBLIGATIONS IN THE STATE OF HAWAII

Program	Actual, 1968	Estimate, 1969	Estimate, 1970	Nixon estimate 1970	House passed appropriation bill
<b>OFFICE OF EDUCATION</b>					
Elementary and secondary education:					
Assistance for educationally deprived children (ESEA I):					\$3,211,221
Basic grants	\$2,430,762	\$2,215,107	\$2,633,771	\$2,633,771	
State administrative expenses	150,000	150,000	150,000	150,000	
Grants to States for school library materials (ESEA II)	386,217	193,833	162,821	0	192,394
Supplementary educational centers and services (ESEA III)	841,079	874,776	903,778	716,722	895,686
Strengthening State departments of education (ESEA V):					
Grants to States	213,704	281,390	283,268	283,268	283,268
Grants for special projects				0	0
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	298,618	301,047		0	325,337
Loans to nonprofit private schools	31,063	9,946		0	0
State administration	10,000	13,333		0	13,333
Guidance, counseling, and testing (NDEA V)	94,918	66,059	50,000	0	68,974
Subtotal, elementary and secondary education	4,456,361	4,105,491	4,183,638	3,783,761	4,990,213
School assistance in federally affected areas:					
Maintenance and operations (Public Law 81-874)	8,756,000	9,117,000	5,172,000	5,741,000	10,735,000
Construction (Public Law 81-815)		1,785,000		0	0
Subtotal, SAFA	8,756,000	10,902,000	5,172,000	5,741,000	10,735,000
Education professions development: Preschool, elementary, and secondary:					
Grants to States (EPDA B-2)		137,551	156,823	156,823	156,823
Training programs (EPDA, pts. C and D)	569,568			0	0
Subtotal, education professions development	569,568	137,551	156,823	156,823	156,823
Teachers Corps	161,025	211,201		0	0
Higher education:					
Program assistance:					
Strengthening developing institutions (HEA III)	139,266			0	0
Colleges of agriculture and the mechanic arts (Bankhead-Jones)	165,040	162,082	165,047	165,047	156,047
Undergraduate instructional equipment and other resources (HEA VI-A)	51,362	58,366		0	0
Construction:					
Public community, colleges and technical institutes (HEFA I, sec. 103)	276,813	327,314	169,240	169,240	169,240
Other undergraduate facilities (HEFA I, sec. 104)	857,813	547,034	357,621	0	127,380
Graduate facilities (HEFA I)	841,520			0	0
State administration and planning (HEFA I, sec. 105)	20,269	51,522	51,522	51,522	51,522
Educational opportunity grants (HEA IV-A)	196,000	55,099	265,182	265,182	195,295
Direct loans (NDEA II)	272,454	328,050	545,627	545,627	781,953
Insured loans:					
Advances for reserve funds	17,365	56,820		0	0
Interest payments	(1)			0	0
Work-study programs (HEA IV-C)	542,283	481,321	504,241	504,345	504,345
Special programs for disadvantaged students: Talent search	71,837			0	0
Personnel development:					
College teacher fellowships (NDEA IV)	485,800			0	0
Training programs (EPDA, pt. E)				0	0
Subtotal, higher education	3,937,722	2,067,618	2,058,480	1,700,963	1,985,782
Vocational education:					
Basic grants	1,009,303	1,000,869	943,321	943,321	1,449,742
Innovation			210,047	210,047	210,047
Work-study	43,311			0	43,289
Cooperative education			214,090	214,090	214,090
Consumer and homemaking education			59,523	59,523	59,523
Subtotal, vocational education	1,052,614	1,000,869	1,426,981	1,426,981	1,976,691
Libraries and community services:					
Grants for public library services (LSCA I)	203,338	203,338	203,338	142,449	203,338
Construction of public libraries (LSCA II)	320,520	140,944	97,206	0	97,206
Interlibrary cooperation (LSCA III)	40,473	40,560	40,560	40,560	40,560
State institutional library services (LSCA IV-A)	38,000	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	23,750	25,049	25,049	25,049	25,049
College library resources (HEA II-A)	55,822			0	0
Librarian training (HEA II-B)	141,163			0	0
University community service programs (HEA I)	117,338	115,728	115,728	115,728	115,728
Adult basic education (Adult Education Act):					
Grants to States	211,515	235,281	251,540	251,540	251,540
Special projects and teacher education				0	0
Educational broadcasting facilities				0	0
Subtotal, libraries and community centers	1,151,919	800,409	772,930	614,835	773,118



## OBLIGATIONS IN THE STATE OF HAWAII—Continued

Program	Actual, 1968	Estimate, 1969	Estimate, 1970	Nixon estimate 1970	House passed appropriation bill
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	\$100,000	\$113,023	\$113,023	\$113,023	\$113,023
Teacher education and recruitment	115,744			0	0
Research and innovation				0	0
Media services and captioned films for the deaf	3,225			0	0
Subtotal, education for the handicapped	218,969	113,023	113,023	113,023	113,023
Research and training:					
Research and development:					
Educational laboratories				0	0
Research and development centers				0	0
General education	237,965			0	0
Vocational education	41,872	25,334	15,000	15,000	15,000
Evaluations				0	0
National achievement study				0	0
Dissemination				0	0
Training				0	0
Statistical surveys				0	0
Construction				0	0
Subtotal, research and training	279,837	25,334	15,000	15,000	15,000
Education in foreign languages and world affairs	203,182			0	0
Civil rights education				0	0
Colleges for agriculture and the mechanic arts (2d Morrill Act)	50,000	50,000	50,000	50,000	50,000
Promotion of vocational education (Smith-Hughes Act)	31,661			0	0
Student loan insurance fund	1,000			0	0
Higher education facilities loan fund				0	0
Total, Office of Education	20,869,858	19,413,496	13,948,875	13,602,386	20,795,650

# REPRESENTATIVE JOHN M. MURPHY ADDRESSES THE GREATER YOUNGSTOWN COLUMBUS DAY BANQUET

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

Mr. ANNUNZIO. Mr. Speaker, I want to call to the attention of my colleagues a speech delivered by our distinguished colleague, the Honorable JOHN M. MURPHY of New York, before the Greater Youngstown Columbus Day Banquet on October 12, 1969.

It was fitting and proper for the 20 Italo-American organizations which participated in the celebration to invite as their principal speaker the Honorable JOHN M. MURPHY. Congressman MURPHY was one of the cosponsors of the Monday holiday bill, which beginning in 1971 and thereafter, will make Columbus Day a national legal holiday to be celebrated on the second Monday in October.

I have the privilege of serving on the Merchant Marine and Fisheries Committee with Congressman MURPHY, and he represents with dedication and devotion the people of America on that committee.

He is also a member of the Interstate and Foreign Commerce Committee, where he is making a tremendous contribution to the important legislation that comes before that committee.

Congressman MURPHY is a graduate of the U.S. Military Academy at West Point. He has an honorary doctor of laws degree from Sung Kyun Kwan University of Seoul, Korea.

Mr. MURPHY has given outstanding service in the U.S. Army for which he has been awarded the Purple Heart, the Distinguished Service Cross, the Bronze Star with V and Oak Leaf Cluster, a Commendation Ribbon with Oak Leaf Cluster, the Combat Infantry Badge, the Parachute Badge, the Korean Service Medal with six battle stars and the

Chungmu Distinguished Service Medal. He was discharged as a captain in July 1956.

Congressman MURPHY is a member of many civic and fraternal organizations and is the father of three children. He was elected to the 88th Congress, and was reelected to the 89th, 90th, and 91st Congresses.

I commend the Italo-American organizations for inviting this distinguished American to participate in their Columbus Day festivities.

Congressman MURPHY's speech follows:

REMARKS BY HON. JOHN M. MURPHY BEFORE THE GREATER YOUNGSTOWN COLUMBUS DAY BANQUET, OCTOBER 12, 1969

It gives me great pleasure to be here in the City of Youngstown to meet with the Greater Youngstown Columbus Day Committee and the sponsoring organizations to honor the accomplishments and memory of Christopher Columbus.

I am also so greatly pleased to be in the district of my dear friend and colleague Congressman Michael Kirwan.

In my eight years in the Congress I have received so much good advice and guidance from Mike that my ability to represent my district, my State and nation has been greatly enhanced. Mike has a habit of looking out for some of the younger Members and we so appreciate the benefit of his superlative ideals and wisdom.

It's interesting to note that in the last two decades, Mike is the only Member of Congress to have over-ridden a Presidential veto in both the House and the Senate. He has a unique, persuasive ability and calm logic that makes it difficult to disagree with his position.

His concern for Youngstown and his congressional district is legendary in the Congress. Many of us came to feel that Youngstown is a part of our interest as well.

Mike has always told us to keep our think factories working and when he urges us to move in a certain direction we usually "get the point he makes." Rarely, if ever, a disciple of the "Mike Kirwan philosophy" "puts on the rabbit" when a difficult issue confronts the Congress.

He has often spoken to me of Bill Cafaro in his most endearing terms—"he's one of

the best". Your outstanding Mayor Anthony Flask is another one of the best from this outstanding district. It is also a pleasure for me to be sharing this delicious dinner with Father Louis Latina who was my next-door neighbor at St. Charles Seminary where I had the privilege to attend his ordination.

The western world owes a debt of gratitude to Christopher Columbus for his legacy of courage, hope and perseverance—for his faith in a dream and a goal—and, indeed, in himself—when other men of less mettle gave way to despair or cynical mockery. And we must make sure that we ourselves do not forget, and that our sons and daughters learn and remember, how the inexhaustible energy of this one man brought together, in a contact never again to be broken, the two halves of the globe.

In addition to being the man who discovered the new world, Columbus became the first Italian-American, the first of a long line of Italians who contributed so much to the development of this Nation.

## ROUTE OF COLUMBUS STOOD THE TEST OF TIME

In the nearly five centuries since Columbus, millions of Italian immigrants, and immigrants from every other nation in the world, have followed the trail he marked, and it has been to our advantage as a nation not only that they chose to settle on our shores, but that they shared the courage and determination which Columbus possessed to such a high degree.

While the Italian-Americans did not face the uncertainties of sailing on unknown seas, they often faced adversities which tested to the fullest their ability to survive and prosper. But a casual look through Who's Who will show that they passed that test with the highest marks. American history is replete with the names of Italian immigrants who played leading roles in every important field: Fermi, Volta, LaGuardia, Ghanini, Toscanini and Procaccino, are just a few.

There have been others, both before and after Columbus, who shared with him certain qualities of greatness. The first man to reach the top of Mt. Everest, the first to reach the North Pole, the first to fly across the Atlantic, and the first men to set foot on the moon—all of these men shared the same driving impulse, the same inquisitive minds, the same vision and the same free spirit which lead Columbus to our shores nearly five centuries ago.

These were men who dreamed not of what is, but what ought to be; men who drove themselves not to the limits of their endurance, but a little bit further; men who looked not to the horizon, but beyond.

What drives men like this is difficult to say. Partly it is the spirit that drives men to climb that proverbial mountain for no other reason than "because it's there."

Partly it is the inexhaustable search for knowledge that has led mankind through the pages of history at ever-increasing speed.

What makes Columbus and others like him unique, however, is not just the fact of their discovery, but the fact that they were the first. The second man to cross the Atlantic and land in the new world faced most of the same difficulties as Columbus, but does anyone remember his name? Does anyone remember the name of the second man to climb Everest, or the second man to fly the Atlantic?

Someday we might have a proper celebration for the number two's of our history to give them the recognition they deserve. It seems to me that "Avis Day" would be a proper title for the celebration.

The real difference is between men who follow maps, and men who make their own maps as they go. Columbus and the men like him charted their own destinies. Where they went, the only footprints were those they left behind.

Probably the greatest discovery since Columbus is the recent moon landing by our own astronauts. Armstrong, Aldrin and Collins showed that regardless of whether man sails the Atlantic Ocean and sets foot in the new world or whether he sails the Sea of Tranquility and sets foot on the moon, his spirit of adventure is much the same.

There are differences, of course. The voyage by Columbus was supported by only a few people, while the majority were either uninformed, indifferent, or openly hostile to the adventure. Our spacemen were part of a national effort requiring the efforts of thousands of men and women and billions of dollars, with the enthusiastic support of the vast majority of Americans. It was months before anyone knew of Columbus' success; the first step on the moon was watched live by people around the world. Times have changed, and the space age has become a mirror for that change.

One thing common to both Columbus and the astronauts, however, is the response by a small group of people who would rather walk backwards through history. There were those after Columbus who must have said: "Well, we know the world is not flat now, so let's stop playing games and start solving our own problems here at home."

Sound familiar? It should. Today we hear similar voices of those who want to abandon the space program now that we have landed on the moon. Of course, the desire and the necessity to solve problems here at home cannot be challenged by responsible men. But we are working to solve our problems, and certainly the two can exist side by side. There is no reason to stop all other endeavors until we reach utopia here at home, whatever that might be. A nation that ceases to inquire into the unknown can never survive the rapid change of time.

I would point out as well that while most people believed the world was round after Columbus, it was not until recently that one group would accept this fact. You may have read about that lonesome little group of diehards who had organized to fight the notion that the world was, indeed, round.

The day after our astronauts sent back pictures from outer space of the earth which, lo and behold, was round, a news article appeared in our press stating that the majority of the members of that "earth is flat" club had decided that maybe it wasn't flat after all. We will never convince all of the people all of the time.

And so, almost 500 years after Columbus, the march of progress takes its final toll on

yet another link with the past. Such is the price we pay for our spirit of adventure.

America, and the rest of the world, will always face adversity; such is the reality of a changing world. But one constant factor if we are to survive must be our incessant quest and determination to seek knowledge about our environment and to accept the challenge of solving our problems. We must never say never.

Western man has made mistakes; he faces the possibility of self-destruction. And yet, his accomplishments have been such as to offer a prospect for hope—for the redemption of past failures with future success undreamed of by men of Columbus' time; for a life of universal abundance and harmony and for a decent life in which all men may have the opportunity to attain the fullness of their potential.

So let us today, in paying tribute to the descendants of Italians, and to the man who made possible Italian-Americans, and the United States of America, always remember the questing spirit of Western man as typified by Christopher Columbus.

Arrivederci Youngstown.

#### COMMITTEE AND SPONSORING ORGANIZATIONS COMMITTEE

Atty. Joseph Schiavoni, Chairman.  
Carmelo C. Foti, Treasurer.  
Mary Nudo, Secretary.  
Carmelo Foti, Michael Pope, John Trimboli, Co-Chairmen.

John Eorio, Frank Napoli, James Battafarano, Julian Altier, Carl LaRubbio, Don Marsco, Mary Ferguson, Anthony Senabaldi, Edith Gambrel, Pasquale Leone, Fred Gioglio, Atty. Armond L. Rossi, Joseph Gareia, Alex DiBlasio, Lucille Phillips, Elizabeth DeSerio.

#### SPONSORING ORGANIZATIONS

Italian-American War Veterans Posts 3, 10 and 27.

**Adua Lodge, Hubbard, Ohio.**  
Agnonese Club, Youngstown, Ohio.  
Arco Club.  
Amerital Club.  
Bella Piemonte, Girard, Ohio.  
Bella Vinezia, Youngstown, Ohio.  
**Calabrese Club.**  
Columbia Lodge.  
Duca Degli Abruzzi Colombo Society.  
Freedom Lodge.  
Giardina d'Italia.  
Giuseppe Verdi Lodge.  
Gloria d'Italia, Lowellville, Ohio.  
Italamer Club.  
American Committee on Italian Migration.  
Latin Culture Foundation.  
Mt. Carmel Lodge.  
Neapolitan Society.  
Youngstown Lodge No. 858, Order Sons of Italy.  
Alba Lodge.  
Knights of Columbus.  
Sons of Columbus.  
Wolves Club Den VI.  
Holy Name, St. Anthony Church.  
Vestibule Club, Mt. Carmel Church.  
Holy Name, Mt. Carmel Church.

#### NEGOTIATIONS WITH DELEGATES OF THE NORTH VIETNAMESE

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

Mr. ICHORD. Mr. Speaker, I want to express my concern, alarm and indignation over the callous acts of individual American citizens connected with the so-called peace forces, in making repeated contacts with representatives of the North Vietnamese, particularly in the area of negotiations concerning prisoners of war. When U.S. troops are fighting

and dying in Vietnam, no American citizen should be permitted to undermine our Government's effort. This past August, Rennie Davis, one of the founders of the revolutionary Students for a Democratic Society who accompanied three American prisoners of war home from North Vietnam, endeavored to use some 50 letters from other imprisoned Americans as propaganda for the purpose of undermining this country's defense effort. Davis was thwarted in his attempt to obtain some propaganda value from the letters when Time magazine refused to publish them. This week, Attorney William M. Kunstler, said to be acting for his clients, David Dellinger and Rennie Davis, met with North Vietnamese delegates in Paris. Kunstler's subsequent public pronouncements indicated that through him the North Vietnamese gave concessions of a more regular flow of mail from the prisoners and data on the prisoners' health.

Kunstler indicated his action was purely humanitarian in nature. However, after delving into this matter, I submit that the facts do not substantiate his claim. I call attention to the fact that his client, David Dellinger, self-admitted non-Soviet-type Communist, at the request of the militant Black Panther Party has previously announced the possibility of releasing U.S. military prisoners in North Vietnam if and when the United States unconditionally released Black Panther Party leaders Bobby Seale and Huey Newton. Panther leader Eldridge Cleaver, who fled this country as a fugitive from justice, has been in consultation with the North Vietnamese in regard to this matter. The political import the Black Panther Party is placing on this matter is that Seale and Newton are not simply "political prisoners" but prisoners of war because "it is a military policy the U.S. Government utilizes against the Black Panther Party." Dellinger and Davis asked to be allowed to go to Paris to discuss the exchange of American prisoners of war for the freedom of Black Panther Party leaders Seale and Newton but, Judge Hoffman, who is presiding over their conspiracy trial in Chicago growing out of disturbances during the Democratic National Convention in August 1968, denied permission. Lawyer Kunstler went instead. I am confident that the exchange contemplated by Dellinger would never be permitted to materialize but in view of what previously happened I submit that Kunstler cannot validly claim that his motives are purely humanitarian.

Perhaps a speech made by Kunstler at the United Front Against Fascism Conference sponsored by the Black Panther Party which was held in Oakland, Calif., July 18 to 21, 1969, and printed in the July 26, 1969, issue of the Black Panther, official organ of the Black Panther Party, will give some insight concerning Mr. Kunstler. During his speech, Kunstler in speaking of the murder of white police officer John Gleason in Plainfield, N.J., during a racial uprising in that city, stated:

The crowd, justifiably, without the necessity of a trial and in the most dramatic way possible, stomped him (Gleason) to death.

In view of Kunstler's close relationship with the Panthers, I do not think they



would publish something concerning him that was not true. I have no information that Kunstler has made any effort to repudiate the statement attributed to him and in addition, I have been advised by a highly reliable source who was present during Kunstler's speech that Kunstler did, in fact, make this statement.

It seems absolutely incredible and reprehensible in view of Mr. Kunstler's past activities that he should be able to obstruct the conduct of our foreign affairs during wartime. The U.S. Government is now in the servile and degrading position of having to rely on Kunstler and his associates for further prisoner-of-war information. Hanoi intends to send American prisoner-of-war mail to an office which the Communist-saturated New Mobilization Committee To End the War in Vietnam—sponsor of the forthcoming November 15, 1969, "March Against Death"—is establishing to process the mail and forward it to relatives. This tactic is utilized by the enemy to lower the morale of the American people and to humiliate the Government and people of the United States.

While I can readily understand the desires of bereaved families of American prisoners of war to obtain whatever information is available concerning the prisoners, it is important that the American people know that the activity, such as engaged in by Kunstler, is nothing short of a callous propaganda act designed to improve the image of the defendants and other associates of the same ilk. In addition, such activity is designed to divide the American society. The treatment and release of our prisoners of war should be the concern of all Americans, but it is clearly not an area for barter to be engaged in by citizens of the United States to advance the interests of forces hostile to our Nation.

The Logan Act which appears to provide a base for prosecution of Kunstler for his action has not been utilized and, as a matter of fact, I do not recall any instance where this statute has been applied to penalize such conduct. The Logan Act provides that:

Any citizen of the United States, wherever he may be, who, without the authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measure or conduct of any foreign government or any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined not more than \$5,000 or imprisoned not more than three years, or both.

The Logan Act may be inadequate to provide an enforceable base for prosecuting Kunstler. There have been numerous instances during the Korean and present war when individuals such as Kunstler have corresponded and met with representatives of foreign governments for purposes inimicable to the interests of the United States. Inasmuch as not one single prosecution has been initiated under the Logan Act, and for other reasons, I must conclude that responsible officials feel it is not a suitable vehicle for coping with such activities.

This conduct has shocked the conscience of the Nation, and raised grave

misgivings in the minds of many citizens whose sons are being called upon to die, if necessary, in the performance of their duties in the Armed Forces of this country. Our laws must be up-dated and strengthened to cope with the problems with which we are currently faced. The situation does not promise to ameliorate, but to become increasingly aggravated in the future. Kunstler's action last week, I believe, is but a prologue of what may be anticipated. We cannot dismiss this act as "humanitarian" or purely an isolated incident. If we are not prepared to suppress this activity in its infancy, we shall be faced with greater problems. If we value our liberties, as we do, we shall not permit any impairment of our national security while powerful forces, avowedly hostile to our society, are preparing to make us their victim.

I have introduced today a bill designed to make punishable certain activities affecting captive personnel of the U.S. Armed Forces. Specifically, it prohibits correspondence or intercourse with any foreign government with which United States is engaged in armed conflict, respecting any matter in controversy affecting the disposition, captivity, or detention of military or naval personnel of the United States with intent to influence or aid such foreign government or to interfere with the operation of the military or naval forces of the United States and to promote the success of their enemies. This bill does not provide for a blanket prohibition. For example, it would not prohibit the families of prisoners of war or persons specifically authorized by the President or Secretary of State from making contact with a foreign government.

I call upon this House to take quick, positive action on my proposed legislation.

#### BAR ASSOCIATION RESPONSIBILITY

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

Mr. WYMAN. Mr. Speaker, attorneys are officers of the court. As such, it is their solemn duty under oath to uphold the judicial process.

On isolated occasions, perhaps carried away by emotion engendered by partisan attachment to a cause, they may be guilty of occasional impropriety which in the discretion of the court can be overlooked or dismissed with a reprimand. When attorneys become willfully and repetitively contemptuous of the judicial process, of the judge, the canons of ethics of the American Bar Association, of all of the things that the organized bar has provided in an effort to assure the public that the practice of law shall be conducted with propriety and restraint, it is time that they be disciplined.

There is no obligation on attorneys to represent clients who flatly refuse to abide by the rules of the court. In fact, the obligation is to decline and to tell such individuals that their cause will be presented under the rules or it will not be presented. After all, it is one of the signal strengths of this union that we are a government of law and not of men.

No individual, and in particular, no attorney at law, has the right, either morally or legally, to declare that he in his cause is above or beyond the law.

The conduct and statements of Attorney William Kunstler in the so-called Chicago 8 conspiracy trial require disciplinary action by the bar. Mr. Kunstler should be suspended from practice forthwith. Unless he reforms and agrees to abide by the rules of practice that apply to all attorneys he should be permanently disbarred.

History records that occasionally movements to reform society have included calls to get rid of lawyers. Sober reflection impels the conclusion that as long as there are people there will be causes and that the need for advocacy continues whether the advocates are called lawyers, ombudsmen, or something else.

Unfortunately, the bar has its share of shysters, fakers, and ambulance chasers. The bar can deal with the former and in a certain measure with the latter. The public will measure the fakers, which takes time. However, it is the solemn obligation of the bar to protect itself against repeated willfully contemptuous conduct such as that of Attorney Kunstler, wherever and whenever it may occur in our judicial system.

His threats to the court, his participation in a calculated exercise to create a mockery of the judicial process, his inflammatory and provocative incitement to violence in and out of the courtroom, his public record of activity while a member of the bar is incompatible with his obligation as an officer of the court. The organized bar, and the American Bar Association in particular, owes it to the people and to its public image to act promptly and effectively to suspend attorneys who conduct themselves in this manner. If these attorneys fail to reform within a probationary period they should be permanently disbarred. I urge ABA President Bernard Segal of Philadelphia to take prompt and effective action to protect the bar and our people from this continuing abuse of process.

Anything less will result in the total erosion of public confidence in the law. Such confidence is already at a low ebb. The antics of counsel on public display, such as those in the Chicago trial, cannot be permitted to continue undisciplined or it is a fair conclusion on the part of John Q. Public that bar associations are more interested in protecting their own than in protecting the people of the United States. This is not the case but the hour is late for responsible action to bring to an end the disgraceful conduct of Kunstler and any other attorneys to follow.

By way of background I include at this point this morning's Washington Post report of the goings-on in Chicago:

CURSES, ACCUSATIONS ROCK CHICAGO 8 TRIAL  
(By William Chapman)

CHICAGO, October 30.—More courtroom disruptions, including the muffled shouts of a bound and gagged defendant, brought the Chicago Eight conspiracy trial close to pandemonium today.

Gagged and strapped to his chair, Black Panther leader Bobby Seale mumbled curses at the judge while fellow defendants shouted

and lawyers accused each other of unethical conduct.

After one scuffle in which his gag came off Seale shouted an obscenity at U.S. District Judge Julius J. Hoffman and called out: "You fascist dog—you rotten low-life son of a gun."

Marshals reached down to restrain him and to strap down an arm that had come loose as other defendants began shouting that Seale was being attacked.

"They're beating Bobby," yelled David Delinger, veteran leader of the antiwar movement. Another defendant, Yippie leader Jerry Rubin, claimed Seale was elbowed in the mouth and struck in the groin. Rubin was shoved back several feet by a marshal.

Defense attorney William Kunstler moved to the lectern to tell Judge Hoffman, "I just feel so ashamed to be an American lawyer at this point." Judge Hoffman replied, "You should feel ashamed—of your conduct in this trial."

Seale was taken from the room and a new gag applied. When he was returned the judge told the jury to disregard the incidents and explained that he was trying "each day to discharge my obligations under the law . . . to assure a fair trial."

Seale began grunting loudly. "I ask you to refrain from making those noises," said the judge. More muffled grunts. "I order you to stop those noises," Hoffman insisted.

With his gag partially off again, Seale began shouting, "The judge is lying." A lunch-recess followed.

At a news conference during the noon recess, Rubin displayed a note that he said Seale had written. The note read: "Tell all the Brothers & Sisters I said cool it everywhere. Just spread the word about injustice on the part of Hoffman and the U.S. Court room."

The afternoon was relatively quiet after Judge Hoffman told Seale he would have to "deal appropriately" with further outbursts. Seale wrote a note in which he said he wanted to defend himself in court and argue motions "as any defendants or citizens of America may do".

But at the close of the day, Seale shouted again through his gag: "I want a chance to examine the witness. My constitutional rights have been violated."

Judge Hoffman warned him, "Time is running out. If you persist, the court will have to deal with it in an appropriate manner."

There was no indication what further measures the judge would—or could—take. He had ordered Seale shackled and gagged yesterday after the black leader repeatedly shouted demands to be allowed to conduct his own defense.

Seale has claimed he is not represented by the two defense lawyers, although one of them, Kunstler, formally filed a notice of appearing in his behalf before the trial started. The lawyer Seale prefers, Charles R. Garry of San Francisco, has been ill and unable to participate. Judge Hoffman has refused requests to delay the trial until Garry has recuperated from an operation.

The only alternative discipline available to the judge seemed to be an order excluding Seale from the courtroom. But the Seventh U.S. Court of Appeals here has ruled that exclusion of a defendant is unconstitutional, and told a trial judge he should have had an unruly defendant bound and gagged in court to preserve order.

There was some speculation that Judge Hoffman might order Seale kept in a cell anyway, having demonstrated that binding and gagging him did not prevent disruptions.

There is legal precedent for binding and gagging disruptive defendants. Two persons among 15 defendants in a narcotics trial seven years ago were ordered restrained in that manner by a U.S. District judge in New York.

A U.S. Court of Appeals upheld their conviction and the Supreme Court refused to review it. The appellate court decisions said: "There was no abuse of discretion in the trial judge's action, taken to preserve security of the courtroom, ordering two defendants gagged and shackled after one had climbed into the jury box and pushed jurors and another had thrown a chair at an assistant United States Attorney."

At one point yesterday, Kunstler, the chief defense attorney, asked Judge Hoffman to refer the behavior of the marshals and the binding and gagging of Seale to the U.S. Judicial Conference, the administrative arm of federal courts.

"If you don't, we will," Kunstler told Hoffman.

"Don't you threaten this court and a district judge who has practiced law and been on state and federal benches for many years," Hoffman shot back.

"When a judge with all that experience has to sit here and have a defendant call him 'pig' . . ." Hoffman continued, but Seale interrupted again with muffled protests.

"Listen to him now," Hoffman said. "You take that to the Judicial Conference or anywhere you choose."

At another point, the other defense lawyer, Leonard I. Weinglass, asked Judge Hoffman to poll the jurors on whether they felt they could continue "orderly deliberation" while one defendant sits before them bound and gagged.

Assistant U.S. Attorney Richard Schultz called Weinglass' request "one of the grossest attempts" to influence the jury, which was present when the request was made. Hoffman refused to poll the jury.

The 10 female and two male jurors were led in and out of the courtroom repeatedly as the judge sought to prevent them from hearing the outbursts and arguments this morning. But several incidents took place in the jury's presence.

Several jurors seemed visibly upset by the scene. They occasionally cast quick glances in Seale's direction, but for the most part appeared reluctant to look at him.

#### A MOVE TO VETO JUSTICE

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

Mr. RAILSBACK. Mr. Speaker, a recent editorial in the Chicago Sun Times reiterates the fact that justice should not be available only to those who can afford it. Justice should be guaranteed to all American citizens.

Unfortunately, the OEO legal services program, which has been extremely successful in providing legal assistance to the poor, has been endangered by a Senate amendment which would threaten the delivery of such assistance to the poor.

As a lawyer and as a member of the House Judiciary Committee, I have been impressed with the achievements of the neighborhood legal services programs conceived and funded by OEO. Such action should not be allowed to stand. We must do all we can to be sure that the poor continue to get the expert legal representation which OEO has been providing. Admittedly, there is some temporary discomfort in having legal services lawyers challenge existing institutions which have traditionally shortchanged the poor. But yielding to that irritation by putting shackles on

the legal services efforts would, I am convinced, result in a longterm calamity for this Nation.

The Senate amendment removes from the Director of OEO his power to override a Governor's veto when he feels such action is in the best interest of poor clients. Such action should not be allowed to stand. We must do all we can to be sure that the poor continue to get the expert legal representation which OEO has been providing.

#### A MOVE TO VETO JUSTICE

Sen. George Murphy (R-Calif.) has pushed through the Senate an amendment that would give governors the right to veto any legal service activity offered within their states by the Office of Economic Opportunity.

The amendment is attached to a money authorization bill that must go to the House, and, legislatively, there will be a chance to erase the folly.

Nonetheless, the move definitely endangers the legal services program, which has become one of OEO's true successes. OEO Director Donald Rumsfeld will need all the allies he can muster.

The legal services program has brought to the poor and harassed something they have not historically experienced: expert legal representation and protection of the law in both minor and major matters. Naturally, the program—staffed by 1,800 eager and persistent attorneys—has made enemies. It has done so because the lawyers often step on establishment toes.

One of the luminaries sent limping on occasion is Murphy's friend and former screen colleague, Gov. Ronald Reagan of California.

Reagan has been sorely troubled by migrant workers demanding reform down on the farm. He has been at least as sorely troubled by the OEO legal assistance given these workers.

