SMU STUDENTS TAKE POSITIVE APPROACH IN EXPRESSION

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1969

Mr. COLLINS. Mr. Speaker, a program is underway at Southern Methodist University which was activated by the students. Led by Randall Kreiling in the law school, these students had rather express themselves this way than through sensationalism. They are forming a group known as the University Community Caucus which will have regular meetings with a cross section of business and community leaders. Their interest is in working for constructive change and having the benefit of an interchange of ideas. It goes back to the motto of the great Texas hero Davy Crockett who said, "Be sure you are right, then go ahead."

There is a feeling among students today that any change is an improvement. A few generations ago we were interested in seeing our youngsters being provided with shoes and being able to give them a haircut. The new expression is to go barefooted and let your hair grow long because this is a change. But the question comes up, is it an improvement?

Too many college students are quick to tell us what is wrong with all of our communities. All of their time is spent in criticism and negativism, but they do not pause to add what is right or how we can constructively build a better society.

Southern Methodist University has one of the highest academic standards in the Nation. It makes it difficult for the institution to qualify star athletes for entrance, but I am delighted to see the fine caliber of students such as Randy Kreiling of Peoria, Ill., who have such an excellent commonsense approach.

The future belongs to the younger generation, but they must face the challenge with responsible programs for development.

SMU has started something with the University Community Caucus.

PRESIDENT NIXON'S ADDRESS

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1969

Mr. RHODES. Mr. Speaker, a majority of Republicans and a majority of Democrats—well over two-thirds of the Members of the House of Representatives—have sponsored the resolution supporting the President in his efforts to bring about a just peace in Vietnam.

I share the President's pride in the fact that this House can—for the moment—shed its partisan differences, close its ranks, and stand by the Chief Executive in a time of crisis. In the words of the President:

> As one who has been a Member of both bodies, I understand and respect differences of opinion in both foreign and domestic policy. . . But I also know this—and this goes back to that 22 years ago—I do know that when the security of America is involved, when peace for America and for the world is involved, when the lives of our young men are involved, we are not Democrats, we are not Republicans, we are Americans.

The President remembers his days in this body and his feeling of kinship that still exists with its Members is apparent. Consequently, he knows how very much we appreciated his personal appearance before this body thanking us for our support.

SUPPORT FOR THE PRESIDENT

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1969

Mr. HAGAN. Mr. Speaker, the massive support of President's Nixon's program for peace in Vietnam, in my opinion, marks the turning point in this country's efforts toward an immediate and honorable peace.

I am proud to have taken part in the bipartisan resolution sponsored by over 300 Members of the House of Representatives, voicing approval of Mr. Nixon's proposals for peace.

Additionally, the great ground swell of support and encouragement from the American people, in their unswerving determination to "stand up and be counted," can only serve notice to the North Vietnamese and Vietcong that those misguided people calling for an immediate withdrawal of American forces do not speak for the majority of Americans.

I predict that the next 12 months will bring a drastic change in the Southeast Asia picture.

HOUSE OF REPRESENTATIVES—*Monday, November 17, 1969*

The House met at 12 o'clock noon.

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

With my whole heart have I sought Thee: let me not wander from Thy commandments.—Psalm 119: 10.

O God, who art the loving Father of all mankind, make Thy presence known to us through the hours of this day. Merge our moods and our motives into Thine own mold that honesty, integrity, and uprightness shall mark all our endeavors. Grant unto us the peace of those who put their trust in Thee, the strength of those who obey Thy commandments, and the love of those who walk in Thy way.

Give our citizens everywhere the mind and heart to heed the call of patriotic duty, to love our country with undying devotion, and to so live that the accent of our actions shall be in the spirit of cooperation. While there may be dissent let there not be dissension; while there may be differences of opinion may there not b' differences in relationships, and while there might be disagreements let them not develop divisions among us.

Out of the agitation of these days may there come into being a unity of spirit which will strengthen our efforts for peace with justice, peace with honor, and peace with freedom for all.

In the spirit of the Prince of Peace, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, November 13, 1969, was read and approved.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4293) entitled "An act to provide for continuation of authority for regulation of exports."

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. 2577. An act to provide additional mortgage credit, and for other purposes.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. GONZALEZ. Mr. Speaker, I rise to a question of the privileges of the House.

Mr. Speaker, I have been subpenaed to appear before the U.S. District Court for the Western District of Texas to testify on Wednesday, November 19, 1969, in San Antonio, Tex., in the criminal case of the United States of America against Albert Fuentes, Jr., and Edward J. Montez.

Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send the subpena to the desk.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

[Subpena To Testify—U.S. District Court for the Western District of Texas]

UNITED STATES OF AMERICA V. ALBERT FUENTES, JR., AND EDWARD J. MONTEZ—NO. SA 69 CR 74

To Henry B. Gonzalez, 238 W. Kings Hwy., San Antonio, Texas or through his administrative assistant, Luz Tamez, Federal Bldg., San Antonio, Texas.

You are hereby commanded to appear in the United States District Court for the

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Western District of Texas at Bexar County in the city of San Antonio on the 19th day of November 1969 at 9:00 o'clock A.M., to testify in the above-entitled case.

This supena is issued on application of the Defendant.

November 4, 1969.

Bert Smith, *Attorney for* Defendant, Andrews, Texas.

DAN W. BENEDICT, *Clerk*,
By G. W. MAIMAH, *Deputy Clerk*.

PERMISSION FOR SUBCOMMITTEE ON TRANSPORTATION, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation of the Committee on Interstate and Foreign Commerce may sit during general debate today.

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

There was no objection.

ELIMINATE UNNECESSARY RECORDKEEPING IN THE SALE OF SHOTGUN AND RIFLE AMMUNITION

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

Mr. BEVILL. Mr. Speaker, when the so-called gun-control legislation first came before Congress, I argued that the enactment of such legislation would result in more bureaucracy and harassment of our sportsmen.

I also warned of increasing recordkeeping which was sure to follow passage of this bill.

The U.S. Treasury Department has adopted regulations covering the sale of ammunition which are causing an undue hardship on both dealers and sportsmen.

In so doing, the Treasury Department has grossly misinterpreted the will and intent of Congress.

The amount of recordkeeping required in the sale of ammunition far surpasses any legitimate need.

Therefore, Mr. Speaker, I strongly urge the House to accept the Senate amendment eliminating the requirement "to record the name, address, or other information about the purchaser of shotgun ammunition, ammunition suitable for use only in rifles or component parts for the aforesaid types of ammunition."

I believe, very strongly, that we should concentrate on reducing crime in the country by enforcing the laws we already have, and immediately take steps to remove these new restrictions from the sale of ammunition.

A SALUTE TO THE CAPITOL POLICE

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

Mr. ANDREWS of Alabama. Mr. Speaker, I take this time to commend Chief Powell and Captain McDonald, and all the members of the Capitol Police force, for a job well done over the weekend. Many of those men worked around the clock, they were constantly on duty, and literally thousands of people came by this Capitol and, so far as I know from having talked to Chief Powell yesterday, there was not the first instance of trouble.

We have a good Capitol Police force, and it is getting better every year. I think that I express the gratitude of all of the Members for the job that they did so well over the weekend.

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

Mr. ANDREWS of Alabama. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I think the gentleman from Alabama certainly bespeaks my sentiments, and I venture to say those of everybody else in this House.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank the gentleman.

A JOB WELL DONE BY THE DISTRICT OF COLUMBIA NATIONAL GUARD AND THE METROPOLITAN POLICE DEPARTMENT

(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 spent this past weekend with the District of Columbia National Guard, whose mission was to assist the Metropolitan Police in protecting life and property in Washington during the antiwar demonstrations. Fortunately, there was no loss of life or serious injuries, although there was a small amount of property damage.

I believe there were three basic reasons why the city did not experience an excessive amount of violence. First, I think Mayor Walter Washington acted wisely when he did not follow the advice of other city officials who urged him to impose a curfew Friday night during disturbances at Dupont Circle and the Embassy of South Vietnam. I felt that it would have been almost impossible to implement a curfew and to have done so would probably have set the stage for a bloody mess—violent confrontation—on Saturday. Second, the District of Columbia Army and Air guardsmen were strategically located throughout the city and performed in a superior manner.

Third, the Metropolitan Police handled themselves also in a superior manner in dealing with the largest crowd ever assembled in the Nation's Capital. They dealt with the crowds with politeness, but firmness. I was especially impressed with the civil disturbance units of the Police Department.

Mr. Speaker, I have an hour's special order this afternoon to further discuss the moratorium demonstrations. I hope my colleagues will join with me in this most important matter.

THE NEED FOR HONEST DISAGREEMENT

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

Mr. JACOBS. Mr. Speaker, does the administration really believe it is not in the best interests of America to express honest disagreement with the executive branch over foreign policy?

The following contrasts cause one to wonder:

First, on "support"—President Nixon, November 13, 1969:

> And those of you who were in the House then will remember that on those great initiatives which were recommended to the country and to this House and to the Other Body by President Truman . . . received the support not only of the majority of Democrats, but of the majority of Republicans.

Senator Nixon, April 11, 1951:

> So far as the policy in China is concerned and the Orient, I feel that the facts speak for themselves. That policy did not deserve support then, it does not deserve it now, because the policy has failed.

Second, on "unity"—President Nixon, November 13, 1969:

> I do know that . . . when the lives of our young men are involved, we are not Democrats, we are not Republicans, we are Americans.

Senator Nixon, April 11, 1951:

> If we continue in the present stalemate, if we continue to follow the present leadership of the State Department, all we can expect is a continuance of the war.

Third, the "new" tradition—President Nixon, November 13, 1969:

> That what happened yesterday with that announcement on the part of Members of both sides of the aisle of well over a majority supporting the policy of the President of the U.S., I realize that that was in the great tradition of this society.

Senator Nixon, April 11, 1951:

> But I do know that those who have been responsible for our foreign policy in the Far East have failed. The American People have had enough of our past policy in the Far East.

HONOR FOR TRUMAN IS OVERDUE

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

Mr. FEIGHAN. Mr. Speaker, a very timely editorial appeared in the Cleveland Plain Dealer on November 14 which I believe deserves the attention of Members of Congress.

This editorial concerns a man who will be recorded in history as one of the great Presidents of the United States.

I feel confident the Members of Congress will heartily approve the dedication of a historic site to former President Harry S. Truman. Under leave granted I include the editorial, as follows:

HONOR FOR TRUMAN IS OVERDUE

It is strictly in character for former President Harry S. Truman to tell the National Park Service he wants no historic site dedicated to him during his lifetime.

We beg to differ with Mr. Truman. And we believe others, in the Congress and in the National Park Service, should do the same.

Mr. Truman is the only former president of the United States in this century not yet so honored. The fact that he lives on (at 85, good health to him!) is not sufficient reason

to delay further an honor that already is long overdue.

Harry S. Truman, as President, was a fighter and a man of decision. History has showed that he was the kind of a man his country needed in the closing days of World War II and in the postwar period.

He made the hard decision to use the atomic bomb to hasten the war's end, and later he turned national and world thinking in the direction of peaceful uses for the atom.

He gave steadfast support to alliances that might help maintain peace in the world. He gave strength and backbone to the United Nations and to the North Atlantic Treaty Organization. He implemented the Marshall Plan which spurred Europe's postwar recovery. With the Point 4 program he pioneered a movement to provide aid to underdeveloped countries.

He resisted, and effectively so, Communist aggression with the Truman Doctrine, the Marshall Plan aid program, with troops in Korea and with an airlift to blockaded Berlin. Most historians say President Truman saved Europe and several other areas from communism.

At home Harry S. Truman was no less a leader. He took forceful actions to end crippling national strikes. He improved the nation's defense posture with unification of the military services under a single command. He built the people's confidence in their own and their country's future.

A historic site to honor Harry S. Truman? Certainly, and the sooner the better. Many feel his historic decisions mark him as one of the great presidents of the century.

GUN CONTROL

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

Mr. BUSH. Mr. Speaker, I have been upset with certain aspects of the Gun Control Act of 1968. Last year I voted for the exclusion of all ammunition sales from the provisions of the bill. When this amendment was defeated on a 90-to-99 teller vote, I supported the successful amendment—218 to 205—to exempt sales of rifle, shotgun, and .22-caliber rimfire ammunition from the provisions of the act. I was most disappointed when the amendment was not included in the compromise agreed to by the House-Senate conferees.

Enforcement experience has proven the wisdom of the House position. Both the Departments of Justice and Treasury feel that these recordkeeping requirements are of little law enforcement value. These provisions are an unnecessary hindrance to legitimate sportsmen and provide a tremendous bookkeeping burden to the operators of small stores. Further, they are practically impossible to enforce.

To alleviate this situation, I introduced, earlier this year, a bill that would exempt sporting ammunition from the law. This legislation has been passed by the Senate as an amendment to the bill to extend the interest equalization tax. When the House is asked to act upon the Senate amendments to the interest equalization tax bill, I understand that a motion will be made to instruct the managers on behalf of the House to accept the Senate amendment—I intend to support that motion.

WHAT DO MOBILIZATION MARCHERS WANT HANOI TO DO?

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

Mr. WAGGONNER. Mr. Speaker, over the weekend the news media, especially the newspapers, reported extensively the events surrounding the mobilization march in Washington. I, like everybody else, have an opinion about the mobilization march. Each individual is entitled to his or her opinion. I admit readily that there were any number of people—how many, I do not know, and neither does anyone else—who participated, who honestly thought they were doing what they ought to do to serve the best interests of this country to achieve peace.

But, Mr. Speaker, for the life of me, I do not see how anybody can classify any individual who participated in that march who carried a Vietcong or a Communist flag as being friendly toward peace or us while chanting that Ho Chi Minh would win. Mr. Speaker, they are on the other side. For this group the mobilization march was a rally around the flag, but it was a rally around the Vietcong and Communist flag.

The news media, including the newspapers and other sectors of the media, have reported their demands. They want the President to quit and bring the boys home now without concern for the consequences. They want peace, they say. I do not know an American who does not want peace. It must, however, be an honorable peace.

I have done it before, but again I am going to ask, and I am going to keep asking until somebody who supports this movement gives me an answer: What do you or they want the Vietcong to do? What do you or they want Hanoi to do? What are they being asked to do? As yet no demands have been made of the Vietcong. I ask why? Do the supporters of the movement want Hanoi to go on and win, or do they just want us to quit? It is time to speak up and rally around our flag.

SECURITY OF UNITED STATES MUST NOT BE SACRIFICED BY ARMS LIMITATION AGREEMENT

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

Mr. EDWARDS of Alabama. Mr. Speaker, the first of the preliminary talks between the United States and the U.S.S.R. on arms limitations begins today. Off and on for the last 20 years such discussions were planned, or thought about, or nearly begun, but they never really got meaningfully underway. In the United Nations disarmament talks are a perennial matter for useless oratory because nobody ever really gets down to serious discussion.

Now, perhaps, meaningful negotiations dealing with the limitation of defense armaments can be taken up between the world's two superpowers. Talks, though, do not mean surrender. The U.S. defenses are the best in the world, a fact that is undeniable. What the talks hope to accomplish, however, is a halt in further escalation of the arms race. It would be nice to be able to stop the useless stockpiling and duplication of first-strike and second-strike weapons.

One strong word of caution is necessary though. The security of the United States cannot and must not be sacrificed in any agreement. For years, the Soviet Union has adamantly dismissed the proposal for an adequate system of checks. Unless we can be absolutely certain that the other side is keeping its half of any arms limitation bargain, we cannot enter into such an agreement and still feel secure as a nation against outside aggression. History only too clearly shows that the Soviets say one thing and do another. An inadvertent weakening of our defense posture by any means is the one mistake that is only made once.

THIRTEENTH ANNUAL REPORT OF SURGEON GENERAL OF PUBLIC HEALTH SERVICE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–193)

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:

Pursuant to the provisions of title VII of the Public Health Service Act, as amended, I transmit herewith, for the information of the Congress, the thirteenth annual report of the Surgeon General of the Public Health Service summarizing the activities of the Health Research Facilities Construction Program for fiscal year 1968.

RICHARD NIXON.

THE WHITE HOUSE, *November 1, 1969.*

CONSENT CALENDAR

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

PROVIDING FOR THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE FEDERAL GOVERNMENT TO THE BOARD OF PUBLIC INSTRUCTION, OKALOOSA COUNTY, FLA.

The Clerk called the bill (H.R. 7618) to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, since the majority leadership has seen fit to schedule this bill under a suspension of the rules, I withdraw my reservation of objection and ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

CONNECTICUT-NEW YORK RAILROAD PASSENGER TRANSPORTATION COMPACT

The Clerk called the bill (H.R. 14646) granting the consent of Congress to the Connecticut-New York Railroad passenger transportation compact.

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

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to have something in the RECORD as to what is going to take place if this compact is signed. I would first of all like to pose a question. Inasmuch as the RECORD states it is going to cost huge sums of money, I would like to know what it is going to cost for these two authorities to acquire the New York, New Haven & Hartford Railroad.

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

Mr. JOHNSON of Pennsylvania. First, I am interested in what the total cost will be to acquire this system by these authorities.

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

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. I must advise the gentleman that it is not really the prerogative of the subcommittee of the Judiciary Committee to make inquiries into the actual financing itself. We merely grant consent for the entities, the Connecticut and New York entities, to act in concert with respect to their transportation problems.

One may note from the letter of the Governor of New York how he hopes to acquire financing, but this is not up to the Judiciary Committee to verify. That is exclusively a problem for the entities of the two States, and they themselves will have to deal with it in due course.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, the reason I am asking the question as to what the total cost will be is that the record before us indicates they are very proud they have already arranged for some $58 million in State and Federal financing and hope it will go to $80 million.

I wonder if this compact is agreed to today it will pave the way for a good many hundreds of millions of dollars of Federal funds to do this, rather than for the authorities to go out and sell bonds and do it in a good, businesslike way. Will the gentleman answer that question?

Mr. KASTENMEIER. If the gentleman will yield further, we do not tell the entities involved how they may do business in this connection, how they may finance their transportation authority.

As the gentleman will note from the report, there are several activities which are authorized under the compact; namely, the acquisition of assets of the existing railroad, the repair and rehabilitation of these assets, the disposition of these assets, and the operation of the service or contract for its operation.

We do understand that there will be in connection with this an application for financing. This presumably will be Federal, State, or other financing, but we are not in a position to dictate to the States or to these entities what mode they will use for financing of this particular authority.

Indeed, if it is their intention to do so, they must come to the Federal Government in due course, or the State government or other entities, and make application for financing and obtain approval, from the Department of Transportation or other agencies.

This was not within the purview of the Judiciary Committee in terms of making a judgment as to how they should proceed.

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

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. MESKILL. Mr. Speaker, H.R. 14646 is a bill to grant congressional consent to an interstate railroad passenger transportation compact between Connecticut and New York to improve commuter transportation between the two States. The bill is cosponsored by all the members of the Connecticut delegation. It is cosponsored by members of the New York delegation representing areas interested in the improvement of commuter transportation. Similar legislation has been introduced on the Senate side and is sponsored by Senator DODD, Senator RIBICOFF, Senator JAVITS, and Senator GOODELL. This legislation has the support of both parties; it has the support of transportation-conscious Members of both States.

As you are all aware, under provisions of article I, section 10, of the Constitution of the United States, approval of the Congress is required for all interstate compacts. The legislation passed by the Legislatures of New York and Connecticut require Congress to grant its approval before December 31, 1969, for the interstate compact to become effective.

The interstate compact itself is designed to allow New York and Connecticut to enter into an agreement to improve passenger railroad service between the two States. Commuter railroad service between New York and Connecticut is sorely deficient at the present. The service is undependable, unpleasant, inefficient, and unsafe.

If Congress gives its approval to this interstate compact, New York and Connecticut can begin to modernize their ailing commuter service. H.R. 14646 will permit the two States to lease or acquire the assets of the old New Haven Railroad and contract wth the Penn Central System to operate a modern, efficient commuter service.

As a result of the two-State agreement, $56 million would be made available to improve service. The amount of $28 million will come from a grant from the Department of Transportation. In addition each State is pledged to put up $14 million of its own to buy new cars and upgrade the service.

The Department of Transportation has given its approval to the compact. So has the Bureau of the Budget. The Judiciary Committee has recommended that Congress grant its assent to the compact.

Mr. Speaker, improved railroad passenger service between these two States is essential. We need to diversify our systems of ground transportation. Automobile traffic clogs or highways. I am afraid it will worsen before it improves. We must act now to modernize this important part of our transportation network. We must strive for a balanced system of transportation. This interstate compact is the main hope that something can and will be done to help the long-suffering commuter who would prefer to ride the rails than to sit in long lines of automobile traffic.

Mr. Speaker, I ask the Congress to give its assent to this interstate compact. H.R. 14646 is vitally important to both Connecticut and New York.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, of course the gentleman has not really been able to answer the question as to how much money this proposal will cost and whether the major financing is going to be by the Federal Government. I have a suspicion that the Federal Government is the one which is going to buy this railroad and which is going to pay for operating it.

It does not seem to me that anybody has made that point, as far as I know, that they are going to be privately financed by New York brokers and investment people in New York.

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

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. MESKILL. All we are being asked to do today is to confirm an agreement which has been entered into between the respective transportation authorities of the two States. This in no way commits the Federal Government to the expenditure of any funds. All we are doing, really, is giving our blessing to a legal entity which could then turn around and make application for funds. If this legal authority is not given, then there will be no legal entity to make this application. The House is not being asked in advance to commit itself to make an expenditure of funds. The only legislative bodies that have committed themselves are those of the States of New York and Connecticut.

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

Mr. JOHNSON of Pennsylvania. Yes. I yield to the gentleman.

Mr. PICKLE. I want to ask the gentleman from Connecticut if it is contemplated that you will ask the Federal Government for funds for the operation of this compact.

Mr. MESKILL. Yes. The answer to the gentleman would be in the affirmative. It is contemplated that one-half of the $56 million would be applied for from the DOT. The DOT has already indicated its approval with knowledge of this, and the Bureau of the Budget has also indicated its approval. What has happened here, I would tell the gentleman from Texas, is that the New York, New Haven & Hartford Railroad has been defunct and operating in the red and is at the point of bankruptcy. In order to continue the passenger services to the people of Connecticut, the Penn Central Railroad finally agreed to merge with and take over the New Haven Railroad,

but it was only interested in taking over their freight services and not interested in their passenger services because they were not profitable. Finally approval for the takeover was given provided that the passenger services were retained. In order to retain and improve the services it would be necessary for a substantial expenditure of funds for the acquisition of rights-of-way, improvement of personal property and real estate, and also for the disposition of some property which was no longer needed. It was for the reason that the legislatures of the two States agreed to this compact, which, of course, needs the ratification of the Congress. I would also point out we are not here committing ourselves to the expenditure of funds, although we must state that there will be an application made for Federal funds of approximately $28 million in amount. I would say further that time is of the essence here, because if this compact is not approved by the Congress by December 31 of this year by this and the other body, then the actions of both legislative bodies of the States will be void.

Mr. PICKLE. I notice that in the stipulation in the report action will be expected by the end of this year, but this further complicates the matter as far as I am concerned. Our Committee on Interstate and Foreign Commerce of the House has been holding extensive hearings on this type of matter. How can we say what is the best approach to this railroad without having looked into it extensively? Over the years the Federal Government has not involved itself in the operation of any of these lines. Federal assistance in this area has been carefully avoided. If we try to find an approach to train and passenger service, I question the wisdom of committing the Federal Government to a matter of helping individual rail lines at this point.

It seems to me the entire question of passenger train service in this country ought to be tied together. I know that the New Haven is in trouble. I know many of the passenger carriers of our country are in trouble. But if we say today that we are giving a grant to this particular railroad and not to others, we might be indulging in an inconsistency.

Mr. MESKILL. I will answer the gentleman in this way, and I believe I am correct when I state this: I know I am correct when I state that we are not committing the Federal Government to spend any money if we assent to this compact, but I think I am also correct when I say if we do not assent to this compact the States of New York and Connecticut cannot themselves put into operation the steps that are needed to save this railroad even if it was decided to do it with the funds of those two States alone. So the assent of the Congress is required regardless of whether or not the Federal Government spends any money. This is vital in order to save this railroad even if the decision were made that there would be no funds forthcoming from the DOT.

Mr. PICKLE. I wonder why this particular bill came from the Committee on the Judiciary. Can the gentleman from Wisconsin comment on that?

Mr. KASTENMEIER. Yes, if the gentleman from Pennsylvania will yield to me.

Mr. JOHNSON of Pennsylvania. Yes. I yield to the gentleman.

Mr. KASTENMEIER. I will state that all interstate compacts must be assented to by the Congress of the United States. These have been historically referred to the Committee on the Judiciary.

We as a matter of course do not necessarily involve ourselves with the substance of the compact itself. The only determination we made in this instance was that the two States and the two entities—the Metropolitan Transportation Authority of the State of New York and the Connecticut Transportation Authority of that State—may enter into a compact to act jointly in a particular connection. We do not make judgment as to whether they will spend money or as to whether they will apply to the Federal Government for funds. If they do so with reference to a grant from the U.S. Government, they would have to proceed in an appropriate way.

Mr. PICKLE. We have compacts which have been presented to the House Committee on Interstate and Foreign Commerce and I may say that they must have the consent of the Congress to ratify these compacts. However, it seems to me in a matter of passenger service relating to trains it might more appropriately be considered in the Committee on Interstate and Foreign Commerce rather than the Judiciary Committee. The question is, Do we give—the Congress of the United States—help to an individual railroad in the operation of its system?

Mr. KASTENMEIER. Mr. Speaker, if the gentleman from Pennsylvania will yield further, I may say to the gentleman one may construe the matter in that light but, legally, in terms of the statutes we are obliged to treat this merely as a compact. The two States—the two entities—must have congressional approval of the compact in order to operate together across State lines for certain purposes. We do not treat the substance of the compact. We do not make judgments as to the railroads involved, although this does lie, as the gentleman from Connecticut suggested, in the background. However, this must be made by other entities of government.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, in view of the rather flimsy explanation here and the projected cost involved as well as the possible Federal outlay——

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

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. MESKILL. I am sorry to interrupt the gentleman, but I would like to clarify a couple of things. As the gentleman from Wisconsin (Mr. KASTENMEIER) said, interstate compacts must be considered by Congress even if no money is involved and, really no money is involved in this compact. Whatever money would be involved would be concerned with applications which governmental entities might file with the Federal Government. But even if these applications were denied, unless this compact is assented, the States of Connecticut and New York cannot even act in concert. If New York and Connecticut decide to go it alone, without any Federal money, they still must have the consent of the Congress to this compact.

So, I would hope that the gentleman will not object. I would close with this remark, the Congress, in consenting to the compact, is not consenting to the authorization, appropriation or expenditure or approval in advance of any funds or applications for funds by either State, or both States acting in concert.

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

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I do object. I feel that this bill should be put over until we can get some information as to what the potential Federal cost is going to be—the Federal request for aid. I am not objecting to it for the purpose of killing it. I am simply asking unanimous consent that it be passed over without prejudice.

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

There was no objection.

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

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

PROVIDING FOR AGREEING TO CONFERENCE ON H.R. 12829, EXTENSION OF THE INTEREST EQUALIZATION TAX

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 675 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 675

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 12829) to provide an extension of the interest equalization tax, and for other purposes, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and the same are hereby, disageed to and that the conference requested by the Senate on the disagreeing votes of the two Houses be, and the same is hereby agreed to.

The SPEAKER. The gentleman from Mississippi (Mr. COLMER) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the able and distinguished gentleman from California (Mr. SMITH) pending which I yield myself such time as I may consume.

Mr. Speaker, this is a simple resolution on its face. It merely provides for taking the so-called equalization tax continuance from the Speaker's table, disagree to the Senate amendments, and appoint conferees.

Mr. Speaker, I am not going into any

details about the merits of the resolution, but if I may have the attention of the House for a few moments I would like to call the attention of the House again to the practice of the other body in taking a House-passed bill and placing some entirely irrelevant foreign matter in the form of an amendment to that House-passed bill, and sending it back here to the House where the House either takes it or leaves it.

Mr. Speaker, I recognize that this body of the Congress does not have the right or the privilege of telling the other body how to conduct its proceedings, but no one whom I have heard discuss this matter has ever asserted the other body could tell this body under what rules of procedure it should proceed.

I think we ought to state very candidly that there has grown up a practice whereby the other body places bills and legislation upon House-passed bills that have no relevancy whatsoever to the subject matter. I do not know how many Members of this House are concerned about the prestige of this body.

I call the attention of those who might be interested, that our system, our parliamentary system, our legislative system, is taken largely from the English system where the House of Commons was set up to be the important body of the English Parliament; and that the power of the so-called Upper House was very limited.

In pursuing that policy, the provision was made by the Founding Fathers that this body was to be elected directly by the people and should stand for reelection every 2 years. It was to have control, and does under the Constitution have control, of revenue raising and appropriations spending.

But somewhere down through the years, possibly upon the theory that gold is more precious than any other mineral because of its scarcity, the other body has assumed powers that were limited to this body.

Notwithstanding the Founding Fathers provided that this body should initiate the spending of money as well as the raising of that money. I call your attention to the fact that in the last couple of revenue matters which emanated from this House and were sent over to the other body, that that both practically rewrote those bills and added extraneous matter in addition thereto.

We have heard complaints every time one of these instances has happened here on the floor of this House. But, apparently, nobody does anything about it.

I suspect that the committee that has suffered the most by this practice has been the Committee on Ways and Means chaired by the distinguished and able gentleman from Arkansas (Mr. MILLS).

The result has been that the House in these instances has practically lost control of these bills, although the Constitution provides the House of Representatives with a distinctive authority in this matter.

Now if the House were interested, and if I were so inclined I could read to you a dozen instances of the abuse of our rules of germaneness in the past 2 years.

There is no rule of germaneness in the other body, but under the rules of this body, any nongermane amendment that is offered to a bill on the floor of the House is subject to a point of order.

I happen to be one of a very small minority who for years have chafed under this system, and I have tried to do something about it. For at least 10 years, as a member of the Rules Committee, I have had pending before that committee a resolution that would correct this abuse.

Frankly, with all due deference to the present and prior leadership of this House on both sides of the aisle, we have never been able even to get that resolution out with any hope of having it adopted.

The Rules Committee is now considering, and has been for some time, a so-called reorganization of the Congress. There is now some sentiment in the subcommittee, if not in the full committee, to provide a remedy for this problem in the reorganization bill. And I would like to call attention to those who are interested in the overall subject matter of reorganization that they might want to give their support to the move in the reorganization bill to do something about it. There are a number of things that could be done.

One of my earlier resolutions merely provided that if an amendment were placed on a House-passed bill by the other body which would not be germane under the rules of this body, when it came back it would be subject to a point of order. That is the simple and drastic approach to it.

But since that time I have introduced another resolution, which has some support, which would require, in brief, that such an amendment would require a two-thirds vote of the House before it could be maintained.

But regardless of what the approach is, if this body is to enjoy the prestige to which it is entitled under the Constitution, if this body is to function in an orderly manner, and if its rules of germaneness mean anything, then something should be done to stop this unfortunate practice.

A moment ago I pointed to the abuse that was visited upon the Ways and Means Committee of this House. We have had strong complaints from the Judiciary Committee headed by the able and distinguished gentleman from New York (Mr. CELLER). He and his committee have felt the whiplash of this practice by the other body.

So I just want to take this time this morning to comment again upon this question and to get the support of those Members who are interested to get such a provision into a reorganization bill or to bring out a resolution from the Rules Committee to discourage this procedure.

I do not care what form it takes, nor am I interested in the authorship. I merely want to see that practice curbed.

Now, so far as the instant bill is concerned, I find myself in rather an unusual situation. I abhor this practice. I am for the amendment, nevertheless, that the Senate has placed in the bill, But if I had to make a choice, as intertested as I am in the amendment, I would stand by the principle involved.

So, Mr. Speaker, again we dispose of another of these situations where we find the other body placing extraneous matter in a House-passed bill. I want to urge this House again to give serious consideration to this matter, and I also want to appeal indirectly here, as I have appealed privately, to the leadership of this House to cooperate with us to end this erroneous action by the other branch of the Congress.

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

Mr. COLMER. I yield to my friend, the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman from Mississippi for yielding. I think the gentleman has made a very thoughtful speech. I believe the principle to which he alludes is a very important one. It is one which is very important to the House and to its position in the legislative system.

On the other hand, I would have to tell my good friend, the gentleman from Mississippi, that while I agree with him heartily on the principle, I think the situation that confronts us is one in which the amendment to which he makes reference ought to be accepted and should be made a part of the law. I hope it will be adopted.

Mr. COLMER. Mr. Speaker, if I understand the gentleman's observation correctly, he is for the principle, but he feels that we should rise above the principle in this instance.

Mr. MILLS. Will the gentleman yield?

Mr. COLMER. I yield to my friend, the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, I, too, want to join with the gentleman from Oklahoma in commending our very distinguished friend, the gentleman from Mississippi, for the statement he has made, but I want to bring this present situation into its proper relationship, if I may, with the gentleman's statement.

Does the gentleman understand that the amendment to which he refers, adopted by the Senate, is extraneous in all respects to the bill to which it was added?

Mr. COLMER. In reply to that, I would say it is my understanding that it is extraneous. Whether it is in part or in whole is immaterial insofar as the principle which is involved.

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

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

Mr. MILLS. Mr. Speaker, both the bill to which the amendment was added and the amendment itself are amendments to the Internal Revenue Code. I have in my hand several bills that I showed the gentleman and other members of the Rules Committee the other day in the Rules Committee chamber, bills that were introduced in the House, some of them before the Senate adopted the so-called Bennett amendment, and some of them afterward. Each one of these bills involving the same subject matter as that in the Bennett amendment were referred to the Ways and Means Committee.

Mr. Speaker, will the gentleman yield further?

Mr. COLMER. I yield further to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, I also point out that until the legislation which became the Gun Control Act was rewritten downtown by the administration then in control so that it could be referred to the Judiciary Committee, it had been the exclusive jurisdiction of the Ways and Means Committee.

Mr. COLMER. I thank the gentleman for his observation.

I do not want to get personal here with my able friend. To begin with, I am sure I would lose out in any colloquy with him, because he is so much more able to handle the matter than I as it is pending before the House.

But I do want to again emphasize this principle, regardless of this amendment. I am assuming that this rule is going to pass and that the gentleman will go to conference and will work out something on the matter. I call the gentleman's attention again to the fact that his committee, over which he so ably presides, has been the victim of this practice in the past, regardless of how we may construe the germaneness of this particular provision.

I know that I will have, and those of us of like mind will have, the prestige and the ability of the able gentleman from Arkansas in trying to do something about this.

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

Mr. COLMER. I am happy to yield to my friend from New York.

Mr. CELLER. To clear up any uncertainty which may exist as a result of the colloquy between your good self and the distinguished chairman of the Ways and Means Committee, the gentleman from Arkansas, I want to point out that this nongermane rider originally was in the form of a bill, a bill that went to the Senate Judiciary Committee. When it was discovered it would have trouble in the Senate Judiciary Committee the bill was withdrawn and it was recast to amend title 26, the Internal Revenue Code. But in substance and effect it amends title 18, the U.S. Criminal Code.

The Criminal Code is a matter over which the Judiciary Committee has jurisdiction. So by this subterfuge—in other words, by using the Internal Revenue Code as a vehicle—they have directed the bill to the Finance Committee of the Senate and the Ways and Means Committee of the House.

In essence, if Members will read the provisions—and I have them right here—the amendment is to title 18, of the United States Code. Instead it is proposed as an amendment to a different title of the Code which is utterly different; namely, title 26, the Internal Revenue Code. That is rather an unusual procedure, and I believe it should be emphasized.

Mr. MILLS. Mr. Speaker, will the gentleman from Mississippi yield to me further?

Mr. COLMER. I yield briefly, because I have consumed too much time here.

Mr. MILLS. I do not believe there is any subterfuge in the referral of the bills to which I referred, which have been introduced in the House, to the Ways and Means Committee. In my opinion, if there has been any subterfuge anywhere along the line it was downtown in the previous administration so drafting the Gun Control Act of 1968 that it bypassed the Ways and Means Committee.

Mr. COLMER. I thank both of my able friends.

Let me finally say, because I have used too much time already, that I am not interested in the question of jurisdiction; I am interested in the question of germaneness and the practice of putting extraneous matter by the other body on House passed bills.

Mr. Speaker, I reserve the remainder of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the resolution states, upon its adoption of this bill, H.R. 12829, can be sent to conference. You will recall the bill was originally passed and some language was added to it in the Senate and a unanimous-consent request was then made on the floor of the House to send it to conference. An objection was heard to that unanimous-consent request. The procedure subsequent thereto is to ask the Committee on Ways and Means to direct its chairman to bring it to a vote of the House to send it to conference or he can go to the Committee on Rules and ask for a resolution to have it brought to the floor of the House for consideration by the Members, which is the situation we face here today.

Last week when we were considering this matter there were comments made that there would be efforts made to instruct the conferees. It is my understanding that that can still be done between the time of the adoption of the resolution and the naming of the conferees if the request is made to do so. My understanding today is in all probability that will not take place, but I do not know.

I agree with the comments made by the distinguished chairman of the Committee on Rules (Mr. COLMER) as to germaneness. I have felt that way for a long, long time. Whether this language is or is not germane I will not argue, but I would like to tell you a little bit about the problem we have had on germanenesss.

One resolution was introduced at one time simply to make it not in order for the House to consider language that was not germane. That would be pretty drastic. Then we gave further consideration to it, and a resolution was introduced which is now pending before the Committee on Rules to make it in order that when language is not germane it will have to be considered in the same way as any bill under suspension would be. In other words, if the House desires to consider any nongermane amendment that the other body places into a House-passed bill, it would take a two-thirds vote to pass it. We have had that pending. We have given thought to it, but, in all honesty, we do not have the votes to get it out of our committee. We discussed it further in the reorganization and we had some distinguished Members testify before the committee on it. I believe the distinguished chairman of the Committee on the Judiciary last week suggested in connection with the nongermaneness language that the rules be amended so that it will be referred to the committee having jurisdiction over that subject matter so that they could hold hearings on it and report back. This could be very time consuming particularly if we are late into the year and have an appropriation bill or something of that sort with some language in it that was not there when we passed it. We could actually defeat it if we had several weeks of hearings on it. Then the chairman of the Committee on Ways and Means suggested that the rules be changed so that any nongermane language will require a separate vote in the House. There are several different suggestions. Frankly, I do not believe that there is a majority of the Members of the House who will agree on what the procedure should be when nongermane amendments are added by the other body. In any event, Mr. Speaker, we have the problem which we face today. As I mentioned a moment ago, it is my understanding when this measure is voted on, House Resolution 675, if it is agreed to, as it says in the resolution, the Senate amendment will be disagreed to and it will go to conference.

Mr. Speaker, I agree as to nongermaneness, but as the gentleman from Mississippi (Mr. COLMER) mentioned, I would like to rise above principle, because I happened to be in support of the language that the other body added to this particular bill. So it is interesting to say the least.

Mr. Speaker, I urge the adoption of House Resolution 675 and reserve the balance of my time and inform the chairman of the committee that I do have some requests for time.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Minnesota (Mr. MACGREGOR).

Mr. MACGREGOR. Mr. Speaker, reference has been made here today by the distinguished chairman of the Committee on Rules and the ranking minority member, the gentleman from California (Mr. SMITH), to some very desirable changes that need to be made in the House rules with reference to the handling of nongermane amendments adopted in the other body.

I would be delighted, Mr. Speaker, if we today had a procedure which required a rollcall vote on the controversial matter now pending before us, namely, amendment No. 7 offered by the Senator from Utah, Mr. BENNETT, in the other body.

That amendment, for the benefit of the Members who may not have been present in the House when its content was discussed on November 6 of this year, would eliminate the requirement for recordkeeping with regard to sales of rifle and shotgun ammunition and components therefor. This requirement is set out in regulations promulgated following adoption by the Congress last year of the Gun Control Act of 1968.

Specifically, the amendment in controversy and which has been discussed here today and referred to as a nongermane amendment would relieve shopkeepers of certain of the recordkeeping requirements with reference to sales of shotgun shells, rifle ammunition, and component parts therefor.

Mr. Speaker, I think it may be of inter-

est to note that whereas there has been discussion about the germaneness or nongermaneness of this amendment, the subject matter of the Bennett amendment has been discussed at great length in this body in a previous Congress, namely the Congress of last year.

In the House last July, I offered the following amendment to the Gun Control Act of 1968:

> The term "ammunition" shall include only ammunition for a destructive device and pistol or revolver ammunition. It shall not include shotgun shells, metallic ammunition suitable for use only in rifles, or any .22 caliber rimfire ammunition.

The House adopted that amendment first on a nonrecord vote and later on a rollcall vote of 218 to 205. The amendment was lost in conference.

The so-called nongermane amendment now seeks to write into existing law only a portion of my amendment which the House adopted last year but which the other body rejected.

Mr. Speaker, so that Members might know the exact content of this amendment No. 7, I think it pertinent to read briefly from the appropriate portions of the report of the Senate Committee on Finance covering the Interest Equalization Tax Exemption Act of 1969, the principal bill now here before us. That report from the other body reads as follows:

> The committee feels that the registration of persons purchasing shotgun or rifle ammunition, or component parts of the same types of shells, creates an enormous and unnecessary administrative burden on the Treasury Department, on firearms dealers, and on the Nation's sportsmen who purchase this type of ammunition. At the same time, these burdensome requirements do not contribute to an increase in public safety. The ammunition covered by the amendment is the type used mostly in sporting types of firearms. The amendment does not affect the registration requirements under present law related to pistol and revolver ammunition; these are the weapons most commonly used by criminals in the commission of a crime.
>
> The committee amendment modifies section 4182 of the Internal Revenue Code, a section which deals with the responsibilities of the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service. The amendment states that no person holding a Federal license to sell ammunition "shall be required to record the name, address, or other information about the purchaser of shotgun ammunition, ammunition suitable for use only in rifles or component parts for the aforesaid types of ammunition."
>
> The committee is convinced that this amendment accomplishes the dual objective of (a) relieving ammunition dealers and sportsmen of unreasonable burdens in the purchase of sporting-type ammunition, and (b) protecting the public safety by retaining registration requirements with respect to the purchase of ammunition designed primarily for handguns. It is this type of weapon that criminal elements in our society choose to employ in robberies, assaults, and other felonious acts, largely because of the ease of concealing these weapons on their persons.

That, Mr. Speaker, ends the quotation from the principal portions of the report of the other body on the amendment No. 7 discussed in debate earlier today.

I do believe that our conferees, if this resolution is adopted, will use their good judgment, will have in mind the rollcall vote in the House taken last year on my more extensive amendment, will have in mind the broad support for amendment No. 7 not only in the other body but throughout the country, and will recognize that it is in the interest of fighting crime, and also in the interest of drawing reasonable distinctions between ammunition used in criminal activities and that which is used by hunters and sportsmen and adopt amendment No. 7 when the conference report is submitted to this body. It should be borne in mind that even if the Bennett amendment is written into law, the Gun Control Act of 1968 and the regulations implementing that legislation will continue to fully cover all sales of .22-caliber rimfire ammunition.

Mr. SMITH of California. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, there seems to be a confusion as to the wording of this particular House Resolution 675. Those who are for the amendment inserted by the other body will want to vote for this resolution so that it can go to conference, and then give the conferees of the House an opportunity and a vote that will bring the amendment back in the conference report, at which time we can then vote for or against it.

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

Mr. SMITH of California. I yield to the gentleman from Utah.

Mr. LLOYD. Mr. Speaker, is my understanding correct, then, that the wording of the resolution that states "to the end that the Senate amendments be, and the same are hereby, disagreed to," that those words do not bind the conferees?

Mr. SMITH of California. No. Not at all. They cannot get to conference unless they have something to disagree on, and that is what they are in disagreement on, then the conference requested by the Senate on the disagreeing votes is agreed to. In other words, we are agreeing to go to conference on the disagreeing votes.

Now, Mr. Speaker, may I inquire of the gentleman from Mississippi whether he wishes to yield further time on his side? I have one more request for time.

Mr. COLMER. I believe I have only one further request, but the gentleman may proceed.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. McCULLOCH).

Mr. McCULLOCH. Mr. Speaker, with great pleasure I join in the remarks on germaneness made by the chairman and by the ranking minority member of the Committee on Rules. I hope that a solution to this problem will be one of the first orders of business in the second session of this Congress. For today we are once again presented with an example of the need for congressional reform.

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

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

Mr. ALBERT. Mr. Speaker, I think it should be pointed out, without disagreeing with the relevancy of or discussing the issued here raised, that the principle of comity between the two Houses is also a very vital constitutional concept, and I do not think there is anything in the Constitution that requires either body to pass on the question of germaneness when adding an amendment to a bill passed by the other body.

Mr. McCULLOCH. Mr. Speaker, I should like to say that I agree with part of what the majority leader has said.

Certainly, rules on germaneness are not required by the Constitution. I do not contend that they are. But there are other aspects to the problem. I believe that some of our rules are not as efficient, as orderly, and as fair as they could be.

I will be pleased if the vote of this body is to disagree with the Senate amendments and send the bill to conference because I note from the lead editorial—"Guns Blast, Deaths Soar"—printed in the Cleveland Plain Dealer of Saturday, November 15, 1969, a newspaper with a daily circulation of well over 400,000, that the city of Cleveland is about to experience its 250th homicide of the year. The problem of violence and the misuse of firearms grows worse by the day, as the Eisenhower Commission has heard from witnesses from every part of this country.

So when the conference committee considers this legislation and the Senate amendments, I hope that some of the questions that were not answered in this body can be answered there. I hope that the committee will have the opportunity to consider this problem in depth, since there has not been a hearing in either body on the ammunition amendment.

Mr. COLMER. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from New York (Mr. CELLER).

Mr. CELLER. Mr. Speaker, I rise to express my determined opposition to the nongermane rider added by the other body to the bill, H.R. 12829, the Interest Equalization Tax Extension Act. The nongermane and regressive provision which the other body has tacked on eliminates certain ammunition recordkeeping under the Gun Control Act of 1968.

At first, the rider exempted .22 caliber rim-fire ammunition as well as rifle and shotgun ammunition from all recordkeeping requirements. But, in order to make it more palatable, before final adoption, the amendment was modified so as only to exclude recordkeeping for rifle and shotgun ammunition transactions. The results of this unwarranted action will leave ammunition regulation in a state of confusion. Dealers will be required to record sales of pistol and revolver ammunition and .22 caliber rimfire ammunition, but no records will be necessary for rifle or shotgun ammunition. This "crazy quilt" approach is not justified on the basis of any substantial experience, since the Gun Control Act has only been in effect for approximately 10 months. No hearings were held in the other body to document the need for, or the consequences of, cutting back ammunition regulation. Rather, shotgun and rifle ammunition and components are exempted on the assumption that only decent, law-abiding sportsmen purchase such ammunition, and that they should not be burdened when acquiring it.

All the assumptions underlying this Senate rider are unfounded. The act does not interfere with or impose a burden on sportsmen sufficient to justify exemption of rifle and shotgun ammunition. A purchaser need only give his name, address, and proof of age in order to acquire ammunition. Customers are required to do that to cash a check. In many jurisdictions, juveniles must do that much to buy liquor. The public interest clearly justifies obtaining similar information in an ammunition transaction. Certainly, there is a legitimate interest inasmuch as 1,600 Americans were murdered by rifle and shotgun ammunition last year.

The value of the ammunition recording requirements of the Gun Control Act of 1968 are demonstrable in terms of the experiences of the District of Columbia.

Under local ordinances in the District of Columbia, it is necessary to obtain a permit to possess a firearm. Convicted felons are among those who are prohibited from obtaining such a permit. One cannot purchase ammunition in the District of Columbia without showing his gun permit at the time of purchase. A search of the records of two nearby Maryland gun stores dramatically underscores the value of recording ammunition transactions. The names and addresses of these ammunition purchasers were sent to the FBI where their criminal records were uncovered. The search reveals that a substantial number of District residents who, with criminal records, went outside the District to purchase ammunition. The names and addresses of these purchasers, who cannot lawfully possess a gun in the District of Columbia nor buy ammunition for such weapons, are in the process of being turned over to the District of Columbia Police Department.

Then, local law enforcement officials can use this information to enforce the local firearms ordinances and prosecute those who possess guns and ammunition contrary to local law. That is the value of the ammunition recordkeeping provisions of the Gun Control Act of 1968.

I fear that what is involved in the present amendment may only be a prelude to further Gun Control Act amendments. The other body may be considering other amendments to dismantle the Gun Control Act piecemeal by adding on nongermane, extraneous material to important House-passed bills. The issues involved transcend the particular bill before us. The issues involve the dignity and the prerogatives of this House. I hope that the Members of the other body, as well as Members of this House, recognize that this method of legislating is dangerous and unwarranted. This technique deprives a bicameral legislature of its basic advantages. I hope that the committee on conference will reject this nongermane matter.

Mr. Speaker, nongermane Senate riders to House-passed bills have plagued the Congress for many years. I shall attach to my remarks a catalog of some examples of this practice over the past several years. I urge that before the House takes final action on extraneous matter added by the other body to House-passed bills, that the House be given the benefit of committee consideration.

I also attach a copy of my letter to the chairman of the Committee on Ways and Means, dated September 26, in which I expressed my opposition to this Senate ammunition rider and a copy of my letter to the chairman of the Committee on Rules, dated November 12, in which I urged that efforts be made to guarantee a free and open House-Senate conference on this bill. I also include an article from the magazine, "The Shooting Industry," of October 1969, which outlines in detail the strategy of the gun lobby in pushing the ammunition amendment through the Congress without the benefit of committee consideration.

I hope that the Senate rider will be rejected.

The materials follow:

RECENT NON-GERMANE SENATE AMENDMENTS TO HOUSE-PASSED BILLS

1. H.R. 17607, 89th Congress, to the Foreign Investment Credit Act which would suspend the investment credit and allowance of accelerated depreciation in the case of real property, the Senate added provisions granting special exemption from the antitrust laws for a merger of professional football leagues. (Public Law 89–800.) The addition of this irrelevant matter interrupted consideration in public hearings by the House Committee on the Judiciary of several bills proposing to exempt the merger of professional football leagues from the antitrust laws.

2. H.R. 13103, 89th Congress, the Foreign Investors' Tax Act of 1966. The Senate added an amendment establishing a Presidential Election Campaign Fund that had no relevancy to the main bill which was to provide for more equitable treatment of foreign investors in the United States. (The bill with the presidential campaign amendment was approved by the Senate on October 13, 1966, and after a House-Senate conference approved the amendment, became Public Law 89–809 when signed by the President on November 13, 1966.) The operation of the Presidential Campaign Fund Act, however, has been stayed by the enactment of a law early in the 90th Congress. (See Public Law 90–26.)

3. H.R. 13935, 89th Congress, a bill providing for congressional consent to the entry of Massachusetts into an interstate compact relating to bus taxation proration and reciprocity.

The Senate appended a rider relating to the War Claims Act which was entirely irrelevant to the interstate compact. The rider, if enacted, would have depleted the funds of the Foreign Claims Settlement Commission by authorizing the payment of interest to preferred claimants before the payment of principal was made to other claimants. Fortunately, the Senate receded from its rider during the closing days of the session. (See Conference Report, filed October 19, 1966, House Report No. 2321.)

4. H.R. 8385, 86th Congress. On September 12, 1959, the Senate added an amendment to the Mutual Security Appropriations Act of 1960 that provided authorization for $35,000 additional funds for salaries and other expenses of the Hudson-Champlain Celebration Commission. The Commission had originally been created by Public Law 85–614. The Mutual Security Appropriations Act with the unrelated amendment was eventually enacted into law as Public Law 86–383.

5. H.R. 4249, 85th Congress. On February 18, 1957, while considering and approving the Urgent Deficiency Appropriations Act of 1957, which was primarily concerned with providing funds for emergency feed grain to feed cattle during the winter, the Senate added an amendment to authorize funds for the Federal Battle Monuments Commission to prepare plans and select a site for a memorial to General Pershing. (103 Cong. Rec. 2176, Feb. 18, 1957.)

6. H.R. 7072, 82nd Congress. To a bill providing appropriations for the Executive Department and other Independent Offices for fiscal 1953, the Senate tacked an amendment which had the effect of revoking legislation passed five months earlier. Under the Senate approved amendment, Federal employees lost all annual leave unused by June 30 of each year, which has been accumulated the preceding year. (98 Cong. Rec. 6447, June 3, 1952.)

SEPTEMBER 26, 1969.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

MY DEAR MR. CHAIRMAN: I am advised that the Senate Finance Committee has amended your H.R. 12829, the Interest Equalization Tax Extension Act, by adding provisions which would eliminate the ammunition recordkeeping requirements of the Gun Control Act of 1968 (P.L. 90–618). Inasmuch as the Gun Control Act was reported by the Committee on the Judiciary, I am writing to you to express my determined objection to the inclusion of such an amendment in H.R. 12829.

The need for ammunition controls was succinctly described in this Committee's report in the last Congress as follows:

"Licensing of ammunition dealers and maintenance of records of purchases of ammunition are essential both to deter individuals intending to act unlawfully who will be reluctant to identify themselves, as well as to provide law enforcement officials with information useful in investigations. Finally, with the information available from consistent reporting of sales of ammunition, it will be possible to develop valid analyses of the use and distribution of firearms and ammunition in the country." (H. Rept. No. 1577, at 8.)

As you well know, the ammunition regulations of the Gun Control Act only became effective in December of last year. To cut back the coverage of that Act substantially without support of any evidentiary record as to need or consequences, and after only ten months' operation of the Act would be most unwise.

The Senate Finance Committee amendment eliminates existing requirements for keeping records of sales of the following types of ammunition: shotgun ammunition; rifle ammunition, and .22 caliber rimfire ammunition. According to the Senate Juvenile Delinquency Subcommitte studies, .22 caliber pistols and revolvers were involved in 30% of the handgun murders committed last year and .22 caliber rifles were involved in 60% of the rifle murders last year. A .22 caliber bullet killed Robert Kennedy.

In the event H.R. 12829 passes the Senate with the ammunition amendment attached, I would urge you to exclude that amendment from any request to concur in Senate action on H.R. 12829. An effort to concur in that amendment, I am convinced, will encounter sustained opposition on the floor of the House and may jeopardize enactment of the Interest Equalization Tax Extension Act.

Sincerely yours,

EMANUEL CELLER,
Chairman.

NOVEMBER 12, 1969.

The Honorable WILLIAM M. COLMER,
Chairman, Committee on Rules,
House of Representatives.

MY DEAR MR. CHAIRMAN: I understand that the Committee on Rules today will hold

hearings on several measures including H.R. 12829, as amended by the Senate, the Interest Equalization Tax Extension Act. Regrettably, I am unable to appear and testify on this measure today. Instead, I must preside over important public hearings before a subcommittee of the Committee on the Judiciary on S. 952, the Omnibus District Judgeship bill, and numerous other measures relating to the administration and location of the United States District Courts.

My specific interest in H.R. 12829 arises out of the fact that the other body amended the measure by adding extraneous matter designed to exempt rifle and shotgun ammunition, and its components, from the record-keeping requirement of the Gun Control Act of 1968 (Public Law 90–618). As you are also aware, Public Law 90–618 comes within the subject matter jurisdiction of the Committee on the Judiciary.

There is a grave danger that further attempts may be made to dismantle the Gun Control Act piecemeal, while avoiding House Committee consideration, by adding nongermane "riders" to House approved legislation. Accordingly, I would make two recommendations to the Committee on Rules in connection with its consideration of H.R. 12829. First, a resolution providing for sending H.R. 12829 to conference should preclude a motion to instruct conferees; second, the Committee on Rules should also require or recommend that members of the Committee on the Judiciary be included among those appointed as conferees on the part of the House. This is necessary inasmuch as this Committee has substantive jurisdiction of the Gun Control Act and the Senate amendment thereto.

With every good wish.

Sincerely yours,

EMANUEL CELLER,
Chairman.

WASHINGTON HOT-LINE

There is a bill pending before the Senate Committee on Finance seeking to modify ammunition record keeping requirements for dealers and others selling to the public. The measure (S. 2718) was introduced by Senator Wallace Bennett (R.–Utah), a high-ranking member of the minority side of the committee. The bill also has the backing of the Nixon Administration and of 40 leading Democrat and Republican senators. Chances are it will pass the Senate without too much opposition.

The meaty part of the bill reads as follows: ". . . no person holding a Federal license under chapter 44 of title 18, United States Code shall be required to record the name, address, or other information about the purchaser of shotgun ammunition, ammunition suitable for use only in rifles, .22 caliber rimfire ammunition, or component parts for the aforesaid types of ammunition."

Does this amendment mean that any one can buy rifle, shotgun and .22 caliber rimfire ammunition? What about component parts that are designed for use in rifles and shotguns, but can be used in the reloading of handgun ammunition?

We must remember that the Alcohol, Tobacco Tax and Firearms division of IRS now have new bosses. What interpretation will be made should this bill pass, is interesting to contemplate.

It is safe to project that we will see some flip-flop in viewpoints and regulations should there be a party change in the Administration. Why then was the proposed law written in this manner?

This is not the first bill to amend the law covering ammunition introduced by Sen. Bennett. The first one, S. 845, spelled it out clearly: "The term 'ammunition' shall include only ammunition for a destructive device and pistol or revolver ammunition. It shall not include shotgun shells, metallic ammunition suitable for use only in rifles, or and .22 caliber rimfire ammunition."

The trouble was that the bill was a straightforward amendment to the 1968 Gun Control Act. As such, it had to be referred to the Judiciary Committee. It had several cosigners and stood a good chance of passing.

Once passed the Senate, however, it would be passed to the House and automatically to the Judiciary Committee. Chairman of the Committee, Emanuel Celler of Brooklyn, N.Y., announced his intentions to kill the bill by holding it in committee. And, he could do it, too. He has the backing of his ranking Republican on the minority side, Congressman William McCulloch of Ohio.

It was these two, working together, along with the minority and majority staff members, who put the ammunition section in the 1968 Act. Just why McCulloch, a congressman from Piqua, Ohio, went for the anti-gun legislation last Congress is one of the mysteries surrounding passage of the law. It is this observer's opinion that he traded favor for favor.

Obviously, Sen. Bennett, in trying to amend the 1968 Act, had to route the measure through Congress in such a manner as to avoid the House Judiciary Committee. The plan was, and still is at this writing, to attach the amendment onto legislation that has already passed the House.

But, the measure had to be written in such a way as to have it referred to his Senate Finance Committee. S. 2718 is written in such a manner.

Now, the right bill is needed on which this amendment can be attached. Sen. Bennett is waiting on a bill that has passed the House, and one that will pass the Senate with little difficulty. He will offer his ammunition amendment on the floor of the Senate and then move that the Senate request a conference with the House.

In this manner the measure will not only avoid the House Judiciary committee, but will be presented to the House for a "yes" or "no" vote. The bill chosen must not be a measure originally considered by the House Judiciary Committee. If so, Celler and McCulloch will be members of the House-Senate conference.

If this happens, the best the shooting fraternity can hope for is a recommendation by the House side of the conferees that the measure be reconsidered by the original House committee before a vote. The only difference would be that we have a man in the White House who is not committed to an anti-gun policy. The White House could, perhaps, bring pressure on Congressman McCulloch to differ with Celler.

In any event, if all goes well, by this hunting season, S. 2718, by Sen. Bennett, will be part of the law of the land. The strategy being used by Bennett is a good example of how difficult it is to correct bad legislation once it is enacted.

Mr. Speaker, what I fear is that by this method of tagging on to House-passed bills nongermane amendments, the other body may be contemplating the piecemeal destruction of the Gun Control Act.

Here we have before us an attempt to wipe out portions of the ammunition provisions of that act. Next week there may be other provisions of that act to be wiped out.

This raises a very important question which has been touched upon by the distinguished chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLLIER) and by my colleague on the Committee on the Judiciary, the gentleman from Ohio (Mr. MCCULLOCH) and by the ranking minority member of the Committee on Rules, the gentleman from California (Mr. SMITH).

How long are we going to continue silently to permit the other body to tack on to House-passed bills nongermane amendments? I do not mean that we should attempt to prevent the Senate from doing that. Comity would deter us, as the gentleman from Oklahoma pointed out.

But I ask the gentleman from Oklahoma what about the comity of the other body toward us?

Why do they undertake to tack unrelated amendments to House-passed bills? We are supposed to have comity between the two bodies. Legislatively we are supposed to be equal. But there is no equality in this kind of practice. What equality was there, for example, when in the 89th Congress to the Foreign Investment Credit Act, they tacked on a provision exempting professional football from the operation of the antitrust laws?

One had nothing whatsoever to do with the other. Yet we were compelled to swallow such a rider. It was rammed down our throats. What kind of equality was that? There is about as much equality in that kind of process as there is between a chestnut horse and a horse chestnut. There is no equality in that.

It is a sort of tie-in sale. It is like a fellow who goes to a tailor store and says that he wants a blue serge suit. The tailor says, "You can have a blue serge suit, but you must take with it a lady's yellow miniskirt."

The man replies, "I do not want the lady's skirt."

He is told, "It makes no difference. If you want the suit, you have to take the skirt."

That is what the Senate tells us. I hope that the Rules Committee, which is now considering rule changes, will consider as a possible remedy for this situation, a rule that if a bill that we pass goes to the other body and they tack on a nongermane amendment and it comes back to us, the Speaker will then refer the matter to the committee having jurisdiction over the subject matter of the nongermane amendment.

The question was raised by the distinguished gentleman from California (Mr. SMITH) that that process might consume time. I suggest that a time limit be stated within which the committee to which the nongermane amendment has been referred must act. Let it be 10 days; let it be 5 days; let it be 30 days. The important point is that at least there will be discussion. At least there will be a report and committee consideration so that Members can know what is in the nongermane amendment.

As it is now, as in the case of this munition amendment, there was not even a hearing in the Senate. There has been no hearing in this body. There has been no committee assignment in this body. There has been no committee consideration. There has been no committee report. What have we got? A mere skeleton debate this morning. What do we know about the need for and the conse-

quences of this munition amendment? Mighty little, and we are asked to pass upon it and to give judgment upon the amendment. I think it is high time that some change in our procedures be effected. We must not permit the denigration of the dignity of this House. We must not make the Senate master and ourselves vassal. It is time for a change.

Mr. BURTON of Utah. Mr. Speaker, the other body has amended H.R. 12829 to exclude the recordkeeping requirements of chapter 44, title 18, United States Code, with respect to ammunition suitable for use only in shotguns and rifles. The exclusion does not cover pistol ammunition or .22-caliber rimfire ammunitions. The proposal would amend section 4182 of title 26, United States Code.

As originally introduced, the bill would have eliminated the recordkeeping requirements of chapter 44 for all sporting ammunition; that is, ammunition for shotguns and rifles and .22-caliber rimfire which is used in both pistols and rifles. The bill as introduced was reasonable. The Treasury Department advised that the benefits derived from the sporting ammunition recordkeeping requirements served no useful law-enforcement purpose. I am sure that most of the mail each of you has received was vehemently opposed to recordkeeping requirements for sporting ammunition. The only result of the requirement has been to irritate sportsmen and other law-abiding citizens.

It is my understanding that the author of the amendment to H.R. 12829 found it necesasry for tactical purposes to eliminate .22-caliber rimfire ammunition from the coverage of the amendment. I would like to emphasize that the amendment now before the House goes only to ammunition for shotguns and rifles. It does not cover .22-caliber rimfire ammunition, even though it should.

In the other body the opponents to the amendment seemed to take the tack that excluding any type of ammunition from the Federal firearms control provisions is something new and indeed is designed to erode firearms controls. This simply is not the case. The proponents of Federal firearms legislation in the 88th, 89th, and 90th Congresses introduced bills which contain absolutely no controls over ammunition except ammunition for destructive devices. For example, Senate Report No. 1097—90th Congress, second session—on the Omnibus Crime Control and Safe Streets Act of 1967, contains the following statement at page 112:

> The term "ammunition" is defined in the present law (15 U.S.C. 901(7)), as pistol and revolver ammunition. This title does not include controls over pistol or revolver ammunition but it does include controls over ammunition for destructive devices. Thus, this term is defined as meaning ammunition for destructive devices, and ammunition for use in any other type of firearm is excluded from its meaning.

This definition would mean that there would have been no controls over any ammunition except that for destructive devices.

A superficial examination of the legislative history of the firearms controls proposed in the past 10 years will show that almost every congressional committee considering the firearms problem has determined that Federal controls in the ammunition area were not warranted because of the volume of transactions, the lack of identity of the commodity, and the impossibility of tracing ammunition.

The opponents to the amendment have alleged that the Congress has not thoroughly considered the elimination of sporting ammunition from Federal recordkeeping requirements. This is not so. As previously stated, bills have been introduced in the last three Congresses which would eliminate all Federal controls over ammunition. Several congressional committees have recommended such action. Thus, the ammunition controls imposed by the Gun Control Act of 1968 should be amended as proposed by section 5 of H.R. 12829.

I urge the House to adopt the rule now before us, and also urge the conferees to agree to the Senate ammunition amendment to H.R. 12829.

Mr. KLEPPE. Mr. Speaker, I wish to express my support of the ammunition amendment adopted by the Senate to H.R. 12829. The amendment is popularly known as the Bennett amendment and was sponsored in the Senate by the Honorable WALLACE BENNETT, of Utah.

The amendment would amend section 4182 of the Internal Revenue Code to relieve dealers in rifle and shotgun ammunition from the recordkeeping requirements now imposed by chapter 44 of title 18, United States Code.

I support this amendment for two reasons. First of all, these recordkeeping requirements have proven burdensome to sportsmen and to dealers in sporting type ammunition. Second, the Treasury Department, which administers the firearms laws has recommended the enactment of this amendment. In a letter to Senator BENNETT dated September 26, 1969, Secretary of the Treasury David M. Kennedy advised that the recordkeeping requirements for this type of ammunition "is of little value in law enforcement" and that "the Department knows of no instance where the recordkeeping provisions relating to sporting type ammunition has been helpful in law enforcement."

Secretary Kennedy further stated that the recordkeeping requirements "do however, because of the volume of transactions in sporting ammunition, tend to generate criticism from sportsmen and others and detract from the effective enforcement of the other provisions of the firearms laws."

In the light of these facts, I strongly voice my support of the Bennett amendment.

Mr. DELLENBACK. Mr. Speaker, we who come from the West understand and sympathize with concern felt and expressed by some of you. Our colleagues from heavily urbanized areas of the East, in this area of firearms control. But we ask in return that you understand and sympathize with our concerns. The lawful use of firearms for hunting and other recreational purposes is not just the interest of a few individuals in my State. Such use is a part of the way of life of a substantial percentage of the citizens of Oregon.

There are several aspects of the Gun Control Act of 1968 which are particularly obnoxious. One of these is the provision of the present law that unnecessary and useless records be kept of the purchase of shotgun and other sporting ammunition. This recordkeeping is a wasteful and expensive burden for the sellers of such ammunition and an irritating nuisance for the purchasers thereof.

The amendment to H.R. 12829 approved by the Senate upon the motion of the distinguished Senator from Utah (Mr. BENNETT) calls for the removal of this valueless recordkeeping requirement from the law.

It reaches for the same goal called for by a bill which I introduced early in this first session of the 91st Congress. I have advocated removal of this requirement since first it was made part of the Gun Control Act of 1968. Indeed, its presence in such act was a portion of the reason why I voted against the final version of that act when it came to the House for vote. After the deliberations of the Senate-House conference committee last year. I strongly support Senator BENNETT'S amendment here today.

If this amendment were the only difference between the House and Senate versions of H.R. 12829 I would urge my colleagues of the House today to adopt that amendment and report the bill immediately as so amended. But there are other other differences which should be ironed out in conference, and I therefore will support the motion to send this measure to conference. But I hereby express as strongly as I can my personal support for the Bennett amendment. I earnestly hope that our House conferees will accept this Senate amendment, and I urge them to do so.

Mr. McCARTHY. Mr. Speaker, I strongly object to the amendment added by the other body to the interest-equalization tax bill to remove from the Gun Control Act of 1968 the provision requiring persons wishing to buy long-gun ammunition to furnish basic personal identification to the dealer selling such ammunition.

I urge all Members who voted for the Gun Control Act of 1968 to stand with me today and oppose all attempts to avoid full legislative consideration of this amendment. There have been no public hearings on this proposal and I believe that on an issue as important as this, the Congress should hold hearings so that all points of view can be explored.

Those who have argued for the removal of the identification requirement contend that it unnecessarily harasses the sportsmen. This requirement does little more than ask the licensed hunter to take a second to open his wallet and show his identification. It is simply an attempt to bring under closer scrutiny the proliferation of guns and ammunition. The requirement of identification for purchasers of handgun ammunition is retained, but long guns have a potential for misuse just as handguns do.

If the regulations need changing, then it is our responsibility to explore the extent to which they should be changed. This can be done only through open and public hearings on the subject. Con-

cerned and informed citizens have a right to have their voices heard and various ideas considered.

For these reasons I urge you to join me in opposing the amendment.

Mr. POFF. Mr. Speaker, I support the rule sending H.R. 13829 to conference. I address myself only to section 5 of the bill as passed by the other body. The interest equalization tax provisions are in substantial agreement.

Section 5 of H.R. 12829 would modify the ammunition recordkeeping requirements enacted as part of the Gun Control Act of 1968. Technically, section 5 would modify the recordkeeping requirements now imposed by chapter 44 of title 18, United States Code, for sporting type ammunition by amending section 4182 of the Internal Revenue Code. Under the current regulations, recordkeeping on ammunition sales requires a dealer to record the following information; the date, manufacture, caliber, gage or type of component, quantity, name, address, date of birth, and drivers license, or other means of identification.

The amended language provides that no person holding a Federal license to sell ammunition shall be required to record the name, address, or other information about the purchaser of shotgun or rifle ammunition generally available in commerce. The amendment does not apply to handgun ammunition and it removes none of the present restrictions with respect to sale of ammunition to felons, drug addicts, or mental incompetents.

Section 5 of H.R. 12829 is the same as H.R. 14524, a bill I introduced on October 27, 1969, and is of significant importance to sportsmen and small merchants.

Section 5 was added to H.R. 12829 in the Senate Finance Committee on the motion of Senator BENNETT. Originally, it contained the language of his previously-introduced bill, S. 2718. That bill was later modified by Senator BENNETT and during floor debate it was further amended to remove language referring to .22 caliber rim-fire ammunition.

The ammunition affected is of particular interest to hunters, trap shooters and sportsmen. It has had no significant history of criminal use. It is used by the ordinary citizen interested in outdoor recreation. The ammunition is sold all over the United States, not only in big sporting goods stores, but also at service stations and crossroads stores. The only purpose of the Bennett amendment is to relieve these dealers from a burdensome recordkeeping requirement applicable only to strictly sporting-type ammunition, and to save law-abiding hunters and other sportsmen from the embrassassment and annoyance of identifying themselves and furnishing information with respect to purchase of items of ordinary commerce.

Why should such burdensome requirements be retained if they serve no useful law enforcement purpose? The only possible argument for retention of record requirements with respect to this sporting-type ammunition is crime control. The Treasury Department has repeatedly asserted in testimony before various committees considering firearms legislation and in correspondence with Senator BENNETT, as published in the CONGRESSIONAL RECORD—October 9, 1969, at page 29459—that ammunition records have no significant value in crime deterrence or in apprehending criminal suspects.

For example, the Commissioner of the Internal Revenue Service, Randolph W. Thrower, when testifying on July 24, 1969, before the Senate Judiciary Subcommittee to Investigate Juvenile Delinquency, in opposition to Federal registration of firearms and licensing of gun owners, states:

> With regard to ammunition transactions, it is only fair to report to the subcommittee that we are not able to process or check individual ammunition sales records in any meaningful way, particularly in view of the multitude of sales in only sporting ammunition. Whatever manpower would be required to provide adequate checking and policing of this information would, in our view, be better utilized in enforcing the other more critical provisions of the gun laws.
>
> While we do not question the value of prohibitions on sales of ammunition to prescribed persons, we have serious questions as to the contribution to enforcement made by keeping records on sales of sporting ammunition, i.e., ammunition for shotguns, ammunition suitable for use only in rifles, and .22 caliber rim-fire ammunition.

In a letter of September 26, 1969, to Senator BENNETT, in which the Treasury Department recommended enactment of the Senator's ammunition amendment, Secretary of the Treasury David M. Kennedy stated:

> Indeed, the Department knows of no instance where any of the recordkeeping provisions relating to sporting type ammunition has been helpful in law enforcement.
>
> In short, the recordkeeping controls are not effective as a law enforcement tool. They do, however, because of the volume of transactions in sporting ammunition tend to generate criticism from sportsmen and others and detract from the effective enforcement of other provisions of the firearms laws.

The distinguished Senator from Utah illustrated rather dramatically the dimensions of the volume of transactions in a speech delivered in the other body on October 9 from which I quote:

> On the average, 300,000 separate ammunition transactions take place each day in the United States. This represents some 109,500,000 transactions annually on sales of 5.9 billion rounds to be recorded by the Nation's 143,903 licensed dealers. Assuming that each transaction takes about 2 minutes, this represents approximately 365,000 man-hours, or 15,208 man-days expended by ammunition dealers annually in serving their customers in an exercise of futility.

Mr. Speaker, the hard fact is that ammunition is fungible—it is not easily identifiable and cannot be accurately traced after sale.

Since there is no valid crime-control reason for retention of this requirement, since it entails unnecessary sales procedures, since it increases cost to the consumers, and since it results in annoyance and irritation toward the Government on the part of honest, law-abiding citizens, the present recordkeeping requirement should be repealed.

Mr. MELCHER. Mr. Speaker, I am happy to support House Resolution 675 to send H.R. 12289 to conference, for I am very pleased with the amendment added to it which will end most of the recordkeeping on ammunition sales.

The regulation requiring purchasers of shotgun shells and sporting ammunition to register their names and addresses for identification was a nuisance and the keeping of those records by the store owners was an unnecessary burden that benefited absolutely no one.

The records have become so voluminous that the Treasury Department, which was supposed to gather and file all of the detailed documents from all of the stores, seemed to become baffled by the problem of what to do with the mountains of paper involved. It is an example of the bureaucratic process at its worst, the imposition of unnecessary redtape—gone mad.

While the Senate amendment does not contain a repeal of recordkeeping for .22-caliber ammunition, as I think it should, it will get rid of most of the redtape regulations on recordkeeping to the relief of millions of sportsmen, tens of thousands of merchants, and without injury to law enforcement in any way.

Mr. HAMMERSCHMIDT. Mr. Speaker, I strongly and wholeheartedly endorse the efforts being made here today toward repealing the ammunition registration requirements of the Gun Control Act of 1968. This registration entangles millions of dealers, small dealers for the most part, and sportsmen in a mass of redtape for no sufficient reason. It does not restrict the criminal. It merely placed an irritating and unnecessary burden on many highly respected and public-spirited citizens.

The place for effective legislation to control misuse of firearms is through criminal law—by making it a Federal crime to use firearms in the commission of a criminal act with mandatory stiff punishment instead of the permissive approach.

It is clear to most of us, including Treasury Department officials, that the ammunition recordkeeping provision is of no value and has been of no assistance in the fight against crime. It is rather a method of harassing the average citizen while the burden should fall squarely on the criminal and the lawless—those willing and ready to commit acts of violence. I strongly urge its repeal.

Mr. FLOWERS. Mr. Speaker, the Senate amendment to H.R. 12829, the interest equalization tax bill, would repeal the burdensome rifle and shotgun ammunition sales registration requirements of the Gun Control Act of 1968. Had I been a Member of Congress last year, I would have opposed this act, for I am firmly convinced that it restricts the activities of law-abiding citizens without any significant effect on the criminal element. It has worked a particular hardship on sportsmen and those who sell ammunition and supplies in their places of business as an accommodation to them. The burdensome paperwork and recordkeeping that has been required for the simple purchase of shotgun ammunition for hunters has forced many dealers to either stop selling ammunition or lose money on this aspect of their business because of the redtape involved.

Mr. Speaker, I urge that this House pass H.R. 12829 with the Senate amendment thereto. This will not repeal all of the undesirable provisions of the Gun Control Act of 1968, but it is certainly a step in the right direction.

Mr. RYAN. Mr. Speaker, I am opposed to the non-germane Senate amendment to the interest equalization tax extension bill. This is an attempt to repeal, without hearings and without reference to the Judiciary Committees of either body which properly have jurisdiction, part of the gun control law which we enacted last year.

This amendment provides that no person holding a Federal license to sell ammunition "shall be required to record the same, address, or other information about the purchase of shot gun ammunition or rifle ammunition generally available in commerce."

This amendment would exempt shot gun and rifle ammunition from regulation and control and severely reduce the effectiveness of the gun control legislation passed last year in Congress.

The purpose of this amendment, according to its supporters, is to end some of the record keeping procedures required of ammunition dealers which are "nothing more than harrassment of sportsmen and bureaucratic boondoggle."

However, during the debate on this amendment, Senator DODD reported that he had sent members of his staff to buy ammunition in nearby Maryland. All they had to do was to give their name and address and show their driver's license. Such simple procedure is nowhere near harrassment.

In addition, Senator DODD also obtained a list of those who had purchased ammunition at the Suitland Trading Post in Suitland, Md. This list, covering the 3 months prior to October, was then checked against the criminal identification files of the Washington Police Department. Twenty-one percent of those who had bought ammunition during the 3-month period had some type of criminal record. Because there is an ordinance preventing such purchases in the District of Columbia, they went to Maryland to buy ammunition.

We are constantly told about the need for "law and order" in our society. The present registration system obviously does not do enough. Even with the necessary registration, criminals are buying ammunition—maybe to use in some future crime.

This amendment will only undermine the present regulations which are not really adequate.

If the resolution is passed, I urge the House conferees to reject the Senate amendment. But because the conferees have not been so instructed, I oppose House Resolution 675.

GENERAL LEAVE TO EXTEND

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the body of the RECORD regarding House Resolution 675, which is now under consideration.

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

There was no objection.

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

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

Mr. ASHBROOK. 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 313, nays 36, not voting 82, as follows:

[Roll No. 273]

YEAS—313

Abernethy	Corbett	Hamilton
Adair	Corman	Hammer-
Adams	Coughlin	schmidt
Addabbo	Cowger	Hansen, Idaho
Albert	Cramer	Hansen, Wash.
Alexander	Culver	Harsha
Anderson,	Cunningham	Harvey
Calif.	Daniel, Va.	Hathaway
Anderson, Ill.	Davis, Ga.	Hays
Anderson,	Davis, Wis.	Hébert
Tenn.	Delaney	Hechler, W. Va.
Andrews, Ala.	Dellenback	Heckler, Mass.
Andrews,	Dennis	Henderson
N. Dak.	Dent	Hicks
Annunzio	Derwinski	Hogan
Arends	Devine	Horton
Ashbrook	Dickinson	Hosmer
Aspinall	Dingell	Hungate
Ayres	Donohue	Hunt
Baring	Dorn	Hutchinson
Beall, Md.	Dowdy	Ichord
Bennett	Dulski	Jacobs
Berry	Duncan	Jarman
Betts	Dwyer	Johnson, Calif.
Bevill	Eckhardt	Johnson, Pa.
Biaggi	Edmondson	Jonas
Biester	Edwards, Ala.	Jones, Ala.
Blanton	Edwards, La.	Jones, N.C.
Blatnik	Eilberg	Karth
Boggs	Erlenborn	Kazen
Bow	Esch	Kee
Bray	Evans, Colo.	Keith
Brinkley	Evins, Tenn.	King
Broomfield	Fallon	Kleppe
Brotzman	Feighan	Kuykendall
Brown, Mich.	Findley	Kyl
Brown, Ohio	Fish	Kyros
Broyhill, N.C.	Fisher	Landgrebe
Broyhill, Va.	Flood	Langen
Buchanan	Flowers	Latta
Burke, Fla.	Ford, Gerald R.	Leggett
Burke, Mass.	Ford,	Lennon
Burleson, Tex.	William D.	Lloyd
Burlison, Mo.	Foreman	Long, La.
Burton, Utah	Fountain	Long, Md.
Bush	Frey	Lujan
Button	Friedel	McClory
Byrne, Pa.	Fulton, Tenn.	McCloskey
Byrnes, Wis.	Fuqua	McClure
Cabell	Galifianakis	McCulloch
Caffery	Gaydos	McDade
Camp	Gettys	McFall
Carter	Giaimo	McKneally
Casey	Gibbons	Macdonald,
Cederberg	Gilbert	Mass.
Chamberlain	Goldwater	MacGregor
Chappell	Gonzalez	Mahon
Clancy	Goodling	Mailliard
Clark	Gray	Marsh
Clausen,	Green, Oreg.	Martin
Don H.	Green, Pa.	Mayne
Clawson, Del	Griffiths	Meeds
Cleveland	Gross	Melcher
Cohelan	Grover	Meskill
Collier	Gubser	Michel
Collins	Gude	Miller, Calif.
Colmer	Hagan	Miller, Ohio
Conable	Haley	Mills
Conte	Hall	Minish
Minshall	Reid, Ill.	Sullivan
Mize	Reifel	Symington
Mizell	Reuss	Talcott
Mollohan	Rhodes	Taylor
Monagan	Riegle	Teague, Calif.
Montgomery	Rivers	Thompson, Ga.
Morton	Roberts	Thomson, Wis.
Mosher	Robison	Tiernan
Murphy, Ill.	Rogers, Colo.	Udall
Murphy, N.Y.	Roth	Ullman
Myers	Roudebush	Van Deerlin
Natcher	Ruth	Vander Jagt
Nedzi	Satterfield	Vanik
Nichols	Saylor	Vigorito
Obey	Schadeberg	Waggonner
O'Hara	Scherle	Waldie
O'Konski	Schneebeli	Wampler
Olsen	Schwengel	Watson
O'Neal, Ga.	Scott	Watts
O'Neill, Mass.	Sebelius	Weicker
Pelly	Shipley	Whalen
Pettis	Shriver	White
Philbin	Sikes	Whitehurst
Pickle	Sisk	Widnall
Pike	Skubitz	Wiggins
Poage	Slack	Williams
Poff	Smith, Calif.	Wilson, Bob
Pollock	Smith, Iowa	Winn
Preyer, N.C.	Smith, N.Y.	Wold
Price, Ill.	Snyder	Wyatt
Pryor, Ark.	Springer	Wylie
Pucinski	Stanton	Wyman
Purcell	Steed	Yatron
Quie	Steiger, Ariz.	Young
Quillen	Steiger, Wis.	Zablocki
Railsback	Stratton	Zion
Randall	Stubblefield	Zwach
Rarick	Stuckey	

NAYS—36

Bingham	Hawkins	Patten
Boland	Helstoski	Podell
Bolling	Holifield	Rees
Brown, Calif.	Kastenmeier	Reid, N.Y.
Burton, Calif.	Koch	Rodino
Celler	Lowenstein	Rosenthal
Conyers	McCarthy	Roybal
Daniels, N.J.	Matsunaga	Ryan
Edwards, Calif.	Mikva	Scheuer
Farbstein	Mink	Stokes
Fulton, Pa.	Moorhead	Wolff
Hanley	Ottinger	Wydler

NOT VOTING—82

Abbitt	Griffin	Pepper
Ashley	Halpern	Perkins
Barrett	Hanna	Pirnie
Belcher	Harrington	Powell
Bell, Calif.	Hastings	Price, Tex.
Blackburn	Howard	Rogers, Fla.
Brademas	Hull	Rooney, N.Y.
Brasco	Jones, Tenn.	Rooney, Pa.
Brock	Kirwan	Rostenkowski
Brooks	Kluczynski	Ruppe
Cahill	Landrum	St Germain
Carey	Lipscomb	St. Onge
Chisholm	Lukens	Sandman
Clay	McDonald,	Stafford
Daddario	Mich.	Staggers
Dawson	McEwen	Stephens
de la Garza	McMillan	Taft
Denney	Madden	Teague, Tex.
Diggs	Mann	Thompson, N.J.
Downing	Mathias	Tunney
Eshleman	May	Utt
Fascell	Morgan	Watkins
Flynt	Morse	Whalley
Foley	Moss	Whitten
Fraser	Nelsen	Wilson,
Frelinghuysen	Nix	Charles H.
Gallagher	Passman	Wright
Garmatz	Patman	Yates

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Whalley.

Mr. Barrett with Mr. Morse.

Mr. Daddario with Mr. Lukens.

Mr. Fascell with Mr. Mathias.

Mr. Rooney of New York with Mr. Lipscomb.

Mr. Garmatz with Mr. Stafford.

Mr. Griffin with Mr. Watkins.

Mr. Charles H. Wilson with Mr. Bell of California.

Mr. Kluczynski with Mr. McDonald of Michigan.

Mr. Brasco with Mr. Pirnie.

Mr. Brooks with Mr. Brock.

Mr. Hull with Mr. Belcher.

Mr. Carey with Mr. Cahill.
Mr. Howard with Mr. Frelinghuysen.
Mr. Teague of Texas with Mr. Eshleman.
Mr. Morgan with Mr. Utt.
Mr. Passman with Mr. Blackburn.
Mr. Rooney of Pennsylvania with Mr. Sandman.
Mr. Rostenkowski with Mr. Taft.
Mr. St. Onge with Mr. Hastings.
Mr. Gallagher with Mr. Halpern
Mr. St Germain with Mr. McEwen.
Mr. Staggers with Mr. Denney.
Mr. Wright with Mrs. May.
Mr. Jones of Tennessee with Mr. Price of Texas.
Mr. Brademas with Mr. Nelsen.
Mr. Downing with Mr. Ruppe.
Mr. Flynt with Mr. Mann.
Mr. Hanna with Mr. Clay.
Mr. Pepper with Mr. Patman.
Mr. Whitten with Mr. Perkins.
Mr. Madden with Mr. Yates.
Mr. Moss with Mr. Dawson.
Mr. Stephens with Mr. Rogers of Florida.
Mr. Abbitt with Mr. McMillan.
Mr. Tunney with Mr. Landrum.
Mr. Ashley with Mr. Nix.
Mr. Kirwan with Mr. Diggs.
Mr. Fraser with Mrs. Chisholm.
Mr. Foley with Mr. de la Garza.
Mr. Harrington with Mr. Powell.

Mr. PATTEN, Mr. SCHEUER, and Mr. HOLIFIELD changed their votes from "yea" to "nay." The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. MILLS, BOGGS, WATTS, BYRNES of Wisconsin, and UTT.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 12829 UNTIL MIDNIGHT TUESDAY

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House on the bill, H.R. 12829, may have until midnight tomorrow night, Tuesday, to file a conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. COLMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on House Resolution 675, just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON SPACE SCIENCE AND APPLICATIONS TO SIT FOR 1 HOUR DURING GENERAL DEBATE TODAY

Mr. KARTH. Mr. Speaker, I ask unanimous consent that the subcommittee on space science and applications be allowed to sit for 1 hour this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROVIDING FOR THE ESTABLISHMENT OF THE LYNDON B. JOHNSON NATIONAL HISTORIC SITE

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2000) to establish the Lyndon B. Johnson National Historic Site, as amended.

The Clerk read as follows:

S. 2000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of Lyndon B. Johnson, the Secretary of the Interior is authorized to acquire, by donation or by purchase with donated funds, such lands and interests in lands, together with the buildings and improvements thereon, at or in the vicinity of Johnson City, Texas, as are depicted on the drawing entitled "Lyndon B. Johnson National Historic Site Boundary Map", numbered NHS–LBJ–20,000 and dated September 1969, together with such lands as from time to time may be donated for addition to the site and such lands as he shall deem necessary to provide adequate public parking for visitors at a suitable location. The drawing shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. When acquired such site shall be known as the Lyndon B. Johnson National Historic Site.

SEC. 2. The Secretary shall administer the Lyndon B. Johnson National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), as amended.

SEC. 3. There are hereby authorized to be appropriated not more than $180,000 to provide for the development of the Lyndon B. Johnson National Historic Site.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Speaker, I yield to the gentleman from Colorado (Mr. ASPINALL) such time as he may consume.

Mr. ASPINALL. Mr. Speaker, the bill before the House at this time authorizes the establishment of the Lyndon B. Johnson National Historic Site in the State of Texas.

By way of explanation of S. 2000, Mr. Speaker, I would like to briefly discuss the general policy with respect to the establishment of national historic sites. Normally, as the Members of the House know, it has been agreed that the commemoration of the life and contributions of a great American should be posthumous. This policy enables us to sift from many noteworthy American men and women, those whose contributions are most significant and outstanding.

We have deviated from this policy where our Presidents are concerned, because we have recognized the fact that their lives and activities are inevitably bound up in the history of our Nation. We do this because every President participates in, and contributes to, so many nationally significant decisions and events that the American public is interested in learning more about their lives and backgrounds. Experience has shown us that the belongings and homes of these American leaders tend to disappear and deteriorate as time passes if they are not adequately protected and preserved.

S. 2000 seeks to take advantage of the opportunity offered us with respect to the birthplace and boyhood home of Lyndon B. Johnson. By accepting the donation of these properties, the early life of our 36th President can be described for the American people and the environment in which his philosophy matured can be depicted. The administration of the properties by the National Park Service will assure their proper care and availability to the public in perpetuity.

The bill, as recommended by the committee, requires that the lands for this historic site be acquired by donation or by purchase with donated funds. Unlike the bill approved by the other body, S. 2000, as amended by our committee, refers specifically to boundaries depicted on a map. The language of the bill as we reported it to the House also differs with respect to the provisions for the administration of the site in that it incorporates the more precise standard language.

Mr. Speaker, the only Federal costs contemplated with respect to this proposal involve the administration and development of the site. In the legislation recommended, development costs are limited to $180,000. These moneys are to be used, when appropriated, to make necessary repairs and rehabilitation of the buildings, for the construction of essential public use facilities, for the installation of protective and interpretive devices, and for appropriate landscaping of the grounds.

In short, I recommend the enactment of S. 2000 because it is an opportunity to add a significant new unit to the Nation's inventory of historical properties at a modest cost. It is highly appropriate that we recognize the contributions of this great American public servant. Mr. Speaker, I urge the adoption of S. 2000 by the Members of the House.

ADJOINING PROPERTIES

BIRTHPLACE

The birthplace is located on Park Road 49. Present plans call for 6.8 acres to be donated in fee. The property is approximately a right angle triangle with the hypotenuse as frontage—approximately 1,200 to 1,400 feet. Across the road is the family cemetery and the State of Texas owns a scenic easement on all of the property to the Pedernales River. There is a State park across the river. There are approximately 12 acres of land—roughly 300 feet wide on each of the remaining sides—which are presently under lease to the LBJ Ranch for grazing purposes. It is understood that this property is owned by a friend of the President and it is hoped that a scenic easement on this buffer zone will be donated.

BOYHOOD HOME

The boyhood home is located in Johnson City. It consists of 1.77 acres and encompasses an entire city block. Surrounding the block are a variety of struc-

tures. Most of the properties are residential, but there is a hospital, a Federal building, a motel, and some land owned by the Pedernales Electric Cooperative—on this latter property, it is understood that some type of a memorial auditorium is to be constructed. One of the residents of the adjoining properties is the sister of the President. To the extent possible, the National Park Service should attempt to secure scenic easements covering the adjoining properties, by donation or by purchase with donated funds, but they are not within the boundaries of the national historic site, as such.

ROADS AND ACCESS

BIRTHPLACE

This property is located just off of U.S. 290 which, although it is not a part of the interstate network, carries considerable amounts of interstate traffic between Austin and El Paso. Access to the property would be via the existing highway and an existing connecting roadway known as Park Road 49.

BOYHOOD HOME

Access to this property is facilitated by the existing network of city streets and its location just one block away from the street which carries the U.S. 290 traffic through Johnson City.

EMPHASIS

There are no plans to connect the two sites with any kind of scenic roadway. They are 13 miles apart and they will be administered as detached components of a single unit.

DEVELOPMENT COSTS

BIRTHPLACE

At the birthplace, development will be minimized during the first 5 years to those things which are essential to the protection of the property, signs, audio equipment, and the like. It is estimated that these costs will total approximately $23,000. In the near future, after the 5-year period, construction of walkways, parking facilities, and the like are expected to cost around $30,000 and $5,000 is expected to be needed for the construction of some outbuildings.

BOYHOOD HOME

Investment in facilities at the boyhood home will be more substantial. During the first 5 years, estimated expenditures will total $74,000 for the erection of signs and fences, for the installation of audio equipment, and protective devices for the repair and rehabilitation of the existing structures and for the reconstruction of the barn which was on the property during Lyndon Johnson's boyhood. This barn, incidentally, will house all of the visitor comfort facilities and utilities. Sometime after the first 5 years, another $26,000 is to be used for rehabilitation of the house, for additional landscaping, and for demolition of a nonhistoric structure presently on the property. Another $22,000 is to be used to provide more adequate parking facilities and walkways.

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

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

Mr. GROSS. Mr. Speaker, I thank the gentleman from Colorado for yielding.

Do I understand two historic sites are proposed in this legislation?

Mr. ASPINALL. The gentleman from Iowa is correct. One is the birthplace itself and the other is the boyhood home.

Mr. GROSS. And none of the so-called LBJ Ranch is included?

Mr. ASPINALL. The gentleman from Iowa is correct.

Mr. GROSS. Just so the record may be completely clear on this subject, if there is an expansion of either or both of these historic sites, the property that would go into the expansion would be donated or purchased through donated funds. Is that correct?

Mr. ASPINALL. The gentleman from Iowa is correct. It is my understanding if there were an increase of sufficient size, of course, it would be brought back to this body, or the Congress of the United States, because there is a possibility that the donation or donated funds might be larger and greater respectively than this historic site should include, so this is all taken care so that we shall know exactly what is going on.

Mr. GROSS. But we have the assurance that Federal funds would not be used for the expansion of these historic sites in terms of land.

Mr. ASPINALL. The gentleman is correct.

Mr. GROSS. Maintenance and upkeep is another story. I understand that.

Mr. ASPINALL. There are some improvements that should be made, such as sidewalks and landscaping and so on, and that all comes within this $180,000 authorization.

Mr. GROSS. Mr. Speaker, does the gentleman anticipate the next appropriation would be more than $180,000 or less?

Mr. ASPINALL. The gentleman from Colorado does not expect any appropriation at any time as far as this historic site is concerned—the next appropriation or any time thereafter—to exceed $180,000. The $180,000 is the ultimate limit as far as this authorization is concerned.

Mr. GROSS. I thank the gentleman for this assurance.

Somewhat on the facetious side, I wonder if in the ensuing years we will be establishing historic sites for former Presidents before the chairs they occupied even becomes cold?

Mr. ASPINALL. I would not think that this would necessarily be so.