For example, as Tom Littlewood of The Sun-Times Washington Bureau pointed out Monday, these attorneys "resisted the importation of Mexican braceros to pick the tomato crop thwarted Reagan's cutback in medical care for the needy aged and blocked a school district from closing classes so the students could help with the grape harvest."

Reagan, of course, is not the only state official to feel the impact of the OEO efforts, and the lawyers themselves have rubbed a little salt in the sore spots. Rumsfeld appointee Terry F. Lenzner, head of the legal services program, said he plans to broaden the scope of legal assistance activities to community questions such as poor garbage pickup, bad street lighting or other "mis-allocation of resources."

And in August a group of poverty lawyers banded together to "oppose and resist political . . . or other interference in the effective representation of our clients who are indigent."

The poor need this tough-minded help, for justice should not belong only to those who can afford it. Let's hope a few voices are raised to that effect in Congress.

#### A CALL FOR SENATE ACTION ON THE BILL TO REVISE THE DRAFT SYSTEM

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

Mr. BEALL of Maryland. Mr. Speaker, the House yesterday considered and passed legislation which affects the lives of all our young men who must still face the possibility of military service. There is little doubt that the draft concerns



more individuals in a personal way than virtually any other Federal program.

Through the years our draft system has become a hodge-podge of rules and regulations which have created some most unjust situations. Too often we have heard from the young man who has volunteered for military service only to be turned down for physical reasons, and then, later, drafted and told that he has met the standards. Frequently we have heard similar stories about men who were turned down because of failure to reach certain educational standards, only to be found acceptable under other standards when drafted.

I know we are all cognizant of the fact that one of our greatest responsibilities is to the young men of America. We owe these people the opportunity to plan their future with a degree of certainty. Our present draft laws deny this right to the majority of the young men of our country. President Nixon has recognized the need for substantive change in the draft law and has made proposals that we bring greater equity to the system. The House yesterday provided the legal instrument that will allow the President to implement his reform.

The bill which we have passed will remove the final roadblock in the way of the President's plan to revise the system. We can soon have a draft that will take the youngest first by a system of random selection that will reduce the period of uncertainty from 7 years to 1 year or less. We can soon have a complete study of the policies of deferment and exemption that have grown at the local level. This review of guidelines, standards, and procedures by the National Security Council and the Director of the Selective Service should be carried out swiftly with the least delay possible. It is one of the most important aspects of the President's plan for change.

Mr. Speaker, I was distressed to learn from this morning's news that the Senate leadership has apparently decided not to consider this or any other draft legislation during the current session of the Congress. I am extremely disappointed in this news because I feel that we owe more to the young men of America than mere lipservice to their problems. Mr. Speaker, I hope that the leadership of the Senate will move forward in consideration of the House bill. The strength of our form of government rests to great degree on the confidence that the people have in their legislators. I hope that we can merit the confidence of our draft age citizens by showing through legislative action that we are concerned for their future. Favorable consideration of the House passed bill is the least that can be done to show the young men of America that we do care.

#### AIR TRAVELERS DESERVE MORE U.S.-ORIENT SERVICE TO JAPAN

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

Mr. PELLY. Mr. Speaker, the United States and Japan have reached agreement on an air route between Tokyo-

Anchorage-New York, not including Seattle and Chicago.

This action came as a disappointment to Washington State interests since, geographically, Seattle is the nearest big-city gateway to Japan. And, while this has been overlooked, the oversight can be rectified next year.

The State Department has assured Seattle interests that it will consider Seattle's position in 1970 negotiations with the Japanese, and accordingly, I have, this day, sent a letter to the State Department strongly urging that they give such consideration to Seattle as a gateway to the Orient and that I be kept informed of any moves they make in this regard.

Mr. Speaker, air-route decisions can overlook geography just so long. With the advent of 747's and, in a few years, supersonic transports, passengers will want the shortest possible nonstop routes. The first step in improving Seattle's status should be taken through a regional agreement to seek flight rights through Seattle for Japan Air Lines and a U.S. airline.

Presently there is just one Seattle-Tokyo combination carrier. The main thrust of transpacific air travel now is by way of the island-hopping central Pacific, about 1,200 miles longer. Three-carrier competition through the Seattle gateway, coupled with a badly needed reduction in Pacific fares, and fares based on mileage, could place Seattle in its rightful role as the Nation's leading transpacific gateway.

But, the next move is up to our Government, and, again, I trust the State Department will be true to its word in keeping Seattle's geography and the world's air travelers in mind during the 1970 negotiations with the Japanese on air routes to the United States.

#### ECONOMIC CONCENTRATION

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

Mr. TIERNAN. Mr. Speaker, in June of this year, I took the floor to comment briefly on what seemed to me an untenable attack on business by the Antitrust Division of the Justice Department. I was disturbed by statements of the Attorney General and his staff that they were going to move to block mergers of large companies on the basis of "economic concentration." It appeared to me to be an attack on "bigness," despite the absence of a legal basis for such a position.

It was my feeling then, as it is now, that if there are social or economic dangers inherent in concentration or in the current conglomerate trend, it is the duty and obligation of Congress to examine the situation, and after a review of the facts, pass such legislation as necessary. Certainly, in the absence of specific law, the Justice Department oversteps its bounds by pursuing the "bigness is bad" philosophy, which has been rebuffed time and time again in the courts.

I take the floor today to point out to my colleagues that last week a Federal

court again made the point absolutely clear. On Tuesday, October 21, Chief Judge William H. Timbers, of the U.S. District Court for the District of Connecticut, denied Government motions for a preliminary injunction to block the mergers of International Telephone and Telegraph Corp. with the Grinnell Corp., of Providence, and the Hartford Fire Insurance Co., of Hartford. The Justice Department has injected the issue of economic concentration in both of these cases.

My belief that the Justice Department's position, as espoused by its Antitrust Chief Richard McLaren, goes well beyond the scope of the existing law is substantiated by Judge Timbers' decision. He made plain his view that section 7 of the Clayton Act should not be wielded irresponsibly to cover efforts to block mergers on the basis of economic concentration.

To quote from a press release issued by the court:

A key statement in Judge Timbers' decision rejects the government's argument regarding economic concentration. Pointing out that Section 7 of the Clayton Act "proscribes only those mergers the effect of which 'may be substantially to lessen competition', not those mergers the effect of which may be substantially to increase economic concentration," the Judge then concluded (Opinion, P. 71-72):

"The alleged adverse effects of economic concentration brought about by merger activity, especially merger activity of large diversity corporations such as ITT, arguably may be such that, as a matter of social and economic policy, the standard by which the legality of a merger should be measured under the anti-trust laws is the degree to which it may increase economic concentration—not merely the degree to which it may lessen competition. If the standard is to be changed, however, in the opinion of this Court it is fundamental under our system of government that that determination be made by the Congress and not by the courts."

Judge Timbers' finding also adds validity to the warnings issued by President Nixon's Task Force on Productivity that the Justice Department should not take antitrust action against conglomerates on the basis of "nebulous fears about size and economic power."

Similarly, a panel of antitrust experts earlier had told President Johnson that antimerger attacks on large companies using the Clayton Act would have to be through "a contrived interpretation."

The Justice Department has been rebuffed twice in its attempt to extend the Clayton Act—in this case and earlier in the Northwest-Goodrich merger case.

In view of these court rulings and the expert advice of two study groups, I believe the time has come for the Justice Department to reconsider seriously its policies with regard to mergers.

If, as it claims, conglomerate mergers are causing economic and social harm, Congress is willing to hear the facts. As Judge Timbers said, it is a matter for Congress and not the courts.

Mr. Speaker, I insert the press release issued by Judge Timbers in the RECORD. UNITED STATES AGAINST ITT AND GRINNELL CORP., CIVIL NO. 13319, AND UNITED STATES AGAINST ITT AND THE HARTFORD FIRE INSURANCE CO., CIVIL NO. 13320

(NOTE.—For the convenience of the press and other news media—in view of the length

of this opinion and the 6 p.m. release hour (after the closing of all stock exchanges in the United States, including those on the West coast)—here is a nutshell summary.)

NEW HAVEN, October 21.—Chief Judge William H. Timbers, of the U.S. District Court for the District of Connecticut, today denied government motions for preliminary injunctions in two antitrust suits brought by the government to enjoin proposed acquisitions by ITT of the stock of Grinnell Corp. of Providence and the stock of The Hartford Fire Insurance Co. of Hartford. Judge Timbers directed that "hold separate orders" be entered in both cases to preserve the status quo pending trial and decision on the merits.

The practical effect of this decision is that the companies will be free to consummate the mergers as soon as formal orders are entered one week from today; but pending the outcome of the trial on the merits, Grinnell and Hartford must be operated as separate companies and must make no changes in their operations which might hinder divestiture if ultimately ordered.

The ITT-Hartford and ITT-Grinnell mergers are said to constitute the largest combined merger in the history of the United States. With ITT's assets of \$4,022,400,000, Hartford's assets of \$1,891,700,000 and Grinnell's assets of \$184,453,229, the resulting combine will have total assets in excess of \$6 billion.

One result of the decision today to permit the mergers to be consummated is that the 18,661 stockholders of Hartford, will realize an aggregate gain of approximately \$600,000,000; and Grinnell's 5,939 stockholders will realize an aggregate gain of about \$75,000,000. If preliminary injunctions had been granted, ITT, as well as Hartford and Grinnell, had announced that the proposed mergers would have been terminated.

Judge Timbers' 77 page opinion filed late today, after a detailed analysis of the evidence introduced at the 5 day hearing in September, concludes—with respect to each of the government's claims that the proposed mergers would result in substantial lessening of competition—that the government has not sustained its burden of establishing a reasonable probability of success in proving its case on the merits at trial.

A key statement in Judge Timbers' decision rejects the government's argument regarding economic concentration. Pointing out that Section 7 of the Clayton Act "proscribes only those mergers the effect of which 'may be substantially to lessen competition', not those mergers the effect of which may be substantially to increase economic concentration," the Judge then concluded (Opinion, p. 71-72):

"The alleged adverse effects of economic concentration brought about by merger activity, especially merger activity of large diversified corporations such as ITT, arguably may be such that, as a matter of social and economic policy, the standard by which the legality of a merger should be measured under the antitrust laws is the degree to which it may increase economic concentration—not merely the degree to which it may lessen competition. If the standard is to be changed, however, in the opinion of this Court it is fundamental under our system of government that that determination be made by the Congress and not by the courts."

In deciding that "hold separate" orders should be entered, Judge Timbers stated (Opinion, p. 74):

"The Court has decided, however, in the exercise of its inherent equitable powers and pursuant to what it believes to be sound administration of federal justice, to condition the denial of preliminary injunctions upon the entry of appropriate hold separate orders to preserve the status quo pending hearing and decision of the case on their merits."

Judge Timbers' decision today denying the government's motions for preliminary injunctions cannot be appealed either to the U.S. Supreme Court or to the U.S. Court of Appeals. The government has stated that it will not seek to appeal the decision (Opinion, p. 74 n. 98). The only appeal in a government antitrust suit under Section 7 of the Clayton Act is from a final judgment after trial; and that appeal must be taken directly from the District Court to the U.S. Supreme Court.

Acknowledging the assistance of counsel for all parties, Judge Timbers stated, "The Court has been greatly assisted by the briefs, oral arguments and proposed findings of fact and conclusions of law from able counsel for all parties" (Opinion, p. 5). And he praised losing counsel for the government in these words (Opinion, p. 72):

"Government counsel on the instant preliminary injunction motions have demonstrated competence and diligence of the highest order in presenting the government's cases fully, fairly and at all times in keeping with the high professional standards of the Department of Justice."

#### WATSON COMMENDS PRINCETON UNIVERSITY ORGANIZATION

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

Mr. WATSON. Mr. Speaker, for the past few days, Princeton University students have been calling upon Members of Congress in an attempt to gain congressional support for an organization founded by them entitled, "Undergraduates for a Stable America," or USA.

I commend these very forthright and patriotic young Americans. Their program is designed to make the American people aware of the magnificent sacrifice being waged by our fighting men in Vietnam for the cause of freedom. Symbolically, they have chosen Veterans Day, November 11, as a time for Americans to demonstrate their support for these noble efforts by our men as well as the untiring devotion and dedication by President Nixon to find an honorable peace in Vietnam.

Mr. Speaker, these students certainly have my overwhelming support, and I believe that all Americans who truly want an honorable and just solution to the Vietnam war will also give them their support. I am proud that one of them, Ken Graham, is a resident of my congressional district. His parents, Dr. and Mrs. Bothwell Graham, are dear friends of mine, and they can be justly proud of their son.

These students are in marked contrast to the youthful radicals who organized and participated in the recent so-called Vietnam moratorium day. Instead of doing such despicable things as burning the U.S. flag, throwing garbage—real and verbal—at police officers, burning draft cards, and so forth, like some of their militant campus contemporaries, these students are doing something for their country and its efforts to keep Southeast Asia free from Communist tyranny.

While it is disturbing to see youthful militants degrade America, it is absolutely appalling when the old guard liberals join their ranks. A number of these, of course, are politicians who are seeking

to capitalize politically on the antiwar sentiment. Their demagoguery is disgusting.

While I would always fight for the right of a person to dissent, it is most tragic when cynical public figures join hand in hand with the most notorious radical leftists, including Communists and anarchists, to undermine the morale of our troops in Vietnam. Whether intentional or not, they and others like them have aided the Communists, and I do not know of an American fighting man over there right now who would state differently. They have delivered a propaganda victory to Hanoi, and because of their tirades and opportunistic babbling, North Vietnam will continue to carry on this terrible war, operating under the illusion that most Americans subscribe to their unpatriotic handiwork.

#### TEXTILE IMPORTS

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

Mr. DORN. Mr. Speaker, yesterday I had the pleasure of meeting with a delegation from the Japanese Diet, here in the Capitol, with the Honorable PHIL LANDRUM, chairman of our informal House Textile Committee, and the Honorable CHARLES JONAS, vice chairman of our group. Both Houses of the Japanese Diet were represented. The purpose of this meeting was to promote an understanding for the urgent need of a voluntary agreement limiting Japanese textile imports to the United States.

The chairman of our committee, the gentleman from Georgia (Mr. LANDRUM), informed our Japanese friends that legislation providing for mandatory quotas would be initiated in the House; and he predicted it would pass unless Japan, with a favorable textile trade balance of \$1.2 billion in 1968, manifests more interest in a voluntary agreement limiting her textile exports to the United States in all categories, including manmade fiber, woolen goods, and blends as well as cotton, to reasonable levels with a proviso that they and other exporting nations share the future growth of our market.

Mr. Speaker, we are not asking much of our Japanese friends. We are only seeking orderly trade in textiles covering all categories which would be to the mutual advantage of both the United States and Japan. As so many times in the past with representatives from Japan, the Japanese Diet delegation was under the erroneous impression that the American textile industry was not really hurting from Japanese imports.

Mr. Speaker, quite the contrary is true. The American textile industry is hurting badly. The condition grows progressively worse. We had been hoping that a voluntary agreement with Japan would have been reached long before now. The entire textile market is threatened. Only a moment ago I received the following release from the Abney Mills:

#### NEWS RELEASE

GREENWOOD, S.C., October 29, 1969.—Abney Mills announced today that it will discontinue the operation of approximately 2,000 narrow looms at its Brandon Plant.



It will continue to operate in this mill approximately five hundred 50" X-3 looms, along with the necessary supporting equipment.

The 300 people involved in the reduction will be offered employment in the other 14 Abney plants, including the new Sally Plant just coming into full production.

Management said this decision was reluctantly reached after much study. The overall depressed condition of the textile market, due to imports and adverse economic conditions, made the move necessary.

This release follows the closing of 1,911 looms and 80,496 spindles at another Abney plant in Anderson, S.C., located in my congressional district, only a few months ago. Also, Mr. Speaker, here is another letter that arrived in my office a moment ago from a good American and textile employee. Mr. Lenwood W. Melton works in the finishing plant of the Graniteville Co. It has been years since this particular plant has run less than 6 days a week.

The letter follows:

GRANITEVILLE, S.C.  
October 24, 1969.

HON. WILLIAM JENNINGS BRYAN DORN,  
House Office Building,  
Washington, D.C.

DEAR REPRESENTATIVE DORN: From recent articles I have read in magazines and newspapers, I find that you are working towards improving the textile imports in our country. I appreciate all efforts that you are making for me in Washington.

Recently Graniteville Company posted on the Bulletin Board an article which appeared in the *Textile Chemist and Colorist* published August 27, 1969, stating that imports for this year are 13% ahead of 1968 and that in the "blend program" are 32% ahead.

I work in the finishing plant of Graniteville Company in Graniteville, South Carolina. For a number of years we have been running six days. In recent months, however, we have been on short time due to the business situation. Since textile wages are among the lowest in the country, other industries may be able to survive on short time but we cannot. The loss of money in my weekly earnings, plus the inflation running wild in this country is putting me in a very bad financial position. What I am trying to say is that my fellow employees and I need to work six days to provide for our families.

Please continue your efforts in Washington on behalf of the textile industry in our country.

Very truly yours,

LENWOOD W. MELTON.

Mr. Speaker, Dan River Mills, one of our great textile firms, closed three mills in Alabama a few months ago and are now closing two mills in Clifton, S.C. They are seriously curtailing in several other plants. The following article is a cold hard fact of the depressed textile market in this country due principally to imports from Japan:

[From the Daily News Record, Oct. 28, 1969]  
DAN RIVER SUFFERS \$248,000 LOSS IN QUARTER

GREENVILLE, S.C.—A combination of low volume, unsatisfactory fabric prices and higher costs brought about a third-quarter net loss of \$248,000 for Dan River Mills, Inc., the company said Monday.

This contrasted with a net profit of \$1,656,000 or 28 cents a share for the like period of last year.

The loss dropped earnings for the 39 weeks ended Sept. 27 54.5 per cent to \$2,661,000, or 43 cents a share, from \$5,852,000, or \$1 a share for the period of 1968.

CXV—2053—Part 24

Sales for the quarter increased 5 per cent but showed a 1.1 per cent decrease for the 39 weeks. The quarter net sales totaled \$69,916,000, against \$66,564,000, while the 39-week volume was \$215,453,000 compared with \$217,768,000 a year earlier.

The sales and earnings of Morganton Hosiery Mills, Inc., are included in the figures for this year, and results for 1968 have been restated to include Morganton's operations. Morganton was acquired on Oct. 8, 1969 on a pooling of interests basis.

During the first nine months of this year Morganton reported sales of \$6,908,000 and net earnings of \$309,000. For the three months, the hosiery manufacturer had sales of \$2,196,000 and net earnings of \$100,000.

R. S. Small, president, said staple fabrics, such as sheeting and twills, and several major apparel fabrics, such as shirtings and dress goods, were severely affected by imports. This curtailed volume and prevented price increases adequate to compensate for higher wage and other cost. He noted that production had been cut back in many of the company's plants, and that two mills of the Clifton division were now being closed down. Earlier this year, a third mill at Clifton was shut down because of unprofitable operations.

Small said there had been a general softening of the textile market, accompanied by inventory reduction programs by customers, reflecting concern about future business and the high cost of money. Many of the factors that have adversely affected operations are expected to continue through the fourth quarter, he added.

Mr. Speaker, this is the first time this great company has lost money in any quarter since 1947, and it is attributed to excessive Japanese imports. Yes, Mr. Speaker, the situation is desperate in some localities where curtailment in the work week has gone from 6 to 5 and in some places to 4 or less days. I wish to restate our position that we much prefer to work out a voluntary agreement with Japan in all categories of manmade fiber, woolen goods, blends, apparel, as well as cotton. If nothing is done, I firmly believe this Congress will take positive action to limit imports by mandatory quotas.

Mr. Speaker, in an effort to work out a voluntary agreement, I am pleased to say we have the support of a great Secretary of Commerce, the Honorable Maurice Stans and the support of President Nixon. I strongly urge the President to bring these facts of injury to our great textile industry so essential to our national defense to the attention of Prime Minister Eisaku Sato when he meets with him in November.

#### POUR IT ON, SPIRO

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

Mr. DICKINSON. Mr. Speaker, for those critics of our Vice President who think that they alone have a license to speak their mind, let me say that they are wrong. The Vice President's message in New Orleans was certainly an expression of my sentiments. In fact, if a poll were taken, we would no doubt find that his remarks reflect the attitude of a majority of Americans. It is very enlightening when a Vice President will speak up for the silent Americans who would like

to be heard but who have no forum for their remarks. Vice President AGNEW's statements were applicable and they were succinctly expressed.

A recent editorial in the *Montgomery Advertiser* expresses my feelings quite well. I now insert it in the RECORD:

#### POUR IT ON, SPIRO

The reaction of the "effete bunch of impudent snobs," as Vice President Agnew called the supporters of M-Day, proves Agnew's indictment.

They reacted exactly like an effete bunch of impudent snobs who, to add the rest of Spiro's statement, "characterize themselves as intellectuals."

Foul, they cried; they have a copyright on name-calling and who does the Vice President think he is to respond in kind?

For our part, we think Agnew's statement was far too gentle. He was talking about the same group which has marched around cursing and vilifying two presidents and the nation as a whole; essentially the same group which attacked not only candidates Nixon and Agnew as warmongers a year ago, but Hubert Humphrey as well.

The same group wrung their hands in despair because a mixed bag of hippies, yuppies, anarchists, commies and America-haters were not allowed to exercise their democratic prerogative to tear up Chicago and the Democratic National Convention last year.

They're against everything except an America reshaped in their own image—effete, powerless, fawning and coddling its impudent snobs in their every demand.

As expected, the pundits are saying Agnew is serving as Nixon's hatchet man, that he's "tricky Dicky's" answer to George Wallace and the President's attempt to court more conservatives who doubt that he is one.

It doesn't matter what the ulterior motive was, if there was one. The apparent one is good enough. Agnew simply told off the effete corps in language they might understand.

You don't beat around the bush with mobocrats; you call them what they are. And you also call them servants of Hanoi, as Agnew had implied in an earlier statement, following North Vietnam's praise of its "comrades in arms" in America. Agnew could have gone much farther than that too.

They talk about dissent, these impudent snobs, but they mean it should be a one-way proposition. Agnew taught them something of what dissent means. We hope he will ignore the girlish screams and lay it on some more, harder.

They want "dialogue," they say. Spiro is giving it to them, and their outraged screams prove the falsity of their position. They don't want free discussion, dialogue, dissent; what they want is the unilateral right of vilification, confusion, mob scenes.

Our guess is that old Harry Truman, a master of pouring it on, is sitting there on his Missouri porch and smiling at Agnew's performance, but also wishing he could teach Spiro a few pointers about really getting rough.

Agnew has been type-cast by those he offended as a hack and an oaf. If so, he's proving that even an oaf can flush cowards.

#### FAIR PAY FOR POSTAL EMPLOYEES

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

Mr. LOWENSTEIN. Mr. Speaker, it is almost 8 years since the Congress committed itself to the principle that Federal employees deserve salaries comparable with that earned by workers in

private industry. Last week the House finally passed H.R. 13000, a small step toward fair pay for postal employees, but I rise today to remind the House that that action was only a start, if we are to fulfill our obligation to pay those that handle the mail what they deserve on the basis of their needs, skills, and efforts.

For postal employees are among those Americans treated most unfairly in these times of uneven progress toward social justice. In part, this is because these devoted public servants have lived up to their celebrated motto so faithfully that they tend to be taken for granted in the public mind. On they toil, faithfully and unobtrusively, while all around them wheels squeak noisily and get greased.

But what neither snow nor rain nor sleet nor hail have been able to do over the centuries, national neglect is now threatening to accomplish. At last the dedicated and almost-forgotten men and women of the postal service are growing desperate.

We trust them to ferry much of the national commerce, to respect and deliver our personal secrets, to sort and transport tons of literature of all kinds. But we will not pay them nearly what they could be paid for doing less and easier work in other callings. We expect them to do forever what no one else is asked to do except in short periods of national emergency: to accept appeals for loyalty to the country they love in lieu of fair treatment by that country. It is wrong to ask this of any American. More than that, it is demeaning to all Americans when any of their fellow citizens are put in this kind of situation. And it is certainly not in the national interest to allow the wage scale of those who work for the Federal Government to become a national disgrace.

Salaries in private industry continue to rise, but pay increases are denied to postal employees in the name of combating inflation. The result is that postal employees suffer twice over—prices rise, but not their salaries. How long can we go on telling people who we underpaid to begin with, and who additionally are being crushed by inflation, that they cannot be paid fairly because if they were paid fairly it would contribute to inflation?

Even after 21 years of service, the best a postal employee can hope for is almost \$2,000 a year less than what the Bureau of Labor Statistics has found to be the minimum level for a moderate standard of living. It is no mystery in these circumstances why postal employees abandon their jobs twice as frequently as do other Government workers. What is mysterious is how the public can expect to get better mail service by paying poverty-level wages to those who must provide the service.

Is it not high time we realized that one good way to begin to improve the postal service might be to improve the working conditions of those who do the serving? Many Members of this House have worked hard to ease the financial hardships of postal workers. Each time we get our own increased paychecks, we are reminded that their paychecks remain the same. One would think the President

would be experiencing the same reminder.

Someone said earlier that those of us who have been pressing for the enactment of H.R. 13000 have made "nuisances" of ourselves. Let it be clear that if that is what we have been doing we will continue to make nuisances of ourselves until H.R. 13000 becomes law, and until other reforms are enacted that will bring justice to postal employees at last.

I include at this point in the RECORD the text of a poignant letter I have received from the staff of the Bellmore, N.Y., post office. It is important because it is representative of hundreds of letters that have come to Members of Congress from postal employees all over the country. I also include in the RECORD at this point the text of an open letter addressed to the Congress and to the American people on behalf of postal employees all over the country. I cannot see how anyone reading these two documents can doubt where justice lies in this matter or what those of us in elective office ought to do about this situation:

NATIONAL ASSOCIATION OF LETTER  
CARRIERS, BRANCH 2715,

Bellmore, N.Y., October 12, 1969.

HON. ALLARD K. LOWENSTEIN,  
Longworth House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN LOWENSTEIN: We as representatives of the supervisors, clerks, carriers, and custodians of the Bellmore, New York Post Office, are writing to you about two matters. We are deeply concerned about proposals we have seen regarding a new postal corporation. We are also impatient with the lack of progress of the Congress in the passage of H.R. 13000, a bill which provides desperately needed pay increases for most postal employees.

If improvements can be made in our postal service, we, as postal employees, would like to see them made. There are serious problems and uncertainties, however, in the Nixon-Blount proposals for a postal corporation. Such a postal corporation, instead of enhancing postal service, would be detrimental to it. We feel that the proposal is not in the interests of either the postal employees or the general public.

We are deeply concerned over the job uncertainties in the present proposal for a postal corporation. We are distressed over the threatened loss of our coveted Civil Service status and apprehensive over the absence of any meaningful guarantees of job security. Severance and transfer of employees to other locations will be subject to the whims of a private employer. The absence of meaningful grievance machinery, the no-strike clause, and the failure to provide for compulsory arbitration all serve to weaken the influence of postal employees. We are concerned as was former Postmaster General of the United States Gronouski when he said: "The (bargaining) procedure that would be established through a Disputes Panel clearly denies the postal worker and his union the right to demand binding arbitration as a matter of right. In short, the worker is denied an ultimate weapon in those cases when collective bargaining, mediation and fact-finding fail to provide an answer to dispute."

We are opposed to the seven positions of Director with seven-year tenure at salaries of \$100,000 a year. These Directors are accountable only to the President, and there is no opportunity for postal workers to evaluate these Directors or help in their selection.

There are many advantages to the public in a postal system which is directly operated as a service by the federal government. The Post Office ought to be viewed as a service rendering organization rather than a profit-seeking

organization. Presently the Postal Service delivers to hard-to-reach and sparsely populated places. Existing proposals for a postal corporation are unclear as to whether such service to isolated places might be reduced because delivery there is unprofitable. In addition, the Post Office presently provides such public services as delivering "undeliverables" to charitable institutions and cooperating with the Bureau of the Census. Pending proposals are unclear as to whether a private corporation would be willing to continue such worthwhile services at its own expense.

The Post Office, because it is part of the federal government, has the authority to operate the Post Office Inspection System, to protect the sanctity of the mailbox, and to help enforce federal laws. If the postal corporation is accepted, enforcement of federal laws such as mail fraud would be more difficult.

The Post Office has provided leadership in equal employment opportunity for the hiring of the many qualified minority group members. The importance of the leadership of the Post Office in this area should not be minimized. If the Post Office was sold to a private organization, however, the federal government would lose this opportunity for providing leadership in employment practices.

It is understandable that the pending postal corporation proposals have so many deficiencies since it was developed without consultation or participation of postal employee organizations. Those people most directly affected by this proposal were not able to take part in forming these recommended changes.

We are also concerned about the lack of action taken in Congress on H.R. 13000. While we are far from satisfied with the provisions of H.R. 13000, the unnecessary delays in its passage have created critical morale problems. We feel that this pay raise ought to include supervisors up to level 18. Despite this reservation, all of us agree that this bill must be acted upon immediately. Rapidly rising prices and wages for non-postal employees, including Congressmen, are leaving us far behind. It is becoming more difficult for us to hold back other postal employees from committing drastic action.

The uncertainties of the postal corporation bill, together with the lack of action taken on H.R. 13000, are prompting many employees to consider leaving the postal service. Morale is low, and there is a loss of productivity. In our Post Office there has been a 38% turnover since January 1, 1969. Loss of experienced employees is depriving the postal service of the competence and dedication of its best workers.

As representatives of the postal workers, we would like to see the United States Post Office be the best one possible. The Nixon-Blount proposal for a postal corporation is, however, a step backward. We urge that this proposal not be adopted, and instead, that H.R. 4 and H.R. 13000 be passed.

We ask you to bring this letter to the attention of House Speaker John McCormack, Chairman Dulski of the House Post Office and Civil Service Committee, as well as to your other colleagues in the House of Representatives and that it be inserted in the Congressional Record.

We are sending a copy of this letter to Representative John W. Wylder, whose district also encompasses part of the Bellmore Postal District.

Sincerely yours,

OWEN MADDEN,  
President.

AN OPEN LETTER TO THE CONGRESS OF THE  
UNITED STATES AND THE 200 MILLION CITIZENS THEY REPRESENT

President Nixon has invented a new political weapon: the veto-in-advance.

He used it this month for the first time by injecting it into House debate on H.R.



13000—the pay raise bill for Federal employees, sponsored by Rep. Udall (D-Ariz.).

It arrived on Capitol Hill in the form of a "Dear Jerry" letter to House Minority Leader Gerald Ford but the House recognized it anyhow. So it mustered a two-thirds majority to over-ride the pre-veto. The vote was 310 to 52 in favor of the pay bill.

Now we urge the Senate to pass H.R. 13000. We hope the Senate can marshal a big majority. Strict constructionists may argue that a two-thirds vote is not needed to over-ride a pre-veto. But clearly, it will be needed sooner or later.

Meanwhile, back at the "Dear Jerry" letter, we find ourselves in total disagreement with Mr. Nixon's view that the Udall bill is inflationary or gives disproportionate benefits to postal employees.

We sympathize with the President's concern over inflation. Better than most we know how much it hurts.

But we are also fed up to here with being chosen again as the sacrificial goats.

It is immoral for the Government of the United States to imprison us in a wage structure that has been so substandard for so long that some postal clerks are being forced onto public welfare to make ends meet!

Postal clerks are the victims of inflation, not the cause of inflation.

"Dear Jerry" letters trying to deny us catch-up pay come with poor grace from a President whose salary is double that of his predecessor.

It will hopefully not be given credence by a Congress which boosted its own wages 41% in a single leap.

Only a year ago, as the Republican candidate for President, Mr. Nixon told our postal clerk union in a personal message that he "wholeheartedly supports" the Republican platform provision for insuring comparability of Federal salaries with private enterprise pay.

Mr. Nixon thus joined a distinguished list of Presidents from Mr. Eisenhower, to Mr. Kennedy, to Mr. Johnson, who had made similar pledges before him. In more than 10 years none of these pledges has been fulfilled.

The Udall pay bill, H.R. 13000, brings us close to comparability at long last. But now Mr. Nixon opposes it.

#### WHAT A DIFFERENCE A YEAR MAKES

Most people really don't know—and may find it hard to believe—just how bad wages and working conditions are in the postal service today.

The situation smacks of medieval times. We cannot strike. We have no binding arbitration. It takes up to 25 years to reach the top pay step. And 97% of all postal clerks finish their careers right where they started—in the same grade!

Our bargaining rights are a joke.

For decades we have urged Congress to give us at least some of the labor-management structure which employees in private industry have had as a matter of right for half a century.

A year ago the Republican candidate for President promised to sponsor legislation which would establish a statutory basis for collective bargaining and union organization in Government.

Where is it?

We can't even get a promised revision of the Kennedy presidential executive order which has long since outlived its usefulness as a temporary expedient for union recognition.

Postal management, meanwhile, has been cheating us out of millions of dollars in overtime!

After two years in the Federal courts of Washington, D.C., at our members' expense, we finally won a declaratory judgment from the U.S. Court of Appeals last February.

It put a stop to violations by the Post Office Department of Public Law 89-301 which was supposed to eliminate compensatory time off in favor of overtime pay.

Despite a unanimous decision by three judges that the Department's acts under the Democratic Administration were illegal the Republican Administration has now appealed to the Supreme Court. Obviously these ingenious but illegal procedures have a non-partisan fascination for management.

As for wages: postal clerks' annual earnings are \$824 smaller today, on the average, than were the wages 17 months ago of employees in private industry holding jobs of equivalent skill.

The Government's method of calculating comparability guarantees that postal clerk salaries at any given time will always be at least a year and a half behind the private sector.

Yet President Nixon says the Udall bill, H.R. 13000, gives disproportionate benefits to postal employees.

There are also people who choose to remind us that Congress has already enacted six Federal pay raises since 1960—so how long does it take to catch up?

They have short memories. They forget to count the five presidential pay vetoes by Mr. Eisenhower between 1952 and 1960 which put us so far behind the rest of the nation that we haven't caught up yet!

Disproportionate?

Joseph Young who writes the syndicated Federal Spotlight column in The Washington Star pointed out recently that most federal classified employees during their careers get a chance to advance to higher grades through promotion—but not postal employees. "Giving (postal employees) extra 'bonuses' on rare occasions such as that represented by the pending pay legislation," he added, "would not mean the end of the Republic nor the destruction of the merit system."

But it might—it just might—have a stabilizing effect on the postal service.

For some postal employees stability can only be found on the relief rolls. Public welfare, that is.

It may come as a shock but thousands of urban postal clerks and their families are literally eligible for supplemental welfare.

Most Federal employees are too proud to apply but in our larger cities there are postal clerks who have had no choice in order to feed their families.

Thousands of others moonlight—by working at a second job.

Why, then, do they stay? They don't. The latest official figures available to us show that the annual turn-over among more than 300,000 U.S. postal clerks exceeds 45%!

That's at least seven times the total considered tolerable by private industry.

These are the simple bread-and-butter facts—the hard core economics—that have created the most militant employee unrest in the long history of the Post Office Department.

This wave of discontent, with all its ominous implications, doesn't come from the hippies, the bippies or the dippies. It doesn't come from the Far Left, the Far Right or the Far Anything.

It comes from citizens—your neighbors—the men and women who have tried to fulfill their lives in honorable careers with the postal service.

They feel bewildered by the imbalance of their economic condition. They feel betrayed by the broken promises of politicians. They feel degraded by vicious and continuing attacks from the rich and powerful—who know little about the Post Office—and most of what they know is wrong.

Help us restore the morale of the postal service.

Help us restore dignity to the postal service.

Help us restore faith in the postal service. Enact H.R. 13000 over the pre-veto—over any real veto—and in fulfillment of pledges long past due.

FRANCIS S. FILBEY,

President, United Federation of Postal Clerks, AFL-CIO.

#### NEEDED: CABINET STATUS FOR THE VETERANS' ADMINISTRATION

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, it remains one of the greatest inconsistencies of our Government's organization that we continue to deny the Veterans' Administration full Cabinet rank. I think it is about time Congress acted to take the VA out of an agency status and give it top-level Government rank where it belongs.

Half of America's population is served by the Veterans' Administration in one way or another. Surely their voice should be heard on the highest level of Government. And this important agency should have Cabinet status to assure it of the dignity and authority it needs to translate the Nation's gratitude into action in behalf of veterans, their families, and survivors.

What better example can be shown than to compare the VA's structure to that of other agencies?

There are seven agencies in the Government of the United States with budgets in excess of \$5 billion. Six of these seven are Cabinet-level departments—one is not, the VA.

There are four that have more than 100,000 full-time employees. Three of these four are Cabinet level—one is not, the VA.

There are three agencies in the Federal Government which spend in excess of \$500 million for educational purposes. Two of these three are Cabinet-level departments—one is not, the VA.

There are two agencies spending more than a billion dollars for hospital and medical services. One is a Cabinet-level department—one is not, the VA.

There are two agencies spending over \$5 billion annually for cash benefits for income security programs. One is a Cabinet-level department—one is not, the VA.

Since 1963, I have been introducing bills in each Congress calling for a Department of Veterans' Affairs. This year I introduced H.R. 10548 on April 24. We are all aware of the magnitude of veterans programs carried out and supervised by the Veterans' Administration. The statistics of the VA provide outstanding documentation to justify giving the VA equal standing in the executive branch with departments of smaller size and much more limited scope.

With its 175,000 employees, the VA as an employer is exceeded only by the Department of Defense and the Post Office Department.

The VA's current budget of \$6.9 billion a year is larger than that of all but three of the full-fledged departments,

and it is by far the largest of the 35 independent Federal agencies.

The VA operates the largest single medical program in the world. In fiscal year 1968, it provided 36.4 days of hospital care to 762,000 veterans, at a cost of approximately \$1 billion. If you add all types of care—like the outpatient and the in-the-house service provided by the VA—the annual cost totals about \$1.3 billion.

The Administration's network of 166 hospitals is the largest in the world, and VA research staffs are engaged in about 6,000 research projects. One-half of all the men and women who win medical degrees in the entire country receive some part of their training at VA hospitals, and the same is true of about 10 percent of all student nurses.

The VA handles 5.6 million veterans' life insurance policies, with a face value of over \$38 billion. The VA also supervises another \$38 billion worth of insurance for some 3.8 million servicemen.

The agency pays disability and death compensation and pension to more than 4,600,000 veterans and dependents. It operates the Nation's largest guardianship program, involving close to 700,000 children and incompetents.

There have been 7½ million home, farm, and business loans, for a total of \$76 billion under the VA loan guaranty program.

#### AMERICA AND VIETNAM: A PERSONAL OPINION

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. MacGREGOR) is recognized for 10 minutes.

Mr. MacGREGOR. Mr. Speaker, I am and have been in basic support of the Nixon administration's phased disengagement and "Vietnamization" policy. On October 6 I joined with more than 100 Congressmen of both parties in authoring the following House resolution (H. Res. 566):

*Resolved*, That it is the sense of the House of Representatives that the substantial reductions in U.S. ground combat forces in Vietnam already directed are in the national interest and that the President be supported in his expressed determination to withdraw our remaining such forces at the earliest practicable date.

In the last few months I have felt that we could accelerate the replacement of American soldiers and Marines by South Vietnamese forces. Without compromising our fundamental objectives in Vietnam, I believe that indigenous troops can fully take over from Americans all necessary ground combat and combat support roles before the end of 1970.

I cannot agree with those who demand "immediate withdrawal" regardless of the consequences. It is not physically possible for America to do so, and this cry for capitulation does not advance the cause of lasting peace.

The Nixon administration has applied considerable pressure on the Government of South Vietnam to effect reforms which would enhance its popular support and thus increase its capacity to deal with Communist attacks. The American people should be told more about these

efforts. In addition, the Thieu-Ky government must step up its performance in curbing corruption and carrying out land reform.

Forcing Thieu and Ky out of power will not end the killing or achieve self-determination for the people of South Vietnam—except on Communist terms. In 1963, America helped to terminate the Diem government, and near chaos followed.

While the Paris peace talks have made no visible progress, I feel it is important to continue our efforts there. America should thoroughly explore at Paris the possibility of reaching agreement with the Communist side on a "standstill" cease-fire. This initiative offers the hope of ending the killing on a mutually observed basis.

The suggestion that we, acting unilaterally, "cease" in South Vietnam while the other side retains the right to "fire" has never been appealing to me. I do not urge it now.

If we could get mutual agreement on an end to the fighting while all sides temporarily held their places, we could then move rapidly to discussions on free elections under United Nations or other international supervision. As Presidents Nixon and Thieu have repeatedly stated, the National Liberation Front—or Provisional Revolutionary Government—can participate fully in all election processes.

Since there may be a continuing stalemate in Paris notwithstanding every concession we make and each initiative we put forward, progress must be pressed toward Vietnamization and American disengagement.

My views today are an extension of the recommendations I have made during the past 2 years. In late 1967 I urged the following Vietnam program:

First. Establish and implement a timetable for shifting the burden of ground fighting from the shoulders of American soldiers and Marines to the forces of South Vietnam and other free Asian countries.

Second. Shift from an emphasis on American ground troops to a more effective and less costly use of American sea and air forces to aid the South Vietnamese.

Third. Abandon "search and destroy" military tactics and substitute "clear and hold" operations.

Fourth. Transfer control of the pacification program from American military commanders to joint South Vietnamese-American and allied civilian hands.

Fifth. Increase the humanitarian and highly valuable nonmilitary American efforts to improve the lives of the people of South Vietnam.

I am pleased that Defense Secretary Laird has rejected "search and destroy" tactics and instituted the policy of "protective reaction." In recent months the level of violence has dropped and American casualties have been sharply reduced. Our Vietnam expenditures have been cut by 30 percent and will go down farther in the months ahead.

I agree with the views expressed by the New York Times in its lead editorial of October 15:

The answer now is not a panicky pull-out; the logical beginning is a standstill cease-

fire, followed by substantially stepped-up withdrawal of troops. Such a course . . . offers the best hope of piercing Hanoi's intransigence and moving to productive negotiations in Paris.

#### A SHOCKING SITUATION

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 15 minutes.

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

Mr. SCHWENGEL. Mr. Speaker, a shocking situation has come to my attention in recent days with respect to attempts by the trucking industry to influence congressional action on the "big truck bill."

A truck driver from my district has advised me that the company for which he works threatened to withhold his paycheck if he refused to write to me endorsing the big truck bill.

Mr. Speaker, this is incredible, and certainly must not be tolerated. The driver explained that a notice was posted on the company bulletin board indicating that drivers and their wives would be expected to write to their Congressman expressing support for the bill. The notice also stated that the company wanted copies of the letters so they could forward them to the president of the company.

The driver with whom I discussed the matter was given the runaround when he sought his paycheck. He was forced to obtain it from the dispatcher rather than the regular office, and then received it only after a not-too-gentle reminder that he had not written the required letter.

This is just one more example of the high-handed, dictatorial methods employed by some of the truckowners to steamroller their legislation through the Congress. It is incredible that in a free country like America, we could have a situation where this sort of thing could happen.

I am asking Members of Congress to advise me of any correspondence they have received which would indicate a similar pattern of action by other truck companies.

I have asked that the Departments of Transportation, and Labor, together with the Interstate Commerce Commission fully investigate this shocking situation.

A copy of a story on this subject from the Davenport Times-Democrat of October 29, 1969, follows:

#### SAY TRUCKER "HARASSED" (By Tom Kuntl)

A truck driver says he has been "harassed" by his employers because he refused to write a letter to his congressman in favor of two pending "big truck" bills, the Times-Democrat learned today.

The driver said the "harassment" consisted of a threat made by management officials of a trucking terminal to hold back his weekly paycheck until he wrote the letter.

Rep. Fred Schwengel (R-Iowa), to whom the complaint went, said he will ask for an investigation by the Department of Labor and the Interstate Commerce Commission into the allegations. Schwengel is a member of the roads subcommittee of the U.S. House Public Works Committee.



The driver said he and other employees of the trucking company were told by supervisory personnel they should write letters to their congressmen expressing favor of two bills awaiting congressional action that would increase the width and weight of trucks operating on the nation's highways.

The driver said a notice on a bulletin board initially told drivers that they and their wives would be expected to write such letters and that the company wanted copies for forwarding to the firm's president.

Later, the driver said, employees whom he knew personally were told that they would be required to write the requested letter before they could pick up their weekly paychecks.

The driver is asserted to have reported the substance of these conversations to Schwenkel.

The driver's own experience involving alleged management "harassment" came later, he said.

The driver said that when he went to pick up his paycheck he was told that it was not in the regular stack of pay envelopes and that he would have to report to a dispatcher to secure his wages.

The driver said he was told by the dispatcher "You haven't written your letter yet."

The driver added that when he became angry and said he would not sign such a letter the dispatcher produced his paycheck and gave it to him.

Schwenkel said he would take the report of the driver to the Department of Labor and the ICC "just as soon as I can get over there," and indicated he would attempt to still do so today.

Schwenkel said he was "shocked" by the driver's allegations.

Schwenkel said the charges advanced by the driver support his contention that "the men who have to drive these big trucks don't want anything to do with them. It is the trucking companies who are trying to push this thing through against the wishes of drivers and the public."

Schwenkel has been a consistent foe of proposed legislation that would increase the width of trucks from 8 feet to 8.5 feet and would permit them to carry heavier loads.

A similar bill died for lack of action in the 1968 House session. Two new bills calling for basically the same provisions are awaiting consideration in the House now.

#### ADDRESS OF PRESIDENT SERETSE KHAMA

The SPEAKER. Under a previous order of the House the gentleman from Iowa (Mr. CULVER) is recognized for 10 minutes.

Mr. CULVER. Mr. Speaker, one of the most significant addresses delivered to the opening sessions of the United Nations General Assembly last month was that of Sir Seretse Khama, the President of the Republic of Botswana.

In its efforts to develop a stable and viable nonracial state in southern Africa, Botswana is confronting not only the problems of economic development common to so many emerging nations, but the unique political pressures of its geographical situation, surrounded by powerful states dominated by white-minority regimes based on fundamental political principles totally divergent from its own.

President Khama's remarks are therefore particularly significant, for his discussion of the role of the United Nations in economic development and the significance of U.N. membership to the emerging nations, but even more so, for

his courageous and realistic statement on racialism in southern Africa.

The policies of the United States in southern Africa have been ambivalent and uncertain at best, and African observers are questioning now whether we have any policy toward that critical area of the world at all.

President Khama's speech at the United Nations offers useful inputs to our own policy considerations, and one might hope that we approach the problem with the same courage and sensitivity he has.

I commend it to my colleagues in the House and include it at this point in the RECORD:

ADDRESS TO THE GENERAL ASSEMBLY OF THE UNITED NATIONS BY SIR SERETSE KHAMA, PRESIDENT OF THE REPUBLIC OF BOTSWANA SEPTEMBER 1969

Madam President, it gives me great pleasure to congratulate you on your election to this important office. I feel confident that with your long experience of the work of this organization, you will steer this session through to a successful close.

May I also express my sorrow at the untimely death of the president of the twenty-third session of this assembly, Mr. Emilio Arenales Catalan, whose short term of office will be long remembered for the courage he displayed.

I should like on the behalf of my people to pay tribute to the Secretary General's work for world peace and untiring devotion to the service of humanity.

Botswana is within a week of celebrating the third anniversary of its independence. My country is thus a comparative newcomer to the United Nations, and this is my first opportunity to address the General Assembly. Botswana is a small country in terms of population if not in area. As a small and poor country we set a particularly high value on our membership of the United Nations and those of its specialised agencies which our Budgetary restrictions have permitted us to join. I should like to emphasise the particular importance of the United Nations for states like Botswana which, because of development priorities, are obliged to restrict their conventional bilateral contacts and keep their overseas missions to a bare minimum. Here in New York we can make contacts which would otherwise be difficult to achieve. The United Nations offers many advantages to a state like ours. The United Nations enables us to keep in touch with international opinion, and to put our views before the world. The United Nations is also regarded by small states as an institution which protects their special interests. Together with its specialised agencies, it is of course also a major source of development, finance and technical assistance from which Botswana benefits greatly. I am conscious of Botswana's indebtedness to the United Nations, and I am honoured to have the privilege of putting some of Botswana's problems before the world through the members of this Assembly.

I am aware that there are many international problems which will come before this Assembly during this, its 24th session. Botswana shares the general alarm at the prolonged impasse in the Middle East and the dangerous military escalation which has marked the last months. We are looking, like most member states with anxious eyes towards Vietnam and praying that this tragic and long-drawn out conflict will soon be resolved at the conference table.

We are watching the civil conflict in Nigeria with even greater anxiety, since our own Continent is directly affected. Botswana sympathizes fully with those member states both inside and outside Africa who want to see the fighting and the human suffering it

involves brought to an end, and the work of reconstruction and reconciliation begin. Yet we believe the foundation for the effective resolution of this dispute in the best interests of all the peoples of Nigeria remains the work of the Organization for African Unity. Our efforts of earlier this month at Addis Ababa may not have been crowned with immediate success. But there is no magic key which will unlock this complex problem in which so many conflicting interests including interests outside Africa are involved. If the United Nations has a contribution to make to the resolution of this conflict it lies in restraining the external powers involved from taking actions and adopting policies which could further delay a negotiated settlement. Botswana favours any initiative acceptable to both principal parties involved which will lead to a peaceful and lasting settlement and which will not threaten the stability and unity of other African states. Our basic approach to all international problems stresses the need to resolve conflict by peaceful means. The weak of the world can hardly in logic support the recourse to violence, which must inevitably favour the strong.

Because Botswana is part of a region which faces the threat of violent conflict, I want on behalf of my people to lay particular emphasis on the need to find peaceful solutions to our problems. Southern Africa lives with the dangers of violent racial conflict. I want this afternoon to discuss the threat of racialism as it affects Southern Africa, and in particular my own country, Botswana. And within Southern Africa I should like in particular to draw this Assembly's attention to a problem which I fear some powerful countries, would prefer to forget. I refer to the problem of Rhodesia, which the people of Botswana are in no position to forget.

May I remind you of our geographical position and our historical circumstances. Botswana is almost entirely encircled by minority-ruled territories. We have a long and indefensible border with Rhodesia, and a long border with Namibia and with South Africa itself. The only railway running between Rhodesia and South Africa passes through Botswana. Not only is this railway operated by Rhodesia Railways, but it is vital to both Rhodesian and South African interests. It is also vital to Botswana because it provides our only outlet to the sea and to export markets overseas. Through this route must come the capital goods necessary for our development. Unlike some other states in Southern and Central Africa we have no practical alternative outlet.

We are for historical reasons part of a customs area dominated by the industrial might of the Republic of South Africa. We share the monetary system of the Republic of South Africa. Our trade and transport systems are inextricably interlocked with those of South Africa. So meager are our own employment prospects that we have for many years been obliged to permit some of our young men to go and work in the mines of South Africa. In the immediately foreseeable future we can find no way of providing alternative employment for all these men, nor can we afford to dispense with their earnings.

Botswana thus faces unusual and onerous handicaps, but we also face an unusual and challenging opportunity. I should like to describe our position because I believe it will give member states a useful insight into the problem the world faces when considering the question of minority-rule in Southern Africa. I should like to explain how Botswana is responding, not only to the challenge of underdevelopment, but also to the challenge posed by our powerful neighbours whose way of life is not our way of life and whose values are in most respects, the reverse of our own.

When my government took office in 1965 we were faced with a problem of underdevelop-

ment of classic proportions. Such development programmes as were initiated under colonialism no more than scratched the surface of our problems. Most important of all, in contrast to other British colonies, there had been practically no attempt to train Botswana to run their own country. Not one single secondary school was completed by the colonial government during the whole seventy years of British rule. There was little provision for vocational training even at the lowest levels. The roads, water supplies, power supplies on which industrial development is based were totally inadequate. We were in the humiliating position of not knowing many of the basic facts about Botswana on which development plans could be based. We are still learning about the resources of our country.

But we are now tackling these problems, and if I appear to boast of the progress we have made, it is to praise the efforts of my people rather than to vaunt the achievements of my colleagues in government and myself. We have received generous budgetary assistance and development aid from the British, who have done much to make up for earlier neglect. We have received aid from other member states and from the agencies of the United Nations itself. What is more, all this aid has come without political strings. There has been no attempt to use aid to change our domestic or external policies. We will reject all donors who do not show the same forbearance.

Nevertheless we depend on foreign aid for more than half our revenue. On what then is based our claim to be an independent state? Can we aspire to help in developing the prosperity, unity and freedom of our continent and hence play a constructive role in world affairs? I believe we can. Because, although we are for the moment dependent on foreign aid, we are also self-reliant. Because my people are mobilising their own resources, both human, physical and financial, we can accept overseas assistance without loss of pride. Furthermore, we believe that we have succeeded in attracting the major part of this aid because we are making great efforts ourselves, and because it is recognised that we have something to offer towards a solution of one of the world's most pressing problems, the future of minority-ruled Southern Africa.

Botswana is now on the threshold of new and major development. Since independence it has been discovered that we are blessed with mineral resources, which if exploited, offer us a prospect of financial self-sufficiency during the 1970's and in the long run the hope of healthy balanced development in all sectors. My government is in the midst of negotiating international loan finance for these developments. It is a matter of the greatest concern for us that this money is raised from the right source on the right terms. For despite all the handicaps of geography, climate and the legacy of colonial neglect, the people of Botswana have now embarked on the struggle to reduce our dependence on neighbouring minority-ruled territories. Only in this way can the people of Botswana reap in full the benefits of independence. We feel that only in this way can the fruits of our labours be fully enjoyed. We did not win our independence from the British to lose it to a new form of colonialism from any source whatever.

Yet we accept that we are part of Southern Africa and that the harsh facts of history and geography should not be obliterated overnight. We recognise that in our present circumstances we must continue to remain members of the Southern African customs union and the South African monetary area. We have noted South Africa's assurances of friendly intentions towards Botswana and other independent states. We have noted South Africa's offers to assist other African states in their development. Botswana, together with Lesotho and Swaziland are in

the process of concluding lengthy negotiations with South Africa on a new customs agreement. In these negotiations we have not been seeking aid. Our objective has been to secure an equitable distribution of the revenues of the customs area, and the opportunity to protect our infant industries while retaining access to the South African market. We welcome private investment in Botswana from any source which seeks to build in partnership with our people and not to drain us of our resources with little or no return to the country. We are confident that we can co-exist with the Republic of South Africa without sacrificing our national interest or our fundamental principles.

For we have made no secret of our detestation of apartheid. Although for obvious reasons we are obliged to interpret strictly the principle of non-interference in the affairs of other sovereign states, we have not hidden our views. Our voice has been heard in this Assembly, and in other international forums, in favour of universal self-determination, in support of peaceful solutions to international conflicts throughout the world, and in pleas for a realistic appraisal of what can be achieved by this organisation.

Living, as we do, face to face with the realities of apartheid, we have little sympathy with token demonstrations and empty gestures. Yet we have unequivocally condemned the theory and practice of apartheid and we deplore its intensification and particularly the extension of the full apparatus of apartheid to the international trust territory of Namibia. Nevertheless, for obvious reasons, Botswana must maintain diplomatic contacts with South Africa. For equally obvious reasons we decline to consider an exchange of diplomatic representatives until South Africa can fully guarantee that Botswana's representatives will in all respects, at all times and in all places be treated in the same way as diplomats from other countries.

We have expressed our opposition to Portugal's unyielding refusal to permit any progress towards self-determination in Angola, Mozambique and Guinea (Bissau). We have declined to entertain diplomatic relations with the Portuguese in the absence of any commitment on the part of Portugal to allow the indigenous people of their so-called overseas provinces to proceed to independence. Our criticism of Portugal's policies is not based on an argument about the timing of a programme for progress towards self-determination, but on the point-blank refusal of the Portuguese government to concede that these territories can ever choose to move towards independence.

I would like to draw attention at this point to the firmly stated preference, endorsed by all independent African States in the Lusaka manifesto, for the achievement of self-determination through negotiation. It was thus that Botswana achieved majority rule, and eventually independence, and this has been the path which most African States have been fortunate enough to tread. It is the wish of the government and the people of Botswana that the indigenous populations of neighbouring territories should eventually share this experience.

One consequence of our geographical position is that Botswana has provided a refuge for many who have found themselves unable for one reason or another to continue to live in neighbouring minority-ruled territories. Botswana recognizes a responsibility to these victims of political circumstance, and we are trying to discharge this responsibility as well as our resources permit. Refugees come to Botswana from Angola, Mozambique, Rhodesia, South West Africa and South Africa. At present there are more than 4,000 recognised refugees in Botswana. My Government acceded to the United Nations General Convention and to

the 1967 Protocol Relating to the Status of Refugees, in January this year.

Botswana grants asylum and assistance to genuine political refugees who seek our aid. The financial burden of doing so would have been heavy were it not for the generous assistance we have received from the United Nations High Commission for Refugees, the World Food Programme, the World Council of Churches, and other international bodies. For our part we have granted refugees recognition of their status. We have allowed them to settle in various parts of our country and find jobs or open their own businesses. And where possible we educate them as well as our limited educational and training facilities permit. Equally important, we issue United Nations Travel Documents with a return clause to those refugees who wish to travel to other countries, where suitable training establishments are able to accept them.

The majority of refugees in Botswana have come from Angola. These people have been settled on a hundred square mile farming scheme. Through training in agriculture and fishing, we hope that they, like many other refugees, will become integrated with the citizens of Botswana. We have welcomed them to our country. They can make their home with us until their own countries achieve a government acceptable to them.

I have already referred to certain constraints which Botswana faces when considering its position on Southern African issues. I have also mentioned certain principles which guide us. Our constant concern is to respect those constraints while not violating those principles.

The future of Rhodesia is of the utmost possible concern to Botswana. I have referred to our long and indefensible common frontier. My Government from the outset condemned the Unilateral Declaration of Independence. We are committed to supporting the principle of no independence before majority rule. For that reason we joined the majority of Commonwealth Countries in rejecting the "Fearless" proposals. We condemned in no uncertain terms the illegal regime's constitutional proposals which entrench discrimination and separate development, and which definitively block the possibility of a peaceful transition to majority rule for which the 1961 Constitution, at least in theory, provided. We recognize that these proposals endorsed by an unrepresentative electorate end the prospect of a peaceful transition to majority rule without some form of external intervention to secure this. These proposals are now being implemented by the Smith regime.

I warned the white minority in Rhodesia that by taking this course they were increasing the risk of violent conflict and endangering the stability of the region. Botswana is on record as favouring the re-assertion of British rule in Rhodesia. This course is the only one which offers a hope, however faint, of peaceful transition to majority rule. I recognize that the white minority in Rhodesia, conscious of the injustice it has inflicted, and rearing the justifiable bitterness of the oppressed African population, will feel the need for some guarantee that the transition to democratic non-racial government should be gradual and peaceful.

One way in which Britain could restore its authority is by the use of force. But I think that we must now accept, whether we approve of this decision or not, that Britain is not under present circumstances prepared to resort to force. Botswana feels that it follows that alternatives to force must be considered. There comes a point when one policy, having been pushed to its limits, must be accepted as having failed, and must give way to another. It is essential that Britain be held to her legal and moral responsibility to the African majority in Rhodesia. There must be no absolutism.



This I have to admit leaves us with a policy which, as many member states have argued in past debates, has been far from successful. I refer to mandatory sanctions. Yet for all the frustrations and disappointments which the tardy application of sanctions has given rise to, it remains essential that they are in fact maintained and intensified. We feel that these sanctions serve an important purpose, even if they are not extended to include South Africa. Just as it is clear that neither Britain nor any other country will use military force against the Smith regime, it is clear that an effective boycott of South Africa on this or any other issue cannot be achieved. The existing sanctions are thus at the present time all that stand between the rebel regime's success and failure. That being the case, rather than dismissing the sanctions weapon as totally ineffective, it is surely wiser to try and make them as effective as possible.

While it is important not to over-estimate the impact of sanctions it should not be too readily accepted that sanctions have had no effect at all on Rhodesia. From our vantage point we can see some of the effects of sanctions and I can assure this Assembly that they are not negligible.

To permit them to be eroded at this point would be unnecessarily to concede defeat. Certain consequences would follow. The way would be opened to diplomatic recognition by powers which are at the moment hanging back from this step. Rhodesia's links with Portugal and South Africa would be enormously strengthened and the whole minority position in Southern Africa would be consolidated. There are, I am convinced, elements both in South Africa and Portugal and in the world at large who have serious doubts about the viability of Rhodesia as a white-ruled state, given its rapidly expanding African population and its handicapped economy. Lifting sanctions would liberate the fettered Rhodesia economy and serve to restore the confidence of such observers in the viability of continued white supremacy.

For this reason Botswana appeals to all member states to make what contribution they can to rendering sanctions more effective. And here I should like to pay tribute to the work of the United Nations Supervisory Committee and of the Commonwealth Sanctions Committee. On their efforts and those of the member states of this organization are pinned the last hopes of preventing the illegal regime from imposing permanently its own version of apartheid on the people of Rhodesia, for whose welfare this organization has assumed a certain degree of responsibility. The present international isolation of the illegal regime and those who support it must be maintained. Our own difficulties in the matter of sanctions are obvious, but we are attempting to play our part within the limitations imposed by our frail economy and our landlocked position. We have prevented Rhodesia from using their railway to import arms and military supplies. Botswana's airline has ceased to fly into Rhodesia. We are preparing to do more. Botswana has committed itself to diverting long-standing trade with Rhodesia, despite the very considerable economic and administrative problems which such a course presents. Contingency planning is well advanced.

Our contribution to this struggle can only be a small one, for we are not a rich and powerful country. But we are hopeful that it will help to check the erosion of sanctions. There are other powers who live less closely with this problem than ourselves, but who can make greater contribution towards solving it.

May I conclude on a more general point, but one which also relates to Southern Africa. I have referred to Botswana's prospects of mineral development and to our hopes that this will permit us to dispense with budgetary aid and to develop a balanced

and prosperous economy and a healthy non-racial democracy. We hope this for the sake of our people, but we also look forward to it with all the more eager anticipation because we recognize that it will permit us to make a greater contribution to solving the problem of our region. By this I do not mean that we will depart from our principle of non-interference in the affairs of neighboring sovereign states. But Botswana as a thriving majority-ruled state, on the borders of South Africa and Namibia, will present an effective and serious challenge to the credibility of South Africa's racial policies and in particular its policy of developing so-called Bantu homelands and its stated goal of eventual independence for these Bantustans. It could force them to abandon the policy or attempt to make it a more immediate reality and even face the prospect of surrendering sovereignty to genuinely independent states. Either reaction would have important political consequences. A prosperous non-racial democracy in Botswana, immediately adjacent to South Africa and Namibia, will add to the problems South Africa is already facing in reconciling its irrational racial policies with its desire for economic growth.

If Botswana is to sustain this role, which you will recognise is not an easy one, its independence must be preserved. This means that we must ensure that we are insulated from any instability which the policies of neighbouring white-ruled countries may provoke. It also means that Botswana needs the support and sympathy of friendly nations. We recognise that our independence ultimately depends on the durability of our political institutions and on our success in achieving economic development. But our independence is also buttressed by our external relations. We have friends in all continents. Our membership of the United Nations is in itself a source of strength. I should like to appeal to all member states in their deliberations on the question of Southern Africa to recall not only Botswana's particular problems, but also our potential contribution to achieving change by peaceful means.