On the other hand, it seems to me, may I say to my very good friend from Iowa, that when we elect anybody to be the Chief Executive of this great Nation that, within itself, gives a recognition which is sufficient to at least allow us to give some recognition to the birthplace and the boyhood home, or, if they happen to be so unfortunate as the Member now speaking and all such facilities have burned down, it might be appropriate to designate the prominent individual lived, might be recognized and honored. This is only right.

All of our Presidents of this century, with the exception of three, are so honored at the present time. All of them with the exception of one are so honored at this time with a landmark designation. This does not include the current President.

That unique great leader living in Independence, Mo., says he does not care for any recognition during his lifetime. I for one would be willing, just as soon as I knew what his wishes were and even before he expires upon his approval and only with his approval or immediately afterward, to give recognition in such a manner, because I would not like to see any additional expense that might be incurred because of the property being sold and these it would be necessary to repurchase from people then living on the property.

We just got through taking care of a national historic site for one of our reflected Presidents, William Howard Taft. We are going to have to spend quite a bit more money because of the fact that we did not pick it up at the proper time.

I believe what we propose to do in this legislative is cheaper in the long run. I believe it brings the possibility of giving recognition to the very atmosphere of the individual so honored if we take care of the matter immediately.

Mr. GROSS. I do not want to prolong this, but is the gentleman saying that despite the wishes of former President Truman the committee has determined to buy some property as an historic site?

Mr. ASPINALL. No. The gentleman is not making any statement like that at all. The gentleman is just stating he believes that the great leader from Independence, Mo., will be sometime or other so recognized. I should like to know what he would rather have when he does leave us, and I should like to acquire whatever that is as soon as possible so that we are not put to more expense and so that that which surrounds him, during his life time in his opinion and in the opinion of those who have been with him, can be retained as nearly as possible like it was when he was there.

Mr. GROSS. I thank the gentleman for his statement, and particularly his assurance that any further expansion of these two historic sites will be through the process of donation of land or donations of money with which to acquire the land.

Mr. ASPINALL. I assure my colleague that what he has stated is correct.

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

Mr. ASPINALL. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the distinguished chairman yielding.

Many of my questions have been answered by the colloquy between the gentleman from Iowa and the chairman in the well.

I would hope that the expressed desire of our President from Missouri, that he be not honored or have a designated or historic landmark, or site, during his lifetime would be respected, because indeed the Truman Memorial Library in Independence, Mo., is an outstanding contribution to the United States and to the world as a whole, of which we are all very proud.

I am delighted to hear the chairman say he did not mean to imply that we were going to honor him immediately after the good Lord calls him to his reward.

Mr. ASPINALL. The gentleman in the

well was trying to say that he would like to know, before the great leader from Independence leaves us, what his wishes are.

Mr. HALL. That is good to know in advance.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman has consumed 15 minutes.

Mr. TAYLOR. Mr. Speaker, I will be glad to yield the gentleman from Colorado 2 additional minutes.

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

Mr. ASPINALL. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I would like to ask if we are going to acquire all of these lands, which I understand will be by donation without expense to the taxpayer, except for upkeep and improvements; in the regular fee simple title manner demanded by the Government, and if they would include the mineral rights, and/or any reverter clause in case it was no longer used for that purpose.

Mr. ASPINALL. The fee title will be secured in all cases and held by the National Park Service in the name of the Federal Government.

Mr. HALL. And it would include all mineral and other rights?

Mr. ASPINALL. Yes; it would include all mineral and other rights.

Mr. HALL. And not have a reverter?

Mr. ASPINALL. There is no reverter clause in this. This is in perpetuity.

Mr. HALL. I thank the gentleman.

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

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

Mr. TAYLOR. Even though the buildings are in good condition, as they are in this case, legislation of this type is necessary because development of the buildings and site is necessary in order to handle large crowds. Is that not right?

Mr. ASPINALL. Such is almost always the reason and such conditions call for practically all the cost in these particular cases.

Mr. TAYLOR. We had legislation on the Eisenhower site in Gettysburg. In that case, as in this, the land was donated.

Mr. ASPINALL. That is correct.

Mr. TAYLOR. And the buildings were in good condition, but still the buildings and site had to have work done to them in order to handle the large crowds that would use them. Is that correct?

Mr. ASPINALL. That is correct.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in support of this legislation.

This bill provides for the acceptance by donation of the birthplace and the boyhood home of the 36th President of the United States, Lyndon B. Johnson. These two properties are presently owned by the Johnson City Foundation, which is incorporated in the State of Texas, and the foundation has maintained these properties in reasonably good condition. They will be donated in fee to the Federal Government, and any additions that will be necessary will have to be acquired with donated funds. The expansion of parking facilities or visitor-related facilities will have to be developed by appropriated funds. This is so covered in the bill. It calls for an appropriation ceiling of $180,000 for development.

Those of you who have been privileged to visit some of the homes of our former Presidents and their birthplaces realize that the buildings are not new. When the people come, as they naturally do, to see the homes of our former Presidents it is necessary to take precautions which the ordinary homeowner does not have to take to protect these visitors. The best advice that your committee can get from the Department of the Interior and the National Park Service is that it will expend approximately $180,000 to so develop these properties. To get that money they will have to go to the Committee on Appropriations, show their plans, and state what is to be done. That is all that is in this bill. This legislation is in keeping with the practice which we have followed for other Presidents. There are only three Presidents who have served in the 20th century—four if we include the present incumbent of the White House—that have not been so honored. They are Woodrow Wilson, Calvin Coolidge, Harry Truman and, of course, President Richard M. Nixon.

I also support the chairman of the full Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL), in what he said with reference to President Truman. Mr. Truman says he does not want, during his lifetime, any action to be taken with reference to the establishment of such a historical site. But since he was the President of the United States I think that it would be extremely advantageous to the National Park Service and particularly to the proper committees of the House and the other body if we knew what Mr. Truman would like to have done insofar as his boyhood home is concerned and his birthplace as well as his present home.

Insofar as the home of former President Coolidge is concerned, it, too, is maintained by a private fund. Within a very short period of time there will be legislation, I believe, before the Congress to establish this as another unit of the national park system.

Mr. Speaker, there are over 200 million people living in this country. I do not have the figures on the total number of people who have lived in this country of ours from July 4, 1776, until this day, but it is probably well over 300 million. Of this number there have only been 36 individuals who have been Presidents. Certainly, it seems to me that the least we can do to recognize those who have been chosen to be the President of this country, your country and mine, is to set aside their birthplace or their home as a national memorial.

Mr. Speaker, I urge the adoption of this legislation and support it.

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

Mr. Speaker, I rise in support of S. 2000, which authorizes the establishment of the Lyndon B. Johnson National Historic Site.

This proposed addition to the national park system, if approved, will consist of two properties—the birthplace and the boyhood home of our 36th President. The former property is located near the LBJ Ranch, approximately 13 miles east of Johnson City, Tex., just off U.S. 290—a major highway connecting Austin and El Paso—and the boyhood home is located in Johnson City where U.S. 290 and U.S. 281—the highway connecting San Antonio with Witchita Falls—intersect.

By the way of description, let me say that the birthplace consists of 6.8 acres of land containing the reconstructed farmhouse duplicating the one in which President Johnson was born. Across the street is the Johnson family cemetery, the Pedernales River, and a State park. The house is furnished with family items of the period, plus a few gifts from friends. Now, I want to point out that the State of Texas now holds a scenic easement on the stretch of land between the river and the birthplace property and the adjoining lands on the back side of the property are under lease for grazing purposes from, I am told, a friend of the President.

The boyhood home is a frame house located on a block comprising about 1¾ acres of land. It was here that the President lived until he left for Washington and the start of his political career. It was here that he spent his formative years and developed the philosophical ideals which guided him throughout his career as a public servant.

Like the birthplace, the Johnson City Foundation presently holds title to the boyhood home. Unlike that property, however, neighboring ownerships show little consistency. Most of the bordering properties are residential, but there is a hospital, a Federal office building, a motel, and some property owned by the Pedernales Electric Cooperative. Hopefully, the National Park Service will attempt to make appropriate arrangements with these owners to assure the use of the properties so as to protect the integrity of the setting to the extent possible.

While the general rule is to postpone the decision on historic sites during the lifetime of the person whom they commemorate, we have made exceptions with properties associated with former Presidents. We can be certain that any person who achieves the highest office in the land will participate in many noteworthy events in our national history. Consequently, we should, to the extent possible, undertake to protect and to preserve the homes and belongings of these American leaders before they disappear or deteriorate. The Federal Government has established some type of landmark honoring all of our former Presidents, with the exception of Harry Truman and Lyndon Johnson, and Mr. Truman has requested that no action be taken until after his death.

There has been some discussion concerning Mr. Truman's wishes for a memorial. I do not know what his wishes are. I did read that he was once asked what he wanted as an epitaph on his tombstone, and he replied that there was one out in Arizona that suited him which read, "He done his damndest."

Mr. Speaker, I feel that we should take steps to assure the availability of these historic properties to the public. They will make possible the complete interpretation of the early life of one of our Presidents. It should be noted that the famous LBJ Ranch is not included in the historic site, but the terms of the bill are flexible enough so that it could be added, if donated. I do believe that we should recognize the contribution which the possible future addition of this property could make to the complete interpretation of the life and accomplishments of this outstanding American who devoted so many years of his life to serving his country—as a citizen, as a legislator, and as Chief Executive.

Mr. Speaker, I commend S. 2000 to the Members of the House for their consideration, and I urge its adoption.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, I rise in strong support of this measure.

Mr. Speaker, recently the House passed legislation creating historical sites for two great Americans—William Howard Taft and Dwight David Eisenhower. I am pleased that we are today considering an historical designation for another great American President: Lyndon B. Johnson.

It is fitting that we preserve these locations for the American people and the National Park Service and the Department of the Interior are to be commended for this recommendation. In this session of Congress, we are paying just tribute to three men who have devoted a lifetime of service to their country.

In the case of President Johnson, we have the rare opportunity to honor a man in his lifetime; a man who has given a lifetime of public service. Obviously, too, this in an action that is desired by the people of the United States. Since the two sites were opened in Texas for the general public, more than a quarter of a million people have visited the birthplace and the boyhood home of President Johnson. These visitors want to absorb the heritage and touch the surroundings that helped to mold the fiber of this national leader who devoted 40 years to a public career.

The lives of both President and Mrs. Johnson have been intertwined with thousands of central Texans, particularly those in the hill country.

The people of the United States want to know and to feel the presence of the strength that emanates from this Texas home nestled in the stern but lovely and vigorous ranch land of rock, cedar, live-oak, and caliche.

The sites, located in the natural beauty which engulfs central Texas, will consist of the birthplace, which is within walking distance of the LBJ Ranch and the boyhood home, which is approximately 13 miles to the east of Johnson City. Both sides are typical Texas hill country and should be preserved for all posterity.

The house where the President was born is a modest, typical Texas farmhouse. Not one plank nor one nail gives any clue of pretentiousness. It is located on the banks of the most mispronounced river in the Nation—the Pedernales. Nearby is the family cemetery.

The house is a careful reconstruction of the original farmhouse which was built in the late 1800's. In 1964, an interested architect, Roy White, undertook the sensitive task of rebuilding the structure as it was in the days of Sam Ealy Johnson. His finished work is exactly the same type house where the President's father carried his bride over the threshold in 1907.

The birthplace was open for only 64 days in 1968, yet it drew 31,439 people from all the 50 States and 31 foreign countries. The appeal is obvious. Some 275,000 people have visited the boyhood home. The modest admission charge more than pays for all operation costs involved.

In the boyhood home, the house where President Johnson spent most of his formative years, sits snugly on a site about one block square—in the shade of magnificent live oak trees.

It, too, was carefully restored in 1964 and is brimming with memorabilia such as his mother's old Victorian furniture and pressed glass old family photos and a "Blue Back Speller."

Mr. Speaker, I am delighted that the House is considering this action and adding this Texas heritage to the Eisenhower and Taft sites, which the House approved earlier.

I have visited these sites, located in my district, many times while Lyndon B. Johnson was a Congressman, a Senator, the Vice President, and the President. During this span of years, I have been privileged to know the depth of warmth and friendship that has accompanied the development of a great President.

I am proud this land could be donated free of cost to the Government and I am proud that it can now officially be a part of our national historical landsites.

Mr. TAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, I merely rise to say that I commend the committee upon bringing to the floor of the House this legislation because the people themselves have already expressed their interest in it. It will be of interest to note that last year alone almost one-quarter million Americans went to this little town known as Johnson City, the only main point of attraction there being the boyhood home of Lyndon B. Johnson.

So, Mr. Speaker, I commend the committee for this legislation. I think it is a good idea.

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

Mr. GONZALEZ. I yield to my colleague from New York.

Mr. McCARTHY. Mr. Speaker, I thank the gentleman for yielding.

As a Member from the State of New York, I would like to join the gentlemen from Texas in strong support for this legislation. Lyndon Baines Johnson occupies a unique place in the hearts of the people of western New York, and I am sure that the vast majority of them would strongly support this move to make his birthplace a national historic site.

Americans have a very keen interest in the history of our country. We see this evidenced every day in Washington as countless parents bring their children to see their Government in action and to visit the many historic places in this city. One of the highlights of these visits is usually a trip to nearby Mount Vernon where our first President lived, worked, and died. One gets a feeling of being a little closer to history as he walks through the halls of the house and about the grounds of the plantation where President Washington lived and worked.

Every President of the United States by election to this highest office in our land has had an impact on the history of our country. And the American people have shown a great interest in the lives, the personalities, the problems, and the accomplishments of our Presidents. These can best be depicted in a place that is properly developed and maintained. As time passes, the buildings, if not cared for, deteriorate, and the many personal effects of historic value disappear, to be lost forever.

I am pleased that we are taking action now to establish the Lyndon B. Johnson National Historic Site. President Johnson occupied a warm spot in the hearts of the people in western New York and I am sure they are as happy as I am about the action the House is taking today to preserve and maintain the birthplace and boyhood home of our 36th President.

Mr. TAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Speaker, since I am more interested in passing this legislation than in making a speech, let me simply repeat that this bill does no more for President Johnson than has been done for most of the Presidents of the United States. It imposes no unforeseen burdens on the Treasury of the United States. In fact, the citizens of the State of Texas already recognize their great leader and this boyhood home is already a public shrine, but it should be a part of the parks system of the United States, and that is what this bill would make it. I hope that we can all vote for it.

Mr. PATMAN. Mr. Speaker, do Americans tend to be more conscious of history than the other peoples of the world? And are we, in spite of our youth as a nation, more appreciative of the inspiration provided by reminders of significant moments and personalities in our history? I believe the answer to both questions is "Yes"—the vast majority of our citizens is keenly aware of our unique place in history, that the United States of America has been for almost 200 years and now more than ever continues to be, the best hope on earth that those great words of aspiration, life, liberty, and the pursuit of happiness, are not the mere rhetoric of an impossible promise. The time, place, and circumstances affecting the lives of our great leaders have special meaning; they convey thoughts and impressions important to a full knowledge of historic events.

Mr. Speaker, I strongly favor and support the establishment of the Lyndon B. Johnson National Historic Site so that millions of Americans will come to a better understanding of the man who was

their 36th President and a strong and vital force in their Federal Government for 38 history-laden years.

Mr. JOHNSON of California. Mr. Speaker, I want to take a few moments to join my colleagues in support of S. 2000, as recommended by the Committee on Interior and Insular Affairs.

As has been pointed out in the discussion, this bill authorizes the Secretary of the Interior to accept the donation of two historic properties for administration as national historic sites—the birthplace and boyhood home of Lyndon B. Johnson. Both of these properties are presently owned by the Johnson City Foundation and both are open to the public on a limited schedule. The importance of transferring them to the National Park Service for administration is to assure their protection and preservation in perpetuity for the use and enjoyment of the American people.

Since this measure is one which adds to our inventory of areas preserved for the benefit of the public, it is appropriate to mention a few of the most significant conservation accomplishments achieved through the joint efforts of the Congress and the President during the years of his administration. First to come to mind, of course, is the Redwoods National Park in my home State. At the same time, legislation authorizing the North Cascades National Park, the wild and scenic rivers program and the National Trails System was approved. Together, we worked out the details of the important national historic preservation program and provided the necessary financial backing to support our outdoor recreation program in the 1968 Land and Water Conservation Fund Act Amendments. In addition to several important new national historic sites, comparable to the one before the House today, his administration recommended the legislation which we enacted which authorized the Delaware Water Gap, the Whiskeytown-Shasta-Trinity, and the Bighorn Canyon National Recreation Areas. In addition to all of this, Mr. Speaker, together we made available to the public the beaches and shorelines at Assateague Island National Seashore, Pictured Rocks National Lakeshore, and Indiana Dunes National Lakeshore. It is highly appropriate that we note this outstanding record of accomplishment as we consider the historic site legislation before us.

Mr. Speaker, we all recognize the significant role which every President plays in the course of our history and, regardless of our political views, we realize that these dedicated leaders devote a great deal of their lives to public service. Few men can look back on such a long record of public service, and none with more pride, than can Lyndon B. Johnson. He began his career as a Capitol Hill aide to Representative Richard Kleberg and he later served in this House of the Congress for five full terms after being elected in a special election in 1937. He served in the U.S. Senate as a representative of his State, but he also served that body as its majority leader. In the administration of the late President John F. Kennedy, he became one of the most active Vice Presidents in the history of the Nation, and, when tragedy struck down our leader, he assumed the responsibilities of the highest office in the land.

Over the years, Lyndon B. Johnson participated in so many of the vital issues of the day that it would be impossible to write a history of our times without mentioning him. As an American leader, as a legislator, and as the President his place in history is secure; we cannot make it for him and we cannot alter it; S. 2000 merely recognizes it. In enacting this bill we exercise a rare option—an option to acquire, without cost, significant historical properties associated with the life of one of our Presidents. I am pleased to have the opportunity to support this legislation.

Mr. DE LA GARZA. Mr. Speaker, as a Texan and an American, I wish to express my strong support of the proposal to establish the Lyndon B. Johnson National Historic Site as set forth in this bill.

It is a fitting recognition of the services rendered our Nation by the 36th President of the United States. In years to come many Americans will want to visit the birthplace and boyhood home of Lyndon B. Johnson. Controversy inevitably surrounds any President, but in historical perspective all the men who have served in that high office made their own unique contributions to the onward movement of this Republic.

So it was with President Lyndon B. Johnson.

He was a friend of south Texas, the area which I have the honor to represent in this House. And south Texas as a region was a friend to him. The people of my district honor him in his retirement from public office as we honored him as Senator from Texas, as Vice President, and as President.

It is gratifying to me that this bill has the backing of so many gentlemen from all over our country.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill S. 2000, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks on the subject of this bill to establish the Lyndon B. Johnson National Historic Site.

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

There was no objection.

AUTHORIZING APPROPRIATIONS FOR EXPENSES OF THE NATIONAL COUNCIL ON INDIAN OPPORTUNITY

Mr. HALEY. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 121) to authorize appropriations for expenses of the National Council on Indian Opportunity, as amended.

The Clerk read as follows:

S.J. RES. 121

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed $300,000 annually for the expenses of the National Council on Indian Opportunity, established by Executive Order Numbered 11399 of March 6, 1968.

SEC. 2. The National Council on Indian Opportunity shall terminate five years from the date of this Act unless it is extended by an Act of Congress.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. HALEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Speaker, this joint resolution and its companion measure, House Joint Resolution 755, were introduced as a result of an executive communication from the Bureau of the Budget which requested enactment on behalf of the administration.

As originally introduced, the bill authorized an unlimited appropriation to meet the expenses of the National Council on Indian Opportunity.

May I add here, Mr. Speaker, that the Committee on Interior and Insular Affairs does not look with favor on open-ended appropriations, and never has. The bill was amended in the other body to limit the appropriation authorization to $300,000 annually. It was further amended by the House Committee on Interior and Insular Affairs to limit the life of the Council to 5 years unless extended by act of Congress. Both of these changes were endorsed by administration witnesses, and both of these changes make it possible not only for the yearly review by the Committee on Appropriations, as to the expenditure of the funds, but it makes it possible for the House to have not only the annual review that we call for, which is more or less informal, but also there will have to be a formal review before the Council could be extended for another term of years.

The Council was established on March 6, 1968, by Executive order of the President, then President Johnson, for the purpose of encouraging interagency coordination for the various Federal programs that relate to Indians, and for the purpose of appraising the progress of these programs and suggesting ways to improve them.

Let me repeat now, that the Council was established by Executive order. It still exists by an Executive order.

The Council consists of the Vice President as Chairman, the heads of seven Federal agencies, and six Indian leaders appointed by the President. It will employ a small staff of five professional employees and two clerical employees. In addition it will employ outside experts

by contract as needed—and this matter of manpower has been tied down very definitely as far as we are concerned in the hearings before the House committee.

The Council could play an important role, but it has not yet had an adequate opportunity to do so because of the ordinary delay involved in getting organized, the change in administration and the resulting change in the Federal members of the Council, and the lack of funds for fiscal year 1970.

Many people throughout the United States, of course, have been interested in the welfare of the Indians. There are those who seem to think that nothing has been done for our Indian brethren through past generations. This, of course, is not true and those people who are so critical now are those who are not knowledgeable about the situation as it now exists. On the other hand, it is necessary that we do have a high-level commission or council that can study where we are and why we are at this particular point and where we might go constructively in the future.

The $300,000 annual appropriation authorization is a modest one.

When you think of the fact that we spend in the neighborhood of $750 million a year to keep the Bureau of Indian Affairs in existence, you can see how modest the amount stated in this bill is.

Moreover, the requirement that the Council get a new act of Congress if its activities are to continue for more than 5 years will give the Congress an opportunity to review its work and reappraise the need for continuing the Council. If the Council performs as anticipated I have no doubt that the necessary legislation will be enacted.

There was no opposition before the committee to the enactment of the bill, and it had strong support.

There was opposition, however, to one provision of the Executive order which created the Council. This is the provision that permits the non-Federal members of the Council and its advisory subcommittees to be compensated at the rate of $100 per day while working, in addition to the payment of subsistence and travel expenses.

Of course, there will be no $100 a day for those members of the Council who are Federal members.

The objection did not go to the payment of subsistence and travel expenses, but went only to the compensation of $100 per day. The argument was that the Indian members are tribal leaders who are paid salaries by their tribes and whose duties include the performance of services such as those involved in Council work. They should not be paid twice, so the argument went. An amendment to the bill intended to prohibit this payment was rejected by a large majority of the committee, and I believe the rejection was proper for the following reasons:

First. When the Government asks for advisory services it ordinarily pays for them.

One hundred dollars a day may seem to some a rather large sum, but yet we all know of our colleagues who go from this body and they immediately begin getting $100 an hour or $200 an hour for their work.

This provision does not ask a private citizen to leave his job for several days at a time and advise the Government without compensation. Authority for such payment is on the statute books and is widely used. I, as Chairman, have seen criticisms against the procedures by which we carry on the work of the Public Land Review Commission. These Commission members are only paid $50 a day and some of them find it rather difficult to compete with other operations which are their responsibility.

Second. Indians who serve on the Council should not be singled out for discriminatory treatment. One of the major purposes of the Council is to get increased Indian involvement in the Federal Indian programs, and it would be anomalous to discourage them by denying them compensation for their services, while others be paid for like services on other commissions.

Third. Although the present Indian members of the Council may have adequate income from present employment, that may not be true in the case of future Indian members of the Council, and there is no way to determine the financial status of the members of the various advisory subcommittees that are contemplated.

The members who are now a part of the Council were chosen by former President Johnson and he did secure the services of outstanding Indian leaders and all but one of them, so far as we know, do have compensation which more than likely they could get along on without the $100. But this $100 payment makes it possible to get people who are not so employed.

Fourth. Service on the Council should not be limited to Indians who can afford to serve without compensation.

One of the members of the Committee on Interior and Insular Affairs, the gentleman from New Mexico (Mr. LUJAN), has announced that although he supports the bill, he will oppose its enactment under suspension of the rules because that procedure prevents him from offering an amendment prohibiting the payment just discussed.

If this had been a close vote in the committee, I think we would have naturally honored—and I as chairman would have honored his request, but this was not a close vote in the committee. This was a heavy vote in favor of not approving the amendment.

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

Mr. ASPINALL. I am glad to yield to my friend from Ohio.

Mr. ASHBROOK. In listening to the excellent presentation of the chairman, I was not quite certain what he meant by an Indian leader. First I thought he referred to Indians in the sense of being a full-blooded Indian, but an Indian leader is not necessarily an Indian, from what the gentleman said?

Mr. ASPINALL. These people who are now members of the Council, lay members I call them, are Indians. They are not necessarily full-blooded Indians. Many of them, so far as I know, are partial bloods, but there is nothing here that says a Commission member must have 100 percent blood, 50 percent blood, or even one sixty-fourth percent Indian blood. This calls for Commission members who are interested in the Indians. It so happens that five out of the six members, as I remember the hearings, are important Indian leaders, and it is well that we should have this caliber of people representing them.

Mr. ASHBROOK. I guess when I was listening to the gentleman I was thinking in terms of tribal chiefs, or people who live on reservations. That is not what you refer to as an Indian leader?

Mr. ASPINALL. No.

Mr. ASHBROOK. You say the Vice President, the heads of seven Federal agencies, and six Indian leaders. The six Indian leaders are not necessarily Indian chiefs or those on reservations?

Mr. ASPINALL. The gentleman is correct.

The merits of the gentleman from New Mexico (Mr. LUJAN) can be considered and evaluated during this debate, without seeking a rule from the Rules Committee. The adoption of the motion to suspend the rules will be a rejection of his proposal to deprive the Indian members of the Council of compensation for their services.

I recommend that the rules be suspended and that the bill be passed.

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

Mr. ASPINALL. I yield to the gentleman from Florida (Mr. HALEY), the chairman of the subcommittee.

Mr. HALEY. The gentleman from Colorado has made his position clear. I find myself in a rather unusual position here of opposing the proposed amendment to the bill, because I believe this would be a very bad place, very bad legislation to try to restrict the Indians, for we would follow the figure which is pretty well normally set in other agencies of the Government. We are encouraging the Indians to participate and to give us the benefit of what the Indian is thinking, and, while it may be true, some of the members of this Commission now are able to function and to carry on the responsibilities without this additional money, nevertheless we want to be in a position where we can bring in others in case these no longer can carry out the function. Certainly I am sure the gentleman from New Mexico, by attempting to reduce the $100 a day, is not showing discrimination really against the American Indian. He, I think, believes that this is just too much to pay.

Mr. ASPINALL. The gentleman is correct. In this respect the gentleman from New Mexico is to be commended.

Mr. SAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico.

Mr. LUJAN. Mr. Speaker, I really regret having to come before this House in opposition to my chairman of the full committee and also in opposition to the views of the chairman of the Subcommittee on Indian Affairs, and I also regret that this point has come up in this particular bill, because I do not quarrel with the fact or with the con-

cept that we should have a Council on Indian Opportunity.

My objection to suspending the rules and passing this particular piece of legislation is very simple. The reason is this: During the testimony before the Subcommittee on Indian Affairs, Mr. Robert Robertson, who is Acting Director of the Council on Indian Opportunity, pointed out that in addition to the travel and subsistence expenses for the non-Federal members of this committee, each would receive $100 for attending the meeting. He also pointed out that not only would these six council members receive this $100, but they also have in the mill plans for establishing six more committees on each of which four people would serve, and all 30 of these people would receive $100 a day for attending a meeting.

Let me point out that of the six committee members, the advisory members that are now serving on the Council on Indian Opportunity, four are presidents of their respective tribal councils and they receive a salary for serving as chairmen of the respective tribal councils. The lowest paid of them receives between $400 and $500 a month, and the highest paid of them receives $1,500 a month for attending to his duties.

I contend, Mr. Speaker, that they are well paid for performing these duties, and that in paying them the additional $100 we would be paying double compensation. It is my view and the view of other committee members that we should pay the travel and subsistence, but certainly not the $100 a day.

Mr. Speaker, I took it upon myself to wire each member of the council. Of the six, I received wires back from four, and three tell me they would continue to serve if they were not paid the $100 per day, and one of them said he would not serve.

As I said, it is regrettable that it came up at this particular time, but this has been the first opportunity I have had to speak on this subject.

There are, as has been pointed out, many other councils that exist throughout the Federal Government, and to that I say we should get all of them on a basis where we pay their travel and subsistence but not have them make a profit.

Let me quote from an article that appeared in the Albuquerque Journal on Sunday, November 9, 1969, written by Paul R. Wieck, entitled "U.S. Consulted to Death?" Mr. Wieck talks about the consultation syndrome and says:

> The roots of this syndrome are in the overwhelming nature of our technological society and the feeling of inadequacy that overcomes both public officials and private citizens as they attempt to deal with the problems that arise.
>
> The result: They call for experts, for more and more studies, for more consulting.

Mr. Wieck points out also—and I was aware of this—that the Pentagon even has a study to determine what we are going to do in the event the South Vietnamese turn against us. So we are studying every single problem.

Mr. Speaker, I ask that the Members join me, in blocking this, in an effort to defeat this, because this is the only way we can get an amendment into the legislation. If we are successful in blocking this, the only thing I would like to add to this would be:

Provided, That a non-Federal member of the council or of an advisory committee of the council shall not be paid a fee in addition to travel and subsistence expenses.

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

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

Mr. ASHBROOK. Mr. Speaker, I meant to ask the chairman for my own information and for the information of the Members present, about the names of the six Commission members the gentleman refers to. He says four are Indians and two are not.

Would the gentleman inform us as to the names and the backgrounds of the six members?

Mr. LUJAN. Yes.

The six non-Federal members are:

Cato Valandra, president of the Rosebud Sioux Tribal Council of St. Francis, S. Dak.

William L. Hensley, who is a State legislator in Alaska;

Roger Jourdain, who is chairman of the Red Lake Tribal Council;

Wendell Chino, who is chairman of the Mescalero Apache Tribal Council;

Mrs. Fred Harris, who is the wife of the Democratic national chairman and U.S. Senator; and

Raymond Nakai, who is chairman of the Navaho Tribal Council.

Those are the six non-Federal members. The others are, of course, Cabinet Members and the Vice President.

Mr. ASHBROOK. Which of the members are the ones already serving in what might be called a dual capacity, receiving a salary for some responsibility as it relates to the Indians under the Interior Department?

Mr. LUJAN. Well, those are the four tribal council members, Mr. Valandra, Mr. Jourdain, Mr. Chino and Mr. Nakai. They receive salaries as chairmen of the tribal councils.

Mr. Hensley, I know, is a State legislator in Alaska and receives compensation as a State legislator, in addition to which he has other employment. He is also executive secretary of the Alaska Federation of Natives. I do not know if he is compensated for that particular job.

Of course, I do not know as to whether Mrs. Harris is employed.

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

Mr. LUJAN. I yield to the gentleman from Florida.

Mr. HALEY. I should like to point out to my friend, however, that those funds and those salaries are compensation which is being paid to those people whom my friend has just enumerated as tribal funds.

We are talking about employment by the Government of the United States to do a job. We have no way of telling when Mr. Nakai, Mr. Chino, or anybody else will be on the payroll of the tribal council. They have an election, just as we do, and they make substantial changes every couple of years out there.

Mr. LUJAN. I would say only this to my distinguished chairman: As a part of the regular everyday job as tribal council leaders they are already supposed to be doing anything that will further the cause of the Indian people. This gives them an opportunity to do it. They should be so pleased that they are named to this committee, instead of demanding $100.

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

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

Mr. ASPINALL. One of the great leaders of the Indians, a member of a tribe which has just recently emerged from the civilization in which they were, and are now taking their place in our civilization of today, is Mr. Jack House, a former council member of the Ute Mountain Indian Tribe. Even today, with his advanced age and some infirmities of advanced age, he is undoubtedly the most effective leader of his people and that particular area of Indian country. He is no longer a council member and no longer has funds. If he should be tapped by President Nixon to be a member of that Commission he would have certainly need the $100 per day payment for his services.

This is the fallacy of the gentleman's argument. People who may be placed upon this Commission later on may not be so fortunate, in my opinion, as the people who receive good salaries as they do at the present time.

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

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

Mr. SAYLOR. Mr. Speaker, I rise in support of this legislation. I introduced House Joint Resolution 755, a similar measure, and did so because I was convinced this was one of the things which should be done to assist the President of the United States and selected representatives from the Indian community to advance the cause of the native Americans.

As stated in the committee report, the National Council on Indian Opporunity was created by Executive order on March 6, 1968. The Council was originally established as an interagency function to encourage, coordinate, and appraise the impact and progress of Federal programs to benefit the Indian population. The increase and expansion of Federal Indian programs over the last 20 years gave rise to the need for such a Council.

Less than two decades ago, we spent approximately $80 million annually on Indian programs concentrated in the Bureau of Indian Affairs. Today, we are spending approximately $500 million annually on Indian programs which are now administered as major programs in the numerous bureaus of seven executive departments. Yet, the catalog of Indian problems remain significant in housing, education, health, income and employment.

Prior to the creation of the National Council on Indian Opportunity there was no interagency mechanism to coordinate and bring into harmony the various In-

dian program activities. However, after its creation on March 6, 1968, it not only provided such coordination and appraisal, but it also developed through public hearings the need to meet our responsibilities to off-reservation Indians, and provided the opportunity for Indian leaders themselves to have a direct voice in the formulation of policy and programs.

The interagency function and funding of this Council was severely restricted by the 1969 Public Works Appropriations Act, which barred the use of appropriated funds to finance interagency groups without prior, specific congressional approval. This prohibition is the necessity for this legislation.

Senate Joint Resolution 121, as amended by the Committee on Interior and Insular Affairs, will authorize appropriations not to exceed $300,000 annually for the expenses of the National Council on Indian Opportunity. This amount will enable the Council to retain a permanent staff of employees and provide the funds to meet the travel, contract services, and other expenses necessary for its proper functioning. The committee also adopted an amendment terminating the Council 5 years from the date of enactment of this legislation. The committee decided that existence of the Council beyond the 5-year period should depend upon the activities and accomplishments of the Council.

I have listened with a great deal of interest to my esteemed colleague from New Mexico and to the colloquy that occurred between the chairman of the full committee and the gentleman from New Mexico. I want to say to my colleague from New Mexico that the defect in his arguments is that he wants to make a new policy with regard to advisory boards of the Federal Government and do it in this bill. Now, whether it is right or wrong to pay people who perform services for the Federal Government an additional $100 plus travel and subsistence is not at issue. What his amendment attempted to do in the committee was to reduce the appropriation authorization from $300,000 to $264,000. Now, if there is anything that will get the Members of Congress on the front page of every tabloid throughout the length and breadth of this land is to try to establish a new policy at the expense of the Indian, and that is just what my friend is trying to do by his amendment. If the Congress wants to establish a policy that anyone who is asked to serve on an advisory board does so only for subsistence and travel allowances, then that is a matter for the Congress to decide. But let us not get ourselves in the bind here of trying to do it at the expense of the Indian. It is true certain of these people apparently right now have some outside income, but so does everybody else I know of who has ever been appointed to serve on any Federal board, council, or commission. We have not asked the president of General Motors when he comes and gives us his advice on certain boards that he give up his $100. We have not asked all of the other boards that have been established by the Congress to do likewise when these individuals who serve on them come and give a day's service. When they do so they get $100. Why pick on the poor Indian?

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

Mr. SAYLOR. I yield to the gentleman from New Mexico.

Mr. LUJAN. My good friend from Pennsylvania knows perfectly well that I am not trying to pick on the Indians. I have many, many constitutents among these fine, great American Indians. But the gentleman knows exactly the point I am trying to make. This practice is so widespread throughout the Federal Government that we must put some kind of a brake to it. This is the first opportunity that has come up where we are able to do this. Let us not drop the matter here, but let us pursue it in other agencies of the Federal Government.

Mr. SAYLOR. If my colleague wants to do that, then he should draft a piece of legislation and introduce it and have it sent to the proper committee, saying that any advisory board established by the President or the Congress will only get travel and subsistence allowance and not the $100 per day which he objects to. If he wants to do that, that is fine. But that is not the effect of his amendment before the committee, and the reason why he did not have more support for it in committee. I realize it is a very small amount of money that will be saved here. It might be quite a bit as far as the whole Government is concerned. But that is a matter of policy that should be established by the Congress as to all commissions rather than this commission itself.

I support this legislation, because it is the first time in the history of our country that the Indian leaders have ever had an opportunity to come to Washington other than as tribal representatives to speak their piece and have a direct voice with the various agencies of the Government trying to develop a policy as to what should be done for the American Indian.

Mr. Speaker, I incorporate with these remarks the complete text of President Johnson's message to the Congress on goals and programs for the American Indian, and the Executive Order 11399 of March 6, 1968, establishing the National Council on Indian Opportunity which are as follows:

THE FORGOTTEN AMERICAN

(The President's message to the Congress on goals and programs for the American Indian, Mar. 6, 1968)

To the Congress of the United States:

Mississippi and Utah—the Potomac and the Chattahoochee—Appalachia and Shenandoah . . . The words of the Indian have become our words—the names of our states and streams and landmarks.

His myths and his heroes enrich our literature.

His lore colors our art and our language.

For two centuries, the American Indian has been a symbol of the drama and excitement of the earliest America.

But for two centuries, he has been an alien in his own land.

Relations between the United States Government and the tribes were originally in the hands of the War Department. Until 1871, the United States treated the Indian tribes as foreign nations.

It has been only 44 years since the United States affirmed the Indian's citizenship: the full political equality essential for human dignity in a democratic society.

It has been only 22 years since Congress enacted the Indian Claims Act, to acknowledge the Nation's debt to the first Americans for their land.

But political equality and compensation for ancestral lands are not enough. The American Indian deserves a chance to develop his talents and share fully in the future of our Nation.

There are about 600,000 Indians in America today. Some 400,000 live on or near reservations in 25 States. The remaining 200,000 have moved to our cities and towns. The most striking fact about the American Indians today is their tragic plight:

Fifty thousand Indian families live in unsanitary, dilapidated dwellings: many in huts, shanties, even abandoned automobiles.

The unemployment rate among Indians is nearly 40 percent—more than ten times the national average.

Fifty percent of Indian schoolchildren—double the national average—drop out before completing high school.

Indian literacy rates are among the lowest in the Nation; the rates of sickness and poverty are among the highest.

Thousands of Indians who have migrated into the cities find themselves untrained for jobs and unprepared for urban life.

The average age of death of an American Indian today is 44 years; for all other Americans, it is 65.

The American Indian, once proud and free, is torn now between white and tribal values; between the politics and language of the white man and his own historic culture. His problems, sharpened by years of defeat and exploitation, neglect and inadequate effort, will take many years to overcome.

But recent landmark laws—the Economic Opportunity Act, the Elementary and Secondary Education Act, the Manpower Development and Training Act—have given us an opportunity to deal with the persistent problems of the American Indian. The time has come to focus our efforts on the plight of the American Indian through these and the other laws passed in the last few years.

No enlightened Nation, no responsible government, no progressive people can sit idly by and permit this shocking situation to continue.

I propose a new goal for our Indian programs: A goal that ends the old debate about "termination" of Indian programs and stresses self-determination; a goal that erases old attitudes of paternalism and promotes partnership self-help.

Our goal must be:

A standard of living for the Indians equal to that of the country as a whole.

Freedom of Choice: An opportunity to remain in their homelands, if they choose, without surrendering their dignity; an opportunity to move to the towns and cities of America, if they choose, equipped with the skills to live in equality and dignity.

Full participation in the life of modern America, with a full share of economic opportunity and social justice.

I propose, in short, a policy of maximum choice for the American Indian: a policy expressed in programs of self-help, self-development, self-determination.

To start toward our goal in Fiscal 1969, I recommend that the Congress appropriate one-half a billion dollars for programs targeted at the American Indian—about 10 percent more than Fiscal 1968.

STRENGTHENED FEDERAL LEADERSHIP

In the past four years, with the advent of major new programs, several agencies have undertaken independent efforts to help the American Indian. Too often, there has been too little coordination between agencies; and no clear, unified policy which applied to all.

To launch an undivided, Government-wide effort in this area, I am today issuing an Executive Order to establish a National Council on Indian Opportunity.

The Chairman of the Council will be the Vice President who will bring the problems of the Indians to the highest levels of Government. The Council will include a cross section of Indian leaders, and high government officials who have programs in this field:

The Secretary of the Interior, who has primary responsibility for Indian Affairs.

The Secretary of Agriculture, whose programs affect thousands of Indians.

The Secretary of Commerce, who can help promote economic development of Indian lands.

The Secretary of Labor, whose manpower programs can train more Indians for more useful employment.

The Secretary of Health, Education, and Welfare, who can help Indian communities with two of their most pressing needs—health and education.

The Secretary of Housing and Urban Development, who can bring better housing to Indian lands.

The Director of the Office of Economic Opportunity, whose programs are already operating in several Indian communities.

The Council will review Federal programs for Indians, make broad policy recommendations, and ensure that programs reflect the needs and desires of the Indian people. Most important, I have asked the Vice President, as Chairman of the Council, to make certain that the American Indian shares fully in all our federal programs.

SELF-HELP AND SELF-DETERMINATION

The greatest hope for Indian progress lies in the emergence of Indian leadership and initiative in solving Indian problems. Indians must have a voice in making the plans and decisions in programs which are important to their daily life.

Within the last few months we have seen a new concept of community development—a concept based on self-help—work successfully among Indians. Many tribes have begun to administer activities which Federal agencies had long performed in their behalf:

On the Crow Creek, Lower Brule, and Fort Berthold reservations in the Dakotas and on reservations in several other states, imaginative new work-experience programs, operated by Indians themselves, provide jobs for Indians once totally dependent on welfare.

The Warm Springs Tribes of Oregon ran an extensive program to repair flood damage on their reservation.

The Oglala Sioux of South Dakota and the Zunis of New Mexico are now contracting to provide law enforcement services for their communities.

The Navajos—who this year celebrate the 100th anniversary of their peace treaty with the United States—furnish many community services normally provided by the Federal government, either through contract or with funds from their own Treasury.

Passive acceptance of Federal service is giving way to Indian involvement. More than ever before, Indian needs are being identified from the Indian viewpoint—as they should be.

This principle is the key to progress for Indians—just as it has been for other Americans. If we base our programs upon it, the day will come when the relationship between Indians and the Government will be one of full partnership—not dependency.

EDUCATION

The problems of Indian education are legion:

Ten percent of American Indians over age 14 have had no schooling at all.

Nearly 60 percent have less than an eighth grade education.

Half of our Indian children do not finish high school today.

Even those Indians attending school are plagued by language barriers, by isolation in remote areas, by lack of a tradition of academic achievement.

Standard schooling and vocational training will not be enough to overcome the educational difficulties of the Indians. More intensive and imaginative approaches are needed.

The legislation enacted in the past four years gives us the means to make the special effort now needed in Indian education: The Elementary and Secondary Education Act, the Education Professions Development Act, the Vocational Education Act, and the Higher Education Act.

The challenge is to use this legislation creatively.

I have directed the Secretary of the Interior and the Secretary of Health, Education, and Welfare:

To work together to make these programs responsive to the needs of Indians.

To develop a concentrated effort in Indian education with State and local agencies. This is critical if the two-thirds of Indian school children in non-Indian public schools are to get the special help they sorely need.

Preschool programs

In the past few years we as a Nation have come to recognize the irreplaceable importance of the earliest years in a child's life. Pre-school education and care—valuable for all children—are urgently needed for Indian children.

We must set a goal to enroll every four and five-year-old Indian child in a pre-school program by 1971.

For 1969, I am requesting funds to:

Make the Head Start Program available to 10,000 Indian children.

Establish, for the first time, kindergartens for 4,500 Indian youngsters next September.

To encourage Indian involvement in this educational process, I am asking the Secretary of the Interior to assure that each of these kindergartens employ local Indian teacher aides as well as trained teachers.

Federal Indian schools

Since 1961, we have undertaken a substantial program to improve the 245 Federal Indian schools, which are attended by over 50,000 children. That effort is now half completed. It will continue.

But good facilities are not enough.

I am asking the Secretary of the Interior, in cooperation with the Secretary of Health, Education, and Welfare, to establish a model community school system for Indians. These schools will:

Have the finest teachers, familiar with Indian history, culture and language.

Feature an enriched curriculum, special guidance and counseling programs, modern instruction materials, and a sound program to teach English as a second language.

Serve the local Indian population as a community center for activities ranging from adult education classes to social gatherings.

To reach this goal, I propose that the Congress appropriate $5.5 million to attract and hold talented and dedicated teachers at Indian schools and to provide 200 additional teachers and other professionals to enrich instruction, counseling and other programs.

To help make the Indian school a vital part of the Indian community, I am directing the Secretary of the Interior to establish Indian school boards for Federal Indian Schools. School board members—selected by their communities—will receive whatever training is necessary to enable them to carry out their responsibilities.

Higher education

Indian youth must be given more opportunities to develop their talents fully and to pursue their ambitions free of arbitrary barriers to learning and employment. They must have a chance to become professionals: doctors, nurses, engineers, managers and teachers.

For the young Indian of today will eventually become the bridge between two cultures, two languages, and two ways of life.

Therefore, we must open wide the doors of career training and higher education to all Indian students who qualify.

To reach this goal:

I am requesting $3 million in fiscal 1969 for college scholarship grants, to include for the first time living allowances for Indian students and their families to help capable young Indians meet the costs of higher education.

I am asking the Secretary of Health, Education, and Welfare to make a special and sustained effort to assure that our regular scholarship and loan programs are available to Indian high school graduates.

I am asking the Director of the Office of Economic Opportunity to establish a special Upward Bound program for Indian high school students.

HEALTH AND MEDICAL CARE

The health level of the American Indian is the lowest of any major population group in the United States:

The infant mortality rate among Indians is 34.5 per 1,000 births—12 points above the National average.

The incidence of tuberculosis among Indians and Alaska natives is about five times the National average.

More than half of the Indians obtain water from contaminated or potentially dangerous sources, and use waste disposal facilities that are grossly inadequate.

Viral infections, pneumonia, and malnutrition—all of which contribute to chronic ill health and mental retardation—are common among Indian children.

We have made progress. Since 1963:

The infant death rate has declined 21 percent.

Deaths from tuberculosis are down 29 percent.

The number of outpatient visits to clinics and health centers rose 16 percent.

But much more remains to be done.

I propose that the Congress increase health programs for Indians by about ten percent, to $112 million in fiscal 1969, with special emphasis on child health programs.

But if we are to solve Indian health problems, the Indian people themselves must improve their public health and family health practices. This will require a new effort to involve Indian families in a crusade for better health.

Recent experience demonstrates that Indians have been successful in working side by side with health professionals:

They have organized tribal health committees to review Indian health problems and design programs for solving them.

They have launched new programs in sanitation, mental health, alcoholism, and accident control.

A cooperative Indian-government project to provide safe water and disposal systems for 44,000 Indians and Alaska native families has proved successful. For every Federal dollar spent, Indian Americans have contributed another 40 cents in labor, materials and actual funds.

I am directing the Secretary of Health, Education, and Welfare to build a "community participation" component into every Federal health program for Indians which lends itself to this approach.

Essential to this effort will be a large, well-trained corps of community health aides drawn from the Indian population: nursing assistants, health record clerks, medical-social aides and nutrition workers. These community health aides can greatly assist pro-

fessional health workers in bringing health services to Indian communities.

I recommend that the Congress appropriate funds to train and employ more than 600 new community Indian health aides in the Public Health Service.

These aides will serve nearly 200,000 Indians and Alaska natives in their home communities, teaching sound health practices to the Indian people in several critical fields: pre-natal health, child care, home sanitation and personal hygiene.

Our goal is first to narrow, then to close the wide breach between the health standards of Indians and other Americans. But before large investments in Federally-sponsored health services can pay lasting dividends, we must build a solid base of Indian community action for better health.

JOBS AND ECONOMICS DEVELOPMENT

The plight of the Indians gives grim testimony to the devastating effects of unemployment on the individual, the family, and the community:

Nearly 40 percent of the labor force on Indian lands is chronically unemployed, compared with a national unemployment rate of 3.5 percent.

Of the Indians who do work, a third are underemployed in temporary or seasonal jobs.

Fifty percent of Indian families have cash incomes below $2,000 a year; 75 percent have incomes below $3,000.

With rare exception, Indian communities are so underdeveloped that there is little, if any, opportunity for significant social or economic progress.

Two percent of all the land in the United States is Indian land. Indian lands are about the size of all the New England States and a small slice of New York. But many of their resources—oil, gas, coal, uranium, timber, water—await development.

The economic ills of Indian areas can have a major impact upon neighboring regions as well. It is not only in the best interests of the Indians, but of the entire Nation, to expand Indian economic opportunity.

Jobs

Special employment programs have been established to help meet the need of Indians. In 1967 alone, more than 10,000 men and women received training and other help to get jobs under the Indian Bureau's programs—double the number served four years ago. These programs:

Provide all-expenses-paid training and placement for Indian adults.

Develop projects in cooperation with private industry, in which families prepare together for the transition from welfare dependency to useful, productive work.

To meet the increasing demand, I propose that the Indian Vocational Training Program be expanded to the full authorization of $25 million in Fiscal 1969—nearly double the funds appropriated last year.

In the State of the Union message, I proposed a 25 percent increase—to $2.1 billion—in our manpower training programs for Fiscal 1969. *As a part of this effort, I have asked the Secretary of Labor to expand the Concentrated Employment Program to include Indian reservations.*

Area development

The economic development of potentially productive Indian areas suffers from a lack of base capital to permit Indians to take advantage of sound investment opportunities and to attract private capital.

The Indian Resources Development Act, now pending before Congress, contains provisions to spark this kind of investment.

The central feature of this Act is an authorization of $500 million for an Indian loan guaranty and insurance fund and for a direct loan revolving fund.

These funds would:

Provide the foundation for the economic development of Indian lands.

Encourage light industry to locate on or near Indian reservations.

Permit better development of natural resources.

Encourage development of the tourist potential on many reservations.

The Indian Resources Development Act would also permit the issuance of Federal corporate charters to Indian tribes or groups of Indians. This charter gives them the means to compete with other communities in attracting outside investment.

I urge the Congress to enact this program for the economic development of Indian resources.

Roads for economic development

Without an adequate system of roads to link Indian areas with the rest of our Nation, community and economic development, Indian self-help programs, and even education cannot go forward as rapidly as they should.

Large areas inhabited by Indians are virtually inaccessible. For example, on the vast Navajo-Hopi area there are only 30 percent as many miles of surfaced roads per 1,000 square miles as in rural areas of Arizona and New Mexico.

The woefully inadequate road systems in Indian areas must be improved. Good roads are desperately needed for economic development. And good roads may someday enable the Indian people to keep their young children at home, instead of having to send them to far-away boarding schools.

I propose an amendment to the Federal Highway Act increasing the authorization for Indian road construction to $30 million annually beginning in Fiscal 1970.

ESSENTIAL COMMUNITY SERVICES

Housing

Most Indian housing is far worse than the housing in many slums of our large cities.

To begin our attack on the backlog of substandard housing:

I have asked the Secretary of Housing and Urban Development to increase Indian home construction by an additional 1,000 units this coming year, for a total of 2,500 annually.

I propose that the Congress double the Fiscal 1968 appropriations—to $6 million in 1969—for a broad home improvement program.

These steps are a strong start toward improving living conditions among Indians, while we deal with the underlying causes of inadequate housing. But the present housing law is too rigid to meet the special needs and conditions of our Indian population.

I am therefore submitting legislation to open the door for more Indians to receive low-cost housing aid, and to extend the loan programs of the Farmers Home Administration to tribal lands.

In addition:

The Secretary Housing and Urban Development will review construction standards for Indian homes to ensure flexibility in design and construction of Indian housing.

The Secretaries of the Interior and Housing and Urban Development will explore new low-cost techniques of construction suitable to a stepped-up Indian housing program.

Community action

Programs under the Economic Opportunity Act have improved morale in Indian communities. They have given tribes new opportunities to plan and carry out social and economic projects. Community action programs, particularly Head Start, deserve strong support.

I am asking the Congress to provide $22.7 million in Fiscal 1969 for these important efforts.

Water and sewer projects

Shorter life expectancy and higher infant mortality among Indians are caused in large part by unsanitary water supplies and contamination from unsafe waste disposal.

The Federal Government has authority to join with individual Indians to construct these facilities on Indian lands. The government contributes the capital. The Indian contributes the labor.

To step up this program, I recommend that the Congress increase appropriations for safe water and sanitary waste disposal facilities by 30 percent—from $10 million in Fiscal 1968 to $13 million in Fiscal 1969.

CIVIL RIGHTS

A bill of rights for Indians

In 1934, Congress passed the Indian Reorganization Act, which laid the groundwork for democratic self-government on Indian reservations. This Act was the forerunner of the tribal constitutions—the charters of democratic practice among the Indians.

Yet few tribal constitutions include a bill of rights for individual Indians. The basic individual rights which most Americans enjoy in relation to their government—enshrined in the Bill of Rights of the Constitution of the United States—are not safeguarded for Indians in relation to their tribes.

A new Indian Rights Bill is pending in the Congress. It would protect the individual rights of Indians in such matters as freedom of speech and religion, unreasonable search and seizure, a speedy and fair trial, and the right to habeas corpus. The Senate passed an Indian Bill of Rights last year. *I urge the Congress to complete action on that Bill of Rights in the current session.*

In addition to providing new protection for members of tribes, this bill would remedy another matter of grave concern to the American Indian.

Fifteen years ago, the Congress gave to the States authority to extend their criminal and civil jurisdictions to include Indian reservations—where jurisdiction previously was in the hands of the Indians themselves.

Fairness and basic democratic principles require that Indians on the affected lands have a voice in deciding whether a State will assume legal jurisdiction on their land.

I urge the Congress to enact legislation that would provide for tribal consent before such extensions of jurisdiction take place.

OFF-RESERVATION INDIANS

Most of us think of Indians as living in their own communities—geographically, socially and psychologically remote from the main current of American life.

Until World War II, this was an accurate picture of most Indian people. Since that time, however, the number of Indians living in towns and urban centers has increased to 200,000.

Indians in the town and cities of our country have urgent needs for education, health, welfare, and rehabilitation services, which are far greater than that of the general population.

These needs can be met through Federal, State and local programs. *I am asking the new Council on Indian Opportunity to study this problem and report to me promptly on actions to meet the needs of Indians in our cities and towns.*

ALASKAN NATIVE CLAIMS

The land rights of the native people of Alaska—the Aleuts, Eskimos and Indians—have never been fully or fairly defined.

Eighty-four years ago, Congress protected the Alaskan natives in the use and occupancy of their lands. But then, and again when Alaska was given statehood, Congress reserved to itself the power of final decision on ultimate title.

It remains our unfinished task to state in law the terms and conditions of settlement, so that uncertainty can be ended for the native people of Alaska.

Legislation is now pending to resolve this

issue. I recommend prompt action on legislation to:

Give the native people of Alaska title to the lands they occupy and need to sustain their villages.

Give them rights to use additional lands and water for hunting, trapping and fishing to maintain their traditional way of life, if they so choose.

Award them compensation commensurate with the value of any lands taken from them.

THE FIRST AMERICANS

The program I propose seeks to promote Indian development by improving health and education, encouraging long-term economic growth, and strengthening community institutions.

Underlying this program is the assumption that the Federal government can best be a responsible partner in Indian progress by treating the Indian himself as a full citizen, responsible for the pace and direction of his development.

But there can be no question that the government and the people of the United States have a responsibility to the Indians.

In our efforts to meet that responsibility, we must pledge to respect fully the dignity and the uniqueness of the Indian citizen.

That means partnership—not paternalism.

We must affirm the right of the first Americans to remain Indians while exercising their rights as Americans.

We must affirm their right to freedom of choice and self-determination.

We must seek new ways to provide Federal assistance to Indians—with new emphasis on Indian self-help and with respect for Indian culture.

And we must assure the Indian people that it is our desire and intention that the special relationship between the Indian and his government grow and flourish.

For, the first among us must not be last.

I urge the Congress to affirm this policy and to enact this program.

LYNDON B. JOHNSON.

The WHITE HOUSE, *March 6, 1968.*

EXECUTIVE ORDER 11399, ESTABLISHING THE NATIONAL COUNCIL ON INDIAN OPPORTUNITY, MARCH 6, 1968

Whereas, the United States has initiated a number of programs in various Departments that should be made available for the development and benefit of the Indian population; and

Whereas these programs should be adapted and coordinated in such manner that Indians will participate in and be benefited by them:

Now, therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of Council.* There is hereby established The National Council on Indian Opportunity (hereinafter referred to as the "Council"). The Council shall have membership as follows: The Vice President of the United States who shall be the chairman of the Council, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Director of the Office of Economic Opportunity, and six Indian leaders appointed by the President of the United States for terms of two years.

SEC. 2. *Functions of the Council.* The Council shall:

(a) Encourage full use of Federal programs to benefit the Indian population, adapting them where necessary to be available to Indians on reservations in a meaningful way.

(b) Encourage interagency coordination and cooperation in carrying out Federal programs as they relate to Indians.

(c) Appraise the impact and progress of Federal programs for Indians.

(d) Suggest ways to improve such programs.

SEC. 3. *Compensation and per diem.* Members of the Council who are officers of the Federal government shall receive no additional compensation by reason of this order. Other members of the Council shall be entitled to receive compensation and travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the government service employed intermittently (5 U.S.C., §§ 3109, 5703).

SEC. 4. *Assistance to the Council.* (a) Each Federal department and agency represented on the Council shall furnish such necessary assistance to the Council as may be authorized by section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691), or other law. The Department of the Interior shall furnish necessary administrative services for the Council.

(b) The staff of the Council shall include an Executive Director, who shall be appointed by the chairman of the Council, and such other employees as may be necessary, who shall be assigned by the departments and agencies represented on the Council.

SEC. 5. *Meetings.* The Council shall meet on call of the chairman.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 6, 1968.*

Mr. Speaker, much to the surprise of many people, a few prominent people have suddenly become interested in the American Indian. Today, there are more Indians living off the reservation than there are living on the reservation. What happens to many of the Indians who live off the reservation is that when they try to get themselves out into the mainstream of American society they are not equipped to encounter the changing pace of today's society. As a result, they are told that they cannot compete for that particular job because of their educational level or lack of vocational training. The result is that they go back to the Indian reservation because the Bureau of Indian Affairs handles the problems with reference to Indians.

Mr. Speaker, this is the reason that President Johnson established this Commission. This is the reason that President Nixon has asked that it be continued so that the Indian for the first time will have some direct opportunity to deal with the agencies of the Government in addition to the Department of the Interior. This council opens the door to get the kind of support for the off-reservation Indians who try to make themselves useful members of our society so that they will not find that they are rejected by the white man and compelled to go back to the reservation.

For this reason, I sincerely hope that the legislation is supported.

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

Mr. SAYLOR. I would be happy to yield to the gentleman.

Mr. MAYNE. Could not the same argument which the gentleman from New Mexico has made be made just as logically with regard to other Government consultants?

For example, I recall a few weeks ago when we were considering the Administrative Law Council there was provision in there for even larger payments to be made to law school professors who were teaching administrative law but who receive very substantial salaries for being experts in the field of administrative law. If we adopted the argument of the gentleman from New Mexico he should be very proud and honored to come to be called a consultant on the part of the Government. However, we did not deprive them of consultation fees which I believe are $200 a day in that bill, even though it really is a boost for them and an enhancement of their prestige.

So would that argument not be just as appropos with reference to them as it is to the members of the Indian council here?

Mr. SAYLOR. Absolutely. So, I urge that the rules be suspended and that this bill be passed.

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

Mr. Speaker, I support the enactment of Senate Joint Resolution 121. During the past few years at least seven agencies have become involved in the administration of Federal Indian programs. They are the Department of the Interior, the Department of Agriculture, the Department of Health, Education, and Welfare, the Department of Housing and Urban Development, the Department of Labor, the Department of Commerce, and the Office of Economic Opportunity. This is in marked contrast to the situation that prevailed before then, when the Bureau of Indian Affairs had the primary responsibility for administering all Federal Indian programs. It is the increasing involvement of the other agencies that gave rise to the need for a high level coordinating agency such as the National Council.

Another purpose served by the National Council on Indian Opportunity is to provide a forum for Indian participation in general program planning and administration. The six Indian leaders who serve on the Council have the opportunity to exert influence on the Federal administrators, and to reflect the Indian viewpoint on issues as they arise. Increasing Indian involvement in the programs administered for their benefit is necessary if the programs are to be fully effective.

The Council is a new approach. It was started in the closing months of the last administration and is endorsed by the present administration. It has active Indian support. It has the potential of doing much good, and the appropriation authorization in the pending bill will let the Council get started in a meaningful way. Our committee intends to exercise careful legislative surveillance over its activities, and we will recommend to the Congress at the end of 5 years whether the Council's program should be continued or modified.

I am strongly opposed to the amendment that was offered in committee, and rejected, to prohibit the payment of $100 per day to the non-Federal members of the Council and its advisory committees. This is a Federal council. It is performing a Federal function. It is only fair and just that the Indians who are asked to serve on the Council should be paid a modest fee for the days they work. There is no reason to ask them to work for the Government without compensation. It is

standard practice to pay consultants and intermittent employees for the days they actually work. It would be most unjust to single out Indians and say to them that they cannot be paid for the work they do for the Government, notwithstanding the fact that others in similar circumstances are paid. By voting to suspend the rules and pass this bill, the Members will be voting to pass the bill without this objectionable amendment which the gentleman from New Mexico has stated he wishes to offer. It should not be necessary to seek a rule from the Rules Committee in order to permit this amendment to be offered and voted down.

I urge the adoption of the motion to suspend the rules and enact the bill.

Mr. ZWACH. Mr. Speaker, Senate Joint Resolution 121, authorizing appropriations for expenses of the National Council on Indian Opportunity, is in my opinion long overdue. I believe the Nation's concern for the Indian population is long overdue.

Why is it we always wait until the last thread of hope is left before we take an interest in problems. Certainly this is the case regarding the plight of our Indian population. It is my feeling, that while the National Council on Indian Opportunity was slow to come about—its future will certainly be action oriented.

By giving our Indian leaders the opportunity to speak loudly and clearly to department heads, the Indian population will have a communications channel which will bring directly to the attention of our executive branch, their problems and needs.

At the same time, the Council will be an excellent vehicle to make aware to the Indian population the many Federal programs available, which will benefit them; it will encourage interagency cooperation and coordination in carrying out Federal programs as they relate to Indians; it will give the Federal Government a chance to appraise the impact and progress of these programs for Indians, by hearing first hand of the successes and failures; and it can suggest ways to improve these programs.

Mr. Speaker, I am pleased and happy to vote in favor of this legislation. I endorse wholeheartedly the purposes of the National Council on Indian Opportunity. I wish it much success as it endeavors to solve the many problems of our Indian population.

The SPEAKER pro tempore (Mr. HOLIFIELD). The question is on the motion of the gentleman from Florida (Mr. HALEY) that the House suspend the rules and pass the joint resolution (S.J. Res. 121), as amended.

The question was taken.

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

The question was taken; and there were—yeas, 317, nays 31, not voting 83, as follows:

[Roll No. 274]

YEAS—317

Abernethy	Fallon	Montgomery
Adair	Farbstein	Moorhead
Adams	Feighan	Morton
Addabbo	Findley	Mosher
Albert	Fish	Moss
Alexander	Fisher	Murphy, Ill.
Anderson, Calif.	Flood	Murphy, N.Y.
Anderson, Ill.	Flowers	Myers
Anderson, Tenn.	Foreman	Natcher
Andrews, Ala.	Fountain	Nedzi
Andrews, N. Dak.	Friedel	Nelsen
Annunzio	Fulton, Tenn.	Nichols
Arends	Fuqua	Nix
Aspinall	Galifianakis	Obey
Ayres	Gaydos	O'Hara
Baring	Giaimo	O'Konski
Beall, Md.	Gibbons	Olsen
Bennett	Gilbert	O'Neal, Ga.
Berry	Goldwater	O'Neill, Mass.
Betts	Gonzalez	Ottinger
Bevill	Green, Oreg.	Patten
Biaggi	Green, Pa.	Pelly
Biester	Griffiths	Pettis
Bingham	Grover	Philbin
Blanton	Gubser	Pickle
Blatnik	Gude	Pike
Boggs	Hagan	Poage
Boland	Haley	Podell
Bolling	Halpern	Pollock
Bow	Hamilton	Preyer, N.C.
Bray	Hammer-schmidt	Price, Ill.
Brinkley	Hanley	Pryor, Ark.
Broomfield	Hansen, Idaho	Pucinski
Brotzman	Hansen, Wash.	Purcell
Brown, Calif.	Harvey	Quie
Brown, Mich.	Hathaway	Quillen
Brown, Ohio	Hawkins	Randall
Broyhill, N.C.	Hays	Rarick
Broyhill, Va.	Hébert	Rees
Buchanan	Hechler, W. Va.	Reid, Ill.
Burke, Mass.	Heckler, Mass.	Reid, N.Y.
Burleson, Tex.	Helstoski	Reifel
Burlison, Mo.	Henderson	Reuss
Burton, Calif.	Hicks	Rhodes
Burton, Utah	Holifield	Riegle
Button	Horton	Rivers
Byrne, Pa.	Hungate	Roberts
Byrnes, Wis.	Hunt	Robison
Cabell	Ichord	Rodino
Caffery	Jarman	Rogers, Colo.
Camp	Johnson, Calif.	Rogers, Fla.
Carter	Johnson, Pa.	Rooney, N.Y.
Casey	Jonas	Rosenthal
Cederberg	Jones, Ala.	Roth
Chamberlain	Jones, N.C.	Roudebush
Chappell	Karth	Roybal
Chisholm	Kastenmeier	Ruth
Clark	Kazen	Ryan
Clausen, Don H.	Kee	Saylor
Clawson, Del	Keith	Schadeberg
Clay	King	Scherle
Cleveland	Kleppe	Scheuer
Cohelan	Kluczynski	Schwengel
Collier	Koch	Scott
Colmer	Kuykendall	Sebelius
Conable	Kyl	Shipley
Conte	Kyros	Shriver
Conyers	Langen	Sikes
Corbett	Latta	Sisk
Corman	Leggett	Slack
Coughlin	Lennon	Smith, Calif.
Cowger	Lloyd	Smith, Iowa
Cramer	Long, La.	Smith, N.Y.
Culver	Long, Md.	Springer
Cunningham	Lowenstein	Stanton
Daniels, N.J.	McCarthy	Steed
Davis, Ga.	McClory	Steiger, Ariz.
Davis, Wis.	McClure	Steiger, Wis.
Delaney	McCulloch	Stephens
Dellenback	McDade	Stokes
Dent	McFall	Stratton
Derwinski	McKneally	Stubblefield
Dickinson	McMillan	Sullivan
Donohue	Macdonald, Mass.	Symington
Dorn	Mahon	Taft
Dowdy	Mailliard	Taylor
Downing	Marsh	Teague, Calif.
Dulski	Martin	Teague, Tex.
Dwyer	Matsunaga	Thompson, Ga.
Edmondson	Meeds	Thomson, Wis.
Edwards, Ala.	Melcher	Tiernan
Edwards, Calif.	Mikva	Udall
Edwards, La.	Miller, Ohio	Ullman
Eilberg	Minish	Van Deerlin
Erlenborn	Mink	Vander Jagt
Esch	Minshall	Vanik
Evans, Colo.	Mize	Vigorito
Evins, Tenn.	Mizell	Waggonner
	Mollohan	Waldie
	Monagan	Watson
		Watts
		Whalen
		White
		Widnall
		Wiggins
		Williams
		Wilson, Bob
		Winn
		Wolff
		Wyatt
		Wydler
		Wylie
		Wyman
		Yates
		Yatron
		Young
		Zablocki
		Zion
		Zwach

NAYS—31

Ashbrook	Gross	Poff
Burke, Fla.	Hall	Railsback
Clancy	Harsha	Satterfield
Collins	Hastings	Schneebeli
Daniel, Va.	Hogan	Snyder
Dennis	Hutchinson	Wampler
Devine	Landgrebe	Weicker
Duncan	Lujan	Whitehurst
Frey	McCloskey	Wold
Fulton, Pa.	Mayne	
Goodling	Meskill	

NOT VOTING—83

Abbitt	Frelinghuysen	Morse
Ashley	Gallagher	Passman
Barrett	Garmatz	Patman
Belcher	Gettys	Pepper
Bell, Calif.	Gray	Perkins
Blackburn	Griffin	Pirnie
Brademas	Hanna	Powell
Brasco	Harrington	Price, Tex.
Brock	Hosmer	Rooney, Pa.
Brooks	Howard	Rostenkowski
Bush	Hull	Ruppe
Cahill	Jacobs	St Germain
Carey	Jones, Tenn.	St. Onge
Celler	Kirwan	Sandman
Daddario	Landrum	Skubitz
Dawson	Lipscomb	Stafford
de la Garza	Lukens	Staggers
Denney	McDonald, Mich.	Stuckey
Diggs	McEwen	Talcott
Dingell	MacGregor	Thompson, N.J.
Eckhardt	Madden	Tunney
Eshleman	Mann	Utt
Fascell	Mathias	Watkins
Flynt	May	Whalley
Foley	Michel	Whitten
Ford, Gerald R.	Miller, Calif.	Wilson, Charles H.
Ford, William D.	Mills	Wright
Fraser	Morgan	

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution, as amended, was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Morse.
Mr. Garmatz with Mr. Belcher.
Mr. Daddario with Mrs. May.
Mr. Brasco with Mr. McEwen.
Mr. Carey with Mr. Sandman.
Mr. Miller of California with Mr. Lipscomb.
Mr. Morgan with Mr. Whalley.
Mr. St. Onge with Mr. Lukens.
Mr. Rooney of Pennsylvania with Mr. McDonald of Michigan.
Mr. Rostenkowski with Mr. Hosmer.
Mr. Charles H. Wilson with Mr. Bell of California.
Mr. Howard with Mr. Cahill.
Mr. Jones of Tennessee with Mr. Brock.
Mr. Hull with Mr. Bush.
Mr. Barrett with Mr. Eshleman.
Mr. Brooks with Mr. Denney.
Mr. Celler with Mr. Pirnie.
Mr. Gallagher with Mr. Frelinghuysen.
Mr. Gray with Mr. Michel.
Mr. Griffin with Mr. Blackburn.
Mr. Pepper with Mr. Talcott.
Mr. Mills with Mr. Gerald R. Ford.
Mr. Kirwan with Mr. Utt.
Mr. Whitten with Mr. Skubitz.
Mr. Abbitt with Mr. MacGregor.
Mr. Brademas with Mr. Mathias.
Mr. Fascell with Mr. Stafford.
Mr. Flynt with Mr. Price of Texas.
Mr. St Germain with Mr. Steiger of Wisconsin.
Mr. Stuckey with Mr. Ruppe.
Mr. Gettys with Mr. Watkins.
Mr. Madden with Mr. Patman.
Mr. Landrum with Mr. Perkins.
Mr. Tunney with Mr. Jacobs.
Mr. Wright with Mr. Dingell.
Mr. Passman with Mr. Eckhardt.

Mr. William D. Ford with Mr. Diggs.
Mr. Hanna with Mr. Foley.
Mr. Ashley with Mr. Powell.
Mr. Fraser with Mr. de la Garza.
Mr. Mann with Mr. Harrington.

Mr. DUNCAN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 12307, INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1970

Mr. SIKES. Mr. Speaker, on behalf of the gentleman from Tennessee (Mr. EVINS), I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H.R. 12307, the Independent Officers and Department of Housing and Urban Development Appropriation Act, 1970.

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

There was no objection.

GENERAL LEAVE

Mr. HALEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the joint resolution (S.J. Res. 121).

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

There was no objection.

PROVIDING FOR THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE FEDERAL GOVERNMENT TO THE BOARD OF PUBLIC INSTRUCTIONS, OKALOOSA COUNTY, FLA.

Mr. BENNETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7618) to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla., as amended.

The Clerk read as follows:

H.R. 7618

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to section 3 of this Act, the Secretary of the Air Force shall donate, grant, and convey to the Board of Public Instruction for the County of Okaloosa, Florida, all right, title, and interest of the United States in and to the real property described in section 2 of this Act for use as permanent sites for Okaloosa County public schools.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

The west 15 acres, of that part lying north of Bayou Poquito subdivision, of Government lot 2, section 31, township 1 south, range 24 west; also

The north half of lot 14, and the north half of lot 13 east of highway, and the south 842 feet of lot 11 east of highway; also

Beginning at the southwest corner of section 18—

thence east a distance of 130 feet to a point of beginning;

thence east along the said section line a distance of 1,840 feet to a monument;

thence north a distance of 700 feet to a point on the south line of Tennessee Avenue;

thence west along the south boundary of Tennessee Avenue a distance of 919 feet;

thence northwesterly along a line 275 feet to a point on the north boundary of Tennessee Avenue;

thence north along the west boundary of Fern Dell Avenue a distance of 700 feet to a point on the south line of Georgia Avenue a distance of 785 feet;

thence south a distance of 1,450 feet to the point of beginning containing 40 acres, more or less; also

Beginning at the northeast corner of the southeast quarter section 26, township 1 south, range 24 west, proceed north 88 degrees 40 minutes west 1,150 feet to a concrete monument;

thence south 0 degrees 58 minutes west 1,817.10 feet to a concrete monument on the north right-of-way line of State Road Numbered S–85–A;

thence north 64 degrees 50 minutes east along said right-of-way line 1,280.90 feet to a concrete monument;

thence north 0 degrees 58 minutes east 1,245.45 feet to the point of beginning, containing 40 acres, more or less.

SEC. 3. The conveyance provided for by the first section of this Act shall be subject to the following conditions:

(1) The real property so conveyed shall be used as permanent sites for Okaloosa County public schools, and if such property is not used for such purpose, all right, title, and interest in and to such real property shall revert to the United States, which shall have the right of immediate entry thereof.

(2) The plans for any new construction on the real property so conveyed shall be coordinated with and approved by the Secretary of the Air Force prior to the start of construction to assure noninterference with Government activities on Eglin Air Force Base.

(3) The United States shall not be liable to the Board of Public Instruction for the County of Okaloosa, Florida, for any damages to or diminution in value of the real property subject to the conveyance as the result of any Government activities at Eglin Air Force Base.

(4) The Secretary of the Air Force may prescribe such other conditions, terms, and stipulations as he considers necessary to protect the interests of the United States.

The SPEAKER. Is a second demanded.

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

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

There was no objection.

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

Mr. Speaker, the purpose of this legislation is to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.

This land is presently a part of Eglin Air Force Base. The reason the board of public instruction wants this particular land is because it is in the center of a very congested school area. In most of the areas where buildings are needed it would be necessary to condemn developed residential or public property at a very great cost. Most of the students come from military families, however the schools to be constructed will serve all families in the area, military and civilian.

This property is not surplus property in the ordinary sense, therefore the need for this legislation. It is land which Eglin Air Force Base, knowing of the school problem, is willing to make available to relieve the situation of sites for school construction. The facilities to be constructed would be built with State and local money from ad valorem taxes, not with Federal funds. The Air Force in their report stated:

> The land involved is not excess to the Air Force requirements. While there exists no planned mission for the use of the land covered by this bill, it would not normally be declared surplus as it is an integral part of Eglin Air Force Base. In addition, no foreseeable Air Force requirement exists which would result in the acquisition of other lands to replace the land which would be conveyed by this bill.

Approximately 26,000 students will be served by the five schools that will be constructed on the approximate 135 acres. Of those 26,000 students, 17,000 are dependents of military and civil service employees. The construction will be with State and local funds and not Federal funds.

Mr. KING. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. CRAMER).

Mr. CRAMER. Mr. Speaker, I rise in support of the legislation. I had not intended to take the floor before the distinguished gentleman from Florida (Mr. SIKES) who represents the district involved, had spoken, but I did discuss it with the gentleman from Florida (Mr. SIKES) previously, and I advised the gentleman of my support of the legislation.

My purpose is to call attention of the House as a member of the Committee on Public Works that handles some matters concerning the General Services Administration generally that there is precedent and authority for the use of this type of surplus property for educational purposes at no cost to the county school board. I would specifically cite a similar situation in the State of Florida at Avon Park wherein the Federal Government did make available 143 acres for educational purposes in connection with the correctional institution there. I understand there is some question with regard to the size of this property involved. The Federal Government did through General Services declaration or surplus under the principal basic act make available with the approval of HEW under the basic act specifically for educational purposes, which this, I understand, this Okaloosa County property is going to be used for, 143 acres at the correctional institution for educational purposes.

So there is precedent for making this amount of land available under the General Services Act when it is declared surplus. So it seems to me the question of size and the question of purpose and the question of the authority of making it available at 100 percent no cost to the State for educational purposes is substantiated by this previous conveyance this year under the basic law at Avon Park.

As I understand it, what this does is to facilitate the same result in a different situation where a declaration of surplus must be made in effect by Congress.

I congratulate the gentleman from Florida (Mr. SIKES) from the congressional district representing Okaloosa County for the work he has done on this. My sole purpose is, first, to express my support; second, to suggest that there is a recent precedent even in the State of Florida; and third, that this is consistent with the basic law and its purposes.

Mr. KING. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I will not even take 5 minutes because I am laboring under no illusion as to what will happen with respect to this legislation. I doubt that the use of the latest model tank and a brigade of marines would stop it.

But I must in all conscience oppose the bill, and I could not let it go through under unanimous consent earlier today. I am convinced that 135 acres of valuable federally owned land is not needed for this project. No one has justified the handing over of such a large tract, and I do not care what previously happened at Avon Park, Fla. For Congress to have made one mistake does not mean we have to compound the error of our ways by making another here today.

This 135 acres as the site of four or five school buildings is a lot of land, and it is not surplus to military need. The Air Force refuses to declare this property surplus. In my opinion, it is as wrong as it can be to hand over 135 acres from Eglin Air Force Base, valuable land that the Air Force refuses to declare surplus, and give it cost free to a county school district.

What ought to have happened is that the Air Force should have declared this land surplus. This would have put the deal through the normal procedures of the General Services Administration and the Department of Health, Education, and Welfare which would have made the school district justify the need for 135 valuable acres of land for the purpose of providing a site to construct four or five school buildings.

Of course, if this school district is going to put up a university-type stadium and a tremendous athletic plant, and so on and so forth, I have no doubt they can absorb a lot of land. But I say that this is wrong and that the transfer of land ought to have gone through the normal channels and justification ought to have been made for it all the way through rather than the shortcut that is being used.

I understand that this school district is getting impacted school aid in terms of millions of dollars. I do not know how much more the State of Florida and this particular school district wants from all the taxpayers of this country whose money went into the original acquisition of Eglin Air Force Base and the maintenance of it.

Mr. Speaker, let the RECORD show that I am opposed to this legislation and I yield back the balance of my time.

Mr. BENNETT. I yield such time as he may consume to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, I am most grateful for the consideration of the great Committee on Armed Services in bringing this bill to the floor and to my distinguished and able colleague, Mr. BENNETT, in particular.

Mr. Speaker, we are asking for transfer of property, 135 acres out of the half million acres in the Eglin reservation, because there is a desperate need for sites for school buildings. We have had a population explosion. It is primarily around the Eglin perimeter, where communities have grown up, and where there are simply no commercial sites available other than by condemnation of expensive business and residential areas.

This is land which cannot be used for Air Force training purposes because of the growth of the civilian communities nearby. Actually, it is not needed. The Air Force has been reluctant to declare it surplus only because there is no certainty that once the land were declared surplus it would ever get into the hands of the school board, which seeks to use the property for the construction of school buildings. Other agencies of government have a higher priority. The buildings are needed now. The time problem is acute.

The Air Force cannot be hurt on this matter. The land cost about $1 an acre years ago. It is valuable now. But it seems unconscionable to place property values above the needs of schoolchildren. If we do not pass this bill, we require the school board to delay construction while attempts are made to raise additional money. Even if the money were available and in hand there would be serious delays. It is worth noting that it is planned to construct these buildings with State and local funds. There is no impacted area money going into the construction of the proposed buildings.

There are 26,500 school age children in Okaloosa County. Between 5,500 and 6,000 of them are extremely handicapped for lack of facilities in this immediate area. They are going to school in double shifts or they use outmoded, substandard barracks buildings or other inadequate facilities. Some of them start at 6:30 in the morning and end at 7 at night. That is the kind of school conditions we are trying to overcome by the passage of this bill.

Yes, there are 135 acres involved and this has been questioned. These are four separate sites. It is planned to construct five different school facilities, and when you consider that the land is necessary not only for building sites but also for roads, parking, playgrounds, athletic facilities, and storage facilities it may be that we do not have enough land rather than having too much land.

There is in the bill a reverter clause, which specifies that in the event the land is not used for school building purposes, it reverts to the Federal Government. This is a guarantee that the children who need the buildings, and who are being hurt because of inadequate facilities, will have a place to go to school. It is as simple as that.

I think the humane considerations, the problem of trying to provide a proper education for schoolchildren, the need to construct better school facilities than the present substandard and inadequate facilities they now must use, should certainly override any other consideration. I hope the bill will receive overwhelming support.

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

I join in supporting the three gentlemen from Florida who have addressed the House in support of H.R. 7618.

Mr. Speaker, I listened to the testimony when this bill was before our subcommittee and I, for one, am sympathetic concerning the crowded conditions described by the witnesses testifying before us.

We were told that between 5,000 and 6,000 students in Okaloosa County, Fla., are required to double up or to use very inadequate facilities. The State of Florida proposes to construct five needed buildings on the 135 acres in question with State and local funds.

We were further told that the children of on-base military families are going to school in two shifts; one starting at 6:30 in the morning and the other ending at approximately 7 in the evening—and these classes are being conducted in old World War II barracks buildings.

This particular legislation was not supported by GSA or HEW because they said that present laws were adequate to take care of the situation. The existing law would be adequate if the land in question were actually excess to the needs of the Air Force. The distinguished chairman of the subcommittee, Mr. BENNETT, pointed out that this objection by HEW and GSA is not valid because the land is technically not excess. The Air Force has written Mr. SIKES, who introduced this legislation, to the following effect: "We wholeheartedly support the use of Eglin reservation land for public education." However, they cannot legally and technically declare the land excess.

In other words, unless we adopt this legislation the technicality which has been explained on the floor today will block construction of five badly needed school buildings for federally impacted children in Okaloosa County, Fla.

I urge each Member of this House to support this badly needed legislation.

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

The SPEAKER pro tempore. (Mr. PRICE of Illinois). The question is on the motion of the gentleman from Florida that the House suspend the rules and pass the bill H.R. 7618, as amended.

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

A motion to reconsider was laid on the table.

FOR WHOM DOES VICE PRESIDENT AGNEW SPEAK?

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

Mr. O'NEAL of Georgia. Mr. Speaker, the question often arises, "For whom does Vice President AGNEW speak?"

Well, I will tell you. Last Thursday night when he discussed network broadcasting and its responsibility to the public in handling news, he spoke for me and I believe the overwhelming majority of my constituents.

He said things many have been saying for many years, but he said it without the profanity that they have used in their futility.

The network people would do well to study the speech carefully and earnestly. In the Vice President's words, "they are challenged to turn their critical powers on themselves."

When they do, they will awake to the realization that entertainment and reporting do not mix, or rather it is dangerous when they do. Herein, I think, lies much of the problem. It also involves what every journalist learns before he goes to journalism school, that overemphasis itself can become promotion.

The networks ought to look at their policies in the entertainment field also. To say that they have not hastened this country down the road to sexual immorality is to overlook the obvious.

Things are looking a little better already. It is true that the network presidents "hollered like stuck pigs," but according to the following report by Lawrence Laurent in the Washington Post, they are showing some restraint over the first weekend since the Vice President spoke:

TV AND THE PROTESTS: SENSE OF RESTRAINT NOTED IN COVERAGE

(By Lawrence Laurent)

Calm and restraint marked the day-long and early television coverage of yesterday's antiwar demonstrations. Reporters for Washington's four VHF-TV stations carefully and repeatedly described the march as "peaceful" and, later, stressed that early evening violence was by "a comparatively small group of militants."

NBC News changed earlier plans before yesterday morning's march and mounted the only live TV camera. The single camera was mounted on a high platform above the Ellipse across Constitution Avenue from the Washington Monument. The camera was used three times during the afternoon for two minute reports at 1:30 and 3 p.m. and for a one minute report at 4:30 p.m.

The live, on-scene, reports by NBC Newsman William Monroe were carried here on channel 4 and piped to NBC affiliated stations as "leeway" cut-ins. Each station was free to telecast—or to ignore—the brief live reports.

RESTRICTED TO CENTER

Channel 9 used a live camera only in the interior of the communications center at the municipal building. Reporter Claude Matthews delivered reports on official assessments of the march and, later, of trouble at the Department of Justice.

Channel 7, which had announced early plans for live cut-ins "as needed," cut into regularly scheduled programs only twice. Both were brief, in studio, reports by Tom Finn stressing the lack of trouble at the demonstration.

The day's best "progress report" was delivered at 1:50 p.m. by Channel 9's Rebecca L. Bell. She introduced film reports on the morning's activity, and reports from Matthews and Tom Wills. Film of Friday night's violence at Sheridan Circle was carefully labeled "Last Night" and carried Miss Bell's assessment that it was the work of "a determined minority."

Regularly scheduled network news programs at 6:30 p.m.—Roger Mudd on CBS-TV and the "Huntley-Brinkley Report" on NBC-TV—opened with reports on the antiwar demonstrations. Both moved on to the day's other major news stories—such as the flight of Apollo 12—within 10 minutes.

GHOST TOWN

Dan Rather of CBS News noted that President Nixon "had tried to give the appearance of a normal working day" but that the sealing off of the area around the White House had given the area "the look of a setting for a ghost town movie."

Ford Rowan of WTOP News also used the "ghost town" phrase during a special half-hour on Channel 9 that began at 7 p.m. Rowan appeared with reporters Gordon Peterson and Theda Cumbridge and anchor man Tom Braden.

Peterson narrated that day's first televised film report on the violence at the Justice Department.

Channel 9's Miss Cumbridge and Channel 7's Bob Gneiser included reports on a relatively small group of citizens who had marched from K Street NW to the Lincoln Memorial as their protest against the antiwar demonstrators.

This assessment of a long day of channel hopping was prepared before the late evening newscast. The day indicated to me that television's journalists have acquired a higher sense of self restraint and a greater understanding of balanced fairness.

TELEVISION AND RESPONSIBILITY

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

Mr. FUQUA. Mr. Speaker, the address of Vice President AGNEW critical of the television industry was, in my opinion, a service to the Nation. If followed to a logical conclusion, it can also be a service to the most powerful communications media which man has devised.

With great power comes great responsibility—and no media has ever exercised the power which comes from television. For millions upon millions of Americans this is their primary source of news and what they see and hear from the television networks is taken as being completely factual. That is not always the case.

The Vice President very aptly pointed out that television can create instant celebrities. A voice of moderation by a Roy Wilkins is drowned out by the cries for violence by a Stokely Carmichael.

Perhaps the networks did not pay any heed to his remarks and certainly I have seen nothing on their part to indicate that they were going to admit even the slightest error.

The Vice President said in his speech that remarks by public officials are followed by instant analysis. It seemed to me that he was saying that these officials do not have the privilege of expressing their views and then having the American people draw their own conclusion. Perhaps after the reflection of a day, or even a few hours, these pundits themselves might arrive at slightly different conclusions.

But what happened to the Vice President's admonition?

Immediately upon concluding his address, the announcer on the station to which I was listening read statements from the heads of the television networks, highly critical of the Vice President.

In my opinion he did not demean the Office of Vice President with his speech. He raised it to a new degree.

These remarks which I make in the Congress today are not going to be used by the national television media. I doubt very seriously that the thoughts of a great many other Members of the Congress will be deemed newsworthy enough to be used on a nationwide news program. No, it took a national figure, speaking out forthrightly on an issue in which he is concerned to get the attention of the networks.

And from all indications, it got the attention of the American people and their approval.

Another statement which the Vice President made, and which was clearly overlooked by the television announcers was his statement recognizing the basic need in our society for freedom of the press. Freedom of the press does not mean freedom from criticism.

In my opinion it is time that these pundits who feel they have all knowledge and all wisdom climb out of their ivory towers and take a look at the power, the impact, the motivating force, which their electronic device has over this Nation.

I do not for one moment wish to see our Government attempt to stifle the press. There is no problem which we can ascribe to the press which would warrant such action and its consequence would be the destruction of a basic pillar of American democracy.

What I am saying is that the Vice President said something that has long been needed saying—and frankly, has been said many times, but it took a man of his high office to get it across on a national scale. Perhaps I myself might have used a few different words, added or subtracted a few thoughts, but on the whole I want to commend him and say that he performed a most worthwhile service.

I think the television industry needs to restudy its impact and its own ethics. The scandals of the quiz programs are one example of where the industry does not come out with exactly clean hands.

I think that a strong code of ethics needs to be developed and enforced by the industry. Opinion is one thing and any man has a right to his opinion and the industry the right to be honestly wrong.

But the television industry, if guilty of the one instance cited by the Vice President, should pause and reflect. He said that at the Chicago Democratic Convention, the same scene of violence was shown from three different angles and made to appear as three different and separate acts.

If this is true, then it is dishonest.

Those who perpetuate such frauds need to be brought before their peers as a lawyer or doctor guilty of malpractice. No one attorney nor any one doctor has even a fraction of the impact which a television correspondent can engender.

When such incidents are discovered, the industry should be as quick to point them out as they are in other segments of society. This would lead the public to reflect a little more about the media and to take just a little more time to arrive at a conclusion—to read their newspa-

pers, magazines, and other publications for a little more amplification before arriving at a hard and fast conclusion.

Television is one of the 10 modern wonders of the world.

Without responsibility, it can be a modern monster.

That is all the Vice President was really saying. It is not too much to ask the television network to take a hard and fast look at itself and determine if it is living up to the sacred responsibility which its great power has given.

TENTH ANNIVERSARY OF THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

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

Mr. ALBERT. Mr. Speaker, this year of 1969 marks the 10th anniversary of one of the truly unique bipartisan organizations created by the Congress. President Eisenhower signed the act establishing the Advisory Commission on Intergovernmental Relations, September 24, 1959. A scant 3 months later on December 14, 1959, the Advisory Commission held its first meeting. From that day until this, the Advisory Commission has bent its efforts toward making the American federal system work to achieve this Nation's heritage—unity of purpose amid diversity of action.

There are several reasons for calling this anniversary year to the attention of our colleagues. The Advisory Commission has succeeded in elevating concern about our system of shared power to its rightful status first, in our legislative deliberations and those at the State and local level; second, in the operation of executive branches of Government not only in Washington, but in State capitals, county courthouses and city halls; and third, in the continuing public debate over the respective roles of Federal, State, and local government in a society characterized by rapid change and increasing interdependency.

Throughout its 10-year history, the Advisory Commission has been composed of distinguished leaders at all levels of government. On the Commission from our own ranks we have had the uninterrupted services of the gentleman from North Carolina (Mr. FOUNTAIN), the gentlewoman from New Jersey (Mrs. DWYER), and for the past two Congresses the gentleman from Oregon (Mr. ULLMAN).

Our federal system is a prized possession. It requires constant attention to remain so. The Nation is the richer because of the time our colleagues in the Senate, the House, members of the Federal executive branch, Governors, State legislators, mayors, county officials, and able public representatives have devoted to the study of the emerging problems in federalism.

In large measure, the Advisory Commission's influence on the course of federalism stems from its publication of 35 policy studies and more than 40 information reports. Its works are peerless as reference sources on intergovernmental relations. Its policy recommendations have been turned into substantive legislation enacted at the National and State level. For example, last year the Congress enacted the Intergovernmental Cooperation Act of 1968—Public Law 90–577. Other bills to implement Commission recommendations are in various stages of consideration in this Congress. Scarcely a year passes without a dozen or more States enacting legislation to carry out one or more recommendations of the Commission directed toward improving State-local affairs.

Throughout its existence, the Advisory Commission has operated with a small, dedicated group of about 30 full-time employees. While its policy studies have carried it into new areas of intergovernmental concern, its full-time staff has remained small. Thus, the Commission has avoided the temptation to become a bureaucracy, which may help account for its effectiveness.

As the Advisory Commission begins its second decade, its agenda for study is as formidable as it was when the Commission began. Federal, State, and local relations are more intricate, more interdependent, and more intense than they have ever been in the history of our republic. Across the length and breadth of the land, the public attitude toward domestic government is best characterized as heightened concern. The President has called for a "new federalism" to help regain control of our national destiny by returning a greater share of control to State and local authorities. For the past decade the Advisory Commission has stressed the fact that "federalism" whether new or old, works best when all of the governmental partners are strong.

We take this occasion to commmend the Advisory Commission for the vital contributions it has made in its first decade in behalf of all Americans. In the decade ahead, and beyond, we look forward to seeing its recommendations for fashioning and arranging the vital elements of our federal system to the ever-changing needs of this great Nation.

For the information of the members, I am including for the RECORD a current list of Commission members and a list of those who have served on the Commission during its 10 years of existence.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

September 1969

PRIVATE CITIZENS

Farris Bryant, Jacksonville, Florida, Chairman.
Alexander Heard, Nashville, Tennessee.
Dorothy I. Cline, Albuquerque, New Mexico.

MEMBERS OF U.S. SENATE

Sam J. Ervin, Jr., North Carolina.
Karl E. Mundt, South Dakota.
Edmund S. Muskie, Maine.

MEMBERS OF U.S. HOUSE OF REPRESENTATIVES

Florence P. Dwyer, Mrs., New Jersey.
L. H. Fountain, North Carolina.
Al Ullman, Oregon.

OFFICERS OF EXECUTIVE BRANCH, FEDERAL GOVERNMENT

Robert H. Finch, Secretary of Health, Education, and Welfare.
Robert P. Mayo, Director of Bureau of the Budget.
George Romney, Secretary of Housing and Urban Development.

GOVERNORS

Buford Ellington, Tennessee.
Warren E. Hearnes, Missouri.
Nelson A. Rockefeller, New York.
Raymond P. Shafer, Pennsylvania.

MAYORS

C. Beverly Briley, Nashville, Tennessee.
Richard G. Lugar, Indianapolis, Indiana.
Jack Maltester, San Leandro, California.
William F. Walsh, Syracuse, New York.

MEMBERS OF STATE LEGISLATIVE BODIES

W. Russell Arrington, Senator, Illinois.
Robert P. Knowles, Senator, Wisconsin.
Jesse M. Unruh, Assemblyman, California.

ELECTED COUNTY OFFICIALS

John F. Dever, Middlesex County, Massachusetts.
Edwin G. Michaelian, Westchester County, New York.
Lawrence K. Roos, St. Louis County, Missouri.