#### REFLECTS ON THE SMOG TRIAL

The SPEAKER. Under a previous order of the House the gentleman from New York (Mr. FARSTEIN) is recognized for 20 minutes.

Mr. FARSTEIN. Mr. Speaker, the level of public interest in the Justice Department's antitrust air pollution suit against the automobile industry was dramatically demonstrated by the strong and sustained opposition to the Department's agreement to a consent decree with the industry terminating the case. This opposition came from States, cities, counties, national organizations, and over 60 Members of Congress.

The suit charged the industry with collusion to delay the development and manufacture of air pollution control devices for automobiles, going back as far as 1953. If this is true, it means the automobile industry bears responsibility for a great share of the injury resulting from automobile pollution.

This concern brought New York City, Illinois, Connecticut, Maryland, Wisconsin, Ohio, Indiana, New Mexico, the county of Los Angeles, labor unions, civic and social organizations, and myself and other Members of Congress into the case when the Department decided to come to the aid of the automobile industry by dropping the case.

Nicholas von Hoffman in today's Washington Post describes the scene at

Tuesday's court hearing in Los Angeles as the States and local governments attempted to salvage the public interest jettisoned by the Federal Government.

The article follows:

[From the Washington Post, Oct. 31, 1969]

#### SMOG TRIAL

(By Nicholas von Hoffman)

LOS ANGELES, CALIF.—Lawyers came from all over for the Smog Trial. They represented New York City, Connecticut, Maryland, Wisconsin, Ohio, Indiana and New Mexico. The Attorney General of Illinois showed up complaining that the air in Chicago is so foul the bears in the zoo are coming down with lung cancer.

Everywhere people are coughing, wheezing, gasping for air, straining their circulatory systems, grasping for something decent to breathe. This was going to be the trial that would begin curing our national case of black lung disease. This was going to be the case in which the automobile manufacturers would be tried for conspiring to prevent the development and installation of antipollution devices on their machines. Ralph Nader calls it "product fixing."

Some people would have preferred to see the tire manufacturers, the gas companies, and the freeway profiteers in court too, but this would be a beginning. The government might do something, and the country could sigh and breathe again.

No.

The first words the judge said when the hearing opened were, "It's apparent that the general public is aroused, and rightly so, but it may come as a shock that this isn't a hearing about smog. I wish there was some order I could make, some decree I could sign that would put an end to smog. Smog simply isn't a legal problem. It's a government problem. It's simply not a problem the courts can deal with."

As he spoke the smallest expression of approbation sneaked on and off the face of Lloyd N. Cutler, counsel for the Automobile Manufacturers Association. Mr. Cutler, of Washington's Wilmer, Cutler and Pickering, looked quintessentially Eastern in his dark suit with a vest. There were many other lawyers for the car companies, and they may charge equally high fees but Mr. Cutler was the boss. It was he who had negotiated the defendants out of antitrust conspiracy indictment and into a harmless consent agreement.

It was this agreement that the visiting lawyers had come to object to on the ground that it would exculpate the manufacturers for what they may have done in the past while making it unlikely they would do better in the future. The question hanging before the court was whether the agreement would be acceptable to the judge or whether there would be a trial with evidence and witnesses and a jury to determine if Ford, Chrysler, General Motors and the others had conspired to dirty the air. The judge's words were the tip-off Mr. Cutler had won. Not that he relaxed when he heard them. He sat tightly upright in his chair, making vigorous little whispers to his co-counsel, Eastern man, club man, genteel man, but sharp and combative for all his good manners and politeness.

When he got up to speak he was stiff at the lectern. His words were smooth and hard and quiet, silvery gray words, expensively fitted, made-to-order custom words. He rested his arms on the sides of the reading stand, but his hands wouldn't stay quiet. They have a life of their own, the way they slipped and flashed and twitched. "This is the first case that has ever been brought against an industry for trying to solve a public health problem," he said, and the hands floated limp and then flicked out in the air as though their function was to use up the excess competitive energy in the man.

He talked about how these big rich states with skillful lawyers only wanted the government to convict the car companies to make it easier for them to move in later and sue the blood out of the automobile manufacturers. But General Motors alone is richer than any state. In the esoteric field of antitrust law it can outbid any governmental body for the most skillful and devious attorneys. Mr. Cutler finished by saying, "I want to return to the importance of getting on with the job of making progress in pollution, the job of scientists achieving a major breakthrough," as if the bad air were not made by men, but was an act of nature like polio or multiple sclerosis.

This picture of the industry devoting great numbers of technicians and sums of money to pushing back the frontiers of knowledge is contradicted by Dr. John Goldsmith of the California State Department of Health at Berkeley. An expert in the physiological effects of smog on man, Dr. Goldsmith says, "They keep talking about research, but no person identified with the motor vehicle industry has made a contribution to the field. They have very few researchers working for them." The truth of the matter was plainly stated by the representatives of the three biggest corporations in a 1967 Commerce Department report (Automobile Air Pollution: A Program for Progress); "There has been inadequate incentive for an individual automobile manufacturer to apply pollution control technology to the automobile in advance of its competitors."

But these considerations are froth; Mr. Cutler had the law with him. The lawyers for the smog shrouded cities and states tried to interest the Court in higher and broader consideration of public welfare, but privately they admitted the law was against them. Mr. Cutler had all the precedents; all the citations were over on his side because, for 70 years, all the money, all the most adept legal brains have gone into shaping and warping the law so the judge would say he was awfully sorry there was nothing he could do about the smog.

The bad air does not know about this. It kills without court orders. In the San Bernardino National Forest 46,000 acres of Ponderosa-Jeffrey pine trees have already suffered heavy damage from the killing air. Their needles turn yellow and they die, or their resistance is weakened and they can't fight the pine bark beetle which finishes them off. Of the forest's 1,298,000 trees, 82 per cent are now moderately damaged, 15 per cent severely injured and 3 per cent are dead. The experiments at the air pollution center of the University of California at Riverside (where these figures come from) show that smog reduces an orange tree's yield by about a half; a grapevine growing in good air produces 17 pounds of fruit; in bad air, only seven.

Some of the worst smog is invisible. It comes in the form of ozone and is particularly prevalent in sunny, warm climes like Los Angeles, but it will be an increasingly dangerous compound in the air over cities such as Phoenix, Dallas, New Orleans, Atlanta and Miami.

Ozone is oxygen with an extra, unstable molecule. It is created when sunlight hits certain automobile exhaust pollutants. Ozone weakens the cell membranes of the lungs and blood. It increases the obstruction of air flow to emphysema patients and cuts down the performance of athletes. When the ozone content of the air reaches .35 parts per million, doctors advise that children be restrained from strenuous play so that they don't breathe heavily, and therefore cut down on their ozone intake. Since July 3 of this year, Los Angeles has had to close its school playgrounds 39 times because the ozone content had gone over .35.

It's because air pollution is not a theoretical problem, but a real one that is killing

and weakening people and animals and vegetation now that governmental bodies from everywhere tried to stop the Justice Department from settling this case out of court, but the law says they are wrong. The judge was even a little miffed that they had made the attempt. The politicians had endeavored, he said, to "divert the fire and heat of their constituents onto this court."

#### MANDATORY JAIL SENTENCE PROPOSED FOR THE CONVICTED CRIMINAL USING A FIREARM IN THE COMMISSION OF A FEDERAL CRIME

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

Mr. BETTS. Mr. Speaker, last year, Congress passed the State Firearms Control Assistance Act which has since become law. A controversial provision of the House-passed version was the section providing for a mandatory sentence to be imposed on those convicted criminals who had in their possession a firearm in the commission of a Federal crime. My remarks today are addressed to the so-called Poff amendment which provided for minimum mandatory jail sentences which could not be suspended nor be subject to probation. Of significance also in this amendment was the fact that judges were required to impose the sentences to run consecutively rather than concurrently with the penalty imposed for the base felony.

It is my conviction that this was a very fine amendment. Indeed, by a overwhelming vote of 412 to 11, we demonstrated our support for the efforts of the distinguished gentleman from Virginia. In the Senate, however, an amendment pertinent to the penalty section was adopted providing for the imposition of a sentence of an indeterminate length upon any individual armed with a firearm while engaged in the commission of certain enumerated Federal felonies. It further provided that in the case of a subsequent conviction, the court could not suspend the sentence or grant probation. As one can easily determine, both Senate provisions were less certain and weaker in content than the Poff amendment. What amazed me was that in conference the Poff amendment was among those provisions compromised, despite the strong conviction of the House that it be retained. If there was one provision that should have been kept completely intact, and should not have been subject to compromise, the Poff amendment was it.

Today I am introducing legislation which would strengthen the penalty provision of the State Firearms Control Assistance Act. It is identical to H.R. 319, introduced by the gentleman from Virginia (Mr. Poff) early this year. Jail sentences for first-term offenders could not be suspended and probation could not be granted. My bill further provides that such sentences could not be imposed to run concurrently with any sentence imposed for such Federal felony committed.

If the real purpose of firearms control legislation is to control crime, then there must be included in the law a strong criminal deterrent. In short, my bill provides a penalty that focuses on the severity of a Federal crime committed with

a firearm. This is not the case with the present State Firearms Control Assistance Act of 1968.

In the State Firearms Control Assistance Act of 1968 the House version requiring minimum mandatory sentences for first-term offenders was eliminated as was the important provision on consecutive sentences. At the discretion of the judge, the sentence for the first offense can be suspended and probation granted. Moreover, although it authorizes a mandatory penalty for a second offense, the present law grants the trial judge absolute discretion to impose the sentence to run concurrently with the sentence imposed for the base felony. In this instance one sees an excellent example of the permissive character of some of our laws in that it allows the convicted criminal the chance of not going to jail. As we were made aware, criminologists expound on the fact that certainty of punishment rather than severity of punishment is the significant deterrent to crime. The Poff amendment was designed to meet this objective by convincing the potential criminal that a definite penalty awaited him should he use a firearm to commit a Federal crime.

Mr. Speaker, what we need in this country is the proper enforcement of our laws in a way that will be a deterrent to the criminal element. Relevant to this subject, I am reminded of President Nixon's cogent remarks which were made during the last campaign:

We must re-establish again the principle that men are accountable for what they do, that criminals are responsible for their crimes—that while the boy's environment can help to explain the man's crime, it does not excuse that crime.

At the Federal level, we must concern ourselves with enacting legislation which will hold the criminal accountable for a Federal crime. At the same time we must be careful not to infringe on the police powers of the State and local governments. Though the majority of felonies are committed at these governmental levels, the Constitution explicitly reserves police powers to the several States. However, we may hope that in the enactment of a strong mandatory penalty provision at the Federal level, State and local governments will take notice of our effort and enact similar legislation.

#### REAPPRAISAL OF U.S. OVERSEAS INFORMATION POLICIES URGED

(Mr. FRELINGHUYSEN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FRELINGHUYSEN. Mr. Speaker, last week the Overseas Press Club of New York City was the scene of a 1-day conference sponsored jointly by the Overseas Press Club Foundation and the Emergency Committee for a Reappraisal of U.S. Overseas Policies and Programs.

The conference was devoted to an examination, by a number of outstanding experts in communications and related fields, of our Government's information activities and their impact upon what is generally referred to as "the U.S. Image Aboard."



The foundation for this conference was provided by a report entitled "The Future of U.S. Public Diplomacy," issued last December by the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee, of which I am a member.

The former chairman of that subcommittee, our distinguished colleague from Florida, the Honorable DANTE B. FASCELL, addressed the conference. The New York Times of October 26, 1969, featured a lengthy article summarizing the different points of view presented by the participants.

Because I believe that the subject is of great current interest to all Members of the Congress, I wish to place in the RECORD Congressman FASCELL's remarks and the text of the New York Times' article of October 26, 1969:

#### PUBLIC DIPLOMACY—A FACT OF LIFE

(Address by Congressman DANTE B. FASCELL at the Overseas Press Club, New York, October 22, 1969)

I would like to begin by extending my congratulations to Dr. Edward L. Bernays, president of the emergency committee for reappraisal of United States overseas policies and programs, to the Overseas Press Club, Foundation and Mr. Burnet Hershey, for jointly sponsoring this conference.

It could not be more timely, or more important.

Dr. Bernays, in particular, deserves a large measure of credit for bringing all of us here today. From all the accounts that I received, he has been a real moving force behind this enterprise. I do not wonder at that for I know from our brief association during a set of hearings sponsored by my subcommittee, that he is a man of profound convictions, boundless energy and virtually unstoppable determination. He also feels very deeply about the subject of our discussion. And, therefore, he has exerted tremendous effort to bring this issue before the American public not for any selfish reason, but because of his deep concern for the best interests of our nation.

It is for this reason that I am proud and delighted to participate in this conference. And, needless to say, I fully support the objectives of the emergency committee which Dr. Bernays heads.

My own feelings on the issue before us can be summarized briefly:

I believe that the United States Government—to use a colloquial expression—has "dropped the ball" in the field of communications.

It has done so by failing to appreciate the crucial role which modern communications play in the relations between nations—and ought to play in the shaping and implementation of our major national policies on the world scene.

To date, we have done an amazingly poor job in articulating our nation's goals, in communicating our concern for peace and the improvement of the human condition to three billion people who live outside our shores, and in making our overseas undertakings relevant to the major concerns of mankind in this second half of the 20th century.

More often than not, our Government has made great plans, and embarked upon extensive international undertakings, without first considering the urgent, overriding necessity to make our efforts meaningful from the standpoint of the hopes and aspirations, fears and prejudices of other nations.

In short, we have failed to realize that relations between nations today move within a new, evolving context of public diplomacy which conditions our enterprises, shapes the character of our age, and ultimately

may determine the key issues of peace and war.

As a consequence, our image abroad has deteriorated steadily and many of our efforts, some very worthwhile and constructive, have encountered increasing resistance, opposition and even met with failure.

Let me make it clear at this point that I do not place the blame for this state of affairs on any single Federal administration, any one branch of our Government, or even on any particular agency, such as the U.S.I.A.

The apparent inability to cope with the new realities of our age has been characteristic of our governments for at least three decades. It has been shared by the executive branch and the Congress. And it has been compounded, if I may use that word, by the prevailing attitudes, habits of thought and expression, on the part of that tremendously articulate and influential segment of our society which includes the press and other mass media of communication.

It is strange, indeed, that this should happen here, in the United States, where the twin great revolutions of the 20th century—in technology and in communications—have achieved the highest level of advancement.

We have set human footprints on the moon, harnessed atomic energy to peaceful purposes, and demonstrated that man can change his condition and become the master of his environment.

We perfected techniques of sending a message across hundreds of thousands of miles in an instant and made it simultaneously available to millions of our fellow citizens.

We even learned how to tailor that message so as to produce a desired, predictable response and applied that knowledge with tremendous success in our commercial, industrial and other domestic endeavors.

Our advertising and public relations industries provide a splendid testimonial of our inventiveness, our sensitivity to human needs and concerns, and our ability to capitalize commercially on our understanding of human attitudes and motivations.

Yet, at the same time, our government has failed to communicate effectively with large segments of our own population and with the world at large.

There is, I must admit, a historical predicament for that outcome. There is a strong liberal strain in our national consciousness which rebels against the attempt by any government to mold the opinions, or shape the attitudes, of the governed. We view propaganda with healthy disrespect. We insist on the right to be informed but never indoctrinated. And we apply those standards in our dealings with other peoples and other nations.

I see nothing wrong with that. But the point is that when I speak of our government's apparent inability to communicate effectively, I am not talking about government propaganda. I do not advocate, and I have never advocated, our government undertaking to ram "the American dream," or the United States position on a particular issue, down the throat of a given audience. I believe that such an attempt would be foolish, short-sighted, and very probably counter-productive.

What I am talking about is the very real fact that we live in the age of public diplomacy—and that today the success or failure of foreign policy undertakings is frequently affected more profoundly by what people think and say than by the workings of traditional diplomacy.

Modern mass communications—not our success in reaching the moon—have turned our earth into a relatively small and intimate society in which nations, in the manner of neighbors leaning over the fence, chat with each other, gossip, spread rumors, sometimes scold, cajole and threaten, and become increasingly aware of what goes on in their neighbor's back yard.

The people of those nations, in turn, exert pressures on their governments, forcing them at times to adopt one course, at times another.

This fact is recognized by most governments. Many of them engage in the practice of public diplomacy and communicate directly with the populations and opinion molders in other countries. Some ignore public opinion and suffer the consequences.

Surely nothing can underscore these realities better than the impact of the public reaction to the Vietnam war on the public postures, and policies, of many governments currently in power.

Just last week, all of us were exposed to a nationwide demonstration on behalf of a moratorium on the conflict in Vietnam. That demonstration was a fact, a reality. It touched the consciousness of millions of people, both at home and abroad. It served to reinforce some of their attitudes, perhaps to change others.

What is more important is that the United States Government's reaction to that demonstration was bound to have an even greater impact on the world-wide radio, TV and press audience. The world knows of our involvement in Vietnam and it seeks to know constantly—about our government's intentions and actions with respect to that conflict. Any statement on this subject by a high-ranking official of the present administration falls upon eager ears.

For that reason, it is legitimate to ask: Did the administration consider carefully and in advance, the impact on millions upon millions of people in virtually every corner of the world, of its public reaction to the moratorium demonstration?

I have another example. An article from Monday's New York Times entitled "Tokyo bracing for antiwar protest tomorrow: 25,000 policemen mobilized." Tuesday's story in the Times, with pictures, indicated that Tokyo had been severely upset and that there had been violence.

That event and those stories also touched the minds of millions of people. It affected their thinking not only about the demonstrators and the actions of the Tokyo police but also about the United States and the role which our country plays in the world community.

The events which transpire around us are real. Our Government's reaction to them is real. Through the instrument of the communication media, both become a part and parcel of the new dimension of public diplomacy which shapes the course, and affects the success or the failure, of our foreign policy.

The United States Government should recognize that fact. We should realize that public diplomacy is here to stay regardless of what we think or do about it. And for this very reason the United States should stop reacting and take the initiative. Instead of being the passive object of public diplomacy, we should go affirmative. We should use public diplomacy to advance the objectives which are good for this country and for the world community.

I hope that today's conference hastens the arrival of that day—and that our discussions here will be followed by the appointment of a national commission, with a mandate from the President himself, to reexamine the basic premises, and the total structure, of our overseas information activities.

As most of you know, this recommendation emanates from my subcommittee's report on: "The Future of United States Public Diplomacy", filed in the Congress some nine months ago.

That report reflects the work and the convictions of the entire subcommittee—Democrats and Republicans—and of a number of outstanding experts in communication. None of us, I can assure you, claims individual credit for its content and quality. I hope,

therefore, that those of you who have not seen it obtain a copy here today and read it. I do so recommend and I think that you will find the experience worth your effort.

I would like to add that this was the sixth in a series of reports issued by our subcommittee, focusing on the twin aspects of our country's image and operations abroad.

We began our studies on this subject as early as 1963 and we have continued them without interruption until the publication of this last report. I may mention that the late Edward R. Murrow who was vitally interested in our hearings was our lead-off witness.

In our studies, we addressed ourselves to the ideological factors in foreign policy—to overseas programs and operations which are a component of our national image—to the techniques of modern communication—to the input of the behavioral sciences—and to other related subjects.

We have tried to be as thorough and as objective as possible. We have produced a record which should prove valuable to any student or participant in the shaping of our Government's information policy. And we reached our conclusions with a bipartisan unanimity seldom encountered in the Halls of Congress.

We also found substantial support for some of the ideas which we have advocated—both within the executive branch and outside of our Government.

An excellent example are the last two reports of the United States Advisory Commission on Information, headed by a distinguished scholar and communicator, Dr. Frank Stanton, president of the Columbia Broadcasting System. Both of those documents recommend a thorough reappraisal of our overseas information programs—as well as a redirection of the United States Information Agency.

That agency, I may add, has been the object of much criticism, some of it undoubtedly warranted. A case in point is a series of articles published recently by the Philadelphia Bulletin and authored by a distinguished speaker at this conference, Mr. Paul Grimes.

While I do not intend to discuss Mr. Grimes' articles, which speak very pointedly for themselves, USIA's operation, or the Agency's shortcomings, I believe that it would be appropriate to point out that the USIA, like any other Government agency, can only operate within the mandate set for it by the Congress and the Chief Executive.

Unfortunately, neither the Congress nor the Presidents have given the Agency the type of a role and the kind of support which would enable it to become an effective instrument of United States public diplomacy.

Three quick examples will suffice to underscore this point:

First, in relation to the job that needs to be done, the USIA has been perennially undernourished. This applies to program expenditures as well as to its housekeeping. For example, how can you run an efficient, coordinated operation when you have to work out of 11 widely-dispersed buildings in Washington alone. And if the agency is denied the kind of a facility which modern management considers indispensable, how can it be faulted when its level of performance begins to dip.

Second, the USIA does not have a clear mandate as that term is generally understood. This is largely because the President himself has to define the role that the USIA will play in the foreign policy mechanism of his administration. The Congress cannot dictate that. And, unfortunately, in relation to the multiplicity of operations involved in our overseas information posture, none of our recent Presidents has assigned to the USIA any clear and effective role. The last directive that I have seen on this subject was issued by President Kennedy during the early part

of his administration—and that was not very comprehensive, and has been subject to widely divergent interpretations.

Finally, the USIA has been denied opportunity for a systematic input into the foreign policy decisionmaking at the highest level. This is all important. Unless and until the agency will be able to contribute its proper input to the formulation of policy and the preparation of its exterior, visible shell, our Government will not begin to practice public diplomacy with any significant level of proficiency.

Mr. Chairman, gentlemen—allow me to finish on this note:

In the report to which I referred earlier, my subcommittee, with the assistance of experts in the field of communication and human behavior, made three key observations. They were:

First, that the United States should accept the fact that foreign policy begins with domestic conduct and that we will always be judged by what we are and what we do rather than by what we say.

Second, that in this age whose character is being shaped by communications, the United States must learn to listen. Communication is a two-way street, a dialog. We have to learn to accept that fact.

And, third, that the United States must learn to speak effectively to foreign audiences. To be able to do this, we will have to review and possibly revise, our whole approach to overseas information, as well as the machinery and the operations of our government agencies involved in this field.

If we accept these premises, and carry them out, I am confident that—in the words of one of our witnesses—international communication can become the basis of a rational discourse of mankind about life and the destiny of our world.

It certainly can—and I join with you in hoping that it will.

Thank you.

#### UNITED STATES IS CRITICIZED ON OVERSEAS NEWS: BOTH ABOLITION AND GROWTH OF AGENCY ASKED AT PARLEY

(By Arnold H. Lubasch)

Journalists, diplomats, professors and politicians appealed last week for an intensive reappraisal of the Government's overseas information policies and programs.

Their suggestions, advanced in a conference at the Overseas Press Club, ranged from vigorously expanding the United States Information Agency to simply abolishing it.

Although the 20 participants voiced diverse views in the conference, they agreed on the need for a thorough review of the purposes and practices of the overseas information system.

Prof. W. P. Davison of Columbia University told the conference that new technologies and political forces required a review and revision of the information agency.

Dr. Robert F. Delaney, director of the Edward R. Murrow Center of the Fletcher School of Law and Diplomacy, asserted that the communications revolution engendered by radio and television represented "nothing less than a new diplomacy, a new weapons system."

John W. Henderson, author of "The United States Information Service," suggested that a review could consider whether the agency should be turned into a public corporation, relinquishing its role as a policy adviser.

#### COMMISSION IS ASKED

The hope that President Nixon would appoint a national commission to "reexamine the basic premises and the total structure of our overseas information activities" was voiced by Representative Dante B. Fascell, Democrat of Florida.

Generating support for the commission proposal was the avowed purpose of the conference, which was sponsored by the

Emergency Committee for a Reappraisal of United States Overseas Information Policies and Programs in conjunction with the Overseas Press Club Foundation.

The committee and the conference grew out of recommendations by a House foreign affairs subcommittee headed by Mr. Fascell.

Dr. Edward L. Bernays, chairman of the committee advocating the reappraisal, asserted that the information agency suffered from problems of structure, administration, leadership, training, financing, coordination and objectives.

Peter Grimes, special projects editor of The Philadelphia Bulletin, said the agency was seriously inhibited by fear of Congressional criticism that resulted in severely diluting the information programs.

#### REPORT FROM GALLUP

The conference heard a report by Dr. George Gallup Jr. that his polling organization had found that the American image abroad "reached a low point" in 1968 as a result of the Vietnam war, race relations, violence and assassinations.

This image improved "not dramatically but decisively" this year, Dr. Gallup said, because of troop withdrawals, reduced violence, the moon landing and the Soviet invasion of Czechoslovakia.

In India, he added, the United States is more popular than the Soviet Union for the first time in several years, although both are now surpassed in popularity by Japan.

James Sheldon, columnist and lecturer, cautioned that the effectiveness of the information agency should be measured by the success of American policies rather than by the increase of American popularity.

#### URGES BETTER TRAINING

Ivan H. Peterman, veteran war correspondent, urged better recruiting and training of personnel to foster the "aggressive selling of America."

Contending, to the contrary, that the U.S.I.A. talked too much and listened too little, Dean Gerhart W. Wiebe of Boston University said it should "stop acting like a perennial pitchman" and participate in civil discussions with other countries.

A former Ambassador to Pakistan, Benjamin H. Oehsert, who proposed in a panel discussion that the agency and its overseas service be abolished, said, "Today they serve no useful purpose commensurate with their costs."

This was disputed by Barry Zorthian, president of Time-Life Broadcast, Inc., who evoked laughter by reporting that he knew a former ambassador who thought "the State Department should be abolished."

Mr. Fascell, citing the "horrible specter" of abolishing the U.S.I.A. and the State Department, quipped that "both agencies want to abolish Congress."

#### TRIBUTE TO ROSEL H. HYDE

(Mr. HANSEN of Idaho asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANSEN of Idaho. Mr. Speaker, today Rosel H. Hyde is retiring as Chairman of the Federal Communications Commission. This marks the completion of 45 years of exceptional Federal service. Mr. Hyde's career is unique in the history of our Republic. There are few who can equal his record of distinguished service to the Nation either in length or in accomplishment.

Rosel Hyde's long and dedicated service to our country has brought honor and distinction to the State of Idaho. He is not only a valued personal friend, but I am proud of the fact that he is a native



of, and continues to be a legal resident of, the district I am privileged to represent in Congress. He was born on his father's homestead in Bannock County, Idaho, on April 12, 1900. He was one of a family of seven children that grew up in the community of Downey, Idaho.

Rosel Hyde came to the Nation's Capital in 1924. He enrolled in night classes at the George Washington University Law School and entered Government service as a member of the staff of the Civil Service Commission. He later joined the staff of the Office of Public Buildings and Parks where he served from 1925 to 1928.

In 1928 he commenced his long and productive career in the Federal regulation of electrical communications when he was appointed as an assistant attorney with the Federal Radio Commission. Since then he has served the Commission in many positions of responsibility. His career has spanned most of the life of the Nation's broadcast industry. He has helped to shape the broadcast industry during the period of its growth from its earliest days into the powerful and responsible servant of the public interest it has become.

Rosel Hyde began his service with the Federal Communications Commission, the successor agency to the Federal Radio Commission, as an associate attorney. In succession he served the Commission as attorney examiner, associate attorney, examiner, senior examiner, and principal attorney. In 1942, he was appointed assistant general counsel and was elevated in 1945 to the position of general counsel.

President Truman appointed Rosel Hyde as a member of the Federal Communications Commission on April 17, 1946. His service as a member of the Commission continued by reappointment under Presidents Eisenhower, Kennedy, Johnson, and Nixon. He served two terms as Chairman of the FCC and at the request of President Nixon, continued as Chairman until his retirement.

Rosel Hyde's contributions to the Federal Communications Commission and to the public through his service on the Commission are far too many to list in these brief remarks. It is appropriate, however, to mention some of the highlights and most notable achievements during his public service.

From his earliest days with the Federal Radio Commission, Rosel Hyde has worked to build for the Commission a strong professional staff. During the 1930's as a staff lawyer, he was instrumental in obtaining Commission approval of a proposal for the delegation to the staff of routine licensing functions. This has enabled the Commission to devote its time to more important policy matters.

In 1952, when the Commission lifted a 4-year freeze on television development, Chairman Hyde was instrumental in setting up special agency procedures to permit the effective handling of the great mass of new TV applications that were to result in the establishment of a truly nationwide television system. This successful effort avoided the delay in television development that would otherwise

inevitably have resulted because of the very large volume of applications.

In 1954 Rosel Hyde's timely and effective support for established rules limiting broadcast station ownership was instrumental in preventing a much greater concentration of economic power in broadcasting.

Rosel Hyde has won an international reputation for the leading role he played in the U.S. negotiation of a North American regional broadcast agreement treaty in the mid-1950's which effectively safeguarded our country's international broadcast interests. Despite the heavy pressure of national networks and giant clear channel radio stations, he has continued to play an important role in the negotiation of international broadcasting agreements.

He was an early and effective supporter of the Commission's efforts to stimulate the development of educational television and the reservation of channels for this purpose. His support of educational television has continued. Under his chairmanship the Commission retained its educational television policies despite industry efforts to delete the reservations and to make these channels immediately available for commercial use.

Rosel Hyde was the principal negotiator of the \$100,000,000 telephone rate reduction instituted by the Bell Telephone System which was approved by the Commission in 1964. This rate reduction package included Bell's establishment of its \$1 coast-to-coast phone rate. For many years he has been head of the Commission's Telephone and Telegraph Panel and under the Commission's "continuing surveillance" of Bell has played an important part in many negotiations that have led to a series of interstate rate reductions.

During his earlier tenure as Chairman, Rosel Hyde achieved one of the finest records of any FCC Chairman in effectively handling the agency's heavy workload and eliminating the accumulated backlogs that have prevailed during many other times.

He has been a champion of broadcast free speech and of the right of the broadcaster to editorialize. He was a leading force as early as 1949 in the Commission decision rejecting its earlier restrictive "Mayflower" doctrine and first permitting broadcasters to editorialize. More recently, he was part of a Commission majority which has given free speech protections to unorthodox or unpopular broadcaster views.

Mr. Hyde's skill as an administrator has contributed greatly to the modernization and the increased efficiency of the administrative process. He was chairman of a major working committee on compliance and enforcement proceedings of the Administrative Conference of the United States during the period from 1961 to 1963. Under his chairmanship the committee's efforts were instrumental in the Conference's adoption of a number of important procedural innovations, such as the use of pretrial discovery in most administrative proceedings.

He has been a leader in the effort to provide parties before the Commission with full due process and to modernize

and improve agency procedure. An example has been the Commission's pending proposal to permit pretrial discovery in its proceedings and its decision to follow the more modern courts in permitting pretrial disclosure of the Government's cases against broadcast licensees put on trial before it.

Rosel Hyde's career is unique in many respects.

He has served as Commissioner longer than any other Commissioner in the history of the FCC—23 years;

He was named Chairman by three Presidents—President Eisenhower in 1952, President Johnson in 1966, and President Nixon in 1969;

He has served as Chairman and Acting Chairman longer than any other Chairman in the history of the FCC;

He has served as Commissioner longer than anyone presently serving as Commissioner of a major regulatory agency—SEC, FTP, FPC, ICC, CAB, NLRB; and

He has served the Federal Government longer than any other employee presently on the rolls of the FCC.

The International Radio and Television Society honored Rosel Hyde with its Gold Medal Award for the year 1965. In 1967, the Volunteers of America presented him with the Ballington and Maud Booth Award. During the same year, the University of Utah conferred on him an honorary degree doctor of laws degree.

On September 3, 1924, he married the former Mary Henderson of Arimo, Idaho. They have four children—Rosel Henderson, George Richard, William Henderson and Mary Lynn Day. A brother, G. Osmond Hyde, recently retired as chief hearing examiner at the U.S. Department of Agriculture.