PRESENT AND FORMER MEMBERS OF THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS, BY POSITION, STATE, PARTY, AND PERIOD SERVED

PRIVATE CITIZENS

Frank Bane (Chairman; Virginia; Democrat): December 8, 1959, to April 29, 1966.
Farris Bryant (Chairman; Florida; Democrat)[1]: October 10, 1967, to present.
John E. Burton (New York; Republican): December 8, 1959, to December 7, 1961.
James K. Pollock (Michigan; Republican): December 8, 1959, to December 7, 1961.
Howard R. Bowen (Iowa; Democrat); February 22, 1962, to February 21, 1964.
Don Hummel (Arizona; Democrat)[1]; February 22, 1962, to February 21, 1964.
Thomas H. Eliot (Missouri; Democrat): April 30, 1964, to March 17, 1967.
Adelaide Walters, Mrs. (North Carolina; Democrat): April 30, 1964, to April 29, 1966.
Dorothy I. Cline (New Mexico; Democrat): March 18, 1967, to present.
Price Daniel (Texas; Democrat)[1]: March 18, 1967, to October 9, 1967.
Alexander Heard (Tennessee; Democrat): March 18, 1967, to present.

U.S. SENATORS

Sam J. Ervin, Jr. (North Carolina; Democrat): December 8, 1959, to present.
Karl E. Mundt (South Dakota; Republican): December 8, 1959, to present.
Edmund S. Muskie (Maine; Democrat): December 8, 1958, to present.

U.S. REPRESENTATIVES

Florence P. Dwyer, Mrs. (New Jersey; Republican): December 8, 1959, to present.
L. H. Fountain (North Carolina; Democrat): December 8, 1959, to present.
Wilbur D. Mills (Arkansas; Democrat): December 8, 1959, to January 9, 1961.
Frank Ikard (Texas; Democrat); March 10, 1961, to December 15, 1961.
Eugene J. Keogh (New York; Democrat): February 5, 1962, to December 31, 1966.
Al Ullman (Oregon; Democrat); January 30, 1967, to present.

MEMBERS OF THE FEDERAL EXECUTIVE BRANCH

Farris Bryant (Chairman; Director of the Office of Emergency Planning; Democrat):[1] February 20, 1967, to October 9, 1967.
Robert B. Anderson (Secretary of the Treasury; Republican): December 8, 1959, to January 20, 1961.
Arthur S. Flemming (Secretary of Health, Education, and Welfare; Republican): December 8, 1959, to January 20, 1961.
James P. Mitchell (Secretary of Labor; Republican): December 8, 1959, to January 20, 1961.
C. Douglas Dillon (Secretary of the Treas-

[1] Served on the Commission in two capacities at different times.

ury; Republican): March 15, 1961, to March 26, 1965.

Abraham A. Ribicoff (Secretary of Health, Education, and Welfare; Democrat): [1] March 15, 1961, to July 12, 1962.

Arthur J. Goldberg (Secretary of Labor; Democrat): March 15, 1961, to September 20, 1962.

Anthony J. Celebrezze (Secretary of Health, Education, and Welfare; Democrat): [1] October 2, 1962, to October 1, 1964.

Robert C. Weaver (Secretary of Housing and Urban Development; Democrat): October 10, 1962, to March 17, 1967.

Orville L. Freeman (Secretary of Agriculture; Democrat): February 4, 1965, to March 17, 1967.

Henry H. Fowler (Secretary of the Treasury; Democrat): May 11, 1965, to December 20, 1968.

Ramsey Clark (Attorney General; Democrat): March 18, 1967, to January 19, 1969.

Price Daniel (Director of the Office of Emergency Planning; Democrat): [1] October 10, 1967, to January 19, 1969.

Robert H. Finch (Secretary of Health, Education, and Welfare; Republican): March 26, 1969, to present.

Robert P. Mayo (Director of the Bureau of the Budget; Republican): March 26, 1969, to present.

George Romney (Secretary of Housing and Urban Development; Republican): March 26, 1969, to present.

GOVERNORS

Ernest F. Hollings (South Carolina; Democrat): December 8, 1959, to January 14, 1963.

Abraham A. Ribicoff (Connecticut; Democrat): [1] December 8, 1959, to January 20, 1961.

Robert E. Smylie (Idaho; Republican): December 8, 1959, to April 29, 1966.

William G. Stratton (Illinois; Republican): December 8, 1959, to January 14, 1961.

John Anderson, Jr. (Kansas; Republican): January 19, 1961, to January 13, 1965.

Michael V. DiSalle (Ohio; Democrat): March 15, 1961, to January 14, 1963.

Carl E. Sanders (Georgia; Democrat): March 13, 1963, to January 10, 1967.

Terry Sanford (North Carolina; Democrat): March 13, 1963, to November 12, 1963.

John Dempsey (Connecticut; Democrat): April 30, 1964, to November 26, 1968.

Nelson A. Rockefeller (New York; Republican): November 10, 1965, to present.

Buford Ellington (Tennessee; Democrat): March 18, 1967, to present.

James A. Rhodes (Ohio; Republican): May 23, 1967, to April 30, 1968.

Spiro T. Agnew (Maryland; Republican): July 5, 1968, to January 19, 1969.

Raymond P. Shafer (Pennsylvania; Republican): March 26, 1969, to present.

STATE LEGISLATORS

Elisha Barrett (New York; Senate; Republican): December 8, 1959, to March 2, 1960.

Leslie Cutler (Massachusetts; Senate; Republican): December 8, 1959, to December 7, 1961.

John W. Noble (Missouri; Senate; Democrat): December 8, 1959, to January 2, 1961.

Hal Bridenbaugh (Nebraska; Senate; Republican): March 31, 1960, to March 30, 1962.

Robert A. Ainsworth, Jr. (Louisiana; Senate; Democrat): May 16, 1961, to October 31, 1961.

Robert B. Duncan (Oregon; House; Democrat): February 22, 1962, to January 14, 1963.

John E. Powers (Massachusetts; Senate; Democrat): February 22, 1962 to February 21, 1964.

Graham S. Newell (Vermont; Senate; Republican): August 1, 1962, to July 31, 1964.

Harry King Lowman (Kentucky; House; Democrat): March 13, 1963, to January 6, 1964.

Marion H. Crank (Arkansas; House; Democrat): April 30, 1964, to March 17, 1967.

Charles R. Weiner (Pennsylvania; Senate; Democrat): April 30, 1964, to April 29, 1966.

C. George DeStefano (Rhode Island; Senate; Republican): February 4, 1965, to January 7, 1969.

Ben Barnes (Texas; House; Democrat): March 18, 1967, to January 17, 1969.

Jesse M. Unruh (California; House; Democrat): March 18, 1967, to present.

W. Russell Arrington (Illinois; Senate; Republican): March 26, 1969, to present.

Robert P. Knowles (Wisconsin; Senate; Republican): March 26, 1969, to present.

MAYORS

Anthony J. Celebrezze (Cleveland, Ohio; Democrat)[1]: December 8, 1958, to July 27, 1962.

Gordon S. Clinton (Seattle, Washington; Republican): December 8, 1959, to March 2, 1962.

Don Hummel (Tucson, Arizona; Democrat)[1]: December 8, 1959, to February 21, 1962.

Norris Poulson (Los Angeles, Calif.; Republican): December 8, 1959, to June 30, 1961.

Richard Y. Batterton (Denver, Colorado; Republican): February 22, 1962, to June 30, 1963.

Leo T. Murphy (Santa Fe, New Mexico; Democrat): February 22, 1962, to April 30, 1962.

Neal S. Blaisdell (Honolulu, Hawaii; Republican): August 1, 1962, to December 31, 1968.

Arthur Naftalin (Minneapolis, Minnesota; Democrat): August 1, 1962, to present.

Raymond R. Tucker (St. Louis, Missouri; Democrat): October 10, 1962, to October 9, 1964.

Arthur L. Selland (Fresno, California; Republican): August 27, 1963, to December 5, 1963.

Herman W. Goldner (St. Petersburg, Florida; Republican): April 30, 1964, to April 29, 1966.

Richard C. Lee (New Haven, Connecticut; Democrat): May 11, 1965, to May 10, 1967.

Theodore C. McKeldin (Baltimore, Maryland; Republican): March 18, 1967, to December 4, 1967.

Jack D. Maltester (San Leandro, California; Democrat): May 23, 1967, to present.

William F. Walsh (Syracuse, New York; Republican): December 29, 1967, to present.

Richard G. Lugar (Indianapolis, Indiana; Republican): March 26, 1969, to present.

COUNTY OFFICIALS

Edward Connor (Wayne County, Michigan; Democrat): December 8, 1959, to April 29, 1966.

Clair Donnenwirth (Plumas County, Calif.; Democrat): December 8, 1959, to July 22, 1965.

Edwin G. Michaelian (Westchester County, New York; Republican): December 8, 1959, to December 7, 1961.

Barbara A. Wilcox, Mrs. (Washington County, Oregon: Republican): October 10, 1962, to April 5, 1966.

William O. Beach (Montgomery County, Tenn.; Democrat): January 22, 1966, to January 21, 1968.

Agnes McDonald (Yakima County, Wash.; Republican): April 28, 1967, to present.

Gladys N. Spellman (Prince George's County, Maryland; Democrat): April 28, 1967, to present.

John F. Dever (Middlesex County, Mass.; Democrat): January 24, 1968, to present.

Mr. GERALD R. FORD. Mr. Speaker, I want to associate myself with the remarks of the majority leader on the occasion of the 10th anniversary of the Advisory Commission on Intergovernmental Relations.

My own State of Michigan takes pride in having had both distinguished citizens and public servants appointed to the Commission. The late James K. Pollock, longtime professor of political science at the University of Michigan, was one of the original three public members of the Commission. The late Edward Conner, supervisor of Wayne County, was among the original three county officials to serve on the Commission. Currently, the Secretary of Housing and Urban Development, our former Michigan Governor, George Romney, represents the Federal executive branch on the Commission.

I mention these gentlemen, Mr. Speaker, to illustrate the wealth of experience the Commission brings to bear in developing its studies and policy recommendations. I am pleased to join the distinguished gentleman from Oklahoma in marking this 10th birthday of the Advisory Commission on Intergovernmental Relations.

POLLUTED WATER CANNOT WAIT

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

Mr. McCARTHY. Mr. Speaker, on November 12, 1969, the other body approved $1 billion for water pollution control projects. This action on the 1970 public works appropriations bill recognizes the urgency of our need in this area. The Senate passed this appropriations bill by a vote of 86 to 2. It is not surprising that this measure should almost unanimously be approved, for both the House and the Senate had previously authorized $1 billion for pollution control. What was surprising was that the present administration had recommended only $214 million for this purpose.

One has only to turn to the reports of pollution in Lake Erie, reports that show that that once magnificent body of water is grossly polluted and may have gone beyond the state of repair. Or one can listen to Dr. Barry Commoner describe the condition of all the rivers in Illinois, a condition that does not allow them to throw off the wastes that are dumped in them. Make no excuse about it, we have a water pollution crisis, a crisis that cannot be met by half measures. It is no longer sufficient to say that we must study the problem or that we will start a pilot project. We must pay for the construction of pollution control facilities and enforce the regulations governing water pollution. And we must do it now.

When the public works appropriation bill came before the House, many of us urged that the full authorization of $1 billion be appropriated, rather than the $214 million recommended by the administration or the $600 million recommended by the House Appropriations Committee. Unfortunately those of us urging the additional appropriations lost by the slim margin of two votes.

The excuse was given that we could not use the $1 billion if it was appropriated. That is not the case. Cities and towns are entitled to 50 to 55 percent Federal aid for the construction of water pollution control facilities. Local governments in New York State alone have already committed $160 million, which is rightfully a Federal obligation. New York State has also prefinanced the Federal share of the program but has received

only a fraction of this money from the Federal Government. In total, New York State and its municipalities have advanced $310 million which should have come from Washington.

Cities and towns throughout the Nation have passed bond issues, have prepared plans, have begun construction on the understanding that Federal monies would be available. The Federal Government is also insisting that the States and communities live up to the water pollution control laws that have been adopted. The Federal Water Pollution Control Administration has also recently taken the position that communities should provide tertiary water pollution treatment—the third stage of treatment—when we have not even begun to complete our secondary treatment construction programs. Congress has said with emphasis, "get on with the job." It is up to us to back that charge with the money to do the job.

Even if the full $1 billion is appropriated, only 24 states will be able to fully complete their programs. If we only appropriate $600 million we will short-change those taxpayers, industries and States that have begun the job. You have only to look at the dead lakes and rivers in our Nation to realize that we cannot wait.

I urge that the House conferees on the public works appropriations bill for 1970 accede to the Senate and appropriate $1 billion for water pollution control facilities.

SALUTE TO OUR WAR DEAD

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

Mr. ROBERTS. Mr. Speaker, on November 11 we paused to pay tribute to our Nation's military service veterans. In observances across the country, our citizens gave a most gratifying demonstration of support for our military men and women.

In one such Veterans' Day observance at the Otho Morgan American Legion Post in Greenville, Tex., Dr. James Sandlin, a retired lieutenant colonel in the U.S. Army Chaplain's Corps, gave a memorial address which so eloquently expresses the spirit behind this day set aside to honor our veterans. Dr. Sandlin particularly salutes those who bravely fought and died to preserve our Nation's freedom.

In his address, Dr. Sandlin expresses faith in our Nation's leaders and love and respect for the ideals upon which our Republic is based. His words are so timely and wise that I want to share them with my colleagues:

A SALUTE TO HEROIC DEAD

Mr. Post Commander, Fellow Legionnaires, ladies and gentlemen—It is altogether proper and fitting that we as veterans pause on the eve of Veterans Day to pay tribute to and memorialize our fallen Comrades who gave the last full measure of devotion to the cause of freedom. It is true that those who forget their heritage have no claim upon the future. The names of our fallen comrades, and especially those who died in Vietnam may not be known to us, and perhaps will soon be lost to posterity, but what they gave and did will live forever. Their obituaries tell the story of faithfulness and devotion far beyond the call of duty.

Today America stands at the cross roads of history. There is only one road for us to follow if we are to survive as a Nation. Today we are engaged in another war in which the fortunes and the futures of free men and nations are at stake. Communism has embarked upon a world-wide conquest that has for its final objective the overthrow of the Government of the United States and the replacement of the Stars and Stripes with the Red Flag of Moscow. Hanoi has long since given up the hope of winning a decisive military victory on the battlefields of South East Asia, but they believe that victory can be gained by dividing the American people. If we lose this war it will be lost on the streets of America and not on the battlefields of South East Asia. Behind the ferment of turmoil and unrest, dramatized by student revolt and the moratoriums, stand the agents of communism. It was a sad day when the 5th column established a beachhead on our shores. It was a tragic day when men in high places of leadership who were entrusted with the responsibility of defending America against her enemies, both within and from without, gave approval by their endorsement of the Moratorium and thereby gave aid and comfort to the enemy.

No American is more interested in a just, lasting and honorable peace than is our President. Has patriotism fallen so low in America that we would bow to the demands of the rabble hordes of the minority who cry for peace when there can be no just and lasting peace until communists everywhere cease their aggression. In the immortal language of Patrick Henry, let each American ask himself this heart searching question, "Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid It Almighty God". Two hundred million Americans standing shoulder to shoulder in the defense of freedom and democracy could be invincible against any foe. Let us not forget that freedom was born in the spirit of "Give me liberty or give me death".

These left-wingers are more concerned with the philosophy of Marxism than they are with the glorious ideals of freedom set forth in the Declaration of Independence and the Constitution of the United States. These left-wing do-gooders would replace the New Testament concept of freedom and justice and the dignity of man with the teachings of Karl Marx's "Communist Manifesto."

These rabble-rousers, under the constitution, claim their right to dissent. Surely no true patriot would deny the right to peaceful dissent to any American, but when that dissent is organized and seeks to gain their goals through mass demonstrations and marches, reason is dethroned and is often replaced by mob psychology that leads to anarchy. Some of the leaders of these demonstrations are Communist inspired, and they have as their final objective the overthrow of this government and the destruction of the democratic process of government. In the framework of the constitution and under the due process of law, our constitution provides for us the opportunity of a redress of our grievances in the Courts of the land.

The only purpose achieved by these marches and mass demonstrations is that here at home class is pitted against class, and race against race that produces turmoil and strife in our social order.

What this country needs is a rebirth of patriotism and a deep and personal renewal in our dedication to the fundamental principles set forth in the preamble of the constitution of the American Legion. To-wit—"For God and Country we associate ourselves together for the following purposes—to uphold and defend the Constitution of the United States of America—to maintain law and order and to foster and perpetuate one hundred percent Americanism. To preserve the memories and instances of the great wars and to inculcate a sense of individual responsibility and obligation to community—State, and to the Nation. To combat the autocracy of both the classes and the masses and to make right the master of might. To promote peace and good will on earth and to safeguard and transmit to posterity the principles of freedom, justice and democracy. To consecrate and sanctify our comradeship and our devotion to mutual helpfulness."

It is well for us to memorialize and pay tribute to our fallen comrades—to those brave men who gave the last full measure of devotion that this Nation, under God, might not perish from the earth. The world will little note or long remember what we say here tonight, but free men everywhere will forever be indebted to those fallen heroes.

But let me solemnly remind you that lip service to their sacred memory will not be enough. We must translate our words into deeds of patriotic service—And to that end I have this day drafted a Resolution to be sent by telegram to our Commander in Chief, The President of the United States in pledging him our wholehearted support in standing fast against Communist aggression everywhere, but more especially in this crucial hour for his heroic stand against the Viet Cong and his continued search for an honorable and lasting peace. Now more than ever he needs our prayers and our support and the assurance that we are standing with him in this grave hour. Certainly we can do no less as a tribute to those who gave their all. To renege on our National commitments in South East Asia and yield to the demands of the critics of the administration and pull out of Vietnam would make America look like a sorry spectacle in the eyes of the world.

Peace be to the ashes of our heroic dead—calm and quiet may they rest upon some vine-clad hillside in God's Acre. Let no cunning sculpture, no monumental marble, deface with mocked dignity the graves of those who sleep in the bivouac of the dead, but rather let the unpruned vine and the wild flowers spill their fragrance over their ashes. May the free song of the uncaged birds sing their requiem around their graves. These departed heroes need no mausoleums, their epitaphs have forever been engraved in the hearts of free men everywhere.

A NEED FOR FACTUAL REPORTING IN RADIO AND TV COMMERCIALS

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

Mr. HENDERSON. Mr. Speaker, I have called on Mr. Paul Rand Dixon, Chairman of the Federal Trade Commission, and Mr. Dean Burch, Chairman of the Federal Communications Commission, to apply to radio and TV commercials sponsored by the American Cancer Society and the American Heart Association the same standards which are enforced against commercial advertisers; namely, the requirement that statements purporting to be factual must be factual and not unsupported speculation.

Advertising Age, a highly respected trade publication which obviously speaks for the responsible advertising industry in our Nation, recently commented on statements contained in advertisements regarding cigarette smoking sponsored by the above-named organizations and I want to insert the statement by Advertising Age in the RECORD at this point:

THE TRUTH SEEMS A LITTLE TWISTED

This is not an attempted defense of cigarets or cigaret advertising.

It is a simple affirmation of the belief that the rules of fairness, accuracy and truth in

advertising should apply to *all* advertisers—including the American Cancer Society and the American Heart Assn.

Commercials currently appearing on the air on behalf of these organizations—and they are very good commercials, as we have testified frequently—make untruthful and misleading statements which no commercial advertiser could hope to get away with.

They should be stopped.

These commercials say, without any qualification, that cigaret smoking, on the average, reduces a smoker's life by 8.3 years, and that every cigaret you smoke takes a minute of your life. These are wild, unsupported allegations. They should not be permitted on the air.

The theory that "anything is all right if the right people do it" holds no water at all. *All* advertising should be truthful, in fact and in implication. This particular statement is neither. It should not be permitted.

When the Federal Communications Commission ruled under the so-called fairness doctrine that the radio and TV industry must air, free of charge, anticigarette commercials to give both sides of the smoking and health controversy, I protested that action as going beyond the authority of the FCC. I remain of that opinion. But if the radio and TV stations are going to be compelled to air these commercials, free of charge, at the very least the FCC can—and should—insure that they do not make wild, unsubstantiated, speculative allegations.

SDS "VENCEREMOS BRIGADE" TO CUBA

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

Mr. ICHORD. Mr. Speaker, I have two items of information regarding the effort of the so-called Students for a Democratic Society—SDS—to send teams of young Americans to Communist Cuba to help Fidel Castro harvest that island's current sugar crop.

One of the items is quite disturbing and disheartening to me as I am certain it will be to you. The other is at least mildly encouraging.

I am speaking of the SDS "Venceremos Brigade," named after a Castro slogan meaning "we shall win." Originally, SDS intended that at least two groups of 150 each would go from the United States to Cuba for 2-month stints of work in Cuba's sugarcane fields. Participants would not only try to help Castro harvest a projected 10 million tons of sugar after a decade under communism in which Cuban sugar harvests have been a demonstrated failure. These young Americans would also engage in propagandizing the Cuban people with the alleged sins of the United States.

The first group is scheduled to leave for Havana the end of this month—November—and the second, the end of January. Depending upon how the first two make out, SDS anticipates sending other delegations of followers next spring.

I am pleased to report to you that as of early November, the campaign for volunteers to sign up for the sugar harvesting has fallen far short of announced goals so that presently SDS may only be sending 70 in each of the two groups ready to depart.

That is, as I said at the outset, mildly encouraging. At least it indicates even many of those of the extreme new left are not exactly swept off their feet by the prospect of sweating in Castro's canefields. Of course, it may also suggest that among elements of the radical militants in our country there is only a limited interest in hard work.

Now I come to the unpleasant news.

On October 29 and again on November 6, a Radio Havana English-language broadcaster identified as "Sandra" appealingly urged American youth interested in joining the brigade to hurry up and contact SDS representatives in a number of American cities.

Radio Havana then identified each of the representatives by name, address and ZIP code to make it easy for listeners to—and I quote from the October broadcast—"either see them personally or write to them."

I am alarmed when I find that an avowed enemy of the United States which, as recently as 1962, was in the process of installing Soviet nuclear missiles aimed at the ultimate destruction of key cities in the United States, today is so accepted by the extremists of America's new left it can beam over the Havana transmitters to our youth the names and addresses of its sympathizers and friends in such cities as New York; Cambridge, Mass.; San Francisco; Los Angeles; Columbus, Ohio; Cleveland, and Detroit.

During the investigation of SDS by the House Committee on Internal Security there were introduced in evidence highlights of articles appearing in the SDS publication New Left Notes. Included was a section from that document in which SDS explained the purpose of the Cuban adventure as follows:

A brigade of 300 Americans (called the Venceremos brigade) is being organized to go down to Cuba and cut cane for the 1970 harvest. The brigade will be divided into two sections. . . . Members of the brigade will be recruited from activists in the revolutionary movement in this country: blacks, Latinos, white working class youth, students and dropout GI's.

Political purposes of the brigade:

1. To politically, morally and materially support Cuba in the critical sugar harvest of 1970 with its goal of 10 million tons.

2. To educate people about imperialism and about the international revolution against imperialism. This will be accomplished through a well-developed education and propaganda program. The program will aim at developing an understanding of U.S. imperialism, not only in its most blatant militaristic aspects (as in Vietnam) but also its role in distorting and impeding economic development throughout the Third World.

3. To gain a practical understanding of the creative application of communist principles on a day-to-day basis. The New Left in the advanced capitalist countries has, in the last decade, clearly defined itself within the tradition of socialist and communist struggle begun a century ago. The American mass media and educational system have made the word communism into anathema; this experience will help us to develop ways of combatting anticommunism.

Mr. Speaker, this is a fairly clear explanation of how SDS views its mission in life—at least with respect to Cuba.

It is particularly significant to note that while the SDS has shown utter contempt for the United States and its laws and institutions, the brigade application form states that volunteers must obey all Cuban laws and explicitly warns that marihuana and other drugs and narcotics will not be tolerated because of "very stringent" drug laws in Cuba. The application also states "applicant should understand that the Cuban style of life is very different from ours. Historically, drugs have been used to oppress the Cuban people."

The Venceremos Brigade will be potentially the largest single group to defy the U.S. Government ban on travel to Communist Cuba. The Department of State has indicated it is powerless to act due to a recent Supreme Court decision allowing American citizens the right of unrestricted travel. This right of unrestricted travel is bound to have a significant impact on our society. It affords a hostile foreign government, like Communist Cuba, an opportunity to give specific instructions to young Americans regarding the policies the SDS or other subversive elements should pursue and what steps should be taken by these elements to undermine the free institutions of our society.

THE NEED FOR THE LEGAL SERVICES PROGRAM

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

Mr. MELCHER. Mr. Speaker, there will soon be before the House a measure carrying a Senate amendment providing that the Governor of each State can exercise an absolute veto over the funding of any legal services program within his State by the Office of Economic Opportunity, the so-called Murphy amendment.

Mr. Maynard J. Toll, president of the National Legal Aid and Defender Association, has issued a statement explaining his association's opposition to the amendment. Because it will be of interest to all Members, I include in the RECORD the full text of Mr. Toll's brief statement:

On Oct. 14 the Senate passed an amendment proposed by Senator George Murphy (R-Calif.) to the effect that the governor of each state would have an absolute veto over the funding of any Legal Services Program assisted by the Office of Economic Opportunity. Although another amendment has also been passed that would give the President power to override the governor's veto, it is unlikely that this safeguard will remain in any final bill agreed upon by the Senate and the House of Representatives. Through threatened use of this veto, a governor could impose crippling restrictions and curbs upon the activities of legal aid offices assisting the poor of this country.

NLADA has strongly supported, to date, the Legal Services Program of OEO because its administrators have insisted that these programs for the poor provide the fullest range of services. This approach has demonstrated its practical idealism as evidenced by the response of the poverty community to these programs. To tell the poor now that legal services are to be cut back and that their lawyers cannot entertain cases of broad social significance would destroy all the gains already achieved by the program. More, the threat of restrictions would cause the poor to view the program as a paternalistic hand-

out meant to deceive but not to help effectively.

Throughout its 58-year history, NLADA has fought steadfastly for the principle that a poor person unable to pay legal fees should receive the same quality of effective legal services as his more affluent brother. To give the poor only certain "needed" or "desirable" services makes the "poor fellow", to use Senator Murphy's words, a second-rate citizen in legal negotiations and our halls of justice. In addition, the morale of the 2,000 new lawyers now working in these programs would suffer tremendously if their independence of action on behalf of the poor were curtailed and restricted. These advocates are now subject only to the ethical standards of the profession. All professional associations—NLADA, The American Bar Association, American Trial Lawyers Association, and the National Bar Association—have supported this program because it has assured this full independence to the lawyer and a total responsiveness to the needs of the poverty community.

Although I can speak only personally, I know that I voice the united feeling of our entire civil membership—500 offices and 2500 individual lawyers for the poor—when I express strong opposition to the action of the Senate on Oct. 14 in approving Senator Murphy's amendment on S. 3016, the Economic Opportunity Amendments of 1969.

NLADA, with headquarters at the American Bar Center in Chicago, is the national coordinating and standard-setting body of local legal aid and defender organizations. Last year, these offices provided legal advice and representation for more than 1½ million poor people.

UP-TO-DATE TESTIMONY SUPPORTS SST

(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, one of our colleagues has quoted former Federal Aviation Administrator Lt. Gen. Elwood R. Quesada as opposing Federal Government participation in the development of an American supersonic transport. Quesada was further quoted as saying it was his opinion that false goals had been established in terms of time.

Mr. Speaker, these remarks were made last March prior to the successful flights of the Russian TU–144 and the British-French Concorde. Both these foreign-built SST's now have flown supersonically. The question of goals in terms of time has changed since March.

These goals have changed so much that the presidents of nine of America's leading airlines firmly support the U.S. development of the SST.

General Quesada is a director of American Airlines. And the president of American Airlines, just last month, October 20, wired the House Transportation Subcommittee that his company supported continued development of the SST. George A. Spater said:

In my judgment, the technical and development work thus far accomplished on the U.S. supersonic transport makes it desirable to fund the prototype phase. We believe prototype development and testing is required to assure adequate experience leading to eventual production of U.S. supersonic commercial aircraft and continued world leadership of the U.S. aviation industry. You may make my views available to the Congressional Committees.

Mr. Spaters' statement makes clear the position of American Airlines.

As to General Quesada's desire for private financing of SST development, I am sure that most of us here would join him in this wish. However, Mr. Speaker, private financing is not available, as has been proved time and time again by the FAA, and when we are asked, probably tomorrow, to approve the President's request for $95.9 million for continued development of the SST prototypes. I urge my colleagues to support this request and maintain the supremacy of American aircraft technology, advance American labor, and back our American economy.

PACIFICATION ACHIEVEMENTS IN VIETNAM

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

Mr. BUCHANAN. Mr. Speaker, many things have been obscured by the continuing debate on the merits of the war in Vietnam. This debate has obscured the heroism and the determination of the young Americans who are fighting that war.

Also obscured are the efforts and the achievements of those men and women who are attempting to establish a permanent basis for the peace our troops are fighting to secure. Activities carried on by the Agency for International Development are helping to establish a condition of normalcy in the areas of Vietnam from which the fighting has receded.

A recent report by the officials of AID shows that through the use of USAID funds, this year's rice crop in South Vietnam will be the largest in the last 4 years. The introduction of "miracle rice," an expanded use of fertilizer, and a pacification program which is inducing farmers to return to their fields are promising to make South Vietnam self-sufficient by 1971.

This is the stuff of which a lasting peace is made. It is giving the people of this area a hope for the kind of peace they have not enjoyed in their lifetime.

These pacification achievements are reported in an article in the New York Times of November 9, by Tad Szulc. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article will be printed in the RECORD:

[From the New York Times, Nov. 9, 1969]

SOUTH VIETNAM EXPECTS MORE RICE

(By Tad Szulc)

WASHINGTON, November 8.—The rice crop in South Vietnam in the year ending next May is expected to be the biggest in the last four years, the Agency for International Development has reported.

The agency said this week that if the improvement in the rice production continued at this rate—along with progress in rural pacification, favorable weather and continued use of the "miracle rice" strain introduced by the United States—South Vietnam would be self-sufficient by 1971.

CROP FORECAST HIGH

The rice deficit is 220,000 tons this year, about 5 per cent of estimated consumption. United States-financed imports to cover the deficit are calculated at between $30-million and $35-million.

The imported rice is sold for piasters in South Vietnam, and the locally generated currency is used for internal purposes, ranging from development projects to defense.

The forecast for the 1969–70 crop is 5.094 million tons, compared with 4.3 million tons for the previous year—a drought period—and 5.556 million tons in 1964–65. From 1963 to 1967, the South Vietnamese rice production dropped by about one million tons annually and imports were high.

A.I.D. officials saw in the high forecast for this year a major accomplishment in terms of bringing normalcy back to South Vietnam. They stressed that this was due in part to the growing "security" in the countryside and the consequent return of farmers to their villages from refugee camps.

The officials said that, on Sept. 30, 1969, the Hamlet Evaluation System Index for relative security in Government-held areas had risen to 90.5 per cent, compared with 59.8 per cent in February, 1968, during the Tet offensive.

MILITARY IS A FACTOR

It was acknowledged, however, that both the security index and the rice production in the Mekong River Delta might suffer if Communist military activities there were stepped up this autumn, as suggested by current intelligence reports. Some 4,000 North Vietnamese troops have entered the Delta region since late last summer, according to these reports, to await the end of the Monsoon season this month pending new attacks.

About four-fifths of South Vietnam's rice is grown in the Delta and two provinces adjoining Saigon.

A.I.D. experts said that, in agricultural terms, the rise in the rice crop is attributable to a higher use of fertilizers imported from the United States, Taiwan and Japan as well as to the plantings in the short-grain "miracle rice" since 1968.

The "miracle rice" developed by the International Rice Research Institute in the Philippines, has a yield of two tons per acre as compared with less than a ton for the ordinary variety. About 8 per cent of South Vietnam's paddies are now planted with the "miracle rice."

NIXON'S CONSUMER MESSAGE COPIED FROM PRESIDENT KENNEDY'S MESSAGE OF OCTOBER 15, 1962

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

Mr. SMITH of Iowa. Mr. Speaker, President Nixon was inaugurated on January 20. In the months that followed, one of the questions of great interest was what would be his policy on consumer legislation. For 10 months and 10 days there was almost stone silence at the White House except to say that they needed more time to formulate a great important announcement. Finally on October 30, the Doorkeeper of the House, Fishbait Miller, appeared in the center aisle and said, "Mr. Speaker—a message from the President of the United States." It had arrived. The long-awaited message directed to consumers. It proclaimed that consumers shall have a bill of rights and was couched in such language as to indicate that it was an original document to be laid beside the Declaration of Independence and the Magna Carta and remembered for all time: but Mr. Speaker, I now find that this great document, which took 10 months and 10 days to prepare, was really a copy of one page from

the consumer message John F. Kennedy sent to Congress 7½ years before—on March 15, 1962. The message lists the same four rights and is so much the same that I must assume that the same speechwriter has somehow managed to stay at the White House under this new administration. Since it took him 10 months and 10 days to find this document that was written 7½ years ago, he must be in such an obscure corner that nobody notices whether he is working. If it takes 10 months and 10 days to copy a former President's message, and this is to be the pattern of other messages we have been waiting on for so long, I suggest that it might save the Congress a lot of time, in lieu of a whole string of such messages that are now likely to come, if the President would just send up a 1-page request for permission to insert in the CONGRESSIONAL RECORD all the messages delivered by Presidents Kennedy and Johnson as if delivered by him. If he were to do that, he could reduce the rising cost of White House staff, help to balance the budget, or at least afford more time which is obviously needed for the White House speechwriters to research material for AGNEW's speeches.

COMMUNICATIONS GAP

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

Mr. HALL. Mr. Speaker, Vice President SPIRO AGNEW did it again. He put his finger, as well as his words, on an area that can only be described as a "communications gap."

To quote the Vice President, in referring to national television news commentaries:

No medium has a more profound influence over public opinion. Nowhere in our system are there fewer checks on vast power.

So, nowhere should there be more conscientious responsibility exercised than by the news media. The question is . . . are we demanding enough of our television news presentations? And, are the men of this medium demanding enough of themselves?

Needless to say, the Vice President was speaking of a small band of network commentators and analysts, not the local television working reporters and editors in stations across the country, whose prime concern is to present a factual and concise report of the days events.

Mr. Speaker, I hope that I will not be sounding disrespectful if I take this time to say to the Vice President, "welcome to the club."

On July 27, 1967, I delivered in this very Chamber, and from this very microphone, a statement expressing the very same viewpoint.

If I might be permitted to quote my own words from that day:

National commentators on television and radio decry what is happening today, but over many yesterdays they permitted their facilities to be used as incitement to riot, and now they, too, are reaping what they have sown.

How many times have Stokely Carmichael and like figures been on "Meet the Press," "The Today Show," "Huntley-Brinkley," and countless other channels of national communication?

A Stokely Carmichael calling for insurrection on a street corner soap box is a curiosity, a hippie talking to a few other hippies. But a Stokely Carmichael talking face to face to millions of people, recognized by those whose responsibility it is to make sober judgment about who to give mass exposure, is immediately transformed from an oddball to a national figure.

To those of you who would say that words such as these and those of Vice President AGNEW call for censorship of the news, let me reply with another quote from my July 27, 1967 statement:

Does not every responsible news media in fact exercise censorship every day in determining who to quote, and what not to report, and who not to quote? For every interview that is carried are there not a dozen more that are not carried because of the simple and easily understood limitation of time and space? The same is true of the headlining and positioning of stories.

Hear once again the words of the Vice President:

In the search for excitement and controversy, has more than equal time gone to that minority of Americans who specialize in attacking the United States, its institutions and its citizens?

These answers must come from the media men. They are challenged to direct their energy, talent and conviction toward improving the quality and objectivity of news presentation. They are challenged to structure their own civic ethics to relate their great freedom wih their great responsibility.

Mr. Speaker, to the words of the Vice President of the United States, I can only add a heartfelt, "Amen."

FIGHTING CRIME: NOT THE EASY WAY BUT THE RIGHT WAY

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

Mr. MIKVA. Mr. Speaker, we have heard a good deal in the last 2 years about the problems of crime in America. But we have heard precious little about solutions. President Nixon has sent to Congress a supposed anticrime package. Various other suggestions have been made for rearrangement or repair of laws already on the books, or for "quick and easy" solutions like preventive detention. Today I am happy to introduce, along with two colleagues on the Judiciary Committee, the gentleman from Indiana (Mr. JACOBS) and the gentleman from California (Mr. WALDIE), two bills which I believe can make a real contribution to the problem of crime in America. They will do this not by imposing harsher penalties on convicted defendants, not by shortcutting the guarantees of due process contained in our Constitution, but by finally providing some of the money and manpower necessary to make our criminal justice system work the way we intended it to.

TWO APPROACHES: PRETRIAL AND POST-CONVICTION

I have been most fortunate in addressing myself to the problems of crime reduction to have the benefit of valuable work done by the Department of Justice under the leadership of former Attorney General Ramsey Clark. During 1966 and 1967, the Department began work on a comprehensive bill to meet in a rational, effective and constitutional way the problems of rising crime in America—especially violent crime. This bill, tentatively labeled the Crime Reduction Act, was passed on to the new administration when it took office in 1969. I have been fortunate enough to obtain copies of this bill, no part of which has to my knowledge yet been presented to Congress. I have drawn heavily on the draft Crime Reduction Act in formulating the two bills which I introduce today. Because I believe that the problems of crime reduction may usefully be separated into pretrial and postconviction approaches, however, I have divided the Crime Reduction Act into two separate bills. The first I have called the Pretrial Crime Reduction Act. The second is the Correctional Services Improvement Act.

PRETRIAL CRIME REDUCTION ACT

I present the Pretrial Crime Reduction Act as an effective and constitutional way to deal with the problem of crime committed by defendants released prior to trial. I also frankly present it as an alternative to proposals for preventive detention which I consider both inconsistent with our traditional system of criminal justice and, as Senator SAM ERVIN has eloquently argued, unconstitutional. The Pretrial Crime Reduction Act does not rely for its effectiveness on throwing into jail "dangerous" defendants before they have had the benefit of their constitutionally guaranteed jury trial. It does provide the community protection against one-time offenders who, a judge determines, present a substantial risk of danger. It does this not by putting them in jail, but by four alternative techniques—all of which are constitutional and all of which will be effective if properly administered and funded. The four approaches contained in the Pretrial Crime Reduction Act are as follows:

First, speedy trials are required for all alleged violators of Federal criminal laws;

Second, the judge is given authority to consider the danger to the community of alleged offenders who have previously been convicted of a crime of violence, and to place such persons in the custody of a U.S. marshal during his pretrial release, or set such other conditions on the accused's release as he considers necessary to insure the safety of the community;

Third, a program of pretrial services agencies is established, on a demonstration basis, in five judicial districts and the District of Columbia, to provide supervision and needed counseling and medical services to released defendants, including assistance in finding employment, establishment of narcotic and alcoholic treatment centers, and other parole-type supervision; and

Fourth, additional penalties for crimes committed on pretrial release.

ALTERNATIVE TO PREVENTIVE DETENTION

I will not go into further detail here on the provisions of the Pretrial Crime Reduction Act. I am appending to my remarks today a section-by-section analysis of that bill which outlines its provisions. What I want to stress is that the Pretrial Crime Reduction Act is an approach to the problems of crime by defendants released prior to trial which

does not rely on jailing criminal defendants before they are found guilt. It provides to the judge alternative methods to insure supervision and control of dangerous defendants, it provides pretrial services agencies with adequate resources to make those pretrial controls effective, and it insures that defendants are brought to trial quickly enough that the pretrial controls need be used only for a minimum time. Most important, by preserving the defendant's right to pretrial release in noncapital cases, the Pretrial Crime Reduction Act avoids the repugnant, and probably unconstitutional, alternative of preventive detention. It thus avoids that radical departure from our traditional presumption of innocence, and averts a likely confrontation with the Supreme Court by taking a more moderate approach to the problem of pretrial crime.

Preventive detention is undesirable for many reason: It is an overreaction to a problem of which we do not yet even know the full dimensions; it is probably unconstitutional, which means that ultimately some other alternative must be found anyway; it simply would not work as a practical matter because it would overload already overtaxed jails and correctional facilities, and because judges would hesitate to use it; and finally, it is a simplistic and easy answer to a complex and difficult problem. When we think of the damage caused by crimes committed by men released prior to trial—and no one really knows how much of such crime there is—preventive detention may sound like an easy answer. But when we consider the problem in the light of our traditional system of criminal justice—presumption of innocence, constitutional safeguards to insure the defendant's ability to prove his innocence at trial, guarantee of a trial by jury of one's peers—right to counsel, privilege against self-incrimination—when we look at preventive detention in light of these considerations, then it becomes quite obviously a short cut which will cancel out all the carefully constructed safeguards of the criminal justice system bulit up over almost 180 years.

For years we have starved the courts, jails, corrections systems. We have provided inadequate manpower and resources to our courts, jails and parole services—and now we wonder why the system does not work the way it should. The answer is not to cut corners on the defendant's constitutionally guaranteed rights; it is to begin to provide the resources necessary to make the criminal justice system work the way it was intended to. My bill does this. It establishes a congressional mandate for speedy trials. It requires each United States district court to inform the Judicial Conference, the Attorney General, and Congress within 1 year of the additional authorizations and appropriations which it will require to meet the speedy trial requirements established in this bill. At long last Congress will have a report from the men on the front line, the judges, marshals, baliffs, and defense counsels, prosecutors, and parole supervisors, of what they need to do the job we have asked them to do.

I urge my colleagues to study the proposals in the Pretrial Crime Reduction Act. It is a rational, effective and constitutional way to meet the problems of crime by defendants released prior to trial.

CRIME, RECIDIVISM, AND THE CORRECTIONS SYSTEM

There is no longer any serious doubt that our present methods of treatment of convicted criminal offenders have contributed significantly to skyrocketing crime rates. Recidivism rates are astronomically high. Many experts have maintained that our jails and prisons are nothing more than training schools for crime. As recently as last week, President Nixon called on Attorney General Mitchell to improve the quality of the Federal penal system and to make it a model for the Nation. Before that Chief Justice Warren Burger had made the same point—perhaps we have paid too much attention to what happened to the criminal defendant before he was convicted, while neglecting—both to his detriment and to our own—what happens to him after conviction. In short, our present methods of treatment of convicted offenders probably does more to promote subsequent crime than it does to deter or prevent it. This is largely the result of failure to distinguish among convicted criminals and failure to separate the hardened criminal from first-offenders and those capable of rehabilitation; in short, failure to individualize treatment.

But individualizing treatment takes resources and manpower. And here again we have starved our corrections systems and then wondered why they do not do the job of rehabilitation which we hoped they would. The sad truth is that many institutions are not "correctional" at all, they are "penal" in the most primitive sense of the word. They are facilities to keep troublesome citizens out of society's way, not to rehabilitate or reform them. Until we change our attitudes about the function of a corrections system—and provide the resources to make individualized, rehabilatory treatment possible—recidivism will continue to rise.

CORRECTIONAL SERVICES IMPROVEMENT ACT

The second bill which I am introducing today, the Correctional Services Improvement Act, will help to meet the need for improved correctional services at the Federal and State level. Again, I have drawn heavily on the Crime Reduction Act. My proposal deals with three broad aspects of the corrections system: Facilities, personnel and methods of treatment. I am not wedded to any of the specific provisions of the bill. Hopefully, the Justice Department will, in light of President Nixon's recent injunction to the Attorney General to improve the Federal corrections system, be submitting comprehensive reform proposals to Congress. Recently the Joint Commission on Correctional Manpower and Training made extensive recommendations for congressional action on corrections manpower which should probably be included in any bill which attempts to treat the entire problem of improving the corrections system. I welcome all suggestions which will lead to action.

IMPROVED CORRECTIONAL FACILITIES

The Correctional Services Improvement Act authorizes three separate but related programs to improve the individualized nature of Federal corrections facilities:

First. The bill authorizes the Attorney General to construct and operate certain new and modern types of correctional centers. These would include demonstration correctional centers for the commitment of persons sentenced to short terms and persons on probation or parole; regional youth correctional centers; and demonstration correctional centers for special offenders groups, such as the mentally ill, violent and dangerous offenders, and women. All such centers would provide educational, vocational, and recreational programs, health care and counseling, as well as special programs designed to meet the special needs of the persons committed to them. The emphasis would be on a nonprison atmosphere. States would have access to the facilities on a contractual basis for prisoners which they considered appropriate for commitment to them, and once the centers were operating they would be transferred, subject to appropriate conditions, to the States in which they are located.

Second. Related to the demonstration correctional centers constructed by the Federal Government, the act authorizes the Attorney General to work with appropriate State and local authorities to develop minimum standards concerning the construction, operation, services, personnel, training and programs of State and local jails and prisons. The Attorney General is authorized to contract with State and local governments to pay part or all of the annual costs of implementing the minimum standards. The bill does not require States to abide by the minimum standards set, but it encourages them to do so and provides incentives, in the form of Federal cost-sharing, to insure that the minimum standards agreed upon become uniform throughout the United States.

Third. The bill authorizes the Attorney General to commit prisoners in his custody to confinement in residential community treatment centers—so-called halfway houses—where they receive counseling and guidance during the period of transition between institutional life and life in the open community. The purpose is to expand the present Federal halfway house program to allow placement in them of persons on probation, prisoners released on parole, and prisoners released by operation of statutory good-time credit.

U.S. CORRECTIONS SERVICE

One title of the Correctional Services Improvement Act recognizes that an important part of the corrections problem is the fragmentation of our present effort. Under the present system probation and parole are conducted as part of the court system, while prisons and other institutional services are the responsibility of the executive branch. The bill would establish a U.S. Corrections Service. The Service would combine under a single direction the supervision of convicted persons, irrespective of whether

they are confined in an institution, free in the community on probation or parole, or somewhere between complete confinement and complete freedom—in halfway houses, for example. This consolidation of responsibility would enhance the effectiveness of the entire Federal corrections process.

This title of the bill would also make changes in the membership and responsibility of the Advisory Corrections Council. The Council would continue to consider problems of treatment and correction, and would also consider problems of coordination and integration of policy among the branches of the Government having statutory responsibilities in the corrections area.

IMPROVING METHODS OF TREATMENT

Under present law, unless the sentencing court provides otherwise, a Federal prisoner must serve at least one-third of this sentence before he is eligible for parole. This leads many prisoners to develop attitudes of hopelessness and intractability. It also has adverse effects upon effort to rehabilitate such prisoners, especially younger offenders.

The Correctional Services Improvement Act would authorize the Board of Parole in most cases to release a Federal prisoner at such time as the Board determines that he has demonstrated a readiness for return to the community. It would not require such early release, but it would provide a flexibility to the Federal parole procedure which it does not now have and which it badly needs. The bill would allow a judge to specify that the prisoner could not be eligible for parole until he had served one-third of his sentence, but such a situation would not be the rule as it is under present law.

The bill would also change the present law governing time for conditional and unconditional release of persons between 18 and 26 who are sentenced under the Youth Corrections Act. The bill would change the times for conditional and unconditional release from the present 4 and 6 years, respectively, to two-thirds of the statutory maximum and the statutory maximum for the offense, respectively. This change is made to eliminate an inequity in the present law which led to youthful offenders being incarcerated for interstate transportation of stolen motor vehicles for longer periods than adult offenders convicted of the same crime.

Finally, the bill would provide a procedure for civil commitment of persons found not guilty of crimes by reason of insanity. Except for the District of Columbia, Federal law does not now provide for commitment of a person not guilty by reason of insanity at the time of the offense. Only temporary commitment and treatment of a person incompetent to stand trial are presently provided for. Even if a defendant poses a danger to himself or others because of his mental condition and has no fixed place of residence and no family, the U.S. attorney can only request the State to institute civil commitment proceedings. If the State refuses to take responsibility, the man goes free. The bill would require the U.S. attorney to initiate commitment proceedings whenever he has reasonable cause to believe that a person found not guilty by reason of insanity represents a danger to himself or to others, and provides procedures with appropriate safeguards for such civil commitment. The defendant's rights to be present, cross-examine witnesses, testify, and be represented by counsel even if indigent are all preserved, as is his right to test the validity of his confinement by habeas corpus.

THE NEED FOR ACTION NOW

Mr. Speaker, there is a crisis in law and order in America, but it exists not because the courts are coddling criminals or because the Supreme Court is releasing guilty defendants on "technicalities." The real crisis in law and order in America is in the inadequate personnel and resources which we have provided to courts, to correction institutions, and to the entire criminal justice system—judges, marshals, parole and probation supervisors, wardens, rehabilitation personnel for jails and prisons, and imaginative responses to the challenges of rehabilitation and reform. This is where the need for action is, and the need is now. I believe that the bills which I have introduced today provide a good start on a comprehensive solution to the problems of a starved criminal justice system which has not been allowed to grow to meet the needs of an expanding society. I invite other Members to join me in cosponsoring these bills. They provide an opportunity to do something—something meaningful and effective—for our constituents about the problem of crime in America. There are no shortcut answers to the problems of operating a fair system of criminal justice. That task takes men, it takes money, and it takes legislative initiatives. These bills point the way. They can be improved as I hope they will be. But we must start now.

The section-by-section analysis follows:

SECTION-BY-SECTION ANALYSIS OF PRETRIAL CRIME REDUCTION ACT

TITLE I—SPEEDY TRIALS

Adds the following new sections to title 18, U.S.C.:

Section 3161: Requires that the trial of any defendant charged with an offense against the United States shall be commenced within 120 days, or in the case of a defendant charged with a crime of violence within 60 days, and provides a formula for determining the period of delay. The following periods are excluded in computing time:

(1) delays necessary to protect the defendant's rights (as for interlocutory appeals, sanity hearings, etc.);

(2) delays at the defendant's request;

(3) reasonable delays because of dismissal and reinstitution of the suit or because of joinder of the defendant's case with that of another when there is good cause for not granting a severance (in all other cases a severance must be granted);

(4) one delay not to exceed 60 days granted at the request of the U.S. Attorney upon good cause and special circumstances shown.

Section 3162: Sanctions—

(a) Provides that when defendant or counsel fails to proceed to trial on a specified date without justification, either may be punished for criminal contempt.

(b) Provides that when a defendant is not brought to trial within the time limits specified above, the information or indictment shall be dismissed and subsequent prosecution forever barred.

Section 3163: Effective Dates—

(a) Provides that the time limits in section 3161(a) shall apply to all defendants charged with (1) crimes of violence or (2) other crimes when the defendant has been continuously in custody beginning six months after the date of enactment of this Act.

(b) Provides that the time limits in section 3161(a) shall apply to all other offenses (except violations of the antitrust, securities or tax laws) beginning eighteen months after the date of enactment.

Section 3164: District Plans—

(a) Requires each United States district court to submit a plan for trial or other disposition of offenses within the time limits specified above not later than one year after enactment of this Act.

(b) Allows a district court to request, and the Judicial Conference to approve, suspensions or extensions of the above time limits. The requests, a copy of which must be sent to the Attorney General, must specify the necesasry authorizations and appropriations for additional judges, prosecutors, probations officers, full-time defense counsel, supporting personnel and other resources without which full compliance with the time limits cannot be achieved.

(c) Instructs the Judicial Conference to recommend within eighteen months (1) the districts in which time limits specified above should be suspended or extended, and (2) legislative proposals for appropriations necessary to achieve full compliance with such limits.

TITLE II—BAIL REFORM ACT COMMUNITY PROTECTION AMENDMENTS; PRETRIAL SERVICES AGENCIES

Section 201: Provides that when a person accused of a crime of violence, who has previously been convicted of such a crime, presents a substantial danger to the community, in addition to the conditions on pretrial release which may already be imposed under the Bail Reform Act the judge may (1) place the accused under the supervision of a United States marshal or other person during the period of his pretrial release, or (2) impose such other conditions on his release, except financial, as will reasonably assure the safety of the community.

Section 202. Provides that if a person is convicted of a crime of violence which was committed while he was on release under this title or while awaiting sentence, pending appeal or certiorari, or prior to commencement of serving a sentence, an additional sentence of up to three years may be imposed for such crime.

Section 203: Establishes on a demonstration basis in five judicial districts and in the District of Columbia pretrial services agencies to maintain effective supervision and control over defendants released under this title.

Provides for the appointment of directors of pretrial services agencies and other employees.

Defines the functions of pretrial services agencies including: preparation of reports on eligibility for pretrial release, supervision of defendants released prior to trial, establishment of halfway houses, addict and alcoholic treatment centers, and counselling services. The agencies would also inform the court of violations of pretrial release conditions, assist defendants to find employment or medical services, and prepare pretrial detention reports.

Requires annual reports to Congress on the operation and effectiveness of pretrial services agencies.

Sections 204–206: Technical amendments, definitions, and authorization of $2,000,000 over five years to carry out the above program.

FAIRNESS IN REPORTING THE NEWS

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

Mr. DEL CLAWSON. Mr. Speaker, there is a propaganda technique. First you distort an issue and then you proceed to address yourself to your own distortion. This technique unfortunately is difficult to deal with when it is used in unison by individuals who may be the sole source of information for a large segment of the population with no first-hand knowledge of the accuracy of the impression conveyed. This, fortunately, is not the case with the Vice President's speech calling for fairness in reporting the news. Millions of Americans listened to the speech carried on all the networks. Those Americans know that he did not call for Government censorship of the news media, and yet we have been listening the last few days to spirited discussions of the evils of Government censorship as advocated by the Vice President. What the Vice President did call for was the same degree of fairness for the President of the United States as that we have witnessed for the leaders of the mobilization in Washington this past weekend. Over and over it has been pointed out with scrupulous fairness that the several thousand rock throwers at Dupont Circle represented only a fringe element, and that the "crazy kids" who broke windows, set fires, looted, and so forth are after all only a small minority, as are those who waved Vietcong flags. If the networks can be prompted to bend over backward to say a few kind words about the police who were hurt in the melee, as they have, surely they can be prompted to mix in among the critics of known hostility to the President, a proportion who will be, if not friendly to him, at least unbiased.

I recall a report some time ago by one commentator with a well-deserved reputation for objectivity, which revealed disturbing ignorance of the effect of a casual word on nationwide television. A constituent wrote to me concerning the commenator's report of an incident involving Army regulations. The commentator attested personally to the veracity of the story, but would not divulge the name of his informant, nor any details which would enable the Army to provide a specific reply. My constituent wrote:

> I would very much appreciate more information on this story so I can inform my voting friends of the completely stupid regulations our U.S. Army adheres to.

In response to a personal letter the commentator replied:

> I'm surprised at the fuss about that little broadcast story.

If the Vice President's speech does nothing more that make the broadcasting industry take a critical look at itself and become aware of the responsibility which accompanies power, something will have been gained.

VICE PRESIDENT AGNEW'S COMMENTS ON NEWS POLLUTION

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

Mr. RARICK. Mr. Speaker, most Americans laud Vice President AGNEW for his straightforward comments on the news pollution that has been spewed at the American people under the guise of news analysis. The surprising aspect was that he received a response from the presidents of the national networks, who tried to peal freedom of speech and public's right to know.

For years, the American people have been conscious that the major networks were using their mass communications powers to influence styles, morals, literary work, and politics. The American people are also becoming more and more aware that for the most part the networks have taken positions consistently against everything that is sacred and culturally important to our people.

It is totally dishonest for the authors of these attempts to control the minds of America to now claim sanctuary in freedom of speech and raise the bugaboo of Federal censorship. Individual Americans have many times felt the frustration of censorship imposed by the communications czars as their paid performing analysts parrot whatever line the opinionmakers choose to call news; promote their own "good guys" and berate the "bad guys" to their way of thinking; sit in judgment over America, making pronouncements of what is wrong and advancing their notions for remedy.

Free speech and free press cannot be twisted to legalize a monopoly under the control of the owners of the media to impose mental conditioning for programing consistent with predetermined goals. Free press and free speech belong to the people. They were intended to guarantee to the people the right to have honest information by full and impartial discussion and reporting.

Would Americans stand still for control of the air we breathe or the water we drink by a self-serving monopoly? Why then their information sources?

Consistent with Mr. AGNEW's report, it would appear that an investigation of the interlocking ownership of these national news services and consideration of possible antitrust action is appropriate.

I join with millions of Americans in warning against the dangerous news conglomerates.

An example of young American people catching on is a letter to the editor of the Tampa Tribune of November 10, 1969, which I include following my remarks:

PRESS IGNORES PATRIOTIC ACTS

PALM HARBOR.—May I say something on behalf of us young people who didn't take part in the moratorium?

I'm talking about the young adults who are not hippies, but are mature and responsible and take an active interest in their country. However, even though we are in the majority, we never make the news headlines.

We realize that it's a mess over in Vietnam, and we don't like the idea of our friends getting wounded and killed over there any more than anyone else. However, we also realize that being a leader of nations and being concerned with world peace there are risky responsibilities that go along with it.

What's vitally important is that we know that we must back up our boys in Vietnam, if anything, for their morale. These anti-American riots give the North Vietnamese even more incentive to kill the Americans, as they know that if the Americans do not support their troops, the troops will lose some of their initiative to fight. Therefore, we are playing right into the hands of the Communists.

The Communists said that they are going to overthrow us by undermining us and they are succeeding. The ironic part of it is that they are succeeding through the SDS and other such organizations because of our own democratic process of freedom of speech and freedom of assembly. The SDS say that they want peace in Vietnam—so does everyone else. They also say that they want to overthrow the American "imperialistic" government. Does that sound like the kind of peace Americans want, or the kind of peace the Communists want?

What's even sadder is the fact that there was little or nothing mentioned in the news media about the students at the Junior College and at other schools who participated in a program on moratorium day backing our country.

Because of freedom of the press, the SDS is able to obtain a tremendous amount of publicity. Yet, there was little or no word written about the students who went to school in suits, wearing an arm banner of the American flag, thus showing their support of our country and its policies, instead of demoralizing it. Another point, the news media quoted some Vietnam veterans saying why we shouldn't be in Vietnam. However, every Vietnam veteran with whom I have talked didn't like being over there, but they all realize that there is a need for us to be there. Why weren't the veterans with this point of view quoted?

The same thing happened in 1968, when hundreds of junior college students held a mock Republican convention at the St. Petersburg campus. One boy stood up and started saying how we should pull out of Vietnam and what an imperialistic government we have, etc. He was literally booed out of the auditorium. There were newspaper and television reporters at the convention, but no one heard about that patriotic incident. Why wasn't it mentioned? Was it left out because it was considered good news? Isn't it the press' responsibility to give equal amount of publicity to the other side of the story?

MARCIA RICKS (age 20).

MAJORITY OF AMERICANS WEARY OF POLICY OF NO-WIN WARS

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

Mr. CAFFERY. Mr. Speaker, it is my firm belief that the majority of Americans are weary of our policy of no-win wars whether they be in Korea, Vietnam, or at the Bay of Pigs. By not using our full power in these conflicts, we have allowed ourselves to gather the contempt of a good part of the world of nations, and we have invited constant conflict and revolution across the globe.

We have been trying to avoid a face-to-face confrontation with Russia and a third world war ever since the end of the Second World War. We have trimmed and paltered and we have walked round and round the issue. As Shakespeare said, we have been "sicklied o'er with the pale cast of thought."

During the last 25 years, we have spent $1.5 trillion on defense. The results have been frustration and stagnation in Korea, humiliation and defeat at the Bay of Pigs, and now the longest war in our history in Vietnam continues even though our leaders long ago disavowed

any intention of sustaining a military victory.

Since 1945, our casualties have been in excess of 70,000 deaths and over 300,000 wounded. Over 20 million Americans have served in our Armed Forces. The average length of service is 3.5 years, so we can say that a total of 70 million man-years, prime years, I might add, have been invested in defense since World War II. This is the equivalent to a million lifetimes spent in the armed services.

We have spent $1.5 trillion.

We have spent 1 million lifetimes.

We have sustained over 300,000 wounded in battle.

We have suffered over 70,000 deaths in battle.

And for what?

We were humiliated in Korea.

We were humiliated at the Bay of Pigs.

We are being humiliated in Vietnam.

During this period, we have watched the Communists take over Yugoslavia, Albania, Bulgaria, Rumania, Czechoslovakia, North Korea, the Magyar Republic, China, East Germany, Poland, North Vietnam, and Cuba.

We have watched our prestige decline steadily for 25 years.

We have known no peace.

We have suffered and died and have known no victory.

Now many of our own youth are marching in protest across the Nation. Is it surprising that they do? Anyone below the age of 25 has never seen our Nation do anything but lose wars.

Those who protest the war in Vietnam are well publicized. It is my belief, however, that the heart of America is represented by a group far larger than those who protest the war and seek immediate withdrawal. This is a largely silent group made up of millions of Americans who are heartsick at the spectacle of our mighty Armed Forces being hamstrung, until this Nation is about to be humiliated once more in warfare by a small backward nation.

In recent weeks, we have witnessed and without doubt will witness in the future a great outpouring of protest at our continued presence in Vietnam. But let me suggest that if those who are dismayed by our policy of no-win wars in Korea and Vietnam should ever decide to take to the streets in protest, we would see the most massive demonstration in our history and it would not merely concentrate in our cities and in the Northeast. It would swell forth from every city, town, village, and hamlet across this Nation.

I strongly support the President of the United States in his efforts to bring about a just peace in Vietnam. But should his efforts fail and should the leaders in Hanoi continue to refuse to negotiate in good faith, I think a new course of action will be called for.

That course of action should not be immediate withdrawal. It should instead be a renewed commitment to victory by our Armed Forces.

It is my firm belief that in the next few months we will see a stirring in this country of those millions who fervently believe that there is no substitute for victory.

Thus far, we have been offered two choices in Vietnam. Choice No. 1—accept defeat or a stalemate and pull out immediately. Choice No. 2—accept defeat or a stalemate and pull out gradually.

The American people have never been offered the choice of victory.

I say it is time we return to the tradition of victory for the United States, regardless of the foe or the struggle. The agony of watching our young men commit their lives and their total future to battle, while we commit only a small part of our Nation's total power to the contest is destroying this Nation's will to defend itself.

In the past, it was an honor to serve one's Nation. Young men willingly left their schools, their jobs, and their families to fight and die on the beaches of Normandy or Iwo Jima.

During World War II, the civilian population gladly rationed itself in order to support the war effort.

Today the cry is for less defense spending and more butter at home.

Today there are many who question not only our obligation to defend ourselves and the free world, but whether we should bear arms at all. Whether we like it or not, our Nation is going through a vast rethinking and reevaluation of our military obligations. The outcome might result in an improved and more useful defense effort, or it might lead to a mounting tide of criticism against the Military Establishment that could revive the isolationism and pacificism that led to Pearl Harbor.

Is another Pearl Harbor possible?

I will answer that question with three more questions:

Are leaders in Red China any less power hungry than the Japanese leaders were in the late 1930's?

Is Fidel Castro, the Hitler of Havana, any more rational or any less an egomaniac than his German predecessor was in 1939?

Is worldwide communism any less dedicated to the destruction of democracy and free enterprise than were the supposed supermen of the Nazi Party in Germany?

To me the answer is clear. Nothing has changed. The price of liberty is still eternal vigilance. We must maintain our military might. Since being in the Congress, I have consistently voted for every military appropriation and every measure which would support our Armed Forces. But I have watched with dismay as our Nation seemed to lose its will and sense of direction. There is widespread dissatisfaction with our role in the world. To judge from the peace marches you would think our people desired to retreat from responsibilities and stay at home, hoping the world will take care of itself and that no harm will come to us. But that is not the true mood in the Nation.

I submit that it is not war weariness, not fear of the nuclear bomb, and not the rebellion of the young that is causing today's dissension. The real reason is that the American people are dissatisfied with the results of our foreign policy, especially as pertains to our national defense.

We are a nation that demands results. We do not mind paying the bill or making the sacrifice, but we want success as a result.

Take for instance, American business. No one really complains about the salesman's expense account as long as he brings in the sales. Or in sports, no one complains about how tough the football coach is as long as he is winning.

But let sales drop or the football team lose and you will hear a chorus of complaints—a chorus very much like the antimilitary chorus we hear today.

The American tradition is a tradition of success. This Nation rose to greatness in the eyes of the world because we believe in getting results. I say it is time to get results on the battlefield and success in our foreign policy. This is what the people of our Nation are really seeking—not retreat or defeat.

I believe there has been a great misreading of the American mood. When Senator EUGENE MCCARTHY scored so well in the New Hampshire primary against President Johnson it was trumpeted far and wide as a repudiation of Johnson's handling of the Vietnam war and as a victory for those who wanted out of that war. Recently a study conducted by the University of Michigan showed that for every one voter in New Hampshire who voted against Johnson because they wanted to withdraw from Vietnam, there were three voters who opposed Johnson because he refused to go all out for victory.

If we look back at the shifts in power in this Nation since 1945, we will see that the major reason for change has been dissatisfaction with our foreign policy and military ventures.

Eisenhower replaced the Democrats in the White House when a nation, weary of the no-win, no-end war in Korea, demanded someone who would bring the boys back home. No one demanded a return of the troops while we were pursuing the enemy. It was only when we stopped and gave the enemy sanctuary that we became disenchanted with winning that war.

In 1960, Jack Kennedy replaced the Republicans in the White House using the theme that our prestige abroad had fallen drastically under the Republicans. He said he would rebuild our stature in the eyes of the world, and our Nation responded and made him our President.

Later, in 1967, 1 year before he announced he would not seek reelection, President Johnson seemed an unbeatable foe for anyone seeking the White House. Now, he is out, and the Republicans are in power there.

Was it because our Nation was weary of defending freedom and wanted no more of war that brought about President Johnson's decision not to run, or was it because our Nation refused to support him further in a struggle our leaders refused to win?

In 1952, did our Nation replace the Democrats with Republicans because they had had enough in Korea, or was it because they were unwilling to send our boys into battle with an enemy that was allowed to hide behind the Yalu River whenever the action got too hot?

In 1960, did a narrow margin in a close election indicate we wanted to withdraw from a position of world respect and power, or did it indicate that our

people were tired of our prestige dropping and wanted a young idealistic leader who could restore our image as a holder and defender of the torch of freedom?

Does the drift in policy over the last 8 agonizing years in Vietnam indicate we no longer have the will to oppose the Communists except on our own shores or does it mean that we have not been given the choice of victory?

The answers to these questions will be debated for years.

As for me, I feel the answer is strikingly apparent now. Our Nation is not weary of war—we are weary of defeat.

Our Nation is not weary of responsibility abroad—we are weary of retreat.

Our Nation is not indecisive as to its course in Vietnam—we merely refuse to choose between defeat now and defeat next year.

I say the time has come to speak again of victory.

I say it is time to speak about the spread of democracy around the world.

I say it is time to demonstrate not our weakness, but our strength—not our division, but our unity—not our ability to negotiate, but our determination to defend our freedom.

Our Nation has never been mightier, or its people more willing to deal with a changing world. The people of the United States want to have confidence, faith, and hope. They want to be united. We are at one of the decisive turning points in the history of humanity. We are rushing through days of incredible accomplishments, of glory and of tragedy. The new world we live in is unbelievably challenging, and it demands leadership with the courage to make needed changes and to dare to give us victory.

Or, as President Kennedy, a leader who fell in the service of his country stated:

> In the long history of the world only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shirk from this responsibility—I welcome it.

I believe there are still those who welcome the honor of defending freedom and who are ready to get on with the job our Founding Fathers started almost two centuries ago.

Thus far, they have been patient and enduring while our leaders have ignored them.

Now they are beginning to stir. The rumble of forces of greatness that have been held in check since 1945 are beginning to be heard from all corners of the land.

I hear the winds of freedom and honor and glory gathering across this Nation.

Let the leaders in Hanoi, Peking, and Moscow listen well. The leaders of Germany and Japan ignored those winds throughout the 1930's. In the 1940's they reaped that wind and saw the United States, a nation which seemed divided and isolationist, suddenly spring into action and crush their armies and liberate the world.

We did not march across Europe and the Pacific over two decades ago to make the world fair game for Russia and Red China.

Mr. Speaker, let us tell Hanoi now in loud and clear terms that the patience of our people is running short and they had better harken to the distant sounds of an approaching storm—a storm born in the frustration of Korea, the humiliation of the Bay of Pigs, and the agony of Vietnam. And let each of us here know that out there, across this Nation, the American people are waiting.

They are waiting for a return from fear.

They are waiting for the call for victory.

They are waiting for this Nation to once more pick up the torch of freedom and spread its light throughout the world.

NATIONAL GUARD ACTIVITIES DURING PEACE DEMONSTRATION IN THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. (Mr. PRICE of Illinois). Under a previous order of the House, the gentleman from Mississippi (Mr. MONTGOMERY) is recognized for 60 minutes.

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

Mr. MONTGOMERY. Mr. Speaker, this past weekend, I had the opportunity and the duty to attend National Guard drill with the District of Columbia National Guard—I might say in a nonpay status. I was actually with this National Guard unit for 2 days, for most of the night Friday night, during Saturday, and for part of Saturday night. I would like to relate some of my experiences of this last weekend for the Members and give some of my opinions, and I would like to have the comments of any of my colleagues at any time.

Mr. Speaker, the Washington National Guard had the mission of supporting the Metropolitan Police Department and of protecting life and property during the demonstrations. The National Guardsmen Friday night, both Air and Army, were sworn in by Captain Dreschler of the Metropolitan Police, as special policemen with the authority to arrest and to stop lawbreakers.

Trouble broke out Friday night around 9 o'clock near DuPont Circle and the Embassy of South Vietnam.

Police Chief Jerry Wilson requested that guardsmen help in this area. Maj. Gen. Charles Southward, adjutant general of the District of Columbia Guard, sent two companies of the 163d MP battalion to the scene to help police. I might say that these units moved out from the District of Columbia Armory and moved into the vicinity of DuPont Circle and patroled Connecticut Avenue. They did have some effect in calming the situation which had almost gotten out of hand by 10:30 Friday night.

I might say, previous plans had been set up for guardsmen to take the place of policemen during the weekend, working at the six police districts around the city of Washington. These guardsmen moved to the different districts, where they would have a National Guardsman and a policeman riding in a scout car or a squad car patroling a certain area. By the guardsman being able to fill in for the policemen, this released more policemen to be in the vicinity where the demonstrations were taking place Friday and Saturday.

The 171st National Guard MP battalion was moved Friday night at 11 o'clock by the orders of General Southward into the new Federal Building on Pennsylvania Avenue back of the Blair House.

This battalion, Mr. Speaker, was designated as a reaction force, to be used anywhere the city requested. This battalion could be sent in 5 minutes to the area of the White House, to DuPont Circle, or to the Embassy of South Vietnam to help support the police and to keep order.

I had the opportunity to go with General Southward Friday night. He let me ride with him down to the command headquarters which is located in the city District Building. The command headquarters was called Mayor Washington's command post. General Southward left me at the command post downtown, and I observed the city command post operating for approximately 5 hours.

In my opinion, Mr. Speaker, there were three main reasons why there was not more violence during the demonstrations.

First, Mayor Washington made the right decision Friday night by not ordering a curfew. Some of the city officials had advised Mayor Washington that it would become imperative Friday night to have a curfew to bring order back to the area around the Embassy of South Vietnam and also DuPont Circle. I observed that Mayor Washington felt that possibly the curfew was not the answer. He made up his mind not to have a curfew. I agree with him. I believe it was the right decision, and to decide otherwise could have perhaps caused a "bloody mess" the next day.

One of the main reasons for not calling for a curfew, in my opinion, was that you had thousands of young people on the streets this last Friday night. If you were to call a curfew, they had no place to go. So you could not get them off the streets, anyway. It would have been hard to enforce. I think this was one of the key decisions made. By not having a curfew Friday night, you did not have a mean and ugly crowd all day Saturday.

Second, Mr. Speaker, the District of Columbia National Guard was strategically located throughout the town, which enabled the deployment of these units anywhere that they were needed. Friday night it did take a little time to move these National Guard units down to the area of the trouble. But later on Friday night the Guard units were placed strategically throughout the city and whenever they were needed they were quickly moved out of the Federal buildings and moved into the areas where the trouble was occurring. I might say that traffic conditions on Saturday and also on Friday were almost imposible as far as moving reinforcements into an area was concerned. It was almost impossible to do so if you did not have them previously strategically located.

Third, Mr. Speaker, one of the reasons why I believe we did not have more loss of property and/or deaths was the way that the metropolitan police handled themselves. They were polite, but also they were firm. Mr. Speaker, when they had to be firm they did their job. I was especially impressed with the civil disturbance unit of the Metropolitan

Police. This is a select unit. It has quite an esprit de corps within the Police Department. They are trained to go to civil disturbances and get the situation under control. I saw these police operate; I saw them sweep an area from the Washington Monument at about 7:30 Saturday night pushing some of the demonstrators off of the Washington Monument grounds. I might say some of these demonstrators were burning benches and had started trying to burn some of the trees.

I think they were mainly trying to keep warm, but they were destroying property. The Metropolitan Police moved in with some searchlights which were furnished by the National Guard and swept the area completely clean from the Washington Monument to the Lincoln Memorial. In fact, they moved the demonstrators who did not want to leave toward their buses, which were lined up in this area, and quite a few of the demonstrators got on the buses and headed back to the places from which they came. This total operation of maintaining law and order was under the direction of the office of the Attorney General of the United States. Mr. Kleindienst, the Assistant Attorney General, was in charge. The Under Secretary of the Army, Mr. Beal, also represented the Army and the military forces. Incidentally, Mr. Speaker, no Federal troops were deployed on the streets or used at any time during this demonstration. The situation was taken care of entirely by the Metropolitan Police and by the National Guard who actually put on the streets about 400 officers and guardsmen.

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

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

Mr. GROSS. I certainly commend the gentleman for his interest in this matter. Does the gentleman have any estimate as of this date as to the cost of this operation and who is going to pay for it or who has paid for it?

Mr. MONTGOMERY. As the gentleman well knows, the taxpayers will pay for it.

Mr. GROSS. Well, what taxpayers?

Mr. MONTGOMERY. I do not have any firm figures, but I would estimate that the cost to the taxpayers to pay the military, to pay the overtime for the policemen, the transportation, and, as the gentleman knows, there were around 200 to 300 buses which were rented and which encircled the White House——

Mr. GROSS. Rented by whom?

Mr. MONTGOMERY. To give the gentleman a figure, I would say between $800,000 and $1 million would be the cost to the Federal Government for these 2 days of demonstrations.

Mr. GROSS. Why the Federal Government?

Mr. MONTGOMERY. Well, that is who will bear the burden. I agree with the gentleman. We did not even collect the money that was due us as the result of Resurrection City. I am sure that the Federal Government will foot this bill also.

Mr. GROSS. This is highly expensive tourism, is it not?

Mr. MONTGOMERY. Very; yes.

If I may answer the gentleman further, if they continue these attacks and demonstrations, I think there will be about the same cost involved in the future, $800,000 to $1 million, per demonstration, and it is possible that we will not be as fortunate the next time, in that there may be lives lost and property destroyed. There was some civilian property destroyed in this demonstration.

Mr. GROSS. If the gentleman will yield further, do the gentleman's figures include the movement of Federal troops from Fort Bragg or Fort Campbell, Ky., that were brought to this area and quartered at Andrews Air Force Base and perhaps elsewhere?

Mr. MONTGOMERY. That is right.

Mr. GROSS. As well as the marines that were used to guard the Capitol. Do the gentleman's figures include all of this, plus the cost of the National Guard of the District of Columbia, plus the overtime of the police force of the District of Columbia, plus the Park Police and, I assume, our Capitol Police were out in force and will receive overtime pay or compensatory time off?

Mr. MONTGOMERY. I would say that my estimate does include what the gentleman mentioned, but it would be a conservative estimate. As the gentleman knows, I am a conservative and probably I have used conservative figures on the cost of this to the Federal Government.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I resent the extent to which the Federal Government goes in paying bills of this kind. I resent the fact that any part of this will be charged to the taxpayers of the State of Iowa. I think I know how the gentleman feels about his people in Mississippi in this regard. I can think of no valid reason why they should be loaded down with expenses of this kind, especially in view of the financial crisis that faces this country. I do not understand why we must be forced to underwrite expenditures for such a worthless purpose. I suppose there was a reason for turning off the lights at the Washington Monument Saturday night. Apparently it was because of intimidation by the horde that moved into Washington on Friday and Saturday. A historical site was darkened apparently because the authorities were intimidated. I do not know of any other reason for it.

Mr. MONTGOMERY. That is correct. I agree with what the gentleman has said. I would like to further comment about the Washington Monument. I do not know whether the gentleman knows it or not but the American flags were taken down early Saturday around the Washington Monument, by—I am pretty sure—the park personnel. I was looking from a Federal building about 4 o'clock in the afternoon Saturday afternoon as the crowd was breaking up at the Washington Monument—I was looking through binoculars—and I was shocked to see that so-called blue peace flags and Vietcong flags had taken the place of the American flags.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I am surprised to hear this. I did not see any pictures, nor read anything in the local newspapers about this. I knew the American flags had been taken down, but I did not know that they had been replaced with Vietcong flags, and with so-called peace flags.

In the first place, I do not understand why the U.S. flags were taken down from around the Washington Monument. Must we accept the fact that U.S. flags cannot fly around the Washington Monument when people of this type are in the city of Washington; that there are not enough troops or enough police available to see to it that the American flag flies where and when it customarily flies? Must the flag of the Republic be lowered to satisfy the whim of a mob?

Mr. MONTGOMERY. The gentleman is absolutely right. It was disgraceful to take down the American flags. They were taken down. All I can say is I hope this will never happen again. I hope I will never see such instances happen again in our Nation's Capital.

Mr. GROSS. What was the alleged Mayor of the city of Washington doing, and where were the other authorities when the flags were taken down, and at whose orders were these flags lowered? This I would like to know.

Mr. MONTGOMERY. I will try to answer the gentleman's question and say that possibly this was not at the order of the Mayor and the city officials to take down the flags. I would assume that this came from the National Park Service, and that they took the flags down.

Mr. GROSS. American flags should fly as they normally fly, regardless of the so-called moratorium marchers, or whoever they are, and it is about time the authorities understand that the people of this country expect that U.S. flags will fly at the Washington Monument or anywhere else.

Neither do I understand why these mobsters were permitted to lower the flag at the Justice Department building the other day.

Mr. MONTGOMERY. That is correct.

Mr. GROSS. I do not understand why the first man that laid his hands on the halyard to lower that flag was not immediately hauled off to jail; why those responsible ever permitted the lowering of the U.S. flag over that Federal building and raising the Vietcong flag in its place. I do not know what we have come to in this country of ours when acts of this kind are permitted.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for his comments. That is one of the reasons that I asked for this special order, so as to talk about these things which I saw firsthand, and to see if we can wake up America to some of these situations that certainly should not happen.

On Saturday night around 7 o'clock there was a move by a small group of demonstrators—those bent on trouble—to reach the White House. The National Guard was called, and two MP companies were moved out of one of the Federal buildings and ordered to go to 15th and Pennsylvania to reinforce the police. It certainly was a strange feeling to see military vehicles with sirens going, and red lights blinking, going in front of the White House in the darkness, going to protect the White House and its occupants—it is a strange feeling, I want to assure the gentleman from Iowa.

As I said, there were no Federal troops

deployed on the streets at any time. However, there were marines stationed in this Capitol. And I understand the 3d Infantry Regiment which is at Fort Myers, and is the honor guard at Arlington Cemetery, had the responsibility to be stationed in or near the White House.

The 82d Airborne and other Regular Army and military police units were stationed in Federal buildings or were stationed nearby to the Washington scene.

You know, the District of Columbia National Guard really did a good job as special policemen. These guardsmen in Washington have a rather peculiar position. In the sovereign States in civil disturbances, not only do you have city policemen, but you have county sheriffs and county officers and deputies and constables, and then after you have these to support the city officials when they have civil disturbances in a State, you have the State troopers that can be used.

But have you thought that here in Washington you only have the police and then you have the District of Columbia National Guard to back up the city police? After that you have to depend on the Federal troops.

Now since October of 1967, the District of Columbia National Guard has been called to active duty to work on and to settle civil disturbances 13 times—13 times since October of 1967. These units have been called on more than any other units in the United States. They have to be called away from their jobs to put down civil disturbances.

I might say that the morale of these guardsmen, whom I drilled with this last weekend—the morale was very good in spite of the many times they have to come out to the Armory and prepare themselves to meet a situation such as last weekend. I might say that most of these guardsmen are Government employees and college students. Your officers and NCO's and some of your enlisted men work for the Government, but 30 to 40 percent of your guardsmen in the District of Columbia are made up of college students who go to different colleges in the District of Columbia area.

Some commanders in the Washington National Guard have told me that in some cases the departments of Government are less cooperative in letting a guardsman off to come to drill than some employers in private enterprise. In other words, some of the department heads in Government give the commanders and the men in the National Guard a harder time than a man who runs a service station and who has only one attendant. Oftentimes a private businessman is more willing to let his employee go than some of these Government department heads. I say that this is wrong and that when a situation like this comes up, these department heads should cooperate.

In the callup for this weekend, 95 percent of the District of Columbia guardsmen reported for duty which is certainly commendable. The 5 percent that did not show up were too far away to come back over the weekend or were sick or some of them were not able to be contacted. But 95 percent out of a possible 100 percent is a very good average. It is about 5 percent over what was expected to show up this last weekend.

Now speaking of the antiwar demonstrators, I would like to give my estimate of the crowd. I would say that the number of people in Washington between Friday and early Sunday morning was between 250,000 and 300,000 people. It was certainly not as high as 800,000, as I have heard.

I might comment that I noticed some of these groups walking around and I talked to some of them. They came in pairs—a boy and a girl. They came mainly from colleges in this part of the country. For some reason, a large group of them were strangely dressed. Their dress was different from what we usually see. They almost had on costumes. Some of these young people, the ones I talked to, really do not know completely what the cause was—they heard a bus was coming and they had a friend and they paid their roundtrip and so they came to Washington.

We have talked about these groups and the damage done.

I certainly do not agree with any of the philosophy of what the demonstration called for. I really think it was unnecessary. As I said, many of the young people did not know exactly what they were there for. Several I talked to said, "Yes, I support President Nixon's program"—which was entirely off course, from what the moratorium was about.

Why they surrounded the Justice Department and why some of the demonstrators, 5,000 of them, went down there, I do not know. The Federal Government, through the Attorney General's Office or President Nixon's, has not taken a really active part in the cases or the court suits that are now going on in Chicago.

I heard some of the cries in the crowd, "Free Bobby Seale." I did not really follow this. Speaking of things shouted out, I heard some of these young people shout, "Ho, Ho, Ho, Ho Chi Minh. We have the Vietcong flag." And it just did not hit me right. It rubbed me and a lot of other Americans the wrong way.

The White House was protected by a large number of buses that were placed bumper to bumper and surrounded about two-thirds of the White House. They were used as a barrier in case there was trouble in trying to demonstrate near the White House.

The weather was a factor. The weather was a key factor. It was cold and miserable Friday night when, you might say, the ones who were the troublemakers arrived. They did not get much sleep. Saturday they were cold and tired, and it was cold Saturday, and after the demonstration at the Justice Department, a few of them came toward the White House. By 8 o'clock most of them were looking for warm places. Most of the young people had gone back to their buses from which they originally had come.

The cost was, in my estimation, to state a conservative estimate, between $800,000 and $1 million to the Federal Government. I am sure this demonstration slowed business in Washington. Several of the streets were blocked off all day Saturday.

Therefore, I know private enterprise was hurt by this demonstration.

We are very fortunate that no one was seriously hurt, and that there was a minimum amount of property destroyed. I would say that this will not happen to us again. Possibly if we have this large a number of people who would come back into Washington, we might not be as fortunate as we were this weekend, and possibly there could be serious violence. So I certainly hope that these demonstrations will not continue.

In closing I would like to say that this was quite an experience for me to meet, to drill, and to be with the District of Columbia National Guard and also to see how the police worked.

I have to commend the police, and the National Guard for the fine job that was done.

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

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

Mr. MAYNE. Mr. Speaker, I certainly commend the gentleman for his very graphic eyewitness account of the events in Washington over the weekend as seen from the vantage point of a National Guardsman.

I was particularly shocked at the gentleman's account that the Vietnam flag was being flown at the base of the Washington Monument. This is certainly an affront to every American who wears the uniform of the United States proudly, or who has made the supreme sacrifice defending the American flag. Certainly all of the patriotic Americans can have nothing but condemnation for anyone who would desecrate the base of the Washington Monument by flying the flag of our enemies who are doing their utmost to kill brave Americans in Vietnam.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman from Iowa.

I would like to mention to the gentleman this was not a particularly mean crowd. There was a small group that would cause the problems and others would follow. I saw some of the young people crying. They did not know exactly what they were getting into, and they would get into something that was shameful and I think they were sorry themselves that they did it. I just cannot believe they will ever be able to rally that large a group to come back to Washington. Certainly I hope they cannot.

Mr. NICHOLS. Mr. Speaker, I am very pleased that my good friend and distinguished colleague from the State of Mississippi has asked me to join him in this special order to discuss the tragic situation which we witnessed in Washington over this past weekend. Over a quarter of a million young people descended on this city to march in the streets to protest the war in Vietnam. This occurred with total disregard for our President's plea for support for his peace efforts.

Most of these young people left their studies and cut classes to come to Washington. Many of them have parents who are making substantial sacrifices and in all cases are putting out a great deal of money so that their children can get an

education and hopefully require some wisdom.

There was very little wisdom demonstrated during the last 3 days. Despite all the promises given to city and national officials, large numbers of the demonstrators broke their pledge to nonviolence and rioted, not only against the police, but against the law-abiding citizens of their country and against the members of their own ranks who kept their word.

Honor, integrity, and justice seem to have very little meaning for these protesters who use them so frequently and loosely. Apparently they only apply to other people, not to themselves. They seem to believe that they have a corner on truth and therefore are above the law.

Perhaps most important of all is the disregard and disdain they show for the democratic process. All of those who marched during the 3-day protest ignored the fact that this is a country built on law, an impartial and just law which protects them even as they break it. In many cases, the law has gone much further than it should to protect their rights while it ignores the rights of the great majority of the people of the country to be protected from their irresponsible and reprehensible activities.

We have a democratic system which allows dissent and protest by lawful and time-honored means. We have a free system of elections which allows all Americans to register their complaints and exercise free choice in electing new leaders. The only way that this system can continue to operate to protect the rights of all is for the minority to respect the choice of the majority and abide by their decisions.

Demonstrations such as we have witnessed for too long now, contribute to the breakdown of this system. I bitterly oppose those who would turn democracy into a street fight with the strongest deciding what is right and what is wrong. We saw this happen in Germany before the war, and those who are in the streets, abusing the name of democracy, should give careful thought to the implications of their actions.

Revolution, hiding under the cloak of democracy, will not be tolerated by those who have learned its true meaning by shedding their blood in its defense.

GENERAL LEAVE TO EXTEND

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

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

There was no objection.

ISRAEL IS DANGEROUSLY CLOSE TO BECOMING ANOTHER VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, the situation in the Middle East is deteriorating very rapidly and unless the United States makes a bold move toward supplying Israel with at least 200 Phantom jet fighters immediately, this gallant and brave nation may find herself in great peril of her very survival.

I have recently returned from a personal visit to Israel and there is no question in my mind about the determination and profound ability of the Israelis to defend their nation.

The will and the spirit of the Israel soldiers make up for whatever deficiency this gallant nation may have in armor.

But spirit alone is not enough when a nation like Israel is now confronted on all of her borders with the full force and fury of Arab terrorism and Arab aggression made possible by the Soviet Union's total rearming of the Arab States.

The United States and the free world can no longer ignore the fact that the Soviet Union has given Egypt 960 jet fighters since the 6-day war of 1967.

The Soviet Union has given Syria another 430 jet fighters.

The Soviet Union has given countless trucks, tanks, field artillery pieces, and every other military weapon that the Arab States need to wage aggression against Israel.

Mr. Speaker, the situation in the Middle East is more serious today than ever before and the great tragedy of our times is that Israel does not want anything from her friends—and in particular, the United States—except the military hardware with which to protect herself.

Israel does not want American soldiers. She does not want American mechanics to service whatever airplanes we give her. She does not want any official intervention by the United States, nor is she seeking any assistance from the U.S. 6th Fleet now in the Mediterranean.

The Israelis firmly believe they are fully capable of defending themselves if they can have, above all, the necessary aircraft for in that part of the world it is the effectiveness of the air force that spells the difference between survival and defeat.

It is inconceivable, in my judgment, for the free world to idly sit by and watch the Soviet Union totally rearm all of the Arab States and train Arab armies for meaningful aggression against Israel.

I believe that America can avoid involvement in the Middle East and I am encouraged by the fact that the Israelis do not seek our involvement.

But I believe the United States could take a lesson from the Soviet Union and adopt a new policy of providing our friends with maximum military hardware and minimum U.S. troops.

There is no Soviet soldier dying in Vietnam, in the Middle East, or in Korea. Yet, every enemy soldier who has been captured in either of these three theaters of operation is heavily armed with Soviet-made equipment.

Every one of these prisoners has Soviet-made rifles, uniforms, messkits, bullets, binoculars, shoes, and whatever other military needs he may have.

In Lebanon where the terrorist groups recently negotiated an agreement for new raids into Israel, they openly used Soviet trucks to move their forces and equipment to the Israel border.

If we really want to avoid a major war in the Middle East, we must help Israel become strong enough to defend herself against Nasser's public pronouncement that he and his Arab allies will drive Israel into the sea.

Mr. Speaker, five American Presidents have assured Israel that she will not be driven into the sea. I say to you that the United States need not be involved militarily in any Middle East conflict if we will have the presence of mind and the courage to help Israel set up a sufficient deterrent to Arab aggression.

Why is it that the Soviet Union has no qualm or compunction about openly rearming all of the Arab States? Why is it that the Soviet Union does not fear world reaction or a loss of any of her interests by openly training Arab forces for aggression in the Middle East?

What is it about the American State Department and the Defense Department which puts us into this facetious role of some sort of "parity" in arms in the Middle East?

This policy of parity—giving the Arabs the same degree of help that we give the Israelis—might have been valid prior to the Soviet Union's entry into the Middle East. But surely such a policy at this time is not only tragic, but totally ignores the fact that while the Arab States have unlimited access to arms and ammunition from Russia, we continue to keep Israel totally constrained in her ability to defend herself.

I respectfully submit, Mr. Speaker, that a continuation of this folly is the surest way to war in the Middle East.

It is of no comfort to me to know that the 6th Fleet is in the Mediterranean and could immediately respond to the help of the Israelis if an all-out Arab assault is waged against that country. We are now trying to extricate ourselves from our tragic involvement in Vietnam and I believe it is safe to predict that there are few Americans, if any, who want to see our Nation involved in yet another conflict. But I submit, Mr. Speaker, that the United States is not limited to one of only two alternatives—either helping Israel militarily or watching her go down to tragic defeat.

I submit there is a third alternative and one that we ought to adopt. This is the alternative of giving Israel whatever she needs to provide an effective deterrent to Arab aggression.

There is no question in my mind that once the Arab States realize that any attacks on Israel will prove futile and once the Arabs realize that they are not going to drive this gallant nation into the sea, perhaps then the Arabs and Israelis can get together and work out a lasting peace in the Middle East.

I think that the height of indignity is for the United States to insist that Israel shall only receive the kind of military aid from the United States that she can afford to pay for when the Arab States have a blank check from the Soviet Union to draw on for whatever possible conceivable military aid they need.

We cannot ignore the fact that Russia has given Egypt 960 jet fighters and Syria another 430.

The pilots of these fighters are now being trained by Soviet military experts and I say to you, Mr. Speaker, that it is

only a matter of time before the full fury of this Soviet military aid to the Arab States is unleashed on the people of Israel.

Nor can we ignore the fact that the same terror tactics which have been so thoroughly tested by the Vietcong against innocent people in South Vietnam are now being used by Arab terrorists against the Israelis in Israel.

The world cannot remain oblivious to this growing use of terrorism as an instrument of aggression. The mayor of Tel Aviv told me of the great difficulties his administration is experiencing in dealing with these terrorists because most of the manpower of Tel Aviv is engaged in border guard duty with the Israel Army.

This whole technique of terrorism is something that the free world must learn to live with. We are now beginning to witness it in our own country. Do not dismiss the bombings of office buildings in New York as the work of cranks or sick minds.

Mr. Speaker, it is not my intention to either exaggerate or deal in hysteria. The people of Israel are calm and resolute and life goes on in the big cities fully mindful of the dangers that lie in the borders.

We have every reason to believe that Israel is fully capable of protecting herself and her nation but she needs military aid.

We must realize as Americans that there never again will be a ticker-tape parade down Wall Street marking the end of a huge conflict.

We must realize that there never again will be a battleship *Missouri* steaming into Tokyo harbor as it did in 1945 to accept total surrender. These new conflicts that face the world today have no formal beginning and no formal ending.

This is why America's new policy must place heaviest emphasis on sending military arms to our allies to help make them strong enough to help themselves before the conflict begins.

We must use our military arms as a deterrent.

A few months ago we had a big debate here in this Congress on the anti-ballistic-missile system and the proponents argued that perfection of this system will prove a deterrent to conflict.

I submit that that same logic prevails and applies to sending 200 Phantom jet fighters to Israel forthwith, not next year, not 3 years from now, but right now.

Nothing will bring peace to the Middle East faster and more assuredly and convince the Arabs that Israel is more than capable of protecting herself.

This is a policy that requires no American personnel; no American soldiers, but one that offers our allies meaningful help.

I know of no mandate for American troops to police the entire troubled world in these days of mounting conflict. It is for this reason that I do not urge the sending of one American soldier but we can no longer ignore the fact that the Soviet Union uses her military might in a much more effective way.

It is the height of folly to think that Russia wants peace when she continues to rearm nation after nation to wage aggression. We must realize this new technique of warfare and respond accordingly.

It is of no comfort to us that our representatives and Soviet representatives meet in Helsinki to being talks on nuclear disarmament.

Of course, the Soviet Union will agree to placing limitations on strategic missiles when all over this world the Soviet Union is sending to aggressor nations the day-to-day sinews for terror, subversion, and conventional aggression.

We can have all the controls in the world on strategic missiles between the United States and Russia and yet see most of mankind fall captive to the Communist conspiracy.

When are the statemen of this country going to realize that the Soviet Union plays a series of options at one time?

She is talking peace in Helsinki and waging war in the Gaza Strip.

Our Nation has to learn to use its options the very same way that the Soviets have used their options over the past 22 years.