Mr. Speaker, it was my privilege yesterday to attend and participate in a ceremony at the Federal Communications Commission honoring Chairman Hyde on his retirement. In attendance were many distinguished leaders in government and in the broadcast industry, including many present and past Commissioners. Messages congratulating and paying tribute to Rosel Hyde from throughout the Nation were read. All America is deeply indebted to him for leadership that has always been characterized by wisdom, courage and a steadfast devotion to the public interest. Americans for generations to come will continue to benefit from his exceptional service.

Mr. Speaker, I am sure that all of my colleagues will join me in extending to Rosel Hyde our sincere thanks for a job well done. And, to Rosel and Mrs. Hyde go our best wishes for continued success and happiness in the years that lie ahead.

I include as part of my remarks copies of letters from President Nixon and former President Johnson addressed to Rosel Hyde on the occasion of his retirement:

THE WHITE HOUSE,  
Washington, October 29, 1969.

HON. ROSEL H. HYDE,  
Chairman, Federal Communications Commission, Washington, D.C.

DEAR ROSEL: As you retire from the Chairmanship of the Federal Communications

Commission, you leave behind a unique and truly enviable record of accomplishment. You end a Government tenure that has earned you the highest respect of your associates, and an affection and admiration that goes far beyond party lines. There are few men whose professional excellence I am so pleased to applaud.

Surely your loyalty to the Presidents you have served; your steadfast devotion to the public trust you have held and your integrity, impartiality and talent have all earned you a place of distinction in the annals of America's Federal service.

As the Commission and its staff gather to honor you and to wish you Godspeed in the years ahead, I wholeheartedly join them in conveying my own strong admiration and my very high regard. And just as any man would do who occupies the Presidency in this communications-oriented era, I can only express the hope that, in your successors, our nation will find the same qualities which you so generously gave it.

Sincerely,

RICHARD NIXON.

AUSTIN, TEX.,  
October 30, 1969.

FEDERAL COMMUNICATIONS COMMISSION,  
Washington, D.C.:

It is a deep pleasure to know that Rosel H. Hyde is being honored today. I want to join his many friends in bidding him farewell, and to wish him every happiness in the years ahead.

Dedication, vision, commitment, honor are words repeatedly associated with Rosel Hyde. I know them to be accurate, though not nearly adequate. His high standards of public service were exemplary. His long and well-spent career have won him the admiration and respect of a grateful Nation.

As ever, he has my personal appreciation and my best regards.

Sincerely,

LYNDON B. JOHNSON.

#### SDS REPRESENTATIVES RECEIVED INSTRUCTIONS FROM VIETCONG

(Mr. ICHORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ICHORD. Mr. Speaker, just about anyone who is exposed to radio, television, or a daily newspaper is aware that college today is not only a seat of learning but also the seat of considerable strife.

While no one organization or issue can be held responsible for all of the campus disturbances we have been witnessing recently, quite a few people are familiar with the name—Students for a Democratic Society—because it has been linked with much of the disorder.

I do not think many Americans are aware, however, of the degree to which this so-called democratic organization of American college students is under the tutelage of foreign Communist agencies engaged in armed hostilities with our military forces abroad. Little publicity has been given to a sojourn to Cuba by certain SDS activists during last summer's recess in college studies and college violence. Yet what was the purpose of the trip? And what were its results?

Officers and organizers of the Students for a Democratic Society, upon their return to the United States, reported quite frankly in radical newspapers that they had spent 2 out of 5 weeks in Cuba meet-

ing with the "Vietcong." The Vietnamese delegation they met with included official representatives of the Communist government in North Vietnam, the Communist parties of both North and South Vietnam, and an officer in the armed forces presently engaged in combat with the armed forces of the Republic of South Vietnam and their American allies.

And note this: The Vietnamese specified in advance the type of Americans they wanted to talk with in Cuba. They wanted hard core new left organizers—which, as it turned out, were mainly from the Students for a Democratic Society, according to accounts in the radical press.

For quite some time, of course, SDS members have made periodic pilgrimages to North Vietnam. The SDS national secretary acknowledged back in the summer of 1968 that such trips were being undertaken by SDS people. Among the reports delivered at a meeting of the SDS National Council in the fall of 1968 was a report on meetings with the National Liberation Front, the political arm of the Vietcong.

With respect to the talks between SDS members and Vietnamese Communists in Cuba last summer, I was struck by the admission of the American contingent that it had been summoned to the meetings by the Vietnamese, and that the reason was Vietnamese Communist concern over the lull in anti-Vietnam war activity in the United States. The Vietnamese, intention—according to the Americans—was to prod American radicals into getting in motion against American involvement in the war.

Vietnamese Communist representatives told the Americans that the war was actually being waged on three fronts. The conflict extended beyond the shooting war in Vietnam to the peace talks in Paris and to the arenas of international public opinion—particularly public opinion in the United States.

I regret to report that the SDS delegation agreed under the Vietcong prodding to do everything it could to speed up what it described as the inevitable American defeat in Vietnam. The SDS announced plans for militant actions which it claimed would build another war front within the United States, and provide material aid to the Vietcong.

I think organizers for Students for a Democratic Society would find it much more difficult to enlist college students and other young people in disruptive demonstrations if these dealings with the Vietnamese Communists were more widely known.

#### ROGERS INTRODUCES LEGISLATION TO ESTABLISH UNDER SECRETARY FOR HEALTH WITHIN THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

(Mr. ROGERS of Florida asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which would authorize the creation of the position "Under Secretary of Health" with-

in the Department of Health, Education, and Welfare.

This Under Secretary would report directly to the Secretary of Health, Education, and Welfare and would have line authority over and responsibility for coordinating all health and health-related activities of the Department.

I believe there is a pressing need for more coordination and unified authority for health activities within the Department of Health, Education, and Welfare.

The controversy earlier this year surrounding the appointment of Dr. John Knowles as Assistant Secretary of Health and Scientific Affairs, the recent problems within the Food and Drug Administration concerning cyclamates and the GRAS list, and the skyrocketing costs of medicare and medicaid indicate to me that a focal point for the Nation's health needs and problems must be established within the Department of HEW.

Since 1961, a total of 36 major health measures have been enacted that provide for increased authority and responsibility in the field of health. There are two major agencies which operate exclusively in the health field: The Food and Drug Administration and the Public Health Service. In addition, there are large-scale health activities in the Social Security Administration—medicare and the disability insurance program—and in the Social and Rehabilitation Service—medicaid, maternal and child health, and crippled children's services.

The administration of these health programs would become the responsibility of the Under Secretary for Health and would permit more effective, overall coordination of health programs. And, I believe we would see better control of health costs by such a reorganization within the Department through more efficient administration.

The concept of an Under Secretary of Health is not new. Indeed, it is a subject which has received consideration previously, with the Congress and within the Department of Health, Education, and Welfare.

In 1965, and in 1966, I had the privilege of serving as chairman of a Special Subcommittee on the Investigation of the Department of Health, Education, and Welfare of the House Committee on Interstate and Foreign Commerce.

In its report to the Congress, the subcommittee recommended the creation of the position of Under Secretary for Health in order to better coordinate the health programs and activities of the Department of Health, Education, and Welfare.

During the first session of the 90th Congress, in 1967, an amendment was added to the partnership for health legislation by the Senate to create the position of Under Secretary of Health, but the conference committee on the bill rejected the Senate approach on the grounds that hearings on this important subject should be held by both Houses of the Congress.

There is a sense of urgency in this matter, and I am hopeful that hearings on the establishment of this important and necessary position can begin soon



before the Subcommittee on Public Health and Welfare.

#### PRESIDENTIAL COMMITTEE'S REPORTS ON SST

(Mr. YATES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. YATES. Mr. Speaker, the Subcommittee on Appropriations, of which I am a member, recently completed its hearings on the Department of Transportation. Among the appropriations requests was one for the SST. It was at my request that there was included in the hearings the report of the SST ad hoc review committee which was stated to have been made available to President Nixon by the Department of Transportation before he announced his decision to continue with the SST program. That report was made public today.

The report of that committee is so unfavorable to the program that I am amazed that President Nixon approved the request for the SST. The committee, which consisted of many of the ablest people in this administration, recommended overwhelmingly in favor of suspending work on the project.

The report rejects basic arguments used to justify the SST. It disputes that the balance of payments would be favorable; it casts doubt on the economic viability of the plane; it questions whether Americans will ever accept the jarring sonic boom which is an inseparable part of supersonic flight, it raises disturbing questions about the damaging effects the SST would have on the environment, it criticizes the two-headed conflicting role played by the FAA in acting as the guardian of the safety of the Nation's airways and of the aircraft using the airways. While acting at the same time as the principal supporter and loving promoter of an aircraft having such dubious value as the SST.

Mr. Speaker, when President Kennedy launched the SST program in 1963 he said:

In no event will the Government investment be permitted to exceed \$750 million.

With the appropriation proposed for this year expenditures on the project will very nearly reach the limit set by President Kennedy, and if the appropriations scheduled to be made over the next 5 years are added, this airplane will cost more than one-half billion dollars than the amount that Mr. Kennedy established. I believe this is the logical time to call a halt to the program and I shall try to strike the appropriation in my committee.

Mr. Speaker, the Congress and the public should have the information contained in the ad hoc committee report and I am therefore appending it to my remarks. I am also attaching the report of the airlines companies who were consulted on the SST by FAA. At the request of FAA, I have removed identification of the airlines making comments.

The material follows:

#### REPORT OF THE SST AD HOC REVIEW COMMITTEE

Within this report are the views of the members of the SST Ad Hoc Review Com-

mittee to the Secretary of Transportation. All pertinent documentation of the Committee activities are included.

#### MEMBERS

Hon. Rocco Siciliano, Under Secretary of Commerce.

Mr. T. C. Muse, Office of the Director of Defense Research and Engineering.

Hon. John Veneman, Under Secretary of Health, Education, and Welfare.

Hon. Russell Train, Under Secretary of the Interior.

Hon. Richard G. Kleindienst, Deputy Attorney General, Department of Justice.

Hon. Arnold Weber, Assistant Secretary of Labor.

Ambassador U. Alexis Johnson, Under Secretary of State for Political Affairs.

Hon. Paul Volcker, Under Secretary of the Treasury for Monetary Affairs.

Dr. Henry Houthakker, Member, Council of Economic Advisers.

Dr. Lee A. DuBridge, National Science Adviser.

Mr. Charles W. Harper, Deputy Associate Administrator (Aeronautics), NASA.

James M. Beggs, Chairman, SST Ad Hoc Review Committee.

On February 19, 1969, the President appointed this Committee to investigate the national interest questions associated with the pending SST decisions (Attachment 1).

Four meetings were held for the accomplishment of the activities of this Committee. Four working Panels were established to examine specific areas as indicated below:

1. Economics.
2. Balance of Payments and International Relations.
3. Environmental and Sociological Impact.
4. Technological Fallout.

The membership is indicated on Attachment 2.

Various witnesses, both pro and con, were called to testify before the Committee. Attachment 3 provides a listing of the outside witnesses.

The individual Panel Reports follow as Attachment 4.

At the meeting of March 25 with the Secretary of Transportation, the members stated there was some misunderstanding concerning which draft document was under consideration. As a result, the Chairman solicited final members' comments on the Comprehensive March 25 Draft (Attachment 4), and those comments are included as Attachment 5.

A Draft Summary Report of March 19 circulated by the Chairman requesting members' comments follows as Attachment 6 and the letters commenting on this draft summary follow as Attachment 7.

A letter from the Chairman providing guidance and a modus operandi for the SST Ad Hoc Review Committee, dated February 28 is included as Attachment 8.

An observer from the Bureau of the Budget participated in the activities of the Committee.

The Boeing Company report, "The SST Program and Related National Benefits," February 17, 1969, was provided to members for review.

#### THE WHITE HOUSE,

Washington, February 19, 1969.

Memorandum for Mr. James Beggs.

I am establishing an ad hoc committee to review the Supersonic Transport program in line with the recommendations given to me by Secretary Volpe.

I hereby appoint you the Chairman of this Committee. The other members of the committee will be:

Mr. Rocco Siciliano, Under Secretary of Commerce.

Dr. Robert C. Seamans, Jr., Secretary of the Air Force.

Mr. John Veneman, Under Secretary of HEW.

Mr. Russell Train, Under Secretary of the Interior.

Mr. Richard G. Kleindienst, Deputy Attorney General.

Mr. Arnold Weber, Assistant Secretary of Labor.

Ambassador U. Alexis Johnson, Under Secretary of State.

Mr. Paul Volcker, Under Secretary of the Treasury.

Dr. Henry Houthakker, Member, Council of Economic Advisers.

Dr. Lee A. DuBridge, National Science Adviser.

Mr. Charles W. Harper, Deputy Associate Administrator of NASA.

The activities of this committee should be coordinated closely with the Bureau of the Budget.

RICHARD NIXON.

#### WORKING PANEL COMPOSITION

(1) Balance of Payments and International Relations Panel—Representatives from Treasury (Chairman), Commerce and State.

(2) Technological Fall-Out Panel—Representatives from the Office of Science and Technology (Chairman), Department of Defense, and NASA.

(3) Environmental and Sociological Impact Panel—Representatives from HEW (Chairman), Interior, and Office of Science and Technology.

(4) Economics Panel—Representatives from the Council of Economic Advisers (Chairman), Labor and Commerce.

#### WITNESSES WHO ADDRESSED THE COMMITTEE

Dr. Arnold Moore, Director, Naval Warfare Analysis Group, Center for Naval Analyses.

Mr. Gerald Kraft, President, Charles River Associates.

Mr. Najeeb Halaby, President, Pan American.

Mr. Robert Rummel, Vice President, TWA.

Mr. Harding Lawrence, President, Braniff.

Mr. Karl Harr, Jr., President, Aerospace Industries Association.

Prof. William A. Shurcliff, Director, Citizens League Against the Sonic Boom.

Lt. Gen. Elwood R. Quesada, Chairman of the Board and President, the L'Enfant Plaza Corps.

#### PANEL REPORTS TO THE COMMITTEE

##### Balance of payments and international relations

##### Potential Impact of an SST on the U.S. Balance of Payments

Introduction of a supersonic aircraft will affect several closely interrelated components of the U.S. balance of payments:

Aircraft exports and imports (supersonic and subsonic):

U.S. travel abroad and foreign travel to the U.S.;

The distribution of this travel between U.S. and foreign airlines;

U.S. port expenditures by foreign airlines and port expenditures abroad by U.S. airlines;

The amount of export credit extended or received by the U.S. in connection with aircraft financing; and

General U.S. imports and exports, and U.S. investments abroad, all of which will be facilitated by the greater ease of U.S. business travel abroad due to the SST.

There are two widely divergent views about which of the above items should be considered in appraising the balance-of-payments impact of an SST. The first view is that only the aircraft account (and possibly port expenditures) should be considered. The basis for this view is that the U.S. has a long-run interest in encouraging the development and operation of better means of international transportation in the interests of the entire world economy; and that if a U.S. SST increases our aircraft exports (or decreases our aircraft imports) there is no U.S. balance-of-payments reason for not pursuing this long-run interest by production of a U.S. SST. The Commerce Department supports this view.

The second point of view is that all the above items must be considered, insofar as feasible, in appraising the balance-of-payments impact of an SST. The logic of this position is especially clear with respect to two of the above items: U.S. aircraft exports and U.S. travel abroad.

The amount of export contribution (a *plus* item) which a U.S. SST makes to the U.S. balance of payments depends in considerable part on the additional U.S. travel abroad (a *minus* item in our balance of payments) induced by the time savings on an SST. Since the *plus* item depends substantially on the *minus* item, both (as well as other relevant items) must be considered in appraising U.S. balance-of-payments impact.

State and Treasury support this second view.

In line with the above divergence of views, Section A of the attachment comments on the estimated impact of an SST only on the aircraft account in our balance of payments. The conclusion in this respect is:

*If only the aircraft account is considered, there is no balance-of-payments reason for delaying the SST project, regardless of whether or not a commercially viable foreign supersonic aircraft emerges.*

Section B of the attachment comments on the effects on other balance-of-payments items, primarily the U.S. travel deficit. The conclusion is:

*If the U.S. over-all balance of payments is considered, there is substantial reason for delay in proceeding to the next stage of the SST project—prototype production. The reason lies in the large adverse effect on the U.S. travel deficit of a U.S. SST in the absence of a commercially viable Concorde *plus* doubt about the Concorde's becoming a commercially viable plane.*

Results of the Concorde prototype testing over the next 12 months will throw further light on its chances of becoming commercially viable. The U.S., in addition to continuing further research in aircraft and engine design, could profitably use this period to update and improve the surveys of the effect of supersonic transportation on both the aircraft and travel accounts. The assumptions currently being used for dividing traffic between supersonic and subsonic aircraft and for estimating additional speed-induced travel are critical to both the aircraft and travel accounts and are subject to a high margin of error.

(A) *SST Impact on Aircraft Account in the U.S. Balance of Payments:* If there is a commercially viable foreign supersonic aircraft in existence, a competitive U.S. SST would improve the aircraft account in the U.S. balance of payments by reducing U.S. imports of the foreign supersonic; resulting in U.S. supersonic exports of greater value than the subsonic exports which are displaced.

There is a wide range of benefit estimates based on different assumptions about fares, passenger evaluation of time savings, etc. Also, benefits vary depending on the assumed market situations.

On a current cash basis, the FAA analysis indicates a total improvement of about \$17 billion over the period through 1990, from introducing a U.S. SST in 1978 into competition with a Concorde.

If there is no commercially viable Concorde, the improvement in the aircraft account through 1990 due to a U.S. SST (beginning operations in 1978) is estimated at \$11 billion—that is, an increase from around \$17 billion of subsonic exports in the absence of any supersonic plane to \$28 billion of combined SST and subsonic exports.

(B) *SST Impact on Various Accounts in the U.S. Balance of Payments:* U.S. aircraft sales and U.S. travel expenditures abroad have divergent effects on the balance of payments.

While an increase in exports of SST's will benefit the aircraft account, it will produce an even larger increase in the travel deficit, as long as Americans make the majority of supersonic trips.

The current rate of air travel deficit—including aircraft port expenditures, travelers' fares and travelers' expenditures in foreign countries, is approximately \$1.6 billion. *Even in the absence of any commercial supersonic aircraft, it is expected to increase in absolute amount, although at a reduced rate of increase, over the next few decades, totaling around \$70 billion for the period 1971 through 1990—the period used by the consultant firm which has made the only quantitative analysis of the potential impact of the supersonic transportation on several relevant items in the balance of payments.*

That analysis (performed in 1966) produced an unrealistically high estimate of the adverse impact on the U.S. travel account of speed-induced supersonic travel in the 20-year period. It would make the \$70 billion figure mentioned above over twice as large. Use of a longer base period for determining statistical relationships, a re-examination of some of the underlying assumptions, and use of more realistic in-service dates for supersonic aircraft are believed likely to reduce the 1966 estimate substantially.

Even a more conservative estimate from revised underlying assumptions is likely to indicate an adverse impact of speed-induced supersonic travel on the U.S. travel account considerably greater than the estimated beneficial impact of supersonic aircraft sales on the U.S. aircraft account.

The latter judgment depends heavily on whether or not a commercially viable foreign supersonic aircraft is assumed to be in operation when a U.S. SST is put in service. If such a foreign aircraft is assumed not to be in operation, the entire adverse travel impact of speed-induced supersonic travel must be attributed to the U.S. SST.

At present the commercial viability of the Concorde is very much in doubt—particularly because of landing and take-off noise, range limitations and prospective high operating cost per seat mile. Cables from our embassies in London and Paris indicate that some French and British officials close to the program are skeptical of the Concorde's commercial viability.

#### Foreign Relations Impact of U.S. SST Decision

The Anglo-French Concorde program has been a sensitive domestic issue in those countries, particularly the U.K. U.S. actions on the SST question which seem to the U.K. and France as designed to scuttle the Concorde for competitive reasons will undoubtedly stimulate an adverse political reaction. On the other hand, a U.S. decision to proceed in an orderly fashion, to delay, or to abandon the U.S. program on sensible technical and economic grounds should not generate an adverse Anglo-French reaction.

A more difficult question is raised by the problem of airport noise generated by SST's. U.S. noise standards could conceivably bar the Concorde from access to the principal U.S. international airports which would undoubtedly doom the Concorde program. It is therefore imperative that we keep the British and French advised of U.S. noise developments to insure their full understanding, if not acceptance, of the U.S. position on noise. In this connection, it would be desirable for the United States to seek early international agreement on noise standards, including airport noise created by SST's.

#### Economics

The Economic Subcommittee is struck by the large amount of uncertainty connected with the SST program. Almost every economic aspects of the program reflects unveri-

fiable matters of judgment with great variance in the opinion of experts. Probably the single most uncertain aspect of the whole program relates to the uncertainty as to whether an SST can be built in the given time that will meet the specifications of being efficient, safe, and economical.

The record to date is not completely reassuring. After extensive study, the previous design was accepted as a good design that would produce an SST with the desired characteristics, but failed. While we are assured that the current design will succeed, the previous committee was given similar assurance. Assuming the prototype design meets its objectives, major innovations will still have to be made to produce an economical SST. Past commercial plane developments have never involved such a large jump in technology. In the case of commercial transports, a new type of metal—titanium—must be fabricated; a new type of guidance and electric control system must be developed; more efficient and quieter engines must be produced.

No doubt, all of the technical problems are eventually solvable, but how soon and at what cost? The record for new aircraft being designed to make technological jumps of this magnitude is confined strictly to military production. The record in those cases is not good. Production costs have often been more than three times what they were predicted to be. The record of civilian production of new planes has undoubtedly been much better. Most civilian jet transports have met their design goals with respect to performance and price and their performance has been improved during the economic life of the plane. However, these aircraft were designed from well known technology. For example, the 707 was a commercial adaptation of an already developed and well tested Air Force plane. The developmental experience with the Concorde gives little cause for optimism; developmental costs have more than doubled.

These comments do not mean that we believe that the plane cannot be built to meet the specifications at the forecasted costs but simply that there is a large element of doubt. If the forecasts turn out to be incorrect, costs could escalate considerably.

#### Demand

Estimating future demand involves another area of considerable certainty. Each element in the IDA model for forecasting demand involves large uncertainties and considerable elements of judgment in which reasonable people may come to considerably different opinions. Total demand for the SST will depend on total revenue passenger miles in the future. The IDA model basically forecasts the growth rate at approximately 10 percent per year. Historical experience, especially the last few years, suggests that a higher rate would be more accurate. However, it should be noted that IDA forecast a higher rate in the near future and a lower rate in the more distant future.

Revenue passenger miles in 1968 were 30 percent above IDA's forecast. If we extend IDA's rate of growth from that base level, total revenue passenger miles in 1969 will be 30 percent higher than forecast with an increase of approximately 150 aircraft. However, airport congestion which has already reached serious proportions in international terminals such as Kennedy, may prevent this traffic growth from being achieved.

The market for supersonic transport will depend on the supersonic-subsonic split. This depends in turn on those markets which are open to supersonic flight, on the relative fare between supersonic and subsonic, and on how the public values time saved. The FAA has assumed that the public will pay one and a half times their hourly earnings to secure an hour's reduction in flight time. IDA, after having looked at some very sketchy evidence, concluded that the travel-



lers value their time at their hourly earning rate. A 1967 Ph. D. study done by Ruben Gronau at Columbia University under the direction of Gary Becker concluded on the basis of a very detailed statistical study of air travel time from New York City to other points that businessmen value their time in air travel at 0.4 times their average hourly family income and that pleasure travellers valued their time in aircraft travel at zero. On the other hand, earlier estimates by the airlines indicate value of time from 1.3 to 2.1 times earnings.

The effect of assuming different values of time is substantial. Under the base case for the FAA with consumers valuing their time at one and a half times their hourly earnings, 500 planes will be sold. If, on the other hand, IDA is correct and they value time at one times their hourly earnings, only 350 planes will be sold.

In summary, the great uncertainties relating to estimating the public's valuation of time leaves the projected market subject to wide error.

Whatever the value of time, the split between supersonic and subsonic would depend upon the relative fares. If supersonic fares equal subsonic, all or almost all will travel by supersonic. The FAA in their base case has assumed that supersonic will have a 25 percent premium over the subsonic. The airlines are hoping for something less. The FAA predicated their relative fare position on the basis that the American SST seat costs would be roughly equal to the subsonic fares existing in 1965. They assumed that subsonic fares between 1965 and 1978 would decline in real terms by about 25 percent, producing the 25 percent differential. However, between 1965 and 1968 subsonic fares have already declined 18 percent. If one assumes as did IDA and the FAA that fares decline by 1.8 percent per year in the future, by 1978 the relative difference in supersonic and subsonic fares will grow to 36 percent rather than 25 percent. Such an increase in the difference between fares will reduce plane sales by about 150. However, airlines may be willing to accept a lower rate of return in order to preserve a 25 percent fare differential, with the result that the same 500 planes will be sold.

These plane fares, however, are highly speculative. They, of course, depend on the price of the plane and its operating costs which as has been pointed out above are highly uncertain. Both IDA and the FAA feasibility study assumed that the Concorde would not compete in the same markets with SST. Since the Concorde will be introduced five years prior to the SST, it may secure a considerable market before the SST is introduced. While the SST is expected to have operating costs below those of the Concorde, it may not be able to secure lower fares.

International fares are set by unanimous agreement of IATA in which each airline has a vote. With many airlines having the Concorde and with two airlines being intimately connected with its production—BOAC and Air France—it seems unlikely that the SST will force supersonic fares below those that are economical for the Concorde and drive the Concorde out of the market—the FAA assumption. The Concorde will be sold for about half the price and will have the seating capacity of an SST. Thus, two Concorde can be secured for each SST giving airlines an additional flexibility in scheduling. If fares are kept high enough to protect the Concorde so that both types of supersonic planes operate in the same markets at the same price, then they may split the market which will reduce SST sales from 500 to 250.

Another imponderable in the market forecast involves restrictions that might be imposed because of noise. The supersonic planes are by general agreement very noisy. Whether the planes will be permitted to land at major airports is uncertain. How much noise will the public tolerate? Problems

clearly exist for Miami International, Boston's Logan Airport, and Los Angeles Airport. However, the planned or proposed construction of new airports may alleviate the problem. It is not clear how much of the added costs of new airports would be attributable to supersonic transports.

It should be noted that by the terms of the FAA-Boeing contract, Boeing establishes the price of the plane. Given the demand model specified, Boeing . . . could make more money at a price of \$40 million than at a price of \$37 million. In fact, Boeing could maximize its profits if it charged about \$48 million. Such a price would reduce sales of planes to something under 350. This would in turn reduce government royalties to the point that the government barely got its money back.

#### Financing

Will the operation of the proposed U.S. SST provide a sufficient rate of return to the airlines to insure purchase of 500 U.S. SST's?

Since the SST is more capital intensive than subsonic aircraft, it is more sensitive to lower earnings. The model assumes that the higher rate of return earned on long-haul operations in the past will continue during the SST period.

The predicted ROI for the airline depends on the airlines achieving a load factor of 58 percent. This is relatively high compared to the experience of U.S. international and territorial airlines during the last two years or even the average for the seven years.

If load factors were to continue at the 1968 level of 52.6 percent throughout the SST period, 1978-1990, the return of investment to the airlines would only be 22.2 percent of the aircraft sales price compared to a ROI of 28.3 for the base case.

Statistics for the past seven years indicate that a lower overall load factor than 58 percent should probably be used in evaluating the SST program since this rate was achieved only once (1969) in the past seven years. The 1962-68 average of 55 percent would yield an airline ROI of 25.2 percent before taxes.

Moreover, long haul rates of return have been declining and were about 10.5 percent in 1968. Whether lower rates of return are practical is clearly uncertain. The problem of financing such a huge investment on top of the large investment in jumbo-jets could reduce the SST market considerably.

Financing the manufacture and purchases of the SST could prove more difficult than anticipated. It is generally accepted that the engine manufacturer will have the capacity to generate the necessary financing required. However, the EFR expresses some doubts regarding the airframe manufacturer: "Pending receipt of the financial plan from the airframe manufacturer, a reasonable approach suggests that any program decisions consider the possibility that the Government may be required to act as a guarantor of or to provide any additional funds needed by the airframe manufacturer."

#### Requirements

[In millions]

Facilities .....	\$278
Development costs .....	1,226
Leadtime production costs .....	1,295
<b>Total .....</b>	<b>3,429</b>

#### Source of funds

[In millions]

Government prototype participation .....	\$726
Airline prepayments .....	1,348
Tax considerations .....	310
Manufacturers shortage .....	1,045
<b>Total .....</b>	<b>3,429</b>

"This situation is expected to continue through 1975 at which point a cumulative financing of \$1,064 million will exist . . . well in excess of twice the Boeing Company's net worth as of December 31, 1965."

Recent comments in the trade press indicate that the financing problem is more acute today due to increased costs and Boeing's additional developmental expenditures. The 747, 767, and SST programs could strain Boeing's financial and managerial resources. If the SST program is approved, Boeing might have to cut back some of its subsonic 767, 747, 727, or 707 activities.

The EFR assumed that the U.S. airline industry could provide 86 percent of its total cash requirements for the large subsonic and Concorde equipment cycle (1967-74) from internal cash generation (net income, depreciation, and disposal of flight equipment) and provide about 80 percent of its requirements for the heavy SST start-up costs during 1975-77 from the same sources.

The recent decline in rates of return on investment (8.9% in 1966, 7.7% in 1967, and an estimated 6% for 1968) suggests that the airline industry may already be overcapitalized. Declining earnings ratios will make it more difficult to obtain the large sums required for SST's from internal sources and require more expensive commercial financing.

#### Employment

Under the FAA base case the SST program may generate total employment, both direct and indirect, in excess of 100,000 workers, an unknown proportion of which will result from relative declines in other parts of the aerospace industry. This employment will be highly concentrated in professional, managerial, skilled, and semi-skilled occupations which in a period of full employment, when these skills are in short supply, may prove inflationary. Very few unskilled workers will be required. However, such employment should not be considered as a justification for proceeding with the program but only as a dividend from it.

#### REPORT OF THE ENVIRONMENTAL AND SOCIOLOGICAL PANEL OF THE AD HOC SUPERSONIC TRANSPORT REVIEW COMMITTEE

#### Introduction

Supersonic transport (SST) has the potential for intensifying hazards to the passengers and crew for causing significant further deterioration in the environment for people on the ground particularly in the vicinity of SST airports and along SST flight paths. In recognition of their respective responsibilities in this regard in 1968, the Department of Health, Education, and Welfare established a "Committee on Health Effects of Supersonic Transport", and the Department of the Interior assembled a "Special Study Group on Noise and Sonic Boom in Relation to Man." The Committee on Environmental Quality of the Federal Council for Science and Technology in July 1967 established a Task Force to report on noise as an environmental problem.

The Panel has drawn freely on the findings of each of these committees and has also been guided by the SST reports and briefings provided by the Department of Transportation.

The object of this report is to identify significant potential environmental and sociological problems related to the health and well-being of people which must be considered in making decisions concerning the SST. Technological, economic and political factors both domestic and international traditionally considered in developing national policy with respect to such matters are insufficient with respect to the SST.

The Panel considers the principal environmental and sociological problem areas to be: (1) Sonic boom; (2) Airport noise; (3) Hazards to passengers and crew; and (4) Effects of water vapor in the stratosphere.

#### Sonic boom

All available information indicates that the effects of sonic boom are such as to be considered intolerable by a very high percentage of the people affected. The Panel is

cognizant of statements and reports to the effect that supersonic flight over U.S. continental land areas is not contemplated at this time and that SST design and development is proceeding on this assumption. However, the Panel is very concerned about the economic pressures that will be exerted if it is subsequently found that the economic success of the aircraft depends on overland flights at supersonic speeds. For this reason the Panel believes it is essential that the public be formally assured by appropriate authorities that commercial supersonic flights over land will not be permitted and that SST design, development, and economic considerations are and will remain restricted to over water routes.