During the past two decades the Soviets have kept us off balance and we respond to, instead of anticipating, their actions.

It is high time that the United States took the initiative and I submit, Mr. Speaker, that the place to start is to send to Israel 200 jet fighters immediately.

The 50 fighters that she is buying from America ought to be included in this package.

One final word. In my judgment, it is the height of folly for anyone to suggest that the Israelis would use these fighters to wage new aggression against the Arabs.

The 6-day war was necessitated by 20 years of constant aggression and harassment by the Arab States.

Ten days ago I stood on the mountains of the Golan Heights and I personally examined the Syrian embankments there. I saw the moment in which the Syrians were able to harass the Israelis from these excellent strategic vantage points.

I examined a kibbutz near the Jordan River which had been bombarded by the Syrians every night to the extent that a whole generation grew up spending every evening and nighttime in a bomb shelter.

The 6-day war was a necessity to give Israel a chance to breathe but I submit to you, Mr. Speaker and my colleagues, that to suggest to me that the Israelis want to keep all of the liberated territories or that they seek more is to ignore the realities of life and to fail to understand the nature of the Israelis themselves.

I submit that the Jewish people did not struggle for 2,000 years to get their own homeland only to become a minority in their own country.

There is no question in my mind that if and when the Arabs give Israel unequivocal guarantees of Israel's sovereign ty and full and free access to all the waterways, the Israelis will be more than anxious to discuss with the Arabs the return of these territories. Obviously, the Israelis will retain some of the territory for reasons that are beyond contradiction, but I believe it would be foolish to suggest that somehow or other the Israelis want to keep all the territories they won in the 6-day war. To do so would give them control over such vast expanses of land and population that they would become a minority in their own country.

THE WASTE-TREATMENT CONSTRUCTION GRANT PROGRAM: HOW MUCH TO INVEST THEREIN THIS YEAR?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 30 minutes.

Mr. ROBISON. Mr. Speaker, now that the other body has completed its consideration of the 1970 Public Works appropriation bill, the question of how much to invest—during what remains of this fiscal year—in the Department of Interior's waste-treatment construction grant program again becomes a matter of some concern to this House.

As my colleagues will well remember, when this issue was before us on October 8 the House decided, after considerable debate, to appropriate $600 million in new obligational authority for the purposes of this important program which sum, together with available unobligated balances of $64.9 million carried over at the end of the last fiscal year, would have provided a total grant program of about $665 million for the construction of waste-treatment works, as authorized by the Clean Water Restoration Act of 1966 to abate our national water-pollution problem.

The vote on this in the Committee of the Whole, as all will recall, was a close one—coming in the face of a concerted drive on the part of some of our colleagues for the "full funding" of this program at the $1 billion authorized figure.

I thought then—and still think—that we made a responsible and wholly defensible decision, tripling as we did the prior year's appropriation for this item in a year when the demand for budgetary restraint was so clearly obvious; and in light, too, of what we could determine as the probable top figure that the Department of Interior, in its most objective moments, would tell us that it could put to use in what remains of this fiscal year.

However, it will soon be necessary for us to again go over much of the same ground for the other body, in its separate wisdom—a phrase I prefer to use though there evidently is a bit of "one-upmanship" in all this—has now decided to fund this program at the full authorization figure of $1 billion; to "fully fund" it, that is, in the sense that phrase was urged upon us in those weeks leading up to October 8.

Now, Mr. Speaker, considering the great political appeal this program has, and considering the undeniable need for faster progress to be made thereunder—which means an increased level of Federal support—it is tempting for all of us to now say "So be it," to the action taken by the other body, thus bowing in advance to the new wave of lobbying pressure for "full funding" that will soon again engulf us.

That pressure will undoubtedly reach its peak when, as this bill gets ready to move to conference, a motion will be made to instruct the House conferees to accept the other body's $1 billion bid for popular approval, as further evidence of our support for this program.

I do not happen to believe—generally speaking—in the practice of so instructing any conferees. I think many of my colleagues share that viewpoint, but it is clear, in advance, that it will be difficult for anyone, politically speaking, to vote against such a motion in this instance.

These remarks, then, have been prepared with that thought in mind—it being my purpose, if I can, to encourage in advance of that vote some objective consideration of that question of "full funding" of this program, with especial reference to what "full funding" can or cannot accomplish.

If my colleagues, Mr. Speaker, will think back to the debate we had last month on this same question, most of them will recall that it was brought out in the course thereof that there is something badly wrong with the allocation formula under which funds for this program are made available to the interested municipalities in the several States. As we discovered, 17 States—along with Guam, Puerto Rico, and the Virgin Islands—were more than fully funded under that formula even at the original $214 million budgetary request, this being on the basis of their reported need for Federal assistance under this program as totaled up from applications pending at regional FWPCA offices or at State agencies, and from applications in some stage of progress at the local level but not yet formalized. At the $600 million House figure these same 17 States—and territories—already fully funded and, in fact, enjoying under the allocation formula an actual surplus over their reported need at the $214-million figure, would see that surplus escalated from $37.9 million to over $101 million. Clearly, there is an urgent need for Congress to review and revise that allocation formula.

But, to move on, eight additional States would become fully funded—on the same basis of total reported need—under the $600 million House figure and would also, for reasons relating back to the workings of the present allocation formula, receive at least a temporary surplus over their total reported need for funds under this program of $41.2 million.

Thus, to sum up so far, at the House figure of $600 million for the purposes of this program, 25 States would be fully funded—indeed, overfunded—under any definition of that phrase.

At this point, it needs to be stated, I suppose, that the figures I am using are those as supplied me by the Federal Water Pollution Control Commission, and were current as of August 31 of this year.

Now, Mr. Speaker, it would seem to become necessary to consider a bit more fully what we mean by "fully funded."

Do we mean, thereby, simply the appropriation of the full authorization of $1 billion for this fiscal year?

Or do we mean to appropriate whatever we can decide is actually going to be required under this program by the States in the balance of this fiscal year?

It seems to me, Mr. Speaker, that if the appropriation process is going to continue to mean anything we ought to try to fund any program before us only at that level which we can determine—and agree upon—could reasonably be obligated during the fiscal year in question.

Though there has been some backing and filling on this point, Interior continues to say—as best I know—that this would be $600 million, at the most. And it is important to remember, in this connection, that we are talking about obligations—not expenditures—for, since the Federal grants, as I understand, do not go out until a project is 25 percent complete, it is safe to assume that the expenditure level for this program will not rise very much during the balance of this fiscal year no matter how much we eventually decide to appropriate for it. I don't know, Mr. Speaker, if many of my colleagues are still very interested in this aspect of our budgetary decisions, even though we have previously seen fit to impose a spending-ceiling of sorts on the President; but if any are so concerned, they may take some comfort from what I have just said.

In any event, what now of those remaining 25 States who do not seem, at first glance, to be fully funded—in the broadest sense of that phrase—at the House figure of $600 million?

Well, seven of those States—Alaska, Connecticut, Hawaii, Massachusetts, Minnesota, Rhode Island, and Vermont, along with the District of Columbia, would really be fully funded for all practical intents and purposes, though now in a narrower sense of that phrase, at the $600-million level since the allocations they would then receive would more than cover the respective dollar totals of all the grant applications they have pending at regional FWPCA or State pure-water offices. Besides which, they collectively would become entitled at that level to an additional $28 million, or thereabouts, to apply eventually to their reported backlog of local need, as represented by applications for grant moneys that are now in some stage of preparation back at the municipal level, but which will probably not actually be filed for months—in some cases, perhaps, years—yet to come.

This, then, leaves 18 "problem" States for us to consider—the problem in connection therewith being one that, because of that allocation formula, we cannot really resolve whether we decide to stay at the House figure of $600 million, or adopt the other body's $1 billion figure, or opt—as seems a likely result of the forthcoming conference—for some "splitting of the difference" between the two.

I would ask my colleagues to take note, Mr. Speaker, of the fact that, to come closer to "full funding" as we have here on the House side, we have already had to vote to overfund 32 States—under that obsolete allocation formula—to the tune of nearly $210 million just on the basis of their "action backlog" of applications pending at those regional FWPCA or State offices.

If we were now to decide to force the House conferees, in advance, to accept the other body's $1 billion figure—thereby improving the lot of those remaining 18 States but still, please note, without coming close to meeting the apparent needs of at least seven of them—the overfunding that would then be produced insofar as pending applications were concerned would rise to nearly $437 million.

Mr. Speaker, it strikes me that this is simply not a very efficient way for us to be trying to advance the purposes of this program—and that what we ought to be concentrating on, instead, is ways and means to review and revise that obsolete allocation formula, and how to nail down the matter of reimbursing those States who have been going ahead on their own—in advance of Federal assistance—in meeting their pollution-abatement goals, on which subject more in a moment.

Now it is, of course, true that, at the $1 billion level, we can "fully fund"—again on that basis of dollar totals of pending applications—eight of those remaining States, these being California, Illinois, Missouri, New Hampshire, Ohio, Virginia, Washington, and Wisconsin. And I should think Tennessee should also be added to this list since its application backlog totals $21,278,986 against which it would receive—at the $1 billion level—$21,083,396, or close enough to cover, one would think, the actual need.

As a matter of fact, both Michigan and Nevada—assuming some administrative "slippage"—would also be so close to being covered at the $1 billion level that, for all practical intents and purposes, they, too, could be said to be "fully funded."

This, then, would still leave seven States—Florida, Indiana, Maine, Maryland, New Jersey, New York, and Oregon—on paper considerably less than "fully funded" on the basis we have been talking about, please note, even at the other body's $1 billion figure. My own State of New York, Mr. Speaker, is the best example of this problem since its pending, filed, applications total up to $202,279,540, against which—even at the $1 billion level—it would receive only $89,223,166.

And, Mr. Speaker, there is nothing we can do about this situation unless and until we change that allocation formula.

Now, of course, it is true—and let me be the first to admit it—that, at the other body's $1 billion figure, New York will become entitled to receive under that allocation formula for the purposes of this program that $89,223,166, or a bit short of $37 million more than it would become entitled to under the House's $600 million figure.

Why, then, do I not grab for that without any questions?

Well, precisely because, Mr. Speaker, I have not yet been able to determine what New York's true "action backlog" really is.

I have already mentioned the probability of some administrative "slippages" in connection with Tennessee, Michigan, and Nevada; but such "slippages"—that relate to administrative capacities to more than triple the pace of progress under this program at both State and

local level, as well as the Federal, levels—will apply in all States.

In addition to which, since the FWPCA does not, as I understand, require a municipality on filing an application for grant moneys to certify as to its financial readiness to proceed with construction of its project, once Federal assistance is forthcoming, we now have no way really of knowing how many local municipal entities—even in a State with such a large paper backlog of need as New York—are really ready to go ahead with their project if the level of Federal assistance is pushed on up to the other body's $1 billion figure. This is a problem, I might mention, that has been made even more difficult of estimation by virtue of the fact that this Congress, in its zeal for tax-reform, has unintentionally brought some added uncertainties of performance to the municipal bond markets.

And then, finally, Mr. Speaker, one also has to consider the capacity of design engineers, as well as the construction and equipment industries, to handle, all at once, a vastly expanded workload of progress under this important program.

What I am, therefore, saying is that, while it is of course politically tempting to accept in advance the other body's "one-upmanship" to the full $1 billion funding for this program, it is still obvious that nowhere that amount could possibly be obligated during the balance of this fiscal year for this program's purposes—a program, need I say, that I support just as strongly as anyone in this body—and that, therefore, the House conferees ought to be left free to work out the best and most responsible compromise they could with the conferees from the other body.

Now, quickly—for I know this will be brought to my colleagues' attention—what is wrong with putting whatever might be left over from that $1 billion into this program's "pipeline," so to speak, for eventual reallocation to those demonstrably more needy States or, as I have mentioned, toward reimbursement of those few States, including New York, that have been making their own progress toward water-pollution abatement in advance of Federal assistance under this program?

The answer is, nothing, really—except this would be an inordinately clumsy way of trying to get around a bad allocation formula that is in urgent need of revision. We would "get around" that formula only in the sense that these extra "pipeline" moneys—in about 13 or 14 months from now—would eventually become available for reallocation by FWPCA to those States whose needs are greater under the program, or who have been making faster progress thereunder.

And, then, there is that question of reimbursement. In light of their own assessment of need within their borders, and also probably in light of the low level of Federal appropriations under this program to date, certain States have begun to prefinance waste-treatment projects in anticipation of subsequent Federal reimbursement to the extent of the normal Federal share. Three of our seven "problem" States—Maine, Maryland, and New York—fall in this category, along with Connecticut, Massachusetts, Vermont, and Pennsylvania as well as, perhaps, a few others. New York, I am proud to note, is well advanced in trying to step up its own attack on pollution through this method.

However, the reimbursement provisions of the Federal Water Pollution Control Act are unfortunately fuzzy as to how all this is to work. At best, the prefinancing States would seem to have only a sort of moral claim—rather than a legal claim—to eventual reimbursement, giving us here again further impetus for an early overhaul of the basic act. I have seen a rather wide variety of figures supposedly representing how much is currently "owed" the eligible States in way of reimbursement. One of the Members of the other body recently inserted a table in the CONGRESSIONAL RECORD—see page 33873 on November 12—showing a total of State funds so advanced as being $292,944,000. During our own subcommittee hearings earlier this year, the FWPCA told us that there was a possible, eventual Federal obligation under this procedure of close to $575 million. Whatever the true figure, however, it would seem clear that our especial "problem" States would not be appreciably helped toward reimbursement—except at the expense of new projects within their borders—by accepting the other body's $1 billion figure since, again under the allocation formula, they would have to wait up to a year and a half or so from now for the surplus moneys from the overfunded States to be released to them by way of reimbursement.

So, once again, Mr. Speaker, I would argue that for Congress to now vote the full $1 billion authorization for this program's purposes will not solve the problems we face with this program—and that those problems can only really be solved through some restructuring of the law under which it now operates.

And, now, at this late hour still another factor has been added to the issues we must consider in connection with all this by release of a General Accounting Office examination—and report thereon—into the effectiveness of this program.

As submitted to Congress week before last by the Comptroller General, this is a rather critical report, containing significant findings, conclusions, and recommendations which merit early and detailed congressional review and consideration. It seems clear from my own preliminary review of this material that, once again, extensive amendments are needed by the basic act—not only for the reasons I have already stated, but also if the program is to yield more effective results.

The thrust of the GAO's recommendations is that, before additional large sums of Federal moneys are invested in this program, Congress should endeavor to insure a more careful analysis of our nationwide problem with polluted waters, and find a more systematic means of awarding construction grant moneys so as to obtain greater benefits therefrom—with which basic premise Interior seems to agree, while expressing its serious reservations about some other aspects of GAO's conclusions and recommendations.

A major finding by GAO is that—

> The construction grant program has been administered for the most part using a shotgun approach—awarding construction grants on a first-come—first-served or readiness-to-proceed basis.

To corrrect this situation, GAO recommends that the Secretary of the Interior require the States, in establishing priorities for the construction of waste-treatment facilities, and the Federal Water Pollution Control Administration, in approving grants, give consideration to, first, the benefits to be derived from such facilities, and second, the actions taken, or planned to be taken, by other polluters of the waterways. In response, the Department states it is already moving strongly in this direction and is currently completing a comprehensive review of the construction grants issue of which consideration of State priority systems is a major part.

Both GAO and the Department, however, point out that the Department's authority to require improvements in State priority systems is limited under the terms of the Federal Water Pollution Control Act. The present act provides that State priorities be based on financial and water pollution control needs. It appears necessary, therefore, as GAO suggests, that Congress consider amending the act to provide that priorities for grant awards be established on the basis of benefits to be realized.

The Department of the Interior also points out properly that—

> Although improved priority systems are needed, they in themselves will be of limited value unless those communities contributing the most serious problems can be persuaded or compelled to move forward promptly with construction applications. * * * To be realistic, we must recognize that grants cannot be awarded to communities which are not ready or willing to undertake construction.

Another major issue arising from the report concerns GAO's recommendation that—

> Congress consider requiring the Department of the Interior to provide for interim goals and to allow communities to construct less than secondary treatment facilities when it can be demonstrated that a lesser degree of treatment will result in water quality enhancement commensurate with present and future water uses.

The Department of the Interior, however, has taken the position that providing for less than secondary treatment would not be acceptable. The Department states, in its comments, that—

> History has shown that deterioration of many waters has been the inevitable accompaniment of economic growth because past treatment goals were set too low. * * * Secondary treatment, and treatment levels beyond that, should be considered a necessary goal to allow us to get ahead with the pollution problem—to prevent pollution rather than wait to abate it after damage has occurred.

Mr. Speaker, I firmly believe these issues, and the others covered by this report—it being my intention to ask permission to insert chapter II therefrom, encompassing GAO's "Conclusions, Recommendations and Matters for Consideration by the Congress" in the RECORD at the conclusion of these remarks for the information of such of my colleagues as

have not yet seen the same—must be resolved by the administration and the Congress if effective program results are to be achieved and vastly increased funding levels for this basic program fully warranted.

Before inserting that material, however, I should like to attempt to refute the implication contained in one account of the release of this report as carried in the November 8, 1969, issue of the New York Times, entitled "Politics and Pollution." The writer's suggestion that the report was issued now to assist the administration in winning its fight over the budgetary aspects of the issue we face is, I believe, utterly without foundation. It is obvious, merely from reading this very thorough examination of how this program has been working—or not working—from a cost-efficiency standpoint, that the report has been "in the works" for some time; and to question the integrity and independence of the GAO is about as baseless as to argue, as did the Times' reporter, that the report's usefulness is suspect because it was "made by fiscal people rather than water experts."

Mr. Speaker, I would be the first to deplore any mixing of "politics and pollution," for the scope and magnitude of our Nation's—and the world's—environmental challenges are such as to demand nothing less of any of us than the greatest wisdom and objectivity we can bring to bear upon their solution.

This, I think, is equally apt when we consider most of our other immediate challenges and the great issues of the day. So, I would fully agree with the new managing editor of the Times, A. M. Rosenthal, in his recent statement that:

> The duty of every reporter and editor is to strive for as much objectivity as humanly possible. . . . The turmoil in the country is so widespread, voices and passion are at such a pitch, that a newspaper that keeps cool and fair makes a positive, fundamental contribution without which the country would be infinitely poorer.

Precisely so, Mr. Rosenthal, but then—even granting that headline writers carry different responsibilities than do reporters—why was it that, unlike the headline that appeared in the most influential newspaper in my district on the day after the House vote to increase funding for this program to $600 million, which proclaimed: "House Triple Nixon Clean-River Bid," the Times' rather critical account of the same action appeared under this headline: "House Limits Funds for Clean Water"?

Be that as it may, Mr. Speaker—and I expect no answer to my rhetorical question—let me sum up by saying: We do not solve our problem with polluted water by merely voting the top dollar allowed us for a program that stands badly in need of review, and we do violence to the concept of responsible budgeting—and responsible legislating—by voting even a program as important as this one far more money than can be efficiently used for it merely to again show our support of its purposes.

The material, as taken from the GAO report, now follows:

CHAPTER 2. CONCLUSIONS, RECOMMENDATIONS, AND MATTERS FOR CONSIDERATION BY THE CONGRESS

CONCLUSIONS

During fiscal years 1957 through 1969, FWPCA awarded grants of about $1.2 billion for the construction of more than 9,400 waste treatment projects having a total estimated cost of about $5.4 billion. Generally, these projects have contributed to abating water pollution because the water pollution problem would have been worse if these projects had not been constructed. We believe, however, that the benefits from the construction grant program have not been as great as they could have been, because many waste treatment facilities have been constructed on waterways where major polluters—industrial or municipal—located nearby continued to discharge untreated or inadequately treated wastes into the waterways. We believe that greater benefits could have been achieved if the Federal and State water pollution control agencies had more effectively coordinated the planning and construction of municipal and industrial waste treatment facilities on individual waterways.

The construction grant program to date has been administered for the most part using a "shotgun" approach—awarding grants on a first-come-first-served or readiness-to-proceed basis, with little consideration being given to the benefits to be attained by the construction of individual waste treatment plants. This approach may have served a useful purpose in the early years of the program when there was a need to generate interest on the part of the States and communities to get the program moving. We believe, however, that this approach can no longer be justified and that there is a need to award grants on a more systematic basis giving consideration to the benefits to be attained.

Prior to fiscal year 1968, comprehensive programs used by FWPCA as a basis for awarding construction grants were essentially alphabetical listings of municipalities in each State that were in need of waste treatment facilities. Also State plans submitted to FWPCA prior to fiscal year 1968 generally did not include coordinated construction schedules to be met by industries and municipalities so as to attain specific objectives on individual waterways or sections thereof. As a result, we believe that neither the listings used by FWPCA as comprehensive programs nor the State plans as submitted to, and approved by, FWPCA represented meaningful plans for abating, controlling, and preventing water pollution.

Beginning in 1967, the States submitted water quality standards for their interstate waters and schedules for implementation of the standards. The water quality standards implementation schedules represented the first time-phased plans, on statewide bases, for the construction of waste treatment facilities by municipalities and industries to attain specific objectives on individual waterways. The implementation schdeules are currently being used as one of the bases for State and FWPCA approval of Federal grants to municipalities for the construction of waste treatment facilities. Many of the States established 1972 as the year for attaining the water quality standards, which coincides with the date recommended by FWPCA.

In our opinion, however, a serious question exists as to the attainability of the standards by the dates in the implementation schedules because, due to Federal funding in amounts significantly less than the amounts which were authorized, construction is proceeding at a rate well below that which was anticipated. For fiscal years 1968 and 1969, Federal water pollution control legislation authorized $1.15 billion for the construction of waste treatment facilities. Of this amount, about $417 million was appropriated. Although Federal water pollution control legislation authorized $1 billion for fiscal year 1970, the proposed budget for the fiscal year provides for only $214 million for the construction grant program.

We found that, although some States had moved forward without sufficient Federal funds by prefinancing the Federal portion of some projects, the majority of the States were constructing waste treatment facilities at a rate consistent with the availability of Federal funds. Both FWPCA and the States developed their programs and plans on the basis of the funds expected to be made available in the form of Federal construction grants—the amounts authorized. Since few States are proceeding with construction without Federal funds, there is, in several States, an ever-increasing backlog of municipalities awaiting Federal grants.

Furthermore, prior to 1967, the construction grant program provided incentives primarily to smaller municipalities in that the dollar limitations contained in the act represented a meaningful contribution to the costs of constructing smaller waste treatment facilities but did not provide a real incentive to the larger municipalities. In addition, we believe that such limitations did not encourage the construction of municipal waste treatment facilities capable of treating substantial quantities of industrial wastes.

The elimination of the dollar-limitation clause in 1967, however, has provided the incentive for many large municipalities that need multi-million-dollar waste treatment plants to participate in the construction grant program, which placed larger demands on Federal funds. Furthermore, there has been a growing trend toward the treatment of industrial wastes in joint municipal-industrial plants and, if this trend continues, it may well be that much of the costs for treatment facilities which are presently associated with industry will become eligible for Federal assistance. Another matter to be considered is the multi-billion-dollar cost associated with the combined storm and sanitary sewer problem.

On the basis of our examination into these matters; our discussions with Federal, State, and local officials; and the fact that most States are constructing treatment plants at a rate consistent with the availability of Federal funds, we believe that the present level of Federal funding will not be sufficient to enable a significant increase in the effectiveness of the program in abating, controlling, and preventing water pollution unless changes are made in the administration of the program.

In view of the magnitude of the water pollution problem and the limited Federal funds available, it appears to us that it will be many years before the construction grant program is completed. Thus we believe that interim goals or objectives should be established, whereby significant improvement in water quality and uses can be attained on some waterways or sections of waterways. The FWPCA requirement of secondary treatment may be desirable as the ultimate objective. We believe, however, that as an interim measure consideration should be given to less than secondary treatment when such treatment will result in enhancing water quality or in attaining the States' water quality standards. Not only should this result in better utilization of Federal funds, in that funds should be available for a greater number of grants, but also those municipalities that construct facilities for less than secondary treatment should realize substantial savings in annual operation and maintenance expenses. Municipalities that are allowed to provide less than secondary treatment should be advised that, if circumstances change as a result of population and/or industrial growth or expansion, they

may be required to upgrade their treatment facilities.

Our review has shown that the requirement to provide secondary treatment and the construction of municipal waste treatment facilities primarily on the basis of readiness and willingness to proceed has not, in many cases, accomplished water quality improvement objectives. Our review has shown also that many municipalities that have incurred the expenses of constructing, operating, and maintaining waste treatment facilities have not realized the benefits anticipated as a result of the construction.

The States' water quality standards implementation schedules and the annual priority listings are based primarily on the readiness of municipalities to proceed with construction. We believe that such an approach relies heavily on completing the construction of all treatment facilities, including industrial, within a few years. The relative success or failure of such an approach is dependent on the time frame within which such construction is completed. If the time frame is 3 to 5 years, perhaps this approach will accomplish the program objectives reasonably well. However, if we are talking in terms of many years to complete the construction program, and we believe that it could be many years, such an approach may be inefficient and ineffective in substantially improving water quality or uses during the interim years.

A more effective approach, in our opinion, requires a coordinated and systematic effort on the part of FWPCA, the States, and all polluters in the planning and construction of waste treatment facilities in a manner that will achieve water quality objectives. We believe that the States, in establishing priorities, and FWPCA, in awarding grants, should consider the benefits to be derived from the construction of individual treatment facilities. FWPCA and State agencies should be able to choose from alternatives and establish priorities on the basis of the benefits to be attained.

We believe that the use of systems analysis techniques and mathematical models would be of substantial benefit to Federal and State decisionmakers. By utilizing systems analysis techniques, the results, in terms of improved water quality over the entire river, could be estimated for a single waste treatment plant or for combinations of plants. Furthermore, such techniques may provide a means of evaluating the desirability of changes in plans and priorities as construction phases are completed.

The use of systems analysis will aid FWPCA and State officials in making cost-effectiveness studies and estimating the least costly method of attaining water quality goals or objectives. It will also enable the officials to identify alternatives for consideration in assigning priorities and establishing construction schedules that will result in the achievement of significant benefits.

We believe that the use of systems analysis techniques in planning and implementing water pollution control programs is both feasible and practicable. We believe also that the use of systems analysis concepts and techniques by FWPCA and the States to aid in managing their pollution abatement programs should lead to improving the effectiveness of the construction grant program and of controlling water pollution.

We believe that the adoption of systems analysis methods in planning and implementing water pollution control programs could be done with few changes in the present legislation. In particular, the single most important changes desirable is in the manner of awarding Federal grants. The present system requires that consideration be given to financial and water pollution needs in establishing priorities. We believe that a priority system based on benefits to be attained merits consideration. We believe that a major reorganization in the current program would not be necessary in order to utilize such a method since most of the prerequisites for its implementation already exist.

In our opinion, a considerable amount of the data and computer capability needed in employing the techniques of systems analysis is available or could be made available by utilizing FWPCA's STORET system and computer. (See p. 96.) The additional data needed could be collected by the State water pollution control agencies, FWPCA and/or other Federal and regional agencies, as appropriate. This data could then be analyzed by FWPCA, or perhaps a consulting engineering firm, and included in the STORET system. State or interstate authorities could draw upon the system for data in planning the establishment of construction priorities in order to achieve specific water improvements.

Methods such as those outlined above could be used by FWPCA in the development of its comprehensive programs; in evaluating State water quality standards, implementation schedules, and applications for construction grants; and in FWPCA's surveillance programs.

We do not mean to imply that the use of systems analysis will automatically solve all the problems associated with the water pollution control program. Rather, the largely quantitative results of systems anlysis should be used in conjunction with other information available to responsible officials in making decisions.

Political and institutional constraints have adversely affected the water pollution control program in the past and probably will continue to do so in the future. Such constraints include the failure of municipalities to authorize bond issues to fund the municipalities' share of construction costs; insufficient numbers of trained personnel at the Federal, State, and local levels; insufficient funding at all levels; and the fact that water pollution has no political or geographical boundaries, in that the actions of one municipality or State affect other municipalities and States.

We believe that FWPCA and the States must find ways to overcome these constraints if the program is to become more effective. We believe that more consideration could be given to planning and implementing water pollution control programs on a river basin basis or to administering the construction grant program through a State agency which would be responsible for planning, designing, constructing, operating, and maintaining of all waste treatment facilities within the State.

RECOMMENDATIONS

We recommend that the Secretary of the Interior require that the States, in establishing priorities for the construction of waste treatment facilities, and FWPCA, in approving Federal grants for such construction, give consideration to (1) the benefits to be derived from the construction of the facilities and (2) the actions taken, or planned to be taken, by other polluters of the waterway. We believe that the application of systems analysis techniques would assist State and FWPCA water pollution control officials in establishing priorities and approving grants on the basis of the benefits to be attained, which should result in improving the effectiveness of the water pollution control program. Accordingly, we recommend also that FWPCA consider utilizing systems analysis techniques in the planning for and implementing of water pollution control programs.

We recommend further that FWPCA consider the practicability of providing, through its STORET system, data needed by the States in (1) determining their water pollution control requirements, (2) identifying alternatives available to solve water pollution problems, (3) formulating water pollution control plans, and (4) establishing implementation schedules and priorities for the construction of waste treatment facilities.

MATTERS FOR CONSIDERATION BY THE CONGRESS

Section 8(a) of the Federal Water Pollution Control Act provides that: "* * * no grant shall be made for any project under this section unless such project * * * has been certified by the appropriate State water pollution control agency as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs."

On the basis of our review, we believe that priorities should be established on the basis of benefits to be attained and that a coordinated effort is required on the part of all polluters of a waterway to attain the maximum benefits from the construction grant program. We believe that the requirement in the act that financial need be a factor in establishing priorities could result in FWPCA's awarding grants for the construction of projects which provide little benefit in terms of appreciably improving water quality or uses.

Acordingly, and in view of (1) the magnitude of the program required for the construction of waste treatment facilities and (2) the backlog of grant applications for Federal funds, the Congress may wish to consider amending section 8(a) of the act to provide that priorities for grant awards be established on the basis of the benefits to be realized.

Although the Department of the Interior has agreed with our basic premise that a more systematic means of awarding construction grants must be found to secure greater benefits in pollution abatement, and has agreed with the recommendations set forth in this report, it has taken the position that providing for less than secondary treatment of wastes would not be acceptable and that interim goals should not be established. We continue to believe that interim goals should be established and that the providing of less than secondary treatment would be desirable under certain circumstances as discussed on page 16 of this report.

Accordingly, we recommend that the Congress consider requiring the Department of the Interior to provide for interim goals and to allow communities to construct less than secondary treatment faciilties when it can be demonstrated that a lesser degree of treatment will result in water quality enhancement commensurate with proposed present and future water uses.

LEGISLATION TO REQUIRE THE DATING OF PACKAGED FOODS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced H.R. 14816, legislation to require the final date a food can safely be kept on a grocer's shelves to appear on the label of all perishable and semiperishable foods.

The bill would apply to foods canned or packaged by the producer, wholesaler, or retail store. The Secretary of Health, Education, and Welfare would be authorized to determine how long a food could safely be kept on the shelf before it begins to deteriorate.

Every item sold in a supermarket, ex-

cept perhaps the produce, carries a coded date for the benefit of the store employee. This coded date may be a short series of numbers, or letters or both stamped somewhere on the package, either by the manufacturer, wholesaler, or chain store. Some dates represent the last day of shelf life, called the "pull" date, and other dates represent the packaging date.

Thus, for example, "01126" stamped on a package of cheese may mean the 11th month, November, and the 26th day. The code "3047" on meat may represent October—you add together the first and last digits to get the month, 10 for October; the 04 for the 4th. "BKA" on a can may stand for February 1—B for February and A for the 1st. But what about "E35" on bread?

Most consumers know of the existence of these codes, but they are not supposed to know what they mean. Any identical coding between chains is purely coincidental and codes change as frequently as once a month—and probably sooner, if publicized.

But why should not the consumer know the last usable date of a food? The store manager should not be the only one able to recognize fresh food. Why does not the package contain a comprehensible date? Why is the industry afraid to let the consumer in on the secret? Do they fear that given a choice the public would not purchase stale and decayed products?

Packages and cans in many smaller and ghetto stores are faded and appear to be extremely old, a sign that the poor may well be victims with respect to the age of goods as well as price. Requiring the dating of foods would do away with much of this and give the consumer another factor upon which to judge the quality of a food.

Several municipalities now require the dating of certain kinds of foods, especially milk and bread. New York City and Chicago, for example, require milk dating. In addition, Federal law and regulations require the dating of certain drugs.

It would not be difficult to establish acceptable "shelf lives." There is general agreement within the industry with respect to the shelf lives of most foods and between the industry and the Department of Agriculture.

The bill I have introduced would be an addition to the Truth-in-Packaging Act passed in 1966. That act requires certain information to appear on food labels including weight and, in some cases, quality.

The text of H.R. 14816 and a listing of "shelf lives" of many products follow:

H.R. 14816

A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (1) of subsection (a) of section 4 of the Fair Packaging and Labeling Act (15 U.S.C. 1453) is amended by inserting "(A)" immediately after "label" and by inserting before the semicolon the following: ", and (B) if the commodity is a perishable food, stating that it is not to be sold for consumption after a specified date".

(b) Section 5 of such Act (15 U.S.C. 1454) is amended by adding at the end thereof the following new subsection:

"(f) For purposes of section 4(a)(1)(B) of this Act, the Secretary of Health, Education, and Welfare, in consultation with the Secretary of Agriculture, shall by regulation prescribe the manner in which the last day for the sale of a perishable food shall be determined."

(c) Section 10 of such Act (15 U.S.C. 1459) is amended—

(1) by striking out "meat or meat product, poultry or poultry product, or" in subparagraph (1) of paragraph (a);

(2) by adding after subparagraph (5) of paragraph (a) the following new sentence: "Such term includes meat or meat products or poultry or poultry products only to the extent necessary to implement the requirements of section 4(a)(1)(B)."; and

(3) by adding at the end the following new paragraph:

"(g) The term 'perishable food' means meat, poultry, fish, dairy products, eggs, fruit, vegetables, bread, coffee, and any other food that the Secretary of Health, Education, and Welfare designates as perishable."

SEC. 2. The amendments made by the first section of this Act shall take effect on the 90th day following the date of its enactment.

(From Ashrae Guide and Data Book Applications for 1968, published by the American Society of Heating Refrigerating and Air Conditioning Engineers, Inc.)

CHAPTER 37—COMMODITY STORAGE REQUIREMENTS

This chapter presents information on the essential average storage requirements of most of the important perishable foods that enter the market on a commercial scale. Also included is a short discussion on the storage of furs and fabrics. The statements made are derived from scientific experimentation and from the best commercial practice at the present time. The data given in Table 1 are based on the storage of high quality commodities shortly after harvest. When products are transported from a distance, or are deteriorated, appropriate allowances should be made.

The temperatures recommended are the optimum temperatures for long storage and are actual commodity temperatures rather than air temperatures. For short storage, higher temperatures are often satisfactory. Conversely, products subject to chilling injury can sometimes be held at a lower temperature for a short time without injury. Exceptions are bananas, cranberries, cucumbers, eggplants, melons, okra, pumpkins and squash, white and sweet potatoes, and tomatoes. Recommended temperatures for these products should be strictly adhered to.

The values given for water content and freezing points are the result of actual laboratory determinations, but it should be realized that, at best, they can be only approximate because of the great variability in plant and animal tissues and the products thereof. The optimum storage temperature for many foods has been found to be just above their freezing point. Knowledge of freezing points is useful to the cold storage industry in determining how the various commodities should be handled in storage. The highest temperature at which freezing may occur is generally given. In previous editions the average freezing point was given, which may be somewhat lower. It is felt that the highest freezing point is a better guide for commodities that are damaged by freezing.

Values of the water content of foods are useful to the refrigerating engineer as a basis for calculating specific heats and the latent heat of freezing. Specific heat is usually calculated by Siebel's formula:

$$S = 0.008a + 0.20$$

where S signifies the specific heat of a substance containing a, the percent of water; 0.20 is the value representing the specific heat of the solid constituents of the substance.

Necessary additional information for some of the items in Table 1 is given in the text.

The values for the freezing points, water content, rate of evolution of heat (heat of respiration) above and below freezing and for latent heat as given in Table 4 of Chapter 23 in the ASHRAE Handbook of Fundamentals do not always agree exactly with the data given in Tables 1, 2, and 4 of this chapter. The composition of foods varies to some extent, depending upon water content, where grown and other factors. It is also possible that in tables compiled by different editors, slightly different formulae have been used in making calculations to determine both specific and latent heat. The values given in either of these tables can safely be used for refrigeration load calculations. When in doubt, it is suggested that the higher values be used. For more precise work, the specific heat and other values should be determined for the specific sample in question.

(The general responsibility for this chapter is assigned to TC 7.7, Cold Storage Warehouse and Locker Plants.)

It is important to remember that fresh fruits and vegetables in storage are alive and carrying on, within themselves, processes characteristic of living things. In particular, the heat of respiration must always be considered a part of the refrigeration load in storage handling. The approximate rate of heat evolution for various commodities is given in Table 2.

Sealed polyethlene box liners are extensively used commercially for pears and sweet cherries. The slight accumulation of carbon dioxide and depletion of oxygen extend the storage life of pears at 31 F by one or two months and of sweet cherries by several days.

Non-sealed film liners are used extensively to maintain freshness and prevent excessive moisture loss of Golden Delicious apples, rose bushes and strawberry plants. There are indications that similar liners would be beneficial to other crops (such as parsnips) susceptible to excessive weight loss during storage or marketing. Reduction of frost accumulation on refrigerating coils is another advantage of polyethylene liners.

BEER

Beer in bottles or cans is either pasteurized or filtered so as to destroy or remove the living yeast cells and therefore does not require as low a storage temperate as keg beer. Bottled beer *may be stored at ordinary room temperature* (70 to 75 F), but for convenience is often stored with keg beer at a lower temperature of 35 to 40 F. It is essential to protect the bottled product from strong light, especially direct sunlight. The storage life will vary from 3 to 6 months, depending largely on the method of processing and packaging. Keg beer, usually stored at 35 to 40 F has a storage life of 3 to 6 weeks (Chapter 34).

BREAD

See Chapter 32.

CANDY

See Chapter 33.

DAIRY PRODUCTS

See Chapter 28.

DRIED FRUITS

See Chapter 33.

EGGS

See Chapter 35.

FISH

See Chapter 27.

FROZEN FRUITS AND VEGETABLES

See Chapter 29.

TABLE 1.—STORAGE REQUIREMENTS AND PROPERTIES OF PERISHABLE PRODUCTS

Commodity	Storage temperature, fahrenheit	Relative humidity, percent	Approximate storage life	Water content, percent	Highest freezing point, Fahrenheit	Specific heat above freezing [1] B.t.u./lb./F.	Specific heat below freezing [1] B.t.u./lb./F.	Latent heat (calculated) B.t.u./lb. [2]
Apples (ch. 29)	30–32	90	See ch. 29	84.1	29.3	0.87	0.45	121
Apricots	31–32	90	1–2 weeks	85.4	30.1	.88	.46	122
Artichokes (Globe)	31–32	90–95	do	83.7	29.9	.87	.45	120
Jerusalem	31–32	90–95	2–5 months	79.5	[3] 27.5	.83	.44	114
Asparagus	32	90–95	2–3 weeks	93.0	30.9	.94	.48	134
Avocados	45–55	85–90	4 weeks	65.4	31.5	.72	.40	94
Bananas (ch. 29)		85–95		74.8	30.6	.80	.42	108
Beans (green or snap)	45–50	90–95	8–10 days	88.9	30.7	.91	.47	128
Lima	32–40	90	10–15 days	66.5	31.0	.73	.40	94
Beer, barreled [4]	35–40		3–10 weeks	90.2	[3] 28.0	.92		129
Beets:								
Bunch	32	90–95	10–14 days		31.3			
Topped	32	95	3–5 months	87.6	30.1	0.90	.46	126
Blackberries	31–32	90–95	3 days	84.8	30.5	.88	.46	122
Blueberries	31–32	90–95	3–6 weeks	82.3	29.7	.86	.45	118
Bread (ch. 32)	0		Several weeks	32–37		.70	.34	46–53
Broccoli, sprouting	32	90–95	7–10 days	89.9	30.9	.92	.47	130
Brussels sprouts	32	90–95	3–4 weeks	84.9	30.5	.88	.46	122
Cabbage, late	32	90–95	3–4 months	92.4	30.4	.94	.47	132
Candy (ch. 33)	0–34	40–65						
Carrots:								
Prepackaged	32	80–90	3–4 weeks	88.2	29.5	.90	.46	126
Topped	32	90–95	4–5 months	88.2	29.5	.90	.46	126
Cauliflower	32	90–95	2–4 weeks	91.7	30.6	.93	.47	132
Celeriac	32	90–95	3–4 months	88.3	30.3	.91	.46	126
Celery	32	90–95	2–4 months	93.7	31.1	.95	.48	135
Cherries	31–32	90	10–14 days	83.0	28.8	.87	.45	120
Coconuts	32–35	80–85	1–2 months	46.9	30.4	.58	.34	67
Coffee (green)	35–37	80–85	2–4 months	10–15		.30	.24	14–21
Corn, sweet	32	90–95	4–8 days	73.9	30.9	.79	.42	106
Cranberries [4]	36–40	90–95	1–4 months	87.4	30.4	.90	.46	124
Cucumbers [4]	45–50	90–95	10–14 days	96.1	31.1	.97	.49	137
Currants	31–32	90–95	10–14 days	84.7	30.2	.88	.45	120
Dairy products:								
Cheese (ch. 28)	30–45	65–70	(6)	37–38		.50	.31	54
Butter (ch. 28)	32–40	80–85	2 months	15.5–16.5		.33		23
Butter	0 to −10	80–85	1 year	15.5–16.5			.25	23
Cream (sweetened)	−15		Several months	72.5		.78	.42	104
Ice cream (ch. 28)	−15		do	62.0		.70	.39	89
Milk, fluid whole:								
Pasteurized grade A	33		7 days	87.0	[3] 31.0	.90	.46	125
Condensed, sweetened	40		Several months	28.0		.42		40
Evaporated	Room temperature		1 year, plus	74.0		.72		106
Milk, dried:								
Whole milk	45–55	Low	Few months	2–3		.22		4
Nonfat	45–55	do	Several months	2–3		.22		4
Dates (ch. 83)	(6)	(6)	(6)	20.0	3.7	.36	.26	29
Dewberries	31–32	90–95	3 days		29.7			
Dried fruits (ch. 33)	32	50–60	9–12 months	14.0–26.0		.31–.41	.26	20–37
Eggplant	45–50	90	7 days	92.7	30.6	.94	.48	132
Eggs (ch. 35):								
Shell	29–31 [5]	80–85	6–9 months	66.0	[3] 28.0	.73	.40	96
Shell, farm cooler	50–55	70–75		66.0	[3] 28.0	.73	.40	96
Frozen, whole	0 or below		1 year, plus	74.0			.42	105
Frozen, yolk	do		do	55.0			.36	79
Frozen, white	do		do	88.0			.46	126
Whole egg solids	35–40	Low	6–12 months	2–4		.22	.21	4
Yolk solids	35–40	do	do	3–5		.23	.21	6
Flake albumen solids	Room temperature	do	1 year plus	12–16		.31	.24	20
Dried spray albumen solids	do	do	do	5.8		.26	.22	11
Endive (escarole)	32	90–95	2–3 weeks	93.3	31.9	.94	.48	132
Figs (ch. 33):								
Dried	32–40	50–60	9–12 months	24.0		.39	.27	34
Fresh	31–32	85–90	7–10 days	78.0	27.6	.82	.43	112
Fish (ch. 27):								
Fresh	33–35	90–95	5–15 days	62–85	[3] 28.0	.70–.86		89–122
Frozen	−10–0	90–95	8–10 months	62–85			.38–.45	89–122
Smoked	40–50	50–60	6–8 months			.70	.39	92
Brine salted	40–50	90–95	10–12 months			.76	.41	100
Mild cured	28–35	75–90	4–8 months			.76	.41	100
Shellfish:								
Fresh	33	90–95	3–7 days	80.87	28.0	.83–.90		113–125
Frozen	0 to −20	90–95	3–8 months				.44–.46	113–125
Frozen-pack fruits (ch. 29)	−10–0		6–12 months					
Frozen-pack vegetables (ch. 29)	−10–0		6–12 months					
Furs and fabrics [4]	34–40	45–55	Several years					
Garlic, dry	32	65–70	6–8 months	74.2	30.5	.79	.42	106
Gooseberries	31–32	90–95	3–4 weeks	88.9	30.0	.90	.46	126
Grapefruit (ch. 29)	50	85–90	4–8 weeks	88.8	30.0	.91	.46	126
Grapes (ch. 29):								
American type	31–32	85–90	3–8 weeks	81.9	29.7	.86	.44	116
European type	30–31	90–95	3–6 months	81.6	28.1	.86	.44	116
Honey	(6)	(6)	1 year, plusths	18.0		.35	.26	26
Hops (ch. 34)	29–32	50–60	Several mon ths					
Horseradish	32	90–95	10–12 mon	73.4	28.7	.78	.42	104
Kale	32	90–95	1–2 weeks	86.6	31.1	.89	.46	124
Kohlrabi	32	90–95	2–4 weeks	90.1	30.2	.92	.47	128
Lard (without antioxidant)	45	90–95	4–8 months	0				
Lard (without antioxidant)	0	90–95	12–14 months	0				
Leeks, green	32	90–95	1–3 months	88.2	30.7	.90	.46	126
Lemons (ch. 29)	32 or 50–58 [6]	85–90	1–4 months	89.3	29.4	.92	.46	127
Lettuce	32	95	2–3 weeks	94.8	31.7	.96	.48	136
Limes	48–50	85–90	6–8 weeks	86.0	29.1	.89	.46	122
Logan blackberries	31–32	85–90	5–7 days	82.9	29.7	.86	.45	118
Maple sirup	(6)	(6)	(6)	35.5		.48	.31	51

Footnotes at end of table.