#### *Airport noise*

The rapid growth of the air transportation system has resulted in a wave of public reaction to aircraft noise on and near major airports and many smaller ones around the world. The problem can be characterized as one of conflict between two groups—those who benefit from air transportation services and people who live and work in communities near airports. The conflict exists because social and economic costs resulting from aircraft noise are imposed upon certain land users in the vicinity of airports who receive no direct benefits.

"The development of methods to reduce engine noise is an essential element in the development of the SST as well as subsonic jet aircraft. Reduction of engine noise, however, is more difficult for the SST. Acceleration to supersonic speeds and efficient supersonic cruise require engines with high-temperature high-velocity jets. These engines are fundamentally noisier than the fan engines that are optimum for the subsonic jets."

According to estimates provided by the FAA, the levels of noise over a community on takeoff directly under the flight path one mile beyond a 10,000 foot runway, with power reduced to hold a rate of climb of 500 feet per minute, are 111 PNdB (perceived noise in decibels) for the SST and 125 PNdB for the 707. On final approach one mile out from the runway the level for the SST is 109 PNdB and for the 707, 123 PNdB. For the SST the 100 PNdB contour extends laterally 6000 feet on either side of the runway when the plane is 200 feet in the air at the end of the runway on takeoff. The comparative 100 PNdB contour for the 707 is about 2000 feet on either side of the runway. At the three mile point on takeoff, the 100 PNdB contour extends about 2000 feet on either side of the flight line for both the SST and the 707. By way of comparison, a trailer truck at highway speed has an over-all sound level of about 90 dB at 20 feet, a pavement breaker about 115 dB at the operator's ear, and the values of 109 and 111 PNdB cited above for the SST are in the range of PNdB levels recorded indoors and outdoors during sonic booms from B-58 aircraft. On the ground the SST is significantly noisier than the 707, the 100 PNdB contour extending about 5000 feet in all directions at the starting point and from 5000 to 6000 feet on either side of the runway during takeoff roll. The data indicate that on landing and takeoff the SST can be expected to produce noise levels exceeding 100 PNdB over a distance of 13 miles. An area 4 miles long and approximately 2 miles wide surrounding the runway would be exposed to noise levels in excess of 100 PNdB.

Prolonged exposure to intense noise produces permanent hearing loss. Increasing numbers of competent investigators believe that such exposure may adversely affect other organic, sensory and physiologic functions of the human body. Noise may also dis-

rupt job performance by interfering with speech communication, distracting attention, and otherwise complicating the demands of the task. Such disruption could cause losses in overall efficiency or require increased effort and concentration to cope with the work situation. With regard to the latter, there appears to be a close relationship between bodily fatigue and noise exposure. Noise-induced hearing loss looms as a major health hazard in American industry. However, despite numerous efforts by professional standards and criteria committees, a national hearing conservation standard governing allowable or safe exposures remains to be established. Aside from hearing loss, noise may cause cardiovascular, glandular, respiratory, and neurologic changes, all of which are suggestive of a general stress reaction. Whether such reactions have pathologic consequences is not really known. However, there are growing indications, mainly in the foreign scientific literature, that routine exposures to intense industrial noise may lead to chronic physiologic disturbances. Available information suggests that workers devoting constant attention to detail (e.g., quality inspection, console monitoring) may be most prone to distraction. Noise may mask auditory warning signals and thereby cause accidents or generate reactions of annoyance and general fatigue.

Although some reduction in SST engine noise may be expected to result from expanded research and development programs on engine design and flight operating procedures, information available at this time indicates that land use planning in the vicinity of airports is the only satisfactory solution to this problem.

On the basis of the information summarized above, the panel is of the opinion that noise levels associated with SST operations will exceed 100PNdB over large areas surrounding SST airports. It can be expected, therefore, that significant numbers of people will file complaints and resort to legal action, and that a very high percentage of the exposed population will find the noise intolerable and the apparent cause of a wide variety of adverse effects.

#### *Hazards to passengers and crew*

There is an urgent need to carefully evaluate the inherent operational and environmental hazards that will be encountered while accelerating from zero to Mach 3 and cruising at supersonic speeds in a hostile environment. Passengers and crew will be vulnerable to a number of potentially serious physical, physiological, and psychological stresses associated with rapid acceleration, gravitational changes, reduced barometric pressure, increased ionizing radiation, temperature changes, and aircraft noise and vibration.

Man cannot tolerate acceleration loads above 4 to 5 g. Visual disturbances occur between 3 and 4 g. At 5 g, loss of consciousness occurs. Turbulent flight may cause brief linear acceleration of 10 to 12 g. which could cause fractures in unrestrained persons. Angular accelerations in turns and linear-angular accelerations during turbulent flight are important causes of motion sickness. Under cruise conditions the SST's exterior skin temperature will approach 260° C. Therefore, it is necessary to insulate the cabin and to install refrigeration, whereas subsonic jets require heating at cruise altitudes because the external temperature is approximately 55 degrees below zero centigrade.

Ozone is present in a concentration of about 8 ppm at 65,000 feet. There is ample evidence that ozone is a highly toxic substance which must not be allowed to enter the plane.

A doubling of the present flight altitude reduces ambient air pressure from one-fifth to one-thirtieth that at sea level. Therefore, in order to maintain current cabin pressures

equivalent to an altitude of 7,500 feet, pressurization of the SST must be increased by approximately 2.5 psi above subsonic jets. A loss of pressure at 65,000 feet would result in all aboard losing consciousness within fifteen seconds.

The radiation hazard would be approximately 100 times greater than at ground level. A flight crew exposed for 600 hours annually will accumulate 0.85 rem (roentgen-equivalent-man) from this source alone. When this value is compared with the Maximum Permissible Dose of 0.5 rem for the general public, the question arises whether SST crews should be placed in the category of radiation workers and kept under close surveillance. The advisability of allowing pregnant women, especially in the first trimester, to travel in these planes, and of limiting diagnostic x-rays for individuals who fly SST's will also need to be considered. Much higher rates of exposure associated with solar flares are to be avoided by utilizing a warning network which will permit the pilot to descend to safer altitudes. Criteria should be developed to guide prospective passengers afflicted with chronic diseases for whom the environmental stresses which might conceivably be encountered could be detrimental to their health. Lastly, special consideration should be given to the bio-instrumentation of flight crews in view of experiences in manned space flight which have demonstrated the occurrence of serious loss of insight and judgment which accompany stress such as hypoxia or fatigue. At the earliest indication of malfunction of the aircraft, especially in its pressurization, temperature control, or oxygen systems, the aircraft must be brought down to safe levels as quickly as possible either by the crew or by the automatic pilot. The health and welfare of crews and passengers are incomparably more dependent on the proper functioning of equipment for the SST than for subsonic aircraft.

#### *Effects of water vapor in the stratosphere*

The widespread use of supersonic transports will introduce large quantities of water vapor into the stratosphere. The weight of water vapor released is about 40% greater than the weight of the fuel consumed. Four hundred SST's flying four trips per day might release an amount of water vapor per day that is 0.025% of that naturally present in the altitude range in which the flights occur. The introduction of this additional water vapor into the stratosphere can produce two effects which may be important:

- (1) Persistent contrails might form to such an extent that there would be a significant increase in cirrus clouds;
- (2) There could be a significant increase in the relative humidity of the stratosphere even if there were no significant increase in the extent of cirrus cloudiness.

Both effects would alter the radiation balance and thereby possibly affect the general circulation of atmospheric components. Of greater significance may be the local contamination one can expect from a high concentration of flights over the North Atlantic. If half the activity is concentrated over 5% of the earth's surface, local contamination would be ten times larger than calculated above on a global basis or about 0.25% per day of the naturally present water vapor. However, the local concentration of water vapor from flights on crowded routes may spread out rapidly and be of no real significance.

Although it would appear that geophysical effects are probably minor, they certainly should not be neglected. Data required include information relevant to the horizontal mixing times within the stratosphere and to the resident time of gases within the stratosphere. With these parameters at hand, it should be possible to construct a numerical model of the stratosphere to determine more accurately the possible radiative effects on the general circulation.

\*The SST Program and Related National Benefits Feb. 17, 1969, the Boeing Company, page 6-22.



The findings of the Committees referred to in the Introduction are contained in the following reports, copies of which have been provided to the Ad Hoc SST Review Committee Staff:

1. "Noise—Sound Without Value", Committee on Environmental Quality of the Federal Council for Science and Technology, September 1968.

2. "Report to the Secretary of the Interior of the Special Study Group on Noise and Sonic Boom in Relation to Man"

3. "Supersonic Transport (SST)—Potential Health Hazards to the Crew, Passengers, and Population" (Unpublished Draft) Consumer Protection and Environmental Health Service, DHEW.

#### TECHNOLOGICAL FALLOUT PURPOSE

To examine the importance of the SST program to the overall national research and development posture, the technological fallout benefits that may result from the SST program and specifically whether such benefits have security value.

#### SUMMARY CONCLUSION

The SST program will advance many areas of technology and will result in technological fallout both to the aircraft industry in general and to other industrial and military applications. The magnitude of this effect is very difficult to assess, but it appears to be small. Nevertheless, there are a number of areas which can be identified as having a high probability of potential benefit, such as: flight control systems, structures, materials, aircraft engines, aerodynamics.

While technological fallout will inevitably result from a complex, high technology program such as the SST development, the value of this benefit appears to be limited. We believe technological fallout to be of relatively minor importance in this program and therefore should not be considered either wholly or in part as a basis for justifying the program. In the SST program, fallout or technological advanced should be considered as a bonus or additional benefit from a program which must depend upon other reasons for its continuation.

These views are developed in greater detail in the sections which follow.

#### APPROACH

In order to develop a report responsive to the tasks outlined above, the following questions were considered.

1. What are the principal areas of technology which will be advanced by the SST prototype program?

2. What value or importance do these technologies have to our national research and development posture?

3. What are the national security implications of technologies advanced by the SST program? Are they unique to the SST or will other programs provide similar benefits?

We shall discuss each in turn.

**Question 1:** What are the principal areas of technology which will be advanced by the SST prototype program?

Aircraft technology will be advanced in a number of areas and this will enhance future development of both military and civil aircraft. There are aspects of this technology which will not only be beneficial to future aircraft development but should have more general application as well.

#### Aircraft Technology

1. **Aerodynamics**—The SST will require high aerodynamic efficiency over its complete speed range. Achievement of high levels of performance will provide useful correlation between theory and experiment, and extensive experience of use in the design of future aircraft.

2. **Advanced Flight Controls**—The SST demands on airplane empty weight will assist in achieving advances in flight control systems which are being considered for other

advanced subsonic aircraft. These advanced systems include: (a) fly-by-wire techniques which result in lower system weight than the conventional cable-pulley-hydraulic system. (b) Stability augmentation systems resulting in saving of aircraft weight through use of smaller control surfaces. (c) Control systems for suppression of flutter loading resulting in additional savings in aircraft structural weight.

3. **Aircraft Tires**—In order to meet airline operational requirements, an improvement in aircraft tires is required for the SST. The improvement expected will enhance tire life in general and will be applicable broadly to other aircraft.

4. **High Temperature Structures**—The design of structures that operate at elevated temperatures is a relatively new field of engineering involving new materials, new manufacturing techniques, and new test methods. The knowledge and experience gained during the development and testing of the SST will contribute to this field.

5. **Aircraft Engines**—Realization of SST performance goals requires a significant advance in aircraft engine technology. Performance gains will result largely from operation at significantly higher internal cycle temperatures than have been used commercially in the past. This area of improvement must be accomplished without sacrificing engine life or maintenance characteristics normally associated with airline operations. Advanced noise suppression techniques are required if these advanced engines are to comply with evolving noise standards.

6. **Fuel Tank Sealants**—The high temperature environment of the SST fuel tanks necessitates the development of sealants usable to temperatures of 500° F. These compounds may find broader applicability in other aircraft applications.

7. **Environmental Control System**—The SST environmental control system will require advanced development of lightweight air compressors, small high-speed turbines, and lightweight, accurate, and reliable system controls.

#### General Technology

1. **Metals and Alloys**—The SST Program will create a new level of demand for titanium alloys which is expected to accelerate use of this very useful material over a broad spectrum of applications. High engine temperatures will require development of new high-temperature alloys.

2. **Metal Joining Techniques**—New techniques for metal joining are expected to be reduced to manufacturing practice in the SST Program as a result of a need for efficient fabrication operations and in connection with weight reduction. Diffusion bonding is a new metal joining technique which permits high strength joining of complex surfaces without parent metal strength reduction due to heating.

3. **High Temperature Nonmetallic Materials**—The severe high temperature environment of the SST necessitates development of new materials for use in this environment, including glass and lightweight composite structural materials made of plastic binders and boron or carbon fibers.

4. **High Temperature Seals**—The SST will represent the first use of hydrodynamic or hydrostatic seals in aircraft applications.

5. **Hydraulic Fluids and System Components and Lubricants**—Because of the temperatures encountered in the SST and the long life required, new types of fluids, lubricants, and system components must be developed which are expected to have important industrial applications.

6. **Brakes**—The SST Program is responsible for a search for new brake materials with improved heat-sink characteristics. These materials when developed would be broadly applicable to many different types of vehicles.

7. **Electrical System Components**—The high temperatures encountered by the SST

require advanced development of wire insulation, antenna parts, and electrical system components capable of withstanding this severe environment.

**Question 2:** What value or importance do these technologies have to our national research and development posture?

It has been suggested that the technological benefits from the SST program are impressive enough in themselves to provide strong justification for SST prototype development. It is our view that this statement unduly magnifies the significance and impact of the advances which will inevitably result from a high technology program such as the SST. Although past experience has in many cases demonstrated that predictions of technological fallout can be extraordinarily conservative when projected over a number of years into the future, we nevertheless find claims for technological fallout from the SST Program to be generally unconvincing. Many of the technologies are refinements of developments which had their origin in DoD or other aircraft programs. Others appear to be of such a highly specialized character that broader application to other areas of the economy are limited, and in any event many years from being realized.

What then is the contribution of the SST Program to our national research and development posture? It would appear to occur in two principal ways: manpower, challenge.

The Boeing Company has estimated that the design and prototype phase of the SST Program will require a peak level employment of approximately 20,000 people, of which 3,400 are expected to be skilled engineers and technical personnel. This is about 7% of the peak level employment in support of the Apollo program. As in the case of Apollo, but to a lesser degree, the SST Program, therefore, will both drain and stimulate the technical manpower pool in the U.S. We are not capable of judging the net positive or negative values in this area. For example, in the limited time available for this effort, it has not been possible to project other major programs into the same time period to determine whether the manpower drain will be at the expense of programs of potentially greater return. We have also not been able to judge the degree of stimulation to the training of future aeronautical engineers vital to the nation which may result from the existence of a visible and challenging SST development program. We expect in any event that the most significant effect will, in fact, result from the second factor—challenge.

The SST Program can provide considerable, but unmeasurable benefit because of the challenge, both in a technical and emotional sense which such a competitive and forward-looking program engenders. This sense of challenge, particularly if successfully met, can be a beneficial factor not only in the aircraft industry but also on a broader basis and on a national level.

In addition the technical challenge of a specific program can serve as a useful focus for research and technology programs and may thereby force new and important breakthroughs.

**Question 3:** What are the national security implications of technologies advanced by the SST Program? Are they unique to the SST or will other programs provide similar benefits?

The question of whether the SST advances will have national security implications is relatively easy to answer. Of course defense capabilities will be enhanced by the technology advances made by the SST. What value can be placed on these benefits, however, is much more difficult to answer.

Both civil and military aircraft performance and efficiency are dependent upon the achievement of such factors as strong, lightweight structures, low aerodynamic drag and high thrust-to-weight engines with low fuel consumption. The SST Program is directed

toward achieving gains in these areas. To the extent the SST Program is successful, there will undoubtedly be application of these results to help provide better military systems. In general, however, the technology rather than particular systems can be expected to be transferred to military use, because of different systems requirements.

In many areas, this technology interchange takes place from the military program to the SST. For example, in titanium technology, the military have pioneered the use of this material for aircraft structures, such as the rear portion of the F-8 fighter, and the YF-12 and SR-71. The processing and manufacturing techniques being developed for the SST have their origin with these aircraft. Similarly, the two new fighter aircraft programs being initiated, the F-14 and F-15, while of relatively lower performance than the SST and therefore not requiring titanium for its high temperature qualities, will nevertheless be  $\frac{1}{2}$  to  $\frac{1}{2}$  titanium by weight and will employ the latest design and fabrication techniques. These aircraft will have their first flights before the SST so this technology will be proceeding on a parallel basis.

Similarly, there are military programs directed to developing better and lighter materials, for advanced engines, more efficient cooling and design features to increase aircraft engine temperatures, just as is being done in the SST. For example, DoD has a program to develop new technology engines for the F-14 and F-15 that are more advanced technologically than the SST engine. These developments are essentially parallel to the SST engine program, and are drawing from the same data base. Similarly the Advanced Manned Strategic Aircraft (AMSA) engine, even more advanced and coming in a later time period, will utilize the advances of both programs.

Another development that has been indicated as mutually beneficial is the fly-by-wire control systems being developed for the SST. Similar systems are being developed for military aircraft. Both systems are directed at the same objective, the substitution of electrical connections between the pilot and the controls for the present mechanical connections. Weight savings, better reliability and less susceptibility to enemy gun fire provide significant military advantages.

These are only a few of the many examples that can be cited of mutual interaction between the SST and military aircraft programs, in which each program benefits from the other. Specific applications are somewhat different in each area however, warranting separate approaches even though technology and principles are the same. Alternative approaches also provide the opportunity of developing new solutions to fundamental problems as a result of addressing these problems on multiple fronts.

In summary, the technologies advanced by the SST Program will contribute to advancement in military weapons systems but military systems will not depend in a substantive way upon the SST for such improvements. The SST Program cannot be considered as providing unique technological inputs to military programs.

DEPARTMENT OF STATE,

Washington, D.C., March 26, 1969.

HON. JAMES M. BEGGS,  
Under Secretary of Transportation.

DEAR MR. BEGGS: I appreciate the invitation extended at yesterday's meeting by Secretary Volpe and you to add some comments to the Report of the SST Ad Hoc Review Committee. We concur in the Report's discussion under the heading "Foreign Relations Impact of US SST Decision." The following comments should, however, be added to the Report.

1. There are no overriding foreign policy grounds either for pushing ahead with the

SST project now, or for delaying it, or for dropping it altogether. One specific aspect of this position is our view that it would not be proper to base the decision to go ahead with the project on any generalized concept of enhancement of US prestige, or the like.

2. We would, however, gain two possible benefits from a delay of the project:

(a) If such delay were to lessen the time pressure on the builders of the Concorde, as we think it would, it might permit them to use that time to improve the noise characteristics of that aircraft. If this were successful it would be of immense importance to us, since at present it looks as if the United States, France and the UK will become involved in quite serious differences over the operation of the Concorde in US airspace.

(b) It is clear that one important element in the thinking of the United States is the potential competition of the Concorde. A delay would permit us to discuss with the British and French the effect on the plans of the Concorde of any extended delay by us. It could well be that their plans for the Concorde are also tied to our plans to build a US SST. For obvious reasons we have not to date brought this matter up with either of our allies.

3. The Committee did not have available adequate data on the Soviet TU-144 to make a judgment on its relationship to the US SST program, but this development should continue to be followed closely.

Sincerely yours,

U. ALEXIS JOHNSON,  
Under Secretary for Political Affairs.

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE,

Washington, D.C., March 26, 1969.

HON. JAMES M. BEGGS,  
Under Secretary of Transportation,  
Washington, D.C.

DEAR MR. BEGGS: We have taken the opportunity presented by the Report of the SST Ad Hoc Review Committee to review the findings contained in the report with respect to the environmental and sociological problems which have a bearing on the pending decision regarding further development of the SST. The following is a summary of these findings and our present views on this matter.

The noise problem weighed heavily in the findings of the Panels on Balance of Payments (p. 5) and Economics (p. 8), and Environmental and Sociological Impact (p. 12). Dr. Seamans and Mr. Muse, DOD R. & E., believe noise and sonic boom potential are deterrents to the program and should be considered in the decision, not after the program goes forward. They have received approximately two hundred letters from people who think it is a deterrent. Mr. Train states that far more research is needed with respect to engine noise and noise suppressants. Mr. Volcker suggests that over the next year attention should be directed primarily to "the extent to which the noise problem may be resolved satisfactorily" among other things. Dr. DuBridge raises serious questions about the solvability of the noise problem and doubts that any reduction in noise levels which might be achieved would offset more rigid standards which a "more sensitive" public will demand.

If SST development is to proceed (even if only the prototype) as a technological venture, specific efforts to solve the environmental and sociological problems should be programmed and funded in the agencies having prime responsibilities. Close coordination should be maintained between DOT and the other agencies. Studies and other activities necessary for programs to promulgate criteria for noise, and to propose safe and acceptable limits for other environmental hazards should be initiated as soon as possible. SST and airport noise standards should be given high priority in this effort.

Such standards may be needed relatively soon as a basis for decisions respecting the use of U.S. airports by the Concorde.

Continuation of a project to construct a new device can usually be justified if the feasibility of success can be based on scientific knowledge, past experience or successful research and development along similar lines. A considerable measure of risk that the device will fail to function can be balanced against potential advantages if the project succeeds. However, this may not be a sound approach if it fails to include simultaneously a rigorous evaluation of those factors which will have a profound impact on the quality of the environment and particularly on the health and well-being of very large numbers of people. In such cases it would seem advisable also to establish the feasibility of finding solutions to the environmental and sociological problems.

The comments of other individuals summarized above, therefore, reinforce our own conclusion that we would want to assure ourselves of our ability to find solutions to those problems affecting the health and well-being of people as we proceed with the developmental process.

Sincerely yours,

CHARLES C. JOHNSON, Jr.,  
Assistant Surgeon General Administrator.

COUNCIL OF ECONOMIC ADVISERS,

Washington, D.C., March 26, 1969.

Memorandum for Hon. James M. Beggs.  
Subject: Proposed Construction of SST Prototypes.

The opinion of the Council of Economic Advisers on this proposal is determined primarily by the great uncertainties concerning the economic, technical and environmental aspects. On the economic aspects our views are identical with those expressed in the report of the Economics Panel, which was chaired by the Council. As far as the balance of payments is concerned, we agree with Treasury that all components of the balance of payments should be taken into account and that consequently the balance of payments impact of the SST is likely to be adverse. The two other subcommittee reports, on technological fallout and on environmental aspects, are also distinctly negative in tone.

In addition to these reports we were also impressed by evidence presented by witnesses to the effect that there are undue risks in the methods chosen for the development of this plane. Since at an early stage a decision was made to proceed with only one design there is a great risk of subsequent substantial modifications; in fact the necessity of going back from a swing-wing to a fixed-wing design is indicative of the problems that may come in the future. We have no reason to doubt that the design currently favored will be technically satisfactory, but we also feel that more assurance on this point is needed and that such assurance can only be obtained by further research.

We have also taken note of the case made forcefully to the Committee by General Quesada that the Government should not be involved in further work on this aircraft except perhaps in the form of research. While we do not want to rule out future Government support, there does not seem to be a sufficient case for proceeding with the prototype at the present time. While considerations of national leadership, raised especially by competition from the Concorde, are no doubt relevant, we do not believe that our prestige abroad will be enhanced by a concentration on white elephants.

Our recommendation, therefore, is that no funds for prototype construction be included in the 1970 budget. The funds still available under the old design contract, and possibly some additional funds for research, should



be used to clarify the characteristics of the SST. In particular we believe that more research should be done on the development of less noisy engines, in addition to the technical problems of flutter, etc. We also believe that the economic analysis needs to be strengthened.

Finally, we would suggest that any further research on this plane be done under the responsibility of an agency other than FAA. While we do not wish to suggest that the role of FAA in the development of the aircraft has been improper in any way, we are concerned about possible conflicts of interest in the future. Ultimately FAA will have to issue a certificate of airworthiness for this plane, and it will also be involved in the setting of noise standards for airports. It is therefore desirable that FAA not be already committed to a particular aircraft design.

HENDRIK S. HOUTHAKKER.

U.S. DEPARTMENT OF LABOR,  
Washington, D.C., March 26, 1969.

Hon. JAMES M. BEGGS,  
Under Secretary, Department of Transportation, Washington, D.C.

DEAR MR. BEGGS: As agreed at yesterday's meeting of the Ad Hoc Committee, this letter supersedes my letter of March 21. It is my understanding that the report of the Ad Hoc Review Committee on the SST will be made up of (a) the reports of the four working panels and (b) this and letters from other Committee members setting forth additional views and recommendations.

I wish to summarize for the record the oral comments which I made yesterday to Secretary Volpe as follows:

1. The range of uncertainty with respect to the economic benefits from the SST is such that no clear case can be made on economic grounds for proceeding with the SST development.

2. Technological spill over benefits appear to be negligible.

3. There are major environmental and social problems which have not been solved and which should be the subject of further intensive research before proceeding with prototype construction.

4. The effect of SST development on the balance of payments is likely to be negative because of the probable major increase in United States tourism abroad.

5. The net employment increase from SST production would likely be negligible and would occur in the professional and technical categories where shortages already exist. The project would have practically no employment benefits for the disadvantaged hard-core unemployed with low skill levels.

In addition, we would recommend that the responsibility for long term research and development activities related to supersonic flight should be shifted from the Federal Aviation Agency of the Department of Transportation to the National Aeronautics and Space Administration. The basic mission of the FAA, to insure safe and efficient commercial air travel, would appear to conflict with the responsibility for carrying out a major research and development program leading to the certification of a particular supersonic aircraft to be produced by a single commercial firm.

Finally, it would be our recommendation that currently available funds for SST development be applied in 1970 to further intensive research on the environmental hazards associated with the supersonic flight and to further refinement of the economic and market studies.

Sincerely,

ARNOLD R. WEBER,  
Assistant Secretary of Manpower.

# DEPARTMENT OF TRANSPORTATION,

March 19, 1969.

Subject: SST Ad Hoc Review Committee Report.

From: Chairman.

To: Each Member.

At the conclusion of the Committee meeting on March 12, the subject of the Committee's Charter was raised. Specifically, questions were raised as to how the Committee's deliberations would be presented and utilized. Such questions are certainly in order in that this group was convened for a specific purpose and it is necessarily important that such purpose be achieved.

To clarify both the purpose of the Committee and the method by which the purpose is to be achieved, a recapitulation of the relevant instructions and memoranda is useful. Such recapitulation follows:

By memo dated January 29, Secretary Volpe was requested by the President to carry out the recommendations contained in the report prepared by Arthur Burn's group.

By memo of January 31, Secretary Volpe advised the President of DOT review actions, both underway and proposed, to accomplish an all-inclusive review of the SST program. The Secretary also proposed that an Ad Hoc Committee concerned with national interest questions be instituted under the auspices of DOT with senior members from specific agencies. This memo concluded by stating that DOT could thus provide a comprehensive review of the SST question by March 15.

By memo of February 5, the President indicated his pleasure that DOT had already instituted actions in regard to evaluating the redesign of the SST. In addition, the President specified the agencies from which representatives should be included on the DOT proposed Ad Hoc Committee and requested a proposed list of representatives.

If a memo of February 13 from Secretary Volpe to the President the Ad Hoc Committee membership was proposed with the undersigned designated as Chairman.

In a memo dated February 19 from the President to the undersigned, the President established this Ad Hoc Committee to review the national interest questions of the Supersonic Transport program in line with the recommendation given by Secretary Volpe. He also designated the membership and appointed me Chairman.

The foregoing makes it very clear that the review of the Ad Hoc Committee constitutes a major input to the total SST review process, which the President has charged Secretary Volpe with conducting. Thus, it is also clear that this Committee's views must be clearly and fully presented to the Secretary, he, in turn to utilize them and incorporate them in his report to the President.

In view of the above, a draft of the Ad Hoc Committee Report is attached for your review and approval or comment. Here, let me repeat the importance of fully conveying your views to the Secretary and thus I urge your personal attention to this draft. The panels of this Committee have developed a series of findings in several areas. Recommendations, with respect to the program, will be made to the President based upon these findings and other inputs to the total SST review. If in the course of your activities on this Committee you have come to personal conclusions about what such recommendations should (or might) be, such additional comment would be welcomed in your response to this memorandum. I regret the pressure of time, but in view of the schedule it is requested that your response be received in my office by close of business March 20.

In closing I would like to assure all members that the activities of this Committee in

no way precludes nor substitutes for Cabinet-level consultation on this vital subject.

JAMES M. BEGGS,

Chairman, SST Ad Hoc Review Committee.

## REPORT OF THE SST Ad Hoc REVIEW COMMITTEE

On February 19, 1969, the President appointed this Committee to investigate the national interest questions associated with the pending SST decision (Attachment 1).

Four meetings were held for the accomplishment of the activities of this Committee. Four working Panels were established to examine specific areas as indicated below:

1. Economics
2. Balance of Payments and International Relations
3. Environmental and Sociological Impact
4. Technological Fall-Out

The membership is indicated on Attachment 2.

Various witnesses, both pro and con, were called to testify before the Committee. Attachment 3 provides a listing of the outside witnesses.

The following is a summation of the views of the Committee as presented on the SST national interest questions. Also included are the views, as presented to the Committee, of the outside witnesses.

### ECONOMIC PANEL

Key to the findings on economics is the large amount of uncertainty associated with all the major input parameters. The fundamental technical capacity of the aircraft, for example, has been subjected to much public question, pointing to the design changes, new materials developments needed, new guidance and control technology needed and new quieter engines need—to mention a few items. The ultimate cost of the development of the SST with these intervening subdevelopments introduces a large element of doubt in the end item aircraft cost.

Estimates of demand are similarly subject to much question and divergence of opinion. Ultimate demand for supersonic travel will be subject to many variables including overall travel demand, value placed by travelers on their time, airport congestion impact on overall travel time, fare differentials charged for supersonic travel, and convenience of the possibly limited number of airports from which the SST will be permitted to operate because of noise. Each of these ponderables in turn is greatly influenced by another subset of controlling factors which defy accurate prediction. The overall US-SST market based on no overland supersonic flight is therefore variously estimated to be between 350 and 500 aircraft. Airline action to voluntarily reduce their return on investment, should the highest fare differential be indicated, could raise the minimum SST market to about 500 aircraft. One the other hand, if the Boeing Company were to attempt to maximize its profits the Panel estimates the market would decrease to about 350 aircraft at which point the government could recapture its investment. It should be noted, however, that provisions in the contract permit the government to set the price if it so desires.

An additional uncertainty lies in the projections of available capital for the production phase of the SST. If declining airline earnings ratios continue on the present trend it will be difficult to obtain the large sums required from internal sources and will require more expensive commercial financing, government guarantees or government investment.

Perhaps more than 100,000 jobs will be created by the SST program, but whether this impact will offset other declines or act

as an inflationary factor in a full employment sector cannot be foreseen at this time.

#### BALANCE-OF-PAYMENTS AND INTERNATIONAL RELATIONS PANEL

Two conflicting forces influence the balance-of-payments impact of the SST. On the one hand SST exports and offsets Concorde imports are favorable factors and considering the airplane account alone it was agreed that a successful American SST would give a favorable impact on the balance-of-payments. On the other side of the ledger, the increased travel expenditures encouraged by supersonic aircraft increases the outflow projection. If the Concorde were not introduced into service the combined aircraft export and travel expenditure would indicate an unfavorable balance-of-payments. If the Concorde and SST were in service the balance-of-payments would be enhanced by \$11 billion thru 1990 by virtue of SST exports. One key to the balance-of-payments question therefore revolves around whether or not a commercially viable Concorde can be developed and placed into service—a point of some doubt at present. The assessment of the balance-of-payments impact was made upon the information that was presently available, much of which was obtained from surveys taken some time ago.

Insofar as international relations are concerned we have witnessed the extreme sensitivity of the British and French Governments to our actions on noise regulations and on technical and economic debates on the SST. We must seek early international agreement on noise standards which will not be judged as steps to preclude Concorde competition for our SST. Decisions made regarding SST development should also be carefully couched such that our actions are not judged to be of a nature that would force British or French decisions regarding the Concorde.

#### ENVIRONMENTAL AND SOCIOLOGICAL IMPACT

The SST has the potential of intensifying certain hazards (inherent in most all transport aircraft) to passengers and crew over those that current passengers and crew are exposed to. It also has the potential of further deteriorating the environment in the environs of the airport and within the area encompassed by the sonic boom path (on the ground) when the aircraft is flown supersonically. However, this potential was not considered to be a deterrent to the SST program; instead, when and if it did move forward, this potential should be considered in detail and resolved as early as possible.

In today's time frame the aircraft should clearly be considered an "overwater" aircraft. Range, economics, and other factors should be based on this understanding. The "airport noise" problem should be based on what people near airports will accept, and design requirements established accordingly, not in the reverse order. We should not wait for the aircraft to be built, and then set standards based on what has been accomplished.

The internal environment for the passenger and crew must be the same as that for passenger in today's aircraft. Automatic controls are necessary to maintain a safe environment in case of failures and malfunction. Crew exposure to radiation should be monitored.

Increased water vapor released into the atmosphere from combustion of aircraft fuel could be a problem, in terms of local climates and changes in atmospheric circulation and must be further examined.

The foregoing environmental factors are potentially serious and therefore should not be overlooked or underestimated. They are largely known, and can be carefully examined, and a decision made to avoid them.

#### TECHNOLOGY FALLOUT PANEL

The SST program will advance many areas of technology and will result in technology fallout both to the aircraft industry in gen-

eral and to other industrial and military applications. The magnitude of this effect is difficult to assess, and should be considered as a bonus for additional benefit from the program and should not be used for its justification. Nevertheless, there are a number of areas which can be identified as having a high probability of potential benefit. Many of these technologies are refinements of developments which had their origin in DOD or other aircraft programs. Others appear to be of such a highly specialized character that broader application to other areas of the economy are either limited or are many years from being realized.

The Panel believes the biggest fallout will result in the fields of manpower (which is difficult to assess) and in the sheer challenge of the project. This sense of challenge provided by such a competitive and forward looking program if successfully met can be a beneficial factor not only in the aircraft industry, but also on a broader basis and on a national level. In addition, the technical challenge of this project can serve as a useful focus for a variety of research and technology activities and may thereby force new and important breakthroughs.

There is no question, but that our national defense capabilities will be enhanced by the technology advances made by the SST. What value can be placed on these benefits, however, is much more difficult to quantify. The SST will draw heavily on military technology and will undoubtedly provide a technology transfer back to the military. Concurrent military aircraft development efforts will also be adding to our technology in many of the same areas as mentioned above.

The Committee heard the views of non-government representatives of the interested segments of our society. Their testimony was both for and against the SST program. The second FAA Administrator and now airline executive, cited the numerous reviews held in the past of the SST and the human tendency to focus on problems and doubts in such Committee reviews. He, however, cited the usual airline practice to invest in new aircraft before they have flown and in the case of the SST they have expressed their confidence by investing risk capital even before a final design exists. He highlighted some of the problems associated with the SST, but compared these with other national ventures of far greater difficulty, complexity, cost and risk which we have successfully accomplished. He categorically expressed his confidence in the SST project and its benefits. Other representatives of the aerospace industry and U.S. international air carriers gave frank testimony in defining problem areas but were all in strong support of proceeding with the prototype development expressing confidence that the problems highlighted are solvable and the prototype is the proving ground. The Director of the Citizens League Against the Sonic Boom, as his title would indicate, was completely against the sonic boom and hence the SST program. Other witnesses testified as to their experience in economic analysis and the problems associated with military research and development programs pointing out the common errors of underestimating the costs and time required for development.

The Committee also heard the view expressed by the FAA Administrator in office at the initiation of the SST program, that the U.S. resources, both through military aircraft development and NACA/NASA research, were very influential in providing this nation with the technological leadership and developed products which enabled our private sector to become the world leader in commercial aircraft production. However, this witness had serious reservations about the Federal Government assuming the major burden of directly developing a commercial aircraft, but rather believed that the past tradition of the government providing tech-

nological know-how and components should be continued. Normal economic demand of the market should continue to be the primary motivating force in the development of the specific aircraft. He did support continuation of the SST program, particularly in light of the fact that with flights of the Concorde and the Russian TU 144, we are now in the supersonic transport age. He also stated that if the U.S. SST is not developed, U.S. international carriers would buy and operate the Concorde even at a loss, if necessary, to protect their competitive status.

THE UNDER SECRETARY OF COMMERCE,  
Washington, D.C., March 14, 1969.

Memorandum for Hon. James M. Beggs, Under Secretary of Transportation.

Subject: Report of the Economic Subcommittee.

Although we participated in the work of the Economic Subcommittee, we believe the general tone of the final report is unduly pessimistic. We concur that there are many technical and economic uncertainties in the SST program and that some of the economic assumptions upon which FAA and its consultants based their case were derived from limited and questionable data.

Uncertainty is inherent in any new technological program or business venture. The magnitude of the technological jump appears over emphasized. The United States now has several years experience in working with titanium in both advanced military aircraft and missiles. The military analogy is not applicable to commercial aircraft. The large cost overruns in the F-111, C5A and other advanced military aircraft are partially due to reasons that will not be a factor in the SST program such as: frequent design changes; mission redefinitions; and, weapons systems problems. It is unlikely that all of the assumptions used in the FAA base case—aircraft prices, traffic split between SST's and subsonic aircraft, fare differentials and rates of return will prove wrong in only one direction, to the disadvantage of the SST.

ROCCO C. SICILIANO.

OFFICE OF THE DIRECTOR OF  
DEFENSE RESEARCH ENGINEERING,  
Washington, D.C., March 20, 1969.

Mr. JAMES M. BEGGS,  
Under Secretary of Transportation,  
Department of Transportation,  
Washington, D.C.

DEAR JIM: I have reviewed the SST Ad Hoc Review Committee Report and must confess I have some difficulty in seeing how it fits in, or contributes to, the decision on the program. Perhaps this results from my having missed the first two Committee meetings. I do feel that the report accurately summarizes the material presented and discussed at the last two meetings.

I do have some concern about the clarity of the Balance-of-Payments discussion in Paragraph 3 of Page 3. Particularly troublesome is that portion beginning with Sentence 4: "If the Concorde were not introduced into service the combined aircraft export and travel expenditure would indicate an unfavorable balance-of-payments. If the Concorde and SST were in service the balance-of-payments would be enhanced by \$11 billion thru 1990 by virtue of SST exports." Maybe it's me, but if others have trouble with it, I suggest consideration be given to rewording.

Also the last Sentence, Page 4, Paragraph 2, implies that we are going to ignore the noise and sonic boom potential in the decision, but will give it consideration after the program goes forward. It seems to me that this is a deterrent to the program and should be considered in the decision. As an indication, I (actually Dr. Seamans) have received a couple hundred letters from people who think it is a deterrent.

In regard to specifics I have some relatively modest revisions on our Technology Fallout Panel material which I am forwarding to Dr.



Russell Drew for incorporation with his and Bill Harper's comments as a coordinated working panel view.

I hope these rather general comments will be useful. If there is any way I can help further, please do not hesitate to call on me.

Sincerely,

T. C. MUSE,  
Assistant Director, Tactical Aircraft  
Systems.

DEPARTMENT OF HEALTH, EDUCA-  
TION, AND WELFARE, PUBLIC  
HEALTH SERVICE, CONSUMER PRO-  
TECTION AND ENVIRONMENTAL  
HEALTH SERVICE,

Washington, D.C., March 20, 1969.

Hon. JAMES M. BEGGS,  
Under Secretary of Transportation,  
Washington, D.C.

DEAR MR. BEGGS: Thank you for your letter of March 17, 1969, relative to the participation of this Department in the activities of the Ad Hoc Interagency SST Committee.

I have discussed the matter of explicit recommendations with Under Secretary Vene-man. It is our opinion that we should not make explicit recommendations either personally or as a panel which could not be considered and acted upon by the ad hoc committee. We firmly believe, however, that the collective views of the ad hoc committee based on their deliberations should be developed by the committee and submitted to Secretary Volpe as was stated in your letter of February 28. We further believe that the collective recommendations to be submitted to President Nixon should be provided to the members of the committee and the panels. This would afford the participants an opportunity to learn how their views have been interpreted and whether their efforts have indeed been useful.

The draft report, transmitted with your memorandum of March 18, has just been received. In my opinion the summary does not convey the sense of the Environmental and Sociological Panel report, and does not adequately reflect the concerns of the members of this panel. We will comment further on this matter in a separate letter.

Sincerely yours,

CHARLES C. JOHNSON, JR.,  
Assistant Surgeon General Administrator.

DEPARTMENT OF HEALTH, EDUCA-  
TION, AND WELFARE, PUBLIC  
HEALTH SERVICE, CONSUMER PRO-  
TECTION AND ENVIRONMENTAL  
HEALTH SERVICE,

Washington, D.C., March 20, 1969.

Hon. JAMES M. BEGGS,  
Under Secretary of Transportation,  
Washington, D.C.

DEAR MR. BEGGS: The Environmental and Sociological Panel shares the view expressed in your memorandum of March 19, 1969, to the effect that "this Committee's views must be clearly and fully presented to the Secretary, he in turn to utilize them and incorporate them in his report to the President".

We are very concerned, therefore, that the summary of our report attached to your memorandum does not clearly and fully present our views. It appears to represent a synopsis of an oral presentation given in lieu of a specific reading of the report contents at a meeting of the Committee. As such, the summary report does not convey the real sense of the Environmental and Sociological Panel's report and does not adequately reflect its concerns. On the contrary, the editorial comments, interpretations and implied conclusions in the draft summary tend to convey the impression that the panel considered the environmental factors to be of small moment. Quite to the contrary these must be recognized as being of significant

concern and emphasized at every step leading to a final decision in this matter.

Our understanding concerning the development of collective views and the presentation of recommendations were submitted in our previous letter. The attached summary presents the views of the Environmental and Sociological Panel more precisely and within the approximate space you have allotted to this subject. It is requested that this summary be substituted for the version attached to your memorandum of March 19.

Sincerely yours,

CHARLES C. JOHNSON, JR.,  
Assistant Surgeon General Administrator.

SUMMARY OF REPORT OF THE ENVIRONMENTAL  
AND SOCIOLOGICAL PANEL OF THE AD HOC  
SUPERSONIC TRANSPORT REVIEW COMMITTEE,  
MARCH 20, 1969

#### ENVIRONMENTAL AND SOCIOLOGICAL IMPACT

The Panel considers the principal environmental and sociological problem areas to be: (1) Sonic boom; (2) Airport noise; (3) Hazards to passengers and crew; and (4) Effects of water vapor in the stratosphere.

The effects of sonic boom are such as to be considered intolerable by a very high percentage of the people affected. The Panel is very concerned about the economic pressures that will be exerted if it is subsequently found that the economic success of the aircraft depends on overland flights at supersonic speeds. The Panel believes it is essential that the public be formally assured by appropriate authorities that commercial supersonic flight over land will not be permitted.

"The development of methods to reduce engine noise is an essential element in the development of the SST as well as subsonic jet aircraft. Reduction of engine noise, however, is more difficult for the SST. These engines are fundamentally noisier than the fan engines that are optimum for the subsonic jets." On the ground the SST is significantly noisier than the 707. On landing and takeoff the SST can be expected to produce noise levels exceeding 100 PNdB directly under the plane over a distance of 13 miles. Surrounding the runway an area 4 miles long and approximately 2 miles wide would be exposed to noise levels in excess of 100 PNdB. It can be expected that significant numbers of residents will file complaints and resort to legal action, and that a very high percentage of the exposed population will find the noise intolerable and the apparent cause of a wide variety of adverse effects. Land use planning in the vicinity of airports is the only satisfactory solution to this problem at the present time. Airport personnel and airline passengers, however, will be exposed to very high noise levels regardless of land use planning. Prolonged exposure to intense noise produces permanent hearing loss and may also disrupt job performance by interfering with speech communication, distracting attention, and otherwise complicating the demands of the task. Noise-induced hearing loss looms as a major health hazard in American industry. However, a national hearing conservation standard governing allowable or safe exposures remains to be established.

SST crews and passengers are incomparable more dependent on the proper functioning of equipment for pressurization, temperature control, and oxygen systems than are the occupants of subsonic aircraft. A loss of pressure at 65,000 feet would result in all aboard losing consciousness within fifteen seconds. At cruise altitudes ozone is present in concentrations which would be highly toxic to passengers if allowed to enter the plane. The radiation hazard would be ap-

proximately 100 times greater than at ground level. SST crews probably should be placed in the category of radiation workers and kept under close surveillance.

The widespread use of supersonic transports will introduce large quantities of water vapor into the stratosphere which could alter the radiation balance and thereby possibly affect the general circulation of atmospheric components.

U.S. DEPARTMENT OF THE INTERIOR,  
Washington, D.C., March 21, 1969.

Memorandum to Chairman, SST Ad Hoc Review Committee (Under Secretary Beggs).

From: Under Secretary of the Interior.  
Subject: SST Ad Hoc Review Committee Report.

I have reviewed the above draft report, and my comments are submitted herewith.

Having listened to the reports of the subcommittees on March 12 and the discussion which followed each report, I was struck by the lack of positive justification for the SST program.

1. While the Balance of Payments Working Panel report indicated that there is evidence that a favorable balance might result from sales of aircraft and parts, it was strongly indicated that there is no positive evidence of balance of payment benefit when all aspects of the matter, including increased U.S. travel abroad, are taken into account.

2. The representative of the Council of Economic Advisers expressed an opinion that the estimates of aircraft sales are quite arbitrary. This would bear upon Point 1 above.

3. I believe that your draft report attaches more significance to technology fall-out from the program than does the actual report of that subcommittee. The latter stated "the magnitude of this effect is very difficult to assess, but it appears to be small." (Emphasis supplied.) The subcommittee goes on to say "We believe technological fall-out to be of relatively minor importance in this program and therefore should not be considered either wholly or in part as a basis for justifying the program." On the relation of technological fall-out to defense programs, the subcommittee concluded: "The SST program cannot be considered as providing unique, technological inputs to military programs." My own notes of the discussion indicate that DOD does not expect significant military application of SST.

4. The Economic Subcommittee emphasized the "uncertainty" connected with the program. The subcommittee concluded that: "Probably the single most uncertain aspect of the whole program relates to the uncertainty as to whether an SST can be built in the given time that will meet the specifications of being efficient, safe, and economical."

5. The Environmental and Sociological Subcommittee pointed to significant potential environmental and sociological problems related to the health and well-being of the people which must be considered in making decisions concerning the SST. The principal problem areas were identified as: (1) sonic boom; (2) airport noise; (3) hazards to passengers and crew; and (4) effects of water vapor in the stratosphere. I would add pollution resulting from engine discharges as an additional significant environmental problem. It is my understanding that operation at subsonic speeds, including speeds necessary for takeoff and landing, results in inefficient fuel combustion with a resulting heavy discharge of pollutants into the atmosphere. Both atmospheric pollution and ground contamination seem likely to result.

On the subject of research, it was indicated that far more research is needed with respect to:

- Engine noise and noise suppressants;
- Electrical control and guidance systems;
- Market research.

<sup>1</sup> The SST Program and Related National Benefits, Feb. 17, 1969, the Boeing Company, page 6-22.

On the basis of the above record, it is my own conclusion that the justification for proceeding with the program is not now apparent. There may be other considerations with which I am not familiar. The Department of the Interior has no special capability for evaluating such matters as the technological fall-out resulting from the program or its implications for balance of payments. However, we consider the environmental disadvantages to be of extreme significance. The growing environmental deterioration in this country and abroad is already the cause of widespread public concern. We believe that the probable adverse environmental impact of the SST is such that the program should not be pursued in the absence of overwhelming evidence of positive advantages.

In the meantime, the Department would urge and support continuing research directed to eliminating or reducing to reasonable levels adverse environmental impacts.

RUSSELL E. TRAIN.

ASSISTANT SECRETARY OF LABOR,  
Washington, D.C., March 21, 1969.

HON. JAMES M. BEGGS,  
Under Secretary,  
Department of Transportation,  
Washington, D.C.

DEAR MR. BEGGS: This letter is in response to your memorandum of March 19, and the draft report of the SST Ad Hoc Review Committee. Although my schedule prevented personal participation in the meetings of the Committee, my deputy in this matter, William Kolberg, kept me closely apprised of the Committee's work. In addition, I have carefully studied the four subcommittee reports.

My reaction to the draft report at this time is negative.

First, it is my understanding, based on the instructions to the Ad Hoc Committee members from Mr. Coy, dated February 28, that: "The objective of the Committee is to assess the impact of the SST on the national interest." The draft report fails to make this assessment. It neither reflects a Committee consensus concerning the net effects of proceeding with the SST, nor does it provide a basis for such a conclusion for Committee consideration. Instead, it merely reviews and summarizes some of the material presented by the subcommittee.

Second, the draft report presents a possibly misleading summary of the subcommittee reports. These raised numerous problems which bring into serious question the wisdom of proceeding with the SST; these problems are understated in the draft report. This is particularly true of two questions raised in the report of the Economic Subcommittee, in which the Department of Labor actively participated. The draft report understates the problem concerning the price which may be set by Boeing for the SST. The present contract with Boeing affords the government no real protection against a higher price than is currently contemplated, which could result in a substantial decrease in projected government return on its investment. The draft report also implies that the SST will make more of a contribution to desirable employment consequences than we can foresee.

For these reasons, the Department cannot support the draft Committee report. I do not know what additional steps you might want to take to rectify this situation, but I did want to state my views concerning the output of the Ad Hoc Committee to date.

Sincerely,

ARNOLD R. WEBER,  
Assistant Secretary for Manpower.

(Suggested substitute language for the first five sentences beginning with the word "Two" and ending with the words "SST exports." On page 3 of the draft "Report—SST Ad Hoc Review Committee" under the section

heading, "Balance-of-Payments and International Relations Panel."

Two conflicting forces—net aircraft sales, and net travel expenditures—influence the potential impact of the SST on our balance of payments.

If only the aircraft account effects are considered, a successful American SST would favorably influence our balance of payments. But a successful American SST depends on a substantial induced expansion in our net travel expenditures abroad. Therefore, the effects of the SST on the aircraft account cannot logically be considered independently from the travel account.

If both supersonic aircraft sales, and the related increases in our travel deficit, are taken together, there is a substantial risk that the introduction of a U.S. SST would be adverse to our balance-of-payments prospects whether or not a Concorde is produced. If the Concorde proves not to be commercially viable and a U.S. SST were introduced, the adverse effects on our balance of payments of supersonic travel would be large and entirely attributable to the American SST.

THE UNDER SECRETARY OF THE  
TREASURY FOR MONETARY AFFAIRS,  
Washington, D.C., March 18, 1969.

HON. JAMES BEGGS,  
Under Secretary of the Department of Transportation, Washington, D.C.

DEAR MR. BEGGS: I would like to take this opportunity to pass along to you the present views of the Treasury Department with respect to the Government's approach toward the SST project.

Our own review of this project, heavily reinforced by certain other views expressed at the meetings of your Committee, has raised many unresolved questions concerning both the economic viability of the SST project and the potential "side effects" on the environment, the balance of payments implications, and the value of the technological "fall out." In the light of these questions and the absence of a showing of over-riding benefits in other directions, we would be opposed to heavy further commitment of Federal funds at this stage.

Essentially, the heavy Government share in the financing of this project, combined with the very great element of doubt as to whether this Government investment will ever be recouped with a reasonable return requires that this project must be justified in terms of clear and substantial public benefits. We have not found that these public benefits exist in sufficient degree to warrant a high priority in the use of budgetary funds. Indeed, the discussion suggests that, commercial considerations apart, the balance of public benefits or losses may well be negative.

Consequently, we would suggest that, over the next year, attention be devoted primarily to: (1) support of further design and engine research and development, identifying, among other things, the extent to which the noise problem may be resolved satisfactorily; (2) more careful re-evaluation of the economic feasibility, balance of payments consequences, and environmental "side effects."

While we are not competent to make a technical judgment, our convictions on this score are reinforced by what appear to be substantial doubts that the Concorde will prove to be an economically viable aircraft and the indications that further stretch-outs in the production of the plane may be under consideration by the Governments involved. Risks that the Concorde will offer a serious threat to U.S. leadership in aircraft production and be a large burden on our balance of payments at this stage appear to be sufficiently small as not to be an overriding factor in consideration of our own SST project.

I should emphasize that continued design and engineering research should keep

open the option of the U.S. Government to sponsor the production of a prototype at a later stage. Proceeding to prototype production would not be prudent at this time in view of the uncertainties cited above, and the implied large commitment of U.S. Government funds, not only for fiscal 1970 but for years ahead, very probably extending to substantial assistance in production financing.

Sincerely yours,

PAUL A. VOLCKER.

TREASURY DEPARTMENT,  
Washington, D.C., March 20, 1969.

HON. JAMES BEGGS,  
Under Secretary of the Department of Transportation, Washington, D.C.

DEAR MR. BEGGS: The enclosed letter from Under Secretary Volcker is in response to your letter to him dated March 17. With regard to your memorandum dated March 19 enclosing a draft of the Ad Hoc Committee Report, I understand that a number of agencies on the Ad Hoc Committee believe that another meeting of the Committee would be useful for making comments on the Report and formulating recommendations. The Treasury would be pleased to participate in such a meeting if time permits you to convene it.

I have also enclosed suggested substitute wording for the first five sentences on page 3 of the Report under Balance of Payments and International Relations Panel. Of course, these comments on the Report, even if accepted, do not imply a Treasury endorsement of the contents of the Report as a whole. Our general approach to further work on the SST is expressed in the enclosed letter to you from Under Secretary Volcker.

Sincerely yours,

JOHN C. COLMAN.

COUNCIL OF ECONOMIC ADVISERS,  
Washington, D.C., March 20, 1969.

HON. JAMES M. BEGGS,  
Under Secretary of Transportation,  
Washington, D.C.

DEAR MR. BEGGS: I have carefully reviewed the Draft Report of the SST Ad Hoc Review Committee and have found that it does not adequately reflect the views of the working panels and of the members of the Committee. It contains primarily the most favorable material, interspersed with editorial comments, and thus distorts the implications and tenor of the reports. Unfortunately, you have not given us time enough to rewrite this draft. The report as it stands cannot be accepted as an accurate representation of either our views or those of other members. We believe that either all the reports of the working committees should be forwarded without editing to Secretary Volpe or that each panel chairman with the help of the other members should be asked to draft a summary.

In addition, as you know, I feel strongly that another meeting of the Ad Hoc Committee is necessary. In your letter of February 28 you say explicitly that the Committee "will collectively make [its] views known to Secretary Volpe." I trust, therefore, that you will call another meeting to arrive at a fair and unbiased report with appropriate recommendations.

If the committee is not to be allowed to make joint recommendations to Secretary Volpe, I want to make clear our views. While the risks both economically and technically are great, the potential benefits are uncertain. With budget needs so great, I cannot see how this program can be justified at the present time and would recommend that no new funds be devoted to the project for at least FY 1970. This would mean that about \$70 million would be available after April 15 for research on noise suppression, environmental effects, and market studies.

Yours sincerely,

HENDRIK S. HOUTHAKKER.



THE WHITE HOUSE,  
Washington, March 20, 1969.  
Memorandum for Hon. James M. Beggs,  
Chairman, SST Ad Hoc Review Committee.  
Subject: Committee Report.

In response to your memorandum of March 19, 1969, I have reviewed the draft report of the ad hoc Committee. It is my view that the report in its present form is not acceptable since it does not adequately reflect the range of uncertainties and general negative character of the panel reports and committee discussions as I understand them.

I am preparing detailed comments and suggestions for modifications to the report and will forward them to you as soon as they are available.

LEE A. DUBRIDGE,  
Science Adviser.

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF SCIENCE AND TECHNOLOGY,  
Washington, D.C., March 20, 1969.

HON. JAMES M. BEGGS,  
Under Secretary, Department of Transportation,  
Washington, D.C.

DEAR MR. BEGGS: This is in response to your invitation to make any recommendation on the SST question.

I do not feel I should file a formal recommendation at this point, but I would like to make informal comments to you.

The subject of SST has been under review by members of the President's Science Advisory Committee and by the staff of OST for several years. We have recently been going over the current reports and had a thorough briefing from the Boeing representatives last week. My own conclusions are as follows:

1. The SST is probably technologically feasible, but the very small ratio of payload to total weight is so small that unexpected problems during the development could greatly reduce that payload and make the airplane commercially unattractive. There are enough unsolved technological problems that it is risky to make specific assumptions as to what the payload will be. It may turn out to be somewhat larger or somewhat smaller than now estimated. Thus, this is still a high risk question.

2. I have been impressed by the statements which have been made about the doubtful commercial viability of an SST. I conclude that previous estimates have possibly been over optimistic as to the number of planes which would be sold, as to the price at which they could be sold (if there were no government subsidy) and whether this would have a positive or negative effect on our balance of payments. If one makes pessimistic assumptions, though still reasonable ones, it could turn out that the plane is not commercially attractive to the airlines in sufficient numbers to make it profitable either for the manufacturer or for airline operators.

3. The noise problem is still a matter for worry. Although it appears that the noise on approach and takeoff will be reasonable, the noise radiated sideways is still very high and there seems at present to be no assured way in which this noise can be reduced to acceptable levels. In addition, it is very likely that noise standards will change during the next eight years as residents in airport areas become more sensitive to the problem. If current noise standards cannot be met, it would seem to be difficult even with new technological inventions to meet future more stringent noise requirements.

4. The sonic boom problem is, of course, quite unsolved, and even at best will cause enormous public concern. Surely we must have a policy statement that there shall be no supersonic operations by the SST over any populated areas.

5. Closely related to the problem of the payload is the problem of the maximum

range of the aircraft. At present this is marginal for long overseas flights, and it is not clear whether further development efforts will cause the range to increase or decrease. Past history suggests a hopeful point of view, but this cannot be assured.

6. The competition of French and Russian SST's seems to be far less serious than we thought a couple of years ago.

On the whole, I come out negative on the desirability for further government subsidy for the development of this plane and would suggest that the possibility be explored of turning the remainder of the development and, of course, all of the production expenditures over to private enterprise. Any technological benefits which would accrue from its further development, either for civilian or military purposes, would seem to be minimal.

Granted that this is an exciting technological development, it still seems best to me to avoid the serious environmental and nuisance problems and the Government should not be subsidizing a device which has neither commercial attractiveness nor public acceptance.

Sincerely,

LEE A. DUBRIDGE,  
Director.

NATIONAL AERONAUTICS AND SPACE  
ADMINISTRATION,  
Washington, D.C., March 20, 1969.

Mr. JAMES M. BEGGS,  
Under Secretary of Transportation, Department of Transportation, Washington, D.C.

DEAR MR. BEGGS: The following comments are offered by NASA with regard to the draft SST Ad Hoc Review Committee report forwarded with your letter of March 19.

The report is a factual condensation of the material presented to and discussed by the Committee. In some sections, the condensation is such that it appears difficult to grasp the sense of the Committee discussions. The section titled Balance of Payments and International Relations, is particularly difficult in this regard. The exact interpretation of comments under Environmental and Sociological Impact leaves some confusion as to the position taken with regard to the potential hazards of airport noise and sonic boom. In the first paragraph the distinction is not clear as to which hazard was not considered. The last paragraph indicates a decision should be made to "avoid" hazards, which is manifestly impossible.

At the last Committee meeting it was stated that no recommendation was expected of the Committee. It is understandable then, that no over-all recommendation appears. However, certain detailed recommendations do appear within the body of material (for example, top of page 6). Other comments are written in a way to avoid recommendations. Consistency might prevent the unacquainted reader from placing undue emphasis on those recommendations simply as a result of phrasing.

The Chairman of the Technology Fallout Panel is consolidating the specific revisions of this section as proposed by the members and will submit them independently.

Sincerely yours,

CHARLES W. HARPER,  
Deputy Associate Administrator (Aeronautics), Office of Advanced Research and Technology.

NATIONAL AERONAUTICS  
AND SPACE ADMINISTRATION,  
Washington, D.C., March 24, 1969.

Mr. JAMES M. BEGGS,  
Under Secretary of Transportation,  
Department of Transportation,  
Washington, D.C.

DEAR MR. BEGGS: In response to your request, NASA forwards the following comments relative to a recommendation re-

garding the SST prototype development program. It must be emphasized that NASA's conclusions are drawn largely from its technical assessment of the program since it has not participated extensively in any of the detailed economics analyses.

Sincerely yours,

CHARLES W. HARPER,  
Deputy Associate Administrator (Aeronautics), Office of Advanced Research and Technology.

#### RECOMMENDATION BY NASA ON THE SST PROGRAM, MARCH 24, 1969

The decision to proceed with development of the SST prototype is dependent on the assurance with which it can be stated that the performance objectives can be met, the importance to the national economic strength of achieving this capability, and the importance to the nation of remaining competitive in this new transportation mode.

From a strictly technical viewpoint, the NASA concludes that the proposed design offers the most conservative approach that enables the mission performance objectives (range and payload) to be met while at the same time offering substantial opportunity for growth as operational experience is gained. The major uncertainties remaining do not appear to be answerable from continued research activities but require operational experience with a complete system. It is the conclusion of NASA, then, that the proposed prototype development program would now represent initiation of this phase at the logical point for the realization of this new transport capability; further delay would contribute little toward this realization.

NASA has not attempted an in-depth economic analysis of the SST as a transportation mode. However, NASA research has shown that it does offer the potential of flight efficiencies equal to that of the subsonic jets which have come to dominate long-haul passenger travel and are taking over an increasing share of high value freight transport; if operational experience can enable realization of utilization rates equivalent to present aircraft, then the SST should eventually dominate the long-range transport market where the higher speeds are of major importance. Future transportation requirements between the U.S. and the Far East and South America would seem to offer a substantial market for this class of aircraft.

An important ingredient in the decision to be made is the likelihood of success of the competition. While the Concorde prototype has flown successfully, it is far too early in the program to determine whether the mission performance objectives will be met; it will probably be at least a year before this will be known. However, from such information as is available to NASA, there seems to be no reason to expect other than the design performance to be met with proper development. The aircraft is too small to be considered economically acceptable in the long term, but a larger version could follow with considerable confidence once operational experience is gained with this first version. Further delay in the U.S. program strengthens the probability that future developments of the Concorde will have the lead to dominate this transportation mode.

It is the conclusion of NASA that delay in initiating the SST prototype program will prevent significant progress toward the achievement by the U.S. of this potentially important transportation mode. Delay will increase substantially the probability that foreign competition will achieve a strong lead that will be difficult to overcome once the operation of these aircraft is accepted by U.S. carriers; as the carriers have stated, this acceptance would be expected if a competitive position is to be maintained. It is the conclusion of NASA, then, that initia-

tion of the SST prototype program should be given high priority amongst those programs currently competing for support.

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF SCIENCE AND TECHNOLOGY,  
Washington, D.C., March 24, 1969.

HON. JAMES M. BEGGS,  
Chairman, SST Ad Hoc Review Committee,  
Department of Transportation, Wash-  
ington, D.C.

DEAR MR. BEGGS: In his memorandum to you of March 20, 1969, Dr. DuBridge indicated that detailed comments and suggestions for modifications to the SST Ad Hoc Review Committee Report, distributed with your memorandum of March 19, would be forwarded as soon as available.

In order to accelerate your review process, I am attaching a modified condensation of the report of the Technological Fallout Panel (pages 5 and 6) for your consideration. This material has been reviewed with Mr. Harper and Mr. Muse, the other Panel Members, and is acceptable to them. I have not, as yet, had the opportunity to discuss these revisions in detail with Dr. DuBridge nor has this office considered in detail other portions of the report which appear to require revision. I assume that you will be receiving modifications to other panel reports which have been summarized in your draft. I would expect that the most productive way to register our comments on the other portions of the report would be after receipt of your next draft.

Sincerely yours,

RUSSELL C. DREW,  
Technical Assistant.

#### TECHNOLOGY FALLOUT PANEL

The SST program will advance many areas of technology and to a limited extent will result in technological fallout. Principally these benefits will accrue in those areas related directly to the aircraft industry; direct application of SST technology to other industrial or military activities does not appear large. While technological fallout will inevitably result from a complex, high technology program such as the SST development, the value of this benefit appears to be limited in the near future to a few specific rather than many general applications. The Panel believes technological fallout should not be considered either wholly or in part as a basis for justifying the SST program, but rather should be considered as a bonus or additional benefit from a program which must depend upon other reasons for its continuation.

There are a number of areas of aircraft technology which can be identified as having a high probability of potential benefit, such as flight control systems, structures, materials, engines, and aerodynamics. Many of these technologies are refinements of developments which had their origin in DOD or other aircraft programs. Others appear to be of such a highly specialized character that broader application to other areas of the economy are either limited or are many years from being realized.

The Panel believes the SST program can provide considerable, but unmeasurable benefit because of the challenge, both in a technical and emotional sense which such a competitive and forward-looking program engenders. This sense of challenge, particularly if successfully met, can be a beneficial factor not only in the aircraft industry but also on a broader basis and on a national level.

In addition, the technical challenge of a specific program can serve as a useful focus for research and technology programs and may thereby force new and important breakthroughs.

The value to be placed on the contribution of SST technology to national defense capa-

bilities is difficult to assess since most unique advances will occur in overcoming constraints posed by the peculiarities of civil operation; advances of most importance to military aviation are likely to evolve directly from military programs. While an exchange of basic technology between military programs and the SST can be expected which will result in some degree of mutual benefit, it is anticipated, that most difficult defense problems will be specifically military in nature and not resolved by the SST program.

THE UNDER SECRETARY  
OF TRANSPORTATION,

Washington, D.C., February 28, 1969.  
HON. ROCCO SICILIANO,  
Under Secretary of Commerce,  
Department of Commerce,  
Washington, D.C.

DEAR MR. SICILIANO: The purpose of this letter is to provide guidance and a modus operandi for the SST Ad Hoc Review Committee. This letter supersedes the drafts that were distributed at the first two working meetings.

The objective of the Committee is to assess the impact of the SST on the national interest. This assessment is to consider both positive and negative aspects.

The results of this assessment, along with the technical evaluation conducted by Dr. Bisplinghoff's committee; the findings of the Administrator, FAA, on the government evaluation of the proposed design; and the views of the U.S. airlines who have invested in the program, will provide the basis for Secretary Volpe's recommendations.

I have designated four working panels from the staff representatives of the Committee members, to address specific areas of national interest. The working panel assignments and guidance are attached. Each of the panels will submit a report on its findings by 12 March 1969. After these working panel reports have been received, reviewed, and accepted by the Committee, we will collectively make our views known to Secretary Volpe, who in turn will make his recommendation to the President.

The next meeting of the Committee is scheduled for 5 March 1969, at 2:00 p.m., in the Secretary's Conference Room, FOB 10A, 800 Independence Avenue, S.W. At that time we expect to have the Chief Executive Officers of the principal U.S. international air carriers appear before the Committee and discuss their views of the SST program. In addition, we anticipate that Mr. John Wiley, New York Port Authority, may appear.

I urge your personal attendance at all subsequent meetings to assure that the Committee can discharge the responsibilities assigned to us by the President.

Mr. James E. Densmore, Deputy Assistant Secretary for Research and Technology in the Department of Transportation, will serve as secretary to the Ad Hoc Committee. You may reach him on code 13, extension: 28677.

If you have further questions, please do not hesitate to give me a call. I look forward to seeing you at the next meeting of the Committee.

Sincerely,

JAMES M. BEGGS.

#### ASSIGNMENTS AND GUIDANCE FOR WORKING PANELS OF THE Ad Hoc SST REVIEW COM- MITTEE

Four working panels are established to support the Ad Hoc SST Review Committee. These working panels are comprised of Committee members or their staff representatives identified below.

Each working panel is to prepare a written report, outlining its findings on the national interest aspects of the SST program in its assigned area. Any recommendations

based on such findings will be reserved to the Committee. In preparation of these papers, each of the groups will use the necessary input information furnished by the Department of Transportation. This input will include necessary data on:

- (1) Program options.
- (2) Associated funding requirements.
- (3) Operating costs and characteristics.
- (4) Anticipated market.

It is the purpose to assess the national interest aspects of the SST program in light of the results of work performed to date. If there is serious doubt concerning the validity of inputs, then comment may also be made on alternative assumptions. In event such alternative assumptions are made, the working panel should be prepared to justify and support the reasonableness of such assumptions. The following are the four panels and their areas of responsibility:

(1) Balance of Payments and International Relations—Representatives from Treasury (Chairman), Commerce and State. This panel will address the potential impact of projected foreign sales of the SST on the U.S. balance of payments considering whether the program proceeds, or alternatively should it be abandoned.

(2) Technological Fall-Out—Representatives from the Office of Science and Technology (Chairman), Department of Defense, and NASA. This panel is to examine the importance of the SST program to the overall national research and development posture, the technological fall-out benefits that may result from the SST program and specifically whether such benefits have national security value.

(3) Environmental and Sociological Impact—Representatives from HEW (Chairman), Interior, and Office of Science and Technology. This panel will consider the environmental and sociological impact of the SST program under the assumption that supersonic flight will be restricted to over-water routes. The panel will consider the negative effects of noise on airports of the future and the social effects of the increased mobility afforded by the availability of intercontinental supersonic transportation.

(4) Economics—Representatives from the Council of Economic Advisers (Chairman), Labor and Commerce. This panel will consider the economic benefits that will accrue from the SST program. The panel is to address the employment benefits, the additional tax revenues to be derived from the program, and any other domestic economic impact.

Identical letters sent:

Honorable Rocco Siciliano, Under Secretary of Commerce, Washington, D.C. 20230.

Honorable Robert C. Seamans, Jr., Secretary of the Air Force, Washington, D.C. 20330.

Honorable John Veneman, Under Secretary of HEW, Washington, D.C. 20201.

Honorable Russell Train, Under Secretary of the Interior, Washington, D.C. 20240.

Honorable Richard G. Kleindienst, Deputy Attorney General, Department of Justice, Washington, D.C. 20530.

Honorable Arnold Weber, Assistant Secretary of Labor, Washington, D.C. 20210.

Ambassador U. Alexis Johnson, Under Secretary of State for Political Affairs, Department of State, Washington, D.C. 20530.

Honorable Paul Volcker, Under Secretary of the Treasury for Monetary Affairs, Department of the Treasury, Washington, D.C. 20220.

Dr. Henry Houthakker, Member, Council of Economic Advisers, Executive Office Building, Washington, D.C. 20500.

Dr. Lee A. DuBridge, National Science Adviser, Office of Science and Technology, Washington, D.C. 20506.

Mr. Charles W. Harper, Deputy Associate Administrator (Aeronautics), NASA, Washington, D.C. 20546.



## AIRLINES' REPORT ON SST

FEBRUARY 18, 1969.

Mr. DAVID D. THOMAS,  
Acting Administrator, Federal Aviation Administration, Washington, D.C.

DEAR DAVE: I have just completed a review of the redesign features as well as the operating economics of the Boeing SST with ——. This review has resulted in some alteration of — position relative to the SST development program. You are aware that throughout the initial years of development — has taken a positive approach to this new technology and has participated fully with the airlines committee. However, the recent SST review along with an assessment of the environment in which we are currently operating has led us to take a different posture than has been the case to date. The factors influencing this change are:

First, the operating economics of the presently proposed SST indicate that a substantial fare premium undoubtedly will be required to match the economic performance of the present generation of subsonic jets.

Second, there appears to be serious doubt that the proposed SST can meet existing or proposed airport noise criteria.

Third, the SST undoubtedly will be limited to overwater operation because of the sonic boom problem.

Fourth, the final cost per airplane will undoubtedly fall in the \$40-\$50 million area representing an enormous risk per single vehicle.

Fifth, important and costly improvements are immediately required to bring both our airways and airports up to a capacity compatible with the current and future traffic demand.

There are other factors which weigh against unqualified commitment to the SST development schedule, but the above are the most important ones in my view. In light of the somewhat negative aspects bearing upon the SST program as of now and our existing capital commitments, I would be unwilling to recommend to Board of Directors the venturing of any additional risk capital beyond the \$— million we have already contributed, in addition to our \$— million deposit for delivery positions.

If our government's assessment of this program indicates that the United States must retain its dominant position in the aircraft manufacturing industry for national reasons, then it is my opinion that the development cost risks must be assumed by the government. Finally, if our country must make a choice between appropriations for improvements of our airways-airport systems or furthering the development of the SST, then there is no question that airways-airports must be the choice.

In summation, the provision of completely adequate airways and airports in this country must take precedence over any other consideration if the vigor of our economy is to be maintained. If there are funds available after the above need is satisfied, then these funds should go toward the orderly development of an SST at whatever rate of progress is possible.

I hope that the above may be helpful to Secretary Volpe in arriving at a sound decision on the future of the program.

Best personal regards.

Sincerely,

MARCH 1, 1969.

Mr. D. D. THOMAS,  
Acting Administrator, Federal Aviation Administration, Department of Transportation, Washington, D.C.

DEAR MR. THOMAS: In reply to your letter dated January 24th, as amended by you to extend the reply date to March 1, 1969, we herein submit our comments on the pro-

CXV—2054—Part 24

posed design and other aspects of the Supersonic Transport Program as it now faces a major governmental decision.

The SST Office of the Federal Aviation Administration, and in particular General Maxwell himself, has been most helpful to us in providing information obtained during their analysis and in briefing us on their conclusions with respect to the current proposed design of and potential for the Supersonic Transport.

The current proposed design of the U.S. Supersonic Transport is in our opinion the best which can be obtained on the drawing board. We believe that the years of study to this point have led to a design which cannot be improved in this phase but must go forward to the prototype construction before obtaining additional answers of any real significance. We believe the design is straightforward and honest and certainly represents the best of the current state of the art.

We share with your evaluation team real concern in certain areas. The airport and community noise problem is perhaps the foremost of these. However, we believe that there is time during the construction and testing of a prototype and that that would be the right time to find any available answers to this problem and to design and test suppressive devices of all types. In this regard, we believe that there must be room also for an increase in engine size and thrust to overcome what may well be found as a requirement during testing, i.e., increased thrust to meet under all conditions actual range, payload and weight conditions and, most important, to overcome whatever thrust may be lost due to the introduction of noise-suppressing devices. We believe the concern with regard to the engine inlet can be resolved through construction and testing and through the results of the prototype phase of the program. We also believe that the wing flutter problem is one which is understood and can be resolved with, of course, the increase in weight which usually accompanies such a program, thus the requirement to remain somewhat flexible in terms of total gross weight and engine thrust to accompany it. There are other problems, well-known to your evaluation team and including such items as the suitability of the current state of the art in tire manufacture and other hydraulic, electrical and flight control systems on the aircraft. Again, however, we believe that we have gone as far as we can on the drawing board and must, if we are to proceed at all, go forward into the prototype design, construction and flight, using the best United States engineering talent to solve problems as they occur during these phases.

While we are not aerodynamicists, we do believe that it is inherent in a Supersonic Transport Program to consider that certain aspects of aerodynamics cannot be solved except through actual flight of a vehicle as close as possible in size and shape to that which may be the only economic model. Thus it is our suggestion that the prototype be designed and constructed, probably in the "six-abreast" fuselage size, as closely matched as possible to what which we and the FAA have used to develop our economic viability studies. We must then in designing and flying the prototype determine the appropriate engine size and other characteristics which go with an aircraft size whose potential at reasonable load factors is to attract passengers and, again as a potential, achieve without too great a fare surcharge a reasonable rate of return for us.

If we go forward in a prototype phase program with the determination to solve problems as we now see them and to demonstrate the flight characteristics, in a model which can meet airport and community noise criteria and which is designed to carry enough payload for the required range goals,

then in our opinion the timing is such that the United States could regain and hold its superiority in the world market for transport aircraft. Looking forward to such a model in the not-too-distant future and knowing that a full-scale prototype testing program is being accomplished prior to a commitment to production, we, at least as one airline, would try to hold out for the U.S. product. Furthermore, if this model is designed to sufficient capacity and range and designed to be economic in its operation, then it should have most of its own market since it will be sufficiently different from anything now proposed by the British, French and Russian interests.

While we see many problems to be solved and at least a medium degree of risk, it is our opinion that if the United States is to have a Supersonic Transport at all we should go forward into Phase III or the prototype phase of the program. A delay would be the wrong decision in our opinion. The program should either go forward or be terminated. We recommend that it go forward. In any other event, we will not know whether our goals can be achieved.

Sincerely,

FEBRUARY 27, 1969.

Mr. D. D. THOMAS,  
Acting Administrator, Department of Transportation, Federal Aviation Administration, Washington, D.C.

DEAR MR. THOMAS: Thank you for the opportunity to comment on the future of the SST program.

There are four elements critical to a successful program:

1. A solution of the sonic boom problem.
2. An acceptable level of airport noise.
3. The ability to operate over reasonable distances non-stop.
4. Seat mile costs reasonably related to costs of subsonic aircraft.

Our first recommendation is that criteria be developed for each of these four elements and made a part of the SST program.

Our second recommendation is that a prototype SST be funded, developed and tested, if reasonable assurance can be given that (a) the prototype will meet the established criteria or (b) will provide research information which will enable the criteria to be met.

Members of our staff are ready to discuss with you the specific criteria that might be appropriate and to assist in any other way you may find helpful.

Sincerely,

FEBRUARY 17, 1969.

Mr. D. D. THOMAS,  
Acting Administrator, Department of Transportation, Federal Aviation Administration, Washington, D.C.

DEAR MR. THOMAS: As a result of our analysis of the data submitted to us by the Boeing Company, and the reports on the technical review of the SST B2707-300 and its prototype by the FAA SST Evaluation Team, we believe that sufficient progress has been made to warrant government approval of the construction and testing of the Boeing SST prototype aircraft.

It is obvious that there are still some serious problems in the areas of community noise and economics. It also appears certain that the operation of the SST will be restricted to subsonic speeds over inhabited areas because of the sonic boom. This will limit utilization and place an arbitrary ceiling on the total market for supersonic aircraft, increasing the unit cost.

In spite of the negative aspects of the SST Program, we believe it is unrealistic to assume that supersonic transports will not be built and flown over the world's airways. We further believe we have the technology and

manufacturing capability in this country to produce a superior SST.

Because of the costs involved it must be a government decision as to the priority assigned to the program. We could not in good conscience recommend the allocation of any funds to the SST Program that would delay or interfere in any way with the solution to our airport and airways congestion problems and the modernization of Airways Traffic Control equipment and procedures.

Sincerely,

FEBRUARY 26, 1969.

Mr. D. D. THOMAS,  
Acting Administrator, Federal Aviation Administration, Washington, D.C.

DEAR MR. THOMAS: We have reviewed the technical data describing the proposed redesign of the Boeing Supersonic Transport 2707-300. As you requested in your letter of January 14, 1969, I offer my recommendations.

The development of an economically viable SST is a logical step in the growth of the transportation industry to better serve the needs of the people of the world. I believe the program should continue.

Because the SST is such a big step in the state of the art, we should build a prototype to work out the solutions to the many technical problems facing the designers. The prototype flight testing should precede commencement of the production phase. This would aid us greatly in determining the optimum size and give a much greater possibility of success.

The construction of the first aircraft should begin at the earliest reasonable opportunity consistent with normal times required to complete the preliminaries.

The government should underwrite this project as research and development in the field of large supersonic aircraft which would undoubtedly have great benefit to other programs.

Sincerely,

MARCH 1, 1969.

Mr. D. D. THOMAS,  
Acting Administrator, Federal Aviation Administration, Washington, D.C.

DEAR MR. THOMAS: These comments on the U.S. SST program respond to your letter of January 24, 1969.

We appreciate the briefing given our representatives by the FAA team in Washington on February 6. The views of your team have been major factors in the formulation of our own position on our SST program. All must agree with your team that there are risks in undertaking the SST program, as there are risks in any big program involving advances in the state of the art, in the engineering and in the designing of complex technical equipment. We do not believe that these risks would be substantially reduced by further abstract study or academic research.

We have no doubt that viable, civil-commercial supersonic air transportation is inevitable. Our only doubt concerns whether European industry, Russian industry or American industry will lead and when such dominating leadership will be established. The recent flights of the Tupolev 144 and the Concorde underscore this point.

Consequently, in the interest of maintaining leadership of U.S. air transportation and aircraft construction by providing the public with ever-improving, time-saving mobility, and its attendant help to our balance of international trade, we believe that we should get on with the prototype program in order to be reasonably certain of the quality of eventual production models of supersonic aircraft.

As we recognize that this procedure will require enormous additional funding, we

would be less than fair if we left any implication that this airline could at this time afford to make any further contributions to the advanced funding of the research and development represented by the prototype program. Our unprecedented contribution of \$1 million per aircraft, which we have already been obliged to contribute to this research and development, has for the present exhausted our stockholders capacity to finance research and development of supersonic transportation. We suggest that the position of our foreign competitors in this regard may be different. That competition consists primarily of Government-owned airlines and it is not particularly material whether their Governments finance or subsidize either aircraft development, airline operation or both.

It seems evident that a considerable amount of prototype flying must be completed and evaluated before the start of quantity production. Our analysis of the suggested production aircraft has convinced us of the necessity of proceeding through Phase III to the completion of the prototype flying. Only as a result of such a program can we achieve the substantial overall improvements which are required.

As mentioned in my wire of February 25, there is concern that if the U.S. program is further delayed, there is some possibility that the ultimate market will be reduced through greater availability of Concorde and TU-144's or, more importantly, by giving time for an improved version of either to become available.

Because of the value of time to the travelers of the world and for reasons of national interest, favorable balance of international trade, and maintaining the leadership of U.S. air transportation and aircraft construction, we believe that the SST Prototype program should be continued.

Sincerely yours,

FEBRUARY 20, 1969.

Mr. D. D. THOMAS,  
Acting Administrator, Department of Transportation, Federal Aviation Administration, Washington, D.C.

DEAR MR. THOMAS: In response to your recent invitation to provide you with airline comments regarding the currently proposed Boeing SST 2707-300 airplane, our evaluation of the design data supplied to us by Boeing and validated by the FAA Supersonic Transport Development Group is as follows:

The prototype design data defines an airplane which we believe is technically adequate for prototype test purposes, and the design should be capable of providing sufficiently accurate test data to permit the manufacturer to proceed with the development of a production airplane providing satisfactory solutions can be found for the following major problems.

#### SONIC BOOM

The indicated over-pressures are of sufficient magnitude to restrict by definition the aircraft's operation to overwater and hence, essentially, intercontinental use. This of course results in an airplane which has little if any use in domestic transcontinental operations.

#### COMMUNITY NOISE

The current prototype design as well as the planned improvements to be obtained from the advanced technology do not seem to indicate a practical means of reducing external noise to a degree which would achieve compliance with the proposed noise regulations other than by methods which certainly impose unrealistic penalties both in performance and economic values to the airplane.

#### SIZE

The 5-abreast 234 passenger prototype airplane design currently proposed by Boeing

and validated by the FAA is not an airplane that embraces sufficient weight or space payload to be economically viable at other than substantially increased fare levels over those which we know today. The unknown changes in our economy between now and the planned availability of a production SST in 1978 or 1979 make the economic factors in this regard even more difficult to assess.

#### COMPETITIVE ASPECTS

The combined effects of the economic factors coupled with what we believe may be the non-competitive aspects of the small diameter fuselage, as compared to the (by then) publicly accepted wide bodied aircraft such as the 747, L-1011, and the DC-10, pose a real question as to public acceptance of the design despite its obvious speed advantage.

We are mindful that each new airplane development program to date has included a fair amount of risk, and we are also aware of the importance of our airline industry maintaining its posture of progress internationally and domestically. Recognizing that the above problem areas cannot be adequately defined or solutions arrived at without a prototype program, we feel that serious consideration should be given to proceeding with the prototype development of the presently proposed SST. From standpoint and for the aircraft to be useful over our present route system, solutions to the outstanding problems must be found which would lead to a production airplane of sufficient size, with reasonable flexible and competitive economic capabilities, and possessing performance and noise characteristics that will insure its use on a generally non-restrictive basis in the time period for which it is to serve.

Sincerely,

FEBRUARY 25, 1969.

Mr. D. D. THOMAS,  
Acting Administrator, Federal Aviation Administration, Department of Transportation, Washington, D.C.

DEAR MR. THOMAS: We have reviewed the most recent B-2707 design submitted by The Boeing Company for a prototype supersonic transport, as well as the evaluation conducted by your Office of SST Development.

As you know — has invested almost \$ — million and a vast amount of technical and economic effort in this program. Consequently, we have a vital interest in its success.

However, we continue to be concerned about many of the technical aspects of the program, including weight and balance, flutter and dynamics, engine inlet design, and airport and community noise.

Experience has indicated that solutions to problems of this type invariably add complexity and weight to an aircraft. Since the design payload-range characteristics already appear marginal, we question whether an economically viable airplane can be produced until these solutions are accurately defined.

We believe that some of the current problem areas lend themselves to further analysis, whereas others will require extensive hardware development and a flight testing program. We feel that the prototype flight test program as proposed may be inadequate to develop solutions to the major technical problems.

It is our recommendation, therefore, that:

1. Boeing be directed to complete those analyses which can be meaningfully undertaken prior to a final definition of a prototype aircraft.

2. Upon completion of these analyses, a two-prototype aircraft program be undertaken without a commitment of resources to a production aircraft program.

We believe that the prototype aircraft program should be conducted in a manner such that there will be no expenditure of funds



related to a production program until the prototype aircraft program has met the technical development objectives. It is our belief that the technical progress accomplished during an adequate prototype program will result in the definition of a production airplane that varies so significantly from the prototypes that any investments in such areas as production tooling, passenger interior accommodations and food service installations would be wasted.

Rather than delaying the ultimate certification date of the production airplanes, we believe that the program defined above will not only result in a better product, but is likely to gain rather than lose time and, most certainly, conserve development funds.

We appreciate the opportunity to comment on this important program and look forward to its development at an aggressive and realistic pace.

Sincerely,

FEBRUARY 28, 1969.

Mr. DAVID D. THOMAS,  
Federal Aviation Administration,  
Washington, D.C.

Subject: Supersonic transport program.

DEAR Mr. THOMAS: I am pleased to present views on the proposed Boeing SST design and certain other SST program aspects in response to your letter request of January 24, 1969.

Present indications are that the SST program will not produce a vehicle as economically viable for airline use as formerly was believed to be the case. Nevertheless, in view of the efforts of other nations in the SST field, — remains convinced that national interest considerations, relating to the balance of payments and the competitive position of our aeronautics manufacturing industry, would be served by development and production of U.S. SSTs at an early date. Accordingly, we urge continuation of the U.S. SST program in an uninterrupted and aggressive manner.

It is — considered opinion that the U.S. supersonic transport program has reached a stage from which further progress can best be achieved by the construction of experimental prototype aircraft. We recommend that development, construction, and testing of the Boeing experimental prototype aircraft be authorized and that this program be expedited. It is by this means that needed state of the art advances in such significant areas as structure, propulsion, aerodynamics, and systems design and development can be achieved most reliably and quickly. Further, prototype aircraft development and testing will hasten the day when definition and production of certificated aircraft can be reliably undertaken on an acceptable risk basis.

— recommends that the design of the prototype vehicles be defined by Boeing to achieve maximum state of the art advances in the stated areas and additionally to minimize the time required to achieve economically viable and operationally practical production aircraft. Specifically, in response to General Maxwell's question, whatever prototype fuselage size will best fit these two broad objectives should be selected. Development of the prototype should attempt to achieve payload range improvements, better noise attenuation features, and reduction in approach, landing, and takeoff speeds.

The Boeing prototype design is believed to be well suited for experimental and developmental purposes. However, it is not well suited and should not be planned for production application because of its prospective relatively poor economic characteristics. Final design of the production type aircraft should wait on the results of prototype aircraft development and testing programs.

Thus, summarily, recommends the uninterrupted continuation of the U. S. super-

sonic transport development program to achieve early construction of experimental prototype aircraft so as to advance the state of the art and provide the basis for the early development of fully viable production supersonic transport aircraft.

Recommendations reflect not only the results of careful and detailed technical analyses of the proposed Boeing designs, but also a high degree of technical judgment as to what may be attainable through prototype development efforts, all combined with business judgment as to general aircraft characteristics that must be produced if the program is ultimately to succeed in the international marketing arena. It is important that the production U. S. SST have superior economic viability compared not only to the Concorde as we know it today and the Russian TU 144 as we surmise it, but to prospective second generation designs of these aircraft as well, for they surely will exist by the time the production U. S. SST is available in fleet quantities. The most expeditious and soundest way to undertake to meet this challenge is to proceed at once on an expedited basis with the development of experimental prototype aircraft.

I am appreciative of this opportunity to comment. We commend the FAA for its management of the supersonic transport development program. No program which involves state of the art developments such as this one is without troublesome times and great problems. The FAA's reorientation of the program last year is most commendable. A sounder basis for moving forward has resulted.

Summary report of its technical findings is available on request.

Sincerely,

#### LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. McCULLOCH (at the request of Mr. GERALD R. FORD), for an indefinite period, on account of a meeting of the Dr. Eisenhower Commission on the Causes and Prevention of Violence.

To Mr. NICHOLS (at the request of Mr. ALBERT), for today, on account of official business.

To Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), for today, on account of official business.

To Mr. REIFEL (at the request of Mr. GERALD R. FORD), for November 3 through November 14, on account of official business.

Mr. PEPPER (at the request of Mr. ALBERT), for today, on account of official business.

Mr. BYRNE of Pennsylvania (at the request of Mr. GRAY), for Friday, October 31, 1969, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KLEPPE), to revise and extend their remarks and to include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.

Mr. MACGREGOR, for 10 minutes, today.

Mr. DUNCAN, for 1 hour, on November 12.

Mr. SCHWENGEL, for 15 minutes, today.

(The following Members (at the request of Mr. DANIEL of Virginia), to revise and extend their remarks and to include extraneous matter:)

Mr. CULVER, for 10 minutes, today.

Mr. REUSS, for 30 minutes, today.

Mr. FARBERSTEIN, for 20 minutes, today.

Mr. PATMAN, for 30 minutes, on November 3.

#### EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PICKLE to include extraneous matter in his remarks made in Committee today.

Mr. HANNA to include extraneous matter with his remarks made today in the Committee of the Whole.

(The following Members (at the request of Mr. KLEPPE) and to include extraneous matter:)

Mr. HARSHA.

Mr. FISH.

Mr. ARENDS.

Mr. WHALEN.

Mr. EDWARDS of Alabama.

Mr. FROY.

Mr. ROETH in two instances.

Mr. SHRIVER.

Mr. DUNCAN.

Mr. SCHWENGEL.

Mr. ZWACH.

Mr. WHITEHURST.

Mr. ERLNBORN.

Mr. MCKNEALLY.

(The following Members (at the request of Mr. DANIEL of Virginia), and to include extraneous matter:)

Mr. LONG of Maryland.

Mr. ADDABBO in four instances.

Mr. GAYDOS in three instances.

Mr. EILBERG.

Mr. STEED.

Mr. MONTGOMERY.

Mr. GARMATZ.

Mr. REES in two instances.

Mr. ANDERSON of California in two instances.

Mr. DORN in two instances.

Mr. HELSTOSKI in two instances.

Mr. HUNGATE in three instances.

Mrs. CHISHOLM.

Mr. JOHNSON of California.

Mr. FRASER in two instances.

Mr. WOLFF.

Mr. DELANEY.

#### 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. 2062. An act to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes; to the Committee on Interior and Insular Affairs.

#### ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the fol-

lowing titles, which were thereupon signed by the Speaker:

H.R. 337. An act to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes; and

H.R. 12982. An act to provide additional revenue for the District of Columbia, and for other purposes.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 73. An act to amend the act entitled "An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota";

S. 267. An act for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired).

#### BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 337. An act to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes; and

H.R. 12982, an act to provide additional revenue for the District of Columbia, and for other purposes.

#### ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, November 3, 1969, at 12 o'clock noon.

#### OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22) to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 91st Congress, pursuant to Public Law 412 of the 80th

Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948: MICHAEL J. HARRINGTON, Sixth District, Massachusetts.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1304. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions of equipment and facilities for the quarter ended September 30, 1969, pursuant to the provisions of subsection 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1305. A letter from the Secretary of Health, Education, and Welfare, transmitting the 18th annual report of the Commissioner of Education on the administration of Public Laws 874 and 815, 81st Congress, as amended, for the fiscal year ended June 30, 1968; to the Committee on Education and Labor.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 14621. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. BETTS:

H.R. 14622. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 14623. A bill authorizing a survey of harbors and rivers, territory of Guam, in the interest of navigation, flood control, and related water resource purposes; to the Committee on Public Works.

By Mr. BURLESON of Texas:

H.R. 14624. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 14625. A bill to protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ICHORD:

H.R. 14626. A bill to amend chapter 115 of title 18, United States Code, to make punishable certain activities affecting captive personnel of the U.S. Armed Forces; to the Committee on the Judiciary.

By Mr. MCCARTHY (for himself, Mr. ADAMS, Mr. BINGHAM, Mr. BRASCO, Mr. BROWN of California, Mrs. CHISHOLM, Mr. DINGELL, Mr. FARBERSTEIN, Mr. FRASER, Mr. GONZALEZ, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HOWARD, Mr. KOCH, Mr. KYROS, Mr. LOWENSTEIN, Mr. MATSUNAGA, Mrs. MINK, Mr. MOSS, Mr. OBEY, Mr. OTTINGER, Mr. PODELL, Mr. REES, Mr. STOKES, and Mr. UDALL):

H.R. 14627. A bill to amend the Federal Trade Commission Act to extend protection

against fraudulent or deceptive practices, condemned by that act to consumers through civil actions, and to provide for class actions for acts in fraud of consumers; to the Committee on Interstate and Foreign Commerce.

By Mr. MIZELL:

H.R. 14628. 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. RANDALL:

H.R. 14629. 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. ROGERS of Florida:

H.R. 14630. A bill to amend the Public Health Service Act to provide an Under Secretary of Health, Education, and Welfare for Health; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUDEBUSH:

H.R. 14631. A bill to provide that common law marriages may not be contracted in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ROYBAL:

H.R. 14632. A bill to further promote equal employment opportunities for American workers; to the Committee on Education and Labor.

H.R. 14633. A bill to authorize the Secretary of the Treasury to carry out a program of research and development relating to devices and techniques for the detection of illegal importation of dangerous drugs into the United States; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 14634. 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. WATTS:

H.R. 14635. A bill to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Illinois (for himself, Mrs. REID of Illinois, and Mr. TIERNAN):

H.R. 14636. A bill to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

By Mr. SCHWENGEL:

H.R. 14637. A bill to protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.J. Res. 978. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

313. Mrs. REID of Illinois presented petitions signed by 3,931 residents of Youngstown, Ohio, in support of the privilege of nondenominational prayer in public schools, which was referred to the Committee on the Judiciary.