TABLE 1.—STORAGE REQUIREMENTS AND PROPERTIES OF PERISHABLE PRODUCTS—Continued

Commodity	Storage temperature, fahrenheit	Relative humidity, percent	Approximate storage life	Water content, percent	Highest freezing point, fahrenheit	Specific heat above freezing [1] B.t.u./lb./F.	Specific heat below freezing [1] B.t.u./lb./F.	Latent heat (calculated) B.t.u./lb.[2]
Meat (ch. 25):								
Bacon:								
Frozen	—10–0	90–95	4–6 months					
Cured (farm style)	—60–65	85	4–6 months	13–29		.30–.43	.24–.29	18–41
Cured (packer style)	34–40	85	2–6 weeks					
Beef:								
Fresh	32–34	88–92	1–6 weeks	62–77	[3] 28–29	.70–.84	.38–.43	89–110
Frozen	—10–0	90–95	9–12 months					
Fat backs	34–36	85–90	0–3 months	6–12		.25–3.0	.22–.24	9–17
Hams and shoulders:								
Fresh	32–34	85–90	7–12 days	47–54	[3] 28–29	.58–.63	.34–.36	67–77
Frozen	—10–0	90–95	6–8 months					
Cured	60–65	50–60	0–3 years	40–45		.52–.56	.32–.33	57–64
Lamb:								
Fresh	32–34	85–90	5–12 days	60–70	[3] 28–29	.68–.76	.38–.51	86–100
Frozen	—10–0	90–95	8–10 months					
Livers: Frozen	—10–0	90–95	3–4 months	70.0			.41	100
Pork:								
Fresh	32–34	85–90	3–7 days	32–44	[3] 28–29	0.46–0.55		46–63
Frozen	—10–0	90–95	4–6 months				0.30–0.33	
Smoked sausage	40–45	85–90	6 months	60.0		.68	.38	86
Sausage casings	40–45	95–90						
Veal	32–34	90–95	5–10 days	64–70	[3] 28–29	.71–.76	.39–.41	92–100
Mangoes	55	85–90	2–3 weeks	81.4	30.3	.85	.44	171
Melons, cantaloupe	32–40	85–90	5–15 days	92.0	29.9	.93	.48	132
Persian	45–50	85–90	2 weeks	92.7	30.5	.94	.48	132
Honeydew and honey ball	45–50	85–90	3–4 weeks	92.6	30.3	.94	.48	132
Casaba	45–50	85–90	4–6 weeks	92.7	30.1	.94	.48	132
Watermelons	40–50	80–85	2–3 weeks	92.1	31.3	.97	.48	132
Mushrooms [4]	32	90	3–5 days	91.1	30.4	.93	.47	130
Mushroom spawn:								
Manure spawn	34	75–80	8 months					
Grain spawn	32–40	75–80	2 weeks					
Nursery stock (table 4)	32–35	85–90	3–6 months					
Nuts (ch. 33)	32–50 [4]	65–75	8–12 months	3–6	([5])	.22–.25	.21–.22	4–8
Oil (vegetable salad)	35		1 year	0				
Okra	45–50	90–95	7–10 days	89.8	28.7	.92	.46	128
Oleomargarine	35	60–70	1 year	15.5		.32	.25	22
Olives, fresh	45–50	85–90	4–6 weeks	75.2	29.4	.80	.42	108
Onions and onion sets	32	65–70	6–8 months	87.5	30.6	.90	.46	124
Oranges (ch. 29)	32–34	85–90	8–12 weeks	87.2	30.6	.90	.46	124
Orange juice, chilled	30–35		3–6 weeks	89.0		.19	.47	128
Papayas	45	85–90	2–3 weeks	90.8	30.4	.82	.47	130
Parsley	32	90–95	1–2 months	85.1	30.0	.88	.45	122
Parsnips	32	90–95	2–6 months	78.6	30.4	.84	.44	112
Peaches and nectarines	31–32	90	2–4 weeks	86.9	30.3	.90	.46	124
Pears (ch. 29)	29–31	90–95	([4])	82.7	29.2	.86	.45	118
Pears, green	32	90–95	–12 weeks	74.3	30.9	.79	.42	106
Peppers, sweet [4]	45–50	90–95	2–3 weeks	92.4	30.7	.94	.47	132
Peppers, chili (dry) [4]	32–40	65–75	6–9 months	12.0		.30	.24	17
Persimmons	30	90	3–4 months	78.2	28.1	.84	.43	112
Pineapples:								
Mature green	50–55	85–90	3–4 weeks		30.2			
Ripe	45	85–90	2–4 weeks	85.3	30.0	.88	.45	122
Plums, including fresh prunes	31–32	90–95	3–4 weeks [4]	85.7	30.5	.88	.45	123
Pomegranates	34–35	90	2–4 months		26.6			
Popcorn, unpopped	32–40	85	([4])	13.5		.31	.24	19
Potatoes:								
Early crop	50–55	90	([4])	81.2	30.9	.85	.44	116
Late crop	38–50 [4]	90	([4])	77.8	30.9	.82	.43	111
Poultry (ch. 26):								
Fresh	32	85–90	1 week	74.0	[3] 27.0	.79		106
Frozen, eviscerated	—20–0	90–95	9–10 months				.42	
Pumpkins [4]	50–55	70–75	2–6 months	90.5	30.5	.92	.47	130
Quinces	31–32	90	2–3 months	85.3	28.4	.88	.45	122
Radishes:								
Spring, prepackaged	32	90–95	3–4 weeks	93.6	30.7	.95	.48	134
Winter	32	90–95	2–4 months	93.6		.95	.48	134
Rabbits:								
Fresh	32–34	90–95	1–5 days	68.0		.74	.40	98
Frozen	—10–0	90–95	0–6 months					
Raspberries:								
Black	31–32	90–95	2–3 days	80.6	30.0	.84	.44	122
Red	31–32	90–95	2–3 days	84.1	30.9	.87	.45	121
Frozen (red or black)	—10 0		1 year					
Rhubarb	32	90–95	2–3 weeks	94.9	30.3	.96	.48	134
Rutabagas	32	90–95	2–4 months	89.1	30.1	.91	.47	127
Salsify	32	90–95	2–4 months	79.1	30.0	.83	.44	113
Spinach	32	90–95	10–14 days	92.7	31.5	.94	.48	132
Squash: [4]								
Acorn	45–50	70–75	5–8 weeks		30.5			
Summer	32–40	85–95	4–5 days	95.0	31.1	.96		135
Winter	50–55	70–75	4–6 months	88.6	30.3	.91		127
Strawberries:								
Fresh	31–32	90–95	5–7 day	89.9	30.6	.92		129
Frozen (ch. 29)	—10–0		1 year	72.0			.42	103
Sweet potatoes	55–60	85–90	4–6 months	68.5	29.7	.75	.40	97
Tangerines	31–38	90–95	3–4 weeks	87.3	30.1	.90	.46	125
Tomatoes:								
Mature green	[4] 57–60	[4] 85–90	[4] 2–3 weeks	94.7	31.0	.95	.48	134
Firm ripe	[4] 45–50	[4] 85–90	[4] 2–7 days	94.7	31.1	.95	.48	134
Turnips, roots	32	90–95	4–5 months	90.9	30.1	.93	.47	130
Vegetable seed	32–50	50–65	([4])	7.0–15.0		.29	.23	16
Yeast, compressed baker's	31–32			70.9		.77	.41	102

[1] Calculated by Siebel's formula. For values above freezing point $S=0.008a+0.20$. For values below freezing point S=0.003a+0.20. Recent work by H. E. Staph, B. E. Short and others at the University of Texas has shown that Siebel's formula is not particularly accurate in the frozen region, because foods are not simple mixtures of solids and liquids and are not completely frozen even at —20 F.

[2] Values for latent heat (latent heat of fusion) in B.t.u. per pound, calculated by multiplying the percentage of water content by the latent heat of fusion of water, 143.4 B.t.u.

[3] Average freezing point.

[4] See text in this chapter or under appropriate commodity chapter.

[5] Eggs with weak albumen freeze just below 30 F.

[6] Lemons stored in production areas for conditioning are held at 55 to 58 F.; in terminal markets they are customarily stored at 50 to 55 F. but sometimes 32 F. is used.

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COMMODITY STORAGE REQUIREMENTS

TABLE 2.—APPROXIMATE RATES OF EVOLUTION OF HEAT BY CERTAIN FRESH FRUITS AND VEGETABLES WHEN STORED AT THE TEMPERATURES INDICATED

Commodity	B.t.u. per ton per 24 hours		
	32° F.	40° F.	60° F.
Apples	300 to 1,500	600 to 2,700	2,300 to 7,900.
Asparagus	5,900 to 13,200	11,700 to 23,100	22,000 to 51,500.
Avocados			13,200 to 30,700.
Bananas [2]			
Beans, green or snap		9,200 to 11,400	32,100 to 44,100.
Beans, lima	2,300 to 3,200	4,300 to 6,100	22,000 to 27,400.
Beets, topped	2,700	4,100	7,200.
Blueberries [3]	1,300 to 2,200		
Broccoli, sprouting	7,500	11,000 to 17,600	33,800 to 50,000.
Brussels sprouts	3,300 to 8,300	6,600 to 11,000	13,200 to 27 500.
Cabbage	1,200	1,700	4,100.
Carrots, topped	2,100	3,500	8,100.
Cauliflower	3,600 to 4,200	4,200 to 4,800	9,400 to 10,800.
Celery	1,600	2,400	8,200.
Cherries	1,300 to 1,800	2,800 to 2,900	11,000 to 13,200.
Corn, sweet	7,200 to 11,300	10,600 to 13,200	38-400.
Cranberries	600 to 700	900 to 1,000	
Cucumbers			
Grapefruit	400–1,000	700 to 1,300	2,200 to 4,000.
Grapes, American	600	1,200	3,500.
Grapes, European	300 to 400		2,200 to 2,600.
Lemons	500 to 900	600 to 1,900	2,300 to 5,000.
Lettuce, head	2,300	2,700	7,900.
Lettuce, leaf	4,500	6,400	14,400.
Melons, cantaloupes	1,300	2,000	8,500.
Melons, honeydews		900 to 1,100	2,400 to 3,300.
Mushrooms [4]	6,200		
Okra		12,100	31,600.
Onions	700 to 1,100	800	2,400.
Onions, green	2,300 to 4,900	3,800 to 15,000	14,500 to 21,400.
Oranges	400 to 1,000	1,300 to 1,600	3,700 to 5,200.
Peaches	900 to 1,400	1,400 to 2,000	7,300 to 9,300.
Pears	700 to 900		8,800 to 13,200.
Peas, green	8,200 to 8,400	13,200 to 16,000	39,300 to 44,500.
Peppers, sweet	2,700	4,700	8,500.
Plums	400 to 700	900 to 1,500	2,400 to 2,800.
Potatoes, immature		2,600	2,900 to 6,800.
Potatoes, mature		1,300 to 1,800	1,500 to 2,600.
Raspberries	3,900 to 5,500	6,800 to 8,500	18,100 to 22,300.
Spinach	4,200 to 4,900	7,900 to 11,200	36,900 to 38,000.
Strawberries	2,700 to 3,800	3,600 to 6,800	15,600 to 20,300.
Sweet potatoes	1,200 to 2,400	1,700 to 3,400	4,300 to 6,300.
Tomatoes, mature green	600	1,100	6,200.
Tomatoes, ripe	1,000	1,300	5,600.
Turnips	1,900	2,200	5,300.

[1] Data largely from table 1 of USDA Handbook No. 66, 1954. Acknowledgment is also, due to the following for other commodities: Avocados, J. B. Biale; brussels sprouts, J. M. Lyons and L Rappaport; cucumbers, I. L. Eaks and L. L. Morris; honeydew melons, H. K. Pratt and L. L. Morris; plums, L. L. Claypool and F. W. Allen; potatoes, L. L. Morris; all from the University of California. Asparagus, W. J. Lipton, USDA; cauliflower, lettuce, okra, and onion, H. B. Johnson, USDA; sweet corn, S. Tewfik and L. E. Scott, University of Maryland.

[2] Bananas at 68 F, 8,400 to 9.200.
[3] Blueberries at 50 F, 5,100 to 7,700; at 70 F, 11,400 to 15,000.
[4] Mushrooms at 50 F, 22,000; at 70 F, 58,000.

See Table 1 and Chapter 29.

FRUIT JUICE CONCENTRATES

See Chapter 30.

FURS AND FABRICS

Cold storage has been used for many years as an effective means of protecting furs, floor coverings, garments, and other materials containing wool against insect damage. The commonly used cold storage temperatures do not kill the insects but inactivate them and thus prevent insect damage while the susceptible items are in storage. However, if insects are present, the article is susceptible to damage as soon as it is removed from cold storage.

It is advisable to free the articles of any possible infestation before they are placed in cold storage. Those items that can be cleaned should be so treated. Others can be either fumigated or mothproofed as described in the USDA *Home and Garden Bulletin* 24.

Recommended cold storage temperature for furs and garments is 34 to 40 F. A temperature of 40 F is most widely used commercially. This low temperature not only inactivates fabric insects but has the added advantage of preserving the vitality and luster of furs and the tensile strength of fabrics. Continuous storage below the 34 to 40 F range is a wasteful expense as far as protection from insect damage is concerned. Food should not be stored with fur garments.

As shown in Table 3, moth larvae can survive low temperatures for a fairly long time. Storage at 40 F therefore, will prevent insect feeding, but will not necessarily kill the infestation. Other reasonable, safe and dependable methods of protecting fabrics from clothes moths are discussed in USDA *Home and Garden Bulletin* 24 and in USDA *AMS Report* 57.

Some storage firms maintain constant temperatures in their fur vaults of between 14 and 32 F and claim excellent results. However, no research evidence has been presented to indicate that temperatures in this range are required for storing dressed furs or fabrics. Cured raw furs (but not processed) should be stored at —10 to 10 F with 45 to 60 percent relative humidity and will keep up to 2 years.

HONEY

Both *extracted (liquid) and comb honey* can be held satisfactorily in common dry storage for about a year. The slow darkening and flavor deterioration at ordinary room temperatures becomes objectionable after this time. Although cold storage is not necessary, temperatures below 50 F will maintain original quality for several years and retard or prevent fermentation. The range between 50 F and 65 F should be avoided if possible, as it promotes granulation; this increases the probability of fermentation of raw (unheated) honey. As storage temperature increases in the 80 to 100 F range, deterioration is accelerated; temperatures constantly above about 85 F are unsuitable, and above 90 F quite damaging.

Honey for European export is best kept in cold storage, since the half-life for honey diastase at 77 F is about 17 months.

Raw honey for greater than 20 percent moisture is always in danger of fermentation; the likelihood is much less at or below 18.6 percent moisture. Below 17 percent moisture, raw honey will not ordinarily ferment. Granulation increases the possibility of fermentation of raw honey by increasing the moisture content of the liquid portion. Properly pasteurized honey will not ferment at any moisture content. Granulated honey can be reliquefied by warming to 120 to 140 F.

Comb honey should not be stored above 60 percent rh to avoid moisture absorption through the wax, leading to fermentation.

TABLE 3.—TEMPERATURE AND TIME REQUIREMENTS FOR KILLING MOTHS IN STORED CLOTHING

Storage temperature, F	All eggs dead after, days	All larvae dead after, days	All adults dead after, days
0 to 5	1	2	1
5 to 10	2	[2] 21	1
10 to 15	4	----------	1
15 to 20	----------	----------	1
20 to 25	21	67	4
25 to 30	21	[3] 125	7
30 to 35	----------	[4] 283	----------

[1] Table taken from AMS–57, USDA.
[2] 50 to 25 percent of larvae may be killed in 2 days.
[3] A few larvae survived this period.
[4] Larvae survived this period.

Finely granulated honey (honey spread, Dyce process honey, *honey cream*) must not be stored above about 75 F. Higher temperatures will in time cause partial liquefaction and destroy the texture. Any subsequent regranulation by lower temperatures will produce an undesirable coarse texture. For holding more than 4 months, cold storage is required.

LARD

See Chapter 25.

MAPLE SIRUP

Maple sirup, packed hot (at, or within a few degrees of its boiling point) in clean containers, promptly closed airtight and the containers laid on their sides or inverted to self-sterilize the closure, and then cooled, will keep indefinitely at room temperatures without darkening or loss of flavor. Cold storage is not necessary. However, once opened, the sirup in a bottle, can or drum may become contaminated by organisms in the air. Mold or yeast spores which may be present in improperly pasteurized sirup, though unable to germinate in full-density sirup, may grow in the thin sirup on the surface caused by water of condensation. Small packages not completely sterile, containing spores, can be kept free of vegetative growth by periodically inverting the containers to redisperse any thin sirup on the surface caused by condensation of water. Maple sirup should never be packaged at temperatures below 180 F. After pasteurizing, the sirup should be cooled as quickly as possible to prevent stack burn which darkens the sirup and causes a lowering of its grade.

MEAT

See Chapter 25.

NURSERY STOCK AND CUT FLOWERS

The temperature and approximate storage life given in Table 4 for cut flowers allow for a reasonable shelf life after removal from storage; therefore, the storage period may at times be extended beyond that recommended here.

Low temperature (31–33 F) and dry packaging prevent, or at least greatly retard, flower disintegration and extend the storage life. These conditions, while not widely used commercially, are recommended. Proper dry packing requires a moisture-vapor-proof container in which flowers can be sealed. No free water is added because the package prevents almost all water loss.

Flowers which are held in water should not be crowded in the containers and should be arranged on shelves or racks to allow good air circulation. Forced air circulation should be provided but the flowers should not be in a direct draft.

The optimum temperature for storage of many cut flowers is 31–33 F. Many kinds of

nursery stock can also be stored at temperatures ranging from 31 to 35 F. It is advisable to open packages and *harden* flowers before marketing if the blooms have been stored for long periods. Flowers conditioned at about 50 F following storage will regain full turgidity most rapidly. Stem ends should be cut or crushed and then be placed in water or a food solution at 80 to 100 F for 6 to 8 hr.

Many kinds of cut flowers and greens are injured if stored in the same room with certain fruits, principally apples and pears, which give off gases such as ethylene during ripening. These gases cause premature aging of blooms, and may defoliate greens. Greens should not be stored in the same room with cut flowers as the greens, acting in the same way as fruit, can hasten bloom deterioration.

TABLE 4.—STORAGE CONDITIONS FOR CUT FLOWERS AND NURSERY STOCK[1]

Commodity	Storage temperature, F.	Relative humidity, percent	Approximate storage life	Method of holding	Highest freezing point, F.
Cut flowers:					
Calla lily	40	90–95	1 week	Dry pack	
Camelia	45	90–95	3 to 6 days	do	30.6
Carnation	32–36	90–95	1 month	do	30.8
Chrysanthemum	32–35	90–95	2 to 5 weeks	do	30.5
Daffodil	31–33	90–95	1 to 3 weeks	do	
Gardenia	32–33	90–95	2 to 3 weeks	do	31.0
Gladiolus	35–40	90–95	1 week	do	31.4
Iris, tight buds	31–32	90–95	2 weeks	do	30.6
Lily, Easter	32–35	90–95	2 to 3 weeks	do	31.1
Lily-of-the valley	31–32	90–95	do	do	
Orchid	45–50	90–95	2 weeks	Water	31.4
Peony, tight buds	32–35	90–95	4 to 6 weeks	Dry pack	30.1
Rose, tight buds	32	90–95	1 to 2 weeks	do	31.2
Sweet peas	31–32	90–95	2 weeks	do	30.4
Tulips	31–32	90–95	4 to 8 weeks	do	
Greens:					
Fern, dagger and wood	32–40	90–95	4 to 5 months	do	28.9
Holly	32	90–95	1 to 4 weeks	do	27.0
Huckleberry	32	90–95	do	do	26.7
Laurel	32	90–95	do	do	27.6
Magnolia	35–40	90–95	do	do	27.0
Rhododendron	32	90–95	do	do	27.6
Salal	32	90–95	do	do	26.8
Bulbs:					
Amaryllis	38–45	70–75	5 months	Dry	30.8
Dahlia	40–45	70–75	do	do	28.7
Gladiolus	38–50	70–75	8 months	do	2.2
Iris, Dutch, Spanish	80–85	70–75	4 months	do	
Lily:					
Candidum	31–33	70–75	1 to 6 months	Poly liner and peat.	
Croft	31–33	70–75	do	do	
Longiflorum	31–33	70–75	1 to 10 months	do	28.9
Speciosum	31–33	70–75	1 to 6 months	do	
Peony	33–35	70–75	5 months	Dry	
Tuberose	40–45	70–75	4 months	do	
Tulip	31–32	70–75	5 to 6 months	do	27.6
Nursery stock:					
Trees and shrubs	32–35	80–85	4 to 5 months	[2]	
Rose bushes	32–35	85–95	do	Bare rooted with poly liner.	
Strawberry plants	30–32	80–85	4 to 10 months.	do	29.9
Rooted cuttings	33–40	85–95		Poly wrap	
Herbaceous perennials.	27–28 or 33–35	80–85		[2]	

[1] Data from USDA Handbook No. 66 and bulletin by Post and Fischer.

[2] For details for various trees, shrubs, and perennials, see bulletin by Mahlstede and Fletcher.

Greens, bulbs and certain nursery stock are usually packaged or crated when stored. Some bulbs and nursery stock are packed in damp moss or similar material, and low temperatures are required to keep them dormant. Polyethylene wraps or box liners are very effective for maintaining quality of strawberry plants, bare-root rose bushes, and certain cuttings and other nursery stock in storage. Strawberry plants can be stored up to 10 months in polyetheylene-lined crates at 30 to 32 F.

NUTS

See Chapter 33.

POPCORN

Popcorn should be stored at 32 to 40 F. and at a relative humidity of about 85 percent. This relative humidity yields the optimium popping condition and the desired moisture content of about 13.5 percent.

POULTRY

Frozen poultry should be stored at 0 to —20 F. with the temperature maintained as constant as possible. Ready-to-cook chickens packaged in institutional packs with good quality liners should remain in satisfactory condition for 9 to 10 months, and similar birds individually wrapped in film should hold up in storage for 12 to 18 months. Improper handling during any of the processing operations could materially reduce these safe storage times.

When frozen poultry is held under severely fluctuating temperatures, evaporation of moisture from the skin may be so great that it causes light-colored pockmarks to appear. Such a condition is called freezer burn, the outstanding visual defect of frozen poultry. Although freezer burn may not affect the flavor of the meat, it reduces the sales value of the processed poultry by several cents per pound and may toughen slightly the skin and meat directly underneath. Freezer burn can be lessened by packaging the birds properly and by maintaining proper storage conditions. For detailed information consult Chapter 26.

VEGETABLES

See Chapter 29.

VEGETABLE SEED

Seeds require a relatively low temperature and humidity. Storage at 32 F. is most desirable but 50 F. is satisfactory if a 50 percent rh can be obtained. High temperature and high humidity favor loss of viability. Vegetable seeds should remain viable for 1 to 10 years, depending upon the variety. However, they are usually not stored for over one year. If it is impossible to keep humidity low enough, seeds should be stored in moisture-proof containers.

DENSITY OF COMMODITIES COMMONLY STORED

Table 5 is a compilation of data giving the type of containers used for storage, their dimensions, gross weights, net weights and density per cu. ft. Additional information on gross weights of packed containers and on dimensions and densities of pallet loads of produce is given in USDA *Marketing Research Report* No. 467.

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JOHN F. STEVENS: BASIC ARCHITECT OF THE PANAMA CANAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, in the course of my many years of study of interoceanic canal problems and Panama Canal history, I have become acquainted with the parts played by the principal leaders in the construction of the Panama Canal. Among these great personalities none stand higher in constructive accomplishment than John F. Stevens of West Gardiner, Maine, 1853–1943, who, for his tremendous contributions as Chief Engineer of the Panama Canal, has been acclaimed by historians as its "basic architect." Other signal achievements of Mr. Stevens include the discovery of Marias Pass in Montana and construction of the Great Northern and other railroads, also the rehabilitation of Russian and Manchurian Railroads.

It is gratifying to report the formation of a national John F. Stevens Hall of Fame Committee to sponsor his election to the Hall of Fame for Great Americans, New York University, of which Gregory S. Prince, executive vice president of the Association of American Railroads is chairman. I am proud to have been chosen as one of its honorary chairmen.

A recent newsstory in the well known Isthmian newspaper, Panama Star & Herald follows:

[From the Panama Star & Herald, Oct. 1, 1969]

PC ARCHITECT'S ENTRY IN HALL OF FAME SOUGHT

Organization of a national committee to sponsor the election in 1970 of John F. Stevens to the Hall of Fame for Great Americans at New York University was announced yesterday in Washington by Gregory S. Prince, Chairman of the group and executive vice president of the Association of American Railroads.

The committee, consisting of about 100 prominent men and women throughout the United States, would honor Mr. Stevens as "one of the outstanding transportation engineers of all time who played spectacular and courageous roles in national and international enterprises of major importance."

Stevens, who died in 1943, was the locator and builder of several railroads in the United States and Canada, the discoverer of Marias Pass in Montana and the rehabilitator of Russian and Manchurian railroads. His work while chief engineer of the Isthmian Canal Commission won him great fame as the basic architect of the Panama Canal.

If Stevens is elected to the Hall of Fame, this would be the first time such an honor has been accorded a railroad man, Prince said.

Honorary chairman of the committee supporting Stevens' election are Maurice H. Thatcher, surviving member of the Isthmian Canal Commission; Secretary of Transportation, John A. Volpe; Sen. Edmund S. Muskie of Maine; Gov. Kenneth M. Curtis of Maine; Rep. Daniel J. Flood from Pennsylvania; Dr. Melville Bell Grosvenor, editor-in-chief and chairman of the board of the National Geographic Society, and Admiral Ben Moreell, former chief of Civil Engineers of the U.S. Navy.

The committee's vice chairmen are John M. Budd, president of the Great Northern Railway; Dr. Donald M. Dozer, professor of history at the University of California at Santa Barbara; Captain Miles P. Duval, Jr., historian of the Panama Canal; Neal Fitzimons, historian of the American Society of Civil Engineers; Dr. Serge A. Korff, former president of the Explorers Club; Major General Thomas A. Lane, engineer and author; Dr. Ralph A. Sawyer, chairman of the governing board of the American Institute of Physics; Captain C. H. Schildhauer, former aviation official; Vice Admiral T. G. W. Settle, former amphibious commander in the Pacific; William M. Whitman, secretary of the Panama Canal Company, and William H. Wisley, executive secretary of the American Society of Civil Engineers.

Besides Captain DuVal and Mr. Fitzsimons, consultants to the committee include Dr. Ford Lewis Battles, Ph.D. program coordinator at the University of Pittsburgh; Dr. Raymond Estep, professor at the Air University at Maxwell Air Force Base, and Dr. Ralph W. and Muriel Hidy, historians of the Great Northern Railway.

Herbert R. Hands, manager of public information of the American Society of Civil Engineers, is secretary of the committee.

AN SST DOUBLE FEATURE: FORMER FAA HEAD QUESADA SCORES SST PROGRAM; ECONOMIST PREDICTS BILLION DOLLAR LOSS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, I have just obtained two documents highly critical of the supersonic transport—SST—program. The first is a transcript of testimony given last March before the President's ad hoc task force on the SST by Lt. Gen. Elwood R. Quesada, head of the Federal Aviation Administration at the time the SST program was begun. General Quesada, who headed the FAA from 1958 to 1961 and is now a director of American Airlines, told the task force that:

It was never anticipated that the Federal Government would be the major sponsor of a supersonic transport . . . I gag at the Federal Government by its positive action replacing economic demand.

The Department of Transportation was not too anxious to have General Quesada's testimony made public, and now that I have seen it I can understand why. DOT at first told me that no transcript of the general's testimony even existed, but finally, after repeated requests, they were able to produce one copy. It had been found in a safe in the office of the Under Secretary of Transportation.

The second item is a paper by Prof. John Walgreen of Wheaton College, an economist who assisted former Defense Secretary Robert McNamara in a review of the SST program in the Johnson administration. Professor Walgreen's paper, written in January of this year, predicts that the Government will lose more than a billion dollars on the SST. The paper estimates that no more than 139 SST's will be sold, contradicting the FAA's rosy predictions of a 500-plane market for the SST.

I insert General Quesada's testimony and Professor Walgreen's paper in the RECORD at this point:

STATEMENT OF LT. GEN. ELWOOD R. QUESADA, BEFORE THE PRESIDENT'S SST AD HOC REVIEW COMMITTEE, MARCH 12, 1969

Mr. BEGGS. General, it is a pleasure having you.

Gen. QUESADA. I am delighted to be here.

Mr. BEGGS. As you gentlemen know, General Quesada was the first Administrator of the Federal Aviation Agency and, of course, the SST which we have been examining over these few weeks started under his administration.

Do you have a statement for us?

Gen. QUESADA. No, sir, I do not.

Mr. BEGGS. Do we have questions, then?

Gen. QUESADA. I thought you meant did I have a written statement.

Mr. BEGGS. Why don't you just discuss it in general.

Gen. QUESADA. All right.

Mr. BEGGS. Please proceed.

Gen. QUESADA. I don't profess to know a great deal about the SST program as it now stands, and I certainly do not profess to be an authority on it, and I would like to confine my remarks, one, to a short resume of the history of the program that I am familiar with and can speak with considerable authority because I was involved in it, and then speak philosophically, if I may.

It is true that the SST program was initiated during the time that I was fortunate enough to serve as the Administrator of the Federal Aviation Agency. I don't want to leave the impression that the program got very far at that time because it was of short duration. It was only at the end of my administration that the subject was pursued. I thought it might be helpful to some of you at least to get some of the background and thinking that was prominent at the time. I do not want to imply that that thinking by necessity must continue.

The concept that prevailed at the time, and the motives that energized us at the time, was to exploit and use the knowhow that the socalled B–70 program would logically generate.

All of you are aware, I am sure, that commercial aviation in its broadest sense has enjoyed the benefits of one military program after another. I think it is reasonable and certainly fair to say that not many of the great steps of progress that have taken place in commercial aviation that were not contributed to in a major sense by military programs.

The engines that we now enjoy and have always enjoyed were primarily those engines or power plants, perhaps I should say to be more general, that came from, that basically came from the military programs, or most of our aircraft came from military programs.

The 707 is perhaps the most glaring example, but it is only a single example, and exemplifies what I am attempting to establish, which you all know anyway.

In this particular case the KC–135 was a forerunner of the 707 and hundreds of KC–135s were built before the first 707, and the power plants that the 707s eventually used were also the products of military developments.

So, what I am trying to say is that the concept that prompted us and motivated us was to establish a program and articulate this same process that would permit the knowhow that is being developed, or that was being developed to the B–70 program to be translated into a useful economical supersonic transport. And we always anticipated that the B–70 program would be a continuing program. As it turned out in that regard we were wrong. The B–70 program, as all of you, or at least many of you know, we canceled.

It was thought at the time that the B–70 program would contribute to a supersonic transport program and it was never intended that it dominate a supersonic transport program. It was intended that the knowhow, the research and development, the resolution of the unknown would be a contribution factor. We were well aware that if that were the case it would save a great deal of money and you would not have to duplicate all of this—

I might put it in the negative. It was never anticipated that the Federal Government would be the major sponsor of a supersonic transport. It was anticipated that a major sponsor of the supersonic transport would be economic demand and when economically feasible a supersonic transport program would proceed, hopefully helped by the government.

Now, the B–70 program was canceled and I must assume for good and just reasons, and that by necessity brought about a significant change if we did decide to go ahead with the development of the supersonic transport because this tremendous expense on one hand which hopefully would result in knowhow in the form of throw-off would not have to be duplicated.

Now that is substantially the history I was a party to and a part of.

Now, if I may speak philosophically now, and use for the benefit of any of you who may see fit to use it, my own experience, I must say here so there will not be any misunderstanding I am a director of American Airlines. However, I can say with equal frankness I am not pursuing the interests of American Airlines if for no other reason then that what I am going to say they would not like. I think that will assure you at least of my sincerity.

I have very serious reservations about the Federal Government assuming the major burden of developing a commercial airplane. Serious reservations. The Federal Government is not motivated in such a manner that would cause them historically speaking to produce the most efficient and most economic transport.

I gag, if I may use my own term, at the Federal Government by its positive action replacing economic demand. I feel that a supersonic transport or any other commercial device should be the product of economic demand. Our free enterprise system, at least in my opinion, has been a very successful system and I would hate to see it replaced by something else.

We are certainly the leaders of the world in the production of commercial transports. We stand almost alone. There is no nation in the world that can be a successful rival to us. We have dominated the commercial field to an unusual extent, and in my opinion if that is true it is largely because we have used the principle that if there is an economic demand our industry will respond to it, it will use its ingenuity to make a better mousetrap. It will use its ingenuity to make a more economical mousetrap. It will use its ingenuity to finance the endeavor and it will use its ingenuity to market it worldwide at a profit. Which is a worthy objective.

I cannot help but recall in my youth—which is a hell of a lot too long ago to be meaningful now—that the United States was not a significant factor in world air transportation. If you wanted to read a magazine on aviation you had to either be able to read French or Italian, and you had available to you many fine British publications. The commerical transportation to a large extent was in the hands of European nations and they enjoyed reasonably good success, when you think the time was. We as a country entered the field, and my memory tells me that we used the economic principles that are basic to our free enterprise system admitting, however—and what I am trying to say has this flaw in it which I know exists—that much of what we got was from our vast military expenditures. That is true of other nations, too. I just don't want to leave the impression that it was industry and industry alone that gave us this dominant position. Our industry enjoyed the tremendous expenditures that were energized by military requirements, but nevertheless, when it came time to produce a DC–8, when it came time to produce a Connie or a 707 or 727 or a DC–9 the risk was basically assumed under the umbrella of a free enterprise system. When it came time to produce the A–80, it came under the umbrella of our free enterprise system. In that case it lost a lot of money. In the case of the others that I have mentioned the entrepreneurs made a lot of money, and that is the core of the free enterprise system. If you risk you are entitled to gain. If you don't risk you are not so entitled to gain.

So I must say I gag a little bit at what I observe to be a tendency to put the supersonic transport program under the aegis of the Federal Government, and more importantly, sir, I gag at what has been, at least I have observed, an apparent desire to develop this airplane under forced draft and in my opinion false goals have been established in terms of time.

I think it is a very serious mistake, if I may be so bold as to perhaps run counter to the views of many of you, to initiate a program as complex, as far-reaching and as expensive as the supersonic transport program obviously is, and pit it against dates, is a dangerous undertaking and an expensive undertaking, and, in my opinion often motivated by false values.

I think our efforts should be motivated more by having a better product; having it be economically feasible, rather than having it on the market by a certain date and, as a result, be ahead of somebody else. I think it is an unfortunate source of encouragement.

I certainly hope that a supersonic transport program will proceed. I hope so very fervently. But I would like for it to proceed more under the economically free enterprise system than apparently it is now, at least apparently to me. I'd like to cease, to some degree, this artificial demand that it must be available for public use by any given date. I gag when one says we must beat the French or we must beat the Russians.

If we are going to beat the French or the Russians, then I would like to see the race be in terms of quality of the product and in terms of the economic feasibility of the product.

I think we have got many examples of what happens when you extend the state of the art of a commercial airplane, which by necessity must have a very high standard of safety, when that implication is present. I can speak from some experience that was quite painful and that is the Electra.

I know, or at least I think—and I think I know, perhaps I should say it that way—that the misfortunes of the Electra and those that I had to bear or the hazards that I had to bear as Administrator were at least contributed to by the desire of the entrepreneur, in this case the manufacturer, to get that airplane on the market ahead of something else.

I would like to see a supersonic program proceed, obviously. But I would like to see it proceed under what I call more orderly, more economic and more controlled—and avoid what I observe to be a forced draft. I gag at it, I will tell you very frankly.

Now, I do not mean to imply, although what I have said could be construed so, I do not mean to imply that there should not be a supersonic transport program. But I would like to see at least controlled, if not eradicated, this demand that we must beat the Russians. As far as I am concerned, the Russians can never compete in the open market with the supersonic transport or any other type of transport in the next four decades. They just cannot make airplanes. And in my opinion the supersonic transport that the Russians have could not be given away. I doubt that it could be given away.

I think it is unfortunate that some of our thinking is influenced, at least in part, by the necessity or the suggestion that they have got it so we must have it. This is a meaningless and ineffective source of persuasion to me.

If I may just close and say that obviously there are limited funds that this country or any other country has; and they seem to be more limited all the time. And I would urge those of you who are struggling with this problem to bear in mind, as I am sure you do, that there are many other sources of demand that are reasonable and justified and this can very well be pitted against them, hopefully not eliminated. It would be a great tragedy if this program were ever eliminated.

I cannot help but be aware that there are certain other areas that could be very, very beneficial to the community who travels by air, and very beneficial to the aviation industry and very beneficial to the country at large in terms of air transportation that are yet untouched and as yet undeveloped. I had in mind, to be specific, an efficient short-haul V/STOL type of airplane. I would like to see just as much consideration given to that program as we seem to be giving to the supersonic transport program. And there is one thing you can be quite sure of if either or both are successful, and we must presume that if we

proceed they will be successful because we have that happy faculty of being successful in almost everything we do, it would seem to me that just as much if not greater benefit would accrue to the public if we could develop an economically feasible and convenient V/STOL type airplane.

I do not mean to suggest one should replace the other. I just mean to say that the supersonic transport and what it does, what vacuum it fills is not the only vacuum in the air transportation demand that exists.

Mr. BEGGS. Thank you.

Are there questions?

Dr. DREW. I would like to raise the question on your philosophy about government involvement or support of this particular program. When it started I think you said that the B–70 program was considered to be sort of a technology base, I guess, from which this program could proceed. We have withdrawn that technology base in a sense now. Do you see this as a model in lieu of the B–70 program; that the government's involvement could be in fact this technology base? In other words, fulfill that role? Do you see that as a valid role for the government?

General QUESADA. There is no doubt that the whole problem has changed or was changed when the B–70 was withdrawn. That almost eradicated the very purpose of initiating it. And I understand that thoroughly. And if there isn't to be a B–70 something has to take its place. And I do feel that it is perfectly justified for the Federal Government to some degree to take its place more directly than indirectly.

But, having said that, I do worry about the concept of the Federal Government picking up the tab and then having the influence which it must by necessity have if it is going to put in 90 percent of the money. It is not unreasonable to expect it to have 90 percent of the say. I don't think it will. But at least have 50 percent of the say. And I think that this is a dangerous trend.

I do not know why we should mimic or reproduce what England, France and Italy have done who did have a commanding position in the world market. They have failed. England, their aircraft industry is a miserable failure compared to ours. So I do not know why we should do what England has done. And certainly it is true in France. The French aircraft industry is 100 percent supported, or nearly 100 percent supported by the federal government, and I think it is fair to say it is not nearly as good as ours. And I think that if we adopt the same philosophical approach as France, England and Italy I think we might replace them.

Mr. JOHNSON. General, some of the representatives of industry have more or less said that industry could not finance this and without support from the government there just would not be any SST. I sort of hear from you that if they cannot then perhaps there should not be any because if it was economically feasible for them to reap profits out of it they wouldn't look to the government.

General QUESADA. That is exactly what I mean.

I must modify that, however, in this light. It is true that practically every other successful air transport vehicle has been indirectly supported by the Federal Government through the development of knowhow. I don't think there would be a 707 today if it weren't for the KC–135. I think we must accept that.

However, I have the intuitive feeling that if there was on one hand economic demand there would be on the other hand the ability to finance it.

Mr. JOHNSON. Could I ask one other question? Would you want to discuss or express an opinion as to how far then should the government be involved in helping to develop this technological knowhow?

General QUESADA. Yes, sir. I am glad you asked that.

In my opinion one of the most effective and successful agencies of government was the NASA. I don't think there is an agency of government from which we got the most for our dollar more than the NASA. And I have the intuitive feeling, and a feeling that emanates to some extent from experience, that a lot of this knowhow could be developed by the NASA now, of course, and thereby reduce or minimize some of the cost that is inherent in this supersonic type of program today. This would be certainly true if we could in some way get away from this unattractive—unattractive to me—implication that we must have this program by a certain date. I think it is false. I think it is false energy to say that we have to have it by 1973. I think the time factor should be influenced primarily by prudence and judgment rather than attempting to get it into the market ahead of somebody else.

I find nothing wrong with buying the Concorde, absolutely nothing if it is economically feasible for the American industry to buy that. I think it is appropriate that they should buy it. To say otherwise would be to say that there is something wrong with France buying the 707 and England buying the 707 and God knows they have bought many of them.

I do not see anything wrong with us buying a Concorde if there is good economic demand for it, if it will carry its own weight and yield a profit. Because it is French I can't see why we should not buy it, because if we are going to adopt that philosophy there is nothing wrong with the French, the English, the Germans not buying a 707.

Mr. BEGGS. Any other questions?

(No response.)

Mr. BEGGS. I must ask one. You mentioned when you started that you felt that the program should somehow be reconfigured and you just mentioned again that striving for a date was bad. How would you reconfigure it? What would you change in terms of time or——

Gen. QUESADA. Well, it is awfully easy for me on the outside to kibitz those who are on the inside, and if you will realize that I am kibitzing and without full knowledge it would seem to me that the government's share could be a reasonable sum. I am not going to say what it should be because I just don't know enough, but it could support it by some reasonable sum on an annual basis and then leave it up to the ingenuity of the industry to cope with the competitive forces of time. Our industry can be very ingenius. However, in my opinion its ingenuity is less if it is not influenced by the profit motive, the economic motives, and I would say some number of millions for the next five years to be assured to encourage it, and when they are ready to market it, do it.

I do not know if I have answered your question or not.

Mr. BEGGS. To some extent, yes.

This could go on for a long time so I will not pursue it any more.

Anything else?

Mr. BOEHNER. What is your view of the Concorde? You say you see no difficulty or see no problem with U.S. airlines buying the Concorde. Are you for the Concorde to any extent?

Gen. QUESADA. I had the good fortune of going to France and looking at the Concorde as a director of American Airlines, and we have an option to buy some number of them, I forget which. [If you view it on an economic basis alone I just do not see how a Concorde can be economically feasible. If American Airlines as an example had to buy Concordes and put them on the same routes now upon which they have 707s and charge the same fare I think they would not buy Concordes. I think the Concorde is going to be, by current standards, a non-compensatory airplane. I just do not see how that airplane on an equal basis can compete with the currently accepted jet transport.]

Mr. BOEHNER. The argument has been made several times that the Concorde would improve as you go into subsequent models. Do you foresee from your background that it will eventually develop into an acceptable or feasible aircraft economically?

Gen. QUESADA. Eventually I would imagine that it would. I think it is inescapable that the Concorde will go through the same processes of evolution every other transport we have ever developed has gone through. You stretch them, you improve them by varying devices that the ingenuity of industry can provide that makes it a better airplane.

Now, without some form of subsidy, whether it is subsidy from other profits, because that is in a sense subsidy, or an extra tariff, or some other economic process I just don't believe the Concorde can now compete.

Mr. BEGGS. Let me pursue the point just one step further.

As a director of American Airlines, if Air France and British Overseas flew the Concorde in Atlantic service or flew it in competition with the other international airlines, would they have to buy it?

Gen. QUESADA. American would not, but I think Pan American would. I think Pan American and TWA would. And I do not find anything wrong with that. I think it is inescapable.

I wish it were otherwise, you understand, but I do not see anything wrong for us to buy a French-British airplane when we have sold hundreds of millions of dollars worth of airplanes to them.

But if the Concorde is put into Atlantic service by BOAC or Air France or any other carrier, I think it is almost inescapable that Pan American would and TWA, and if they do the only solution in my opinion would be for them either to charge or get permission to charge increased tariff or take the operating deficit from other profits.

Mr. BEGGS. Anything else?

Mr. JOHNSON. Why would they have to fly it if it is not a moneymaker?

Gen. QUESADA. They would be motivated to fly it by their competitive instincts. They would not want it said, nor would they want it to be a fact, that Pan American cannot give three-hour service to London when Air France can.

Mr. JOHNSON. In other words, speed then is a factor in passengers' selection of mode to travel? Is it so much a factor that they would be willing to pay the higher tariff?

Gen. QUESADA. I think so, yes, sir.

Mr. JOHNSON. Then you almost have to consider that in your relative capability of making a profit out of either of these. You are giving something that the other planes don't give you and therefore you can charge more and you are on a little better competitive basis.

Gen. QUESADA. I think it is inescapable that they would charge more. I think that is inescapable. There would be an extra tariff.

My own view is that we should be bending our efforts to reduce the tariff rather than raise it. But I think they would have to charge—they would charge a higher tariff, because they are giving better service. And there will be a number of people who will want the better service for the extra tariff. And there will also be a number of people who will be satisfied with the service for a lesser tariff; otherwise we would not have first and second class. Why do some people go on a bus?

Mr. NEHMER. Do you believe that a subsidized operation of the Concorde is the shape of things of the future in aircraft development, due to the large increase in

cost? Is the next big generation of aircraft going to face this type of competition?

Gen. QUESADA. Not necessarily, no, sir. I think it is in France—in Europe, in the more socialized countries. And I don't mean that in an unattractive sense. I think that's going to be true in the socialized countries, but I don't think it is necessarily true here.

I don't know of anything that would cause us to make an abrupt change. The military establishment is going to live for a long time, I think. They are going to develop the know-how in the future, I think. I think our industry is capable of taking the next step after the present one. I think they would be more capable if they would do it in response to economic demand.

There was no subsidy involved in the 747, and that was a tremendous undertaking. And that is not even flying yet. I don't think that we should give up and adopt the system of Europe, which I think has proven a failure, and substitute for it—substitute our system for it which has been proven a success.

Mr. NEHMER. This was not the thrust of my question. I was merely asking whether you thought that we were facing subsidized competition abroad.

Gen. QUESADA. We have been facing subsidized competition abroad for the last two decades. Every airline—I don't know of a single airline that does not enjoy a federal subsidy. We compete with them quite successfully. Ours make money, and theirs lose it. That's why I don't want to copy it.

I am simplifying this, you understand, perhaps too much.

I think I should say, sir, there is going to be an increase in demand for government participation. I don't think there is any doubt about that. But I wish that it would not take place at our own initiative.

Mr. NEHMER. Thank you.

Mr. BEGGS. General, thank you very much. It has been our pleasure having you. We appreciate it very much.

EVALUATING THE SST PROGRAM,
January 21, 1969.

This paper summarizes major issues relating to the SST Program. This discussion, though critical, is not intended as an argument against the program; it should be useful to those interested in terminating the program now, but even more so to those who wish to carry it through to development of a commercially successful SST. Thus, it is offered in a constructive spirit. It is offered now because the reevaluation of Boeing's design and the possiblity that the contract is now in default, offers a rare opportunity to re-think the entire program and correct earlier errors.

The issues discussed are:

1. Why should the U.S. Government (USG) participate in developing a supersonic transport?
2. Is the SST program a good investment?
3. How should the development and production programs be planned?
4. What special problems are created because USG is managing the program?
5. How is the program being financed?

Each is briefly summarized below.

1. Numerous rationales for U.S. participation have been offered. While all have some faults, some could serve as useful guidelines for the SST program. The FAA has stated, "The Presidential guidance is that the SST must be safe for the passenger, profitable for the manufacturers and airlines, and superior to any other aircraft." There is also a desire that the entire investment be profitable, not just for the airlines and manufacturers. Uncertainty over the rate of return to require for USG funds (and whether to collect it) has dogged the program and needs to be explicitly resolved.

2. Many studies of the market for the SST have been made. The methodology used here is based on the work done by FAA's contractors, and others. It shows rates of return on the SST below the 10% which would characterize a program all of whose funds were earning a profit. Indeed, the return is usually below 6% and quite often negative. Such calculations do not prove that the program should be terminated. They do, however, show how much the USG must value prestige and leadership if it is to continue the SST program.

3. The SST program is now structured on the assumption that a known technology is to be applied in a routine way to a commercial venture. Some evidence from military R&D programs suggests that this is not the case, as does the present state of the SST program itself. An alternate principle of organization is appropriate. This more flexible approach, while it appears more expensive now, will be less costly when the program is complete.

4. Several special problems relate to conflicts of interest within the FAA, such as conflicting responsibilities in certification, and in regulating airport noise and sonic boom. There are also problems arising out of the creation of a commercial monopoly in supersonic flight. While these issues arise because of USG involvement in the program, their resolution may be more appropriately undertaken at a higher level of responsibility than the FAA.

5. The development of the financing program is outlined, with some discussion of the present arrangements and alternate (rejected) ones. The discussion suggests that the present arrangement, wherein the manufacturers put up only 10% of the development money, confirms the analysis (section 2) showing that the program is unprofitable.

These are the major issues, with the exception of foreign SST programs. If we place a value on "aviation leadership" the Concorde threat can be evaluated. But early analyses did not suggest that these foreign programs need have adverse effect on the U.S. even if we lack an SST. Recent events do not change this basic conclusion. There are many ways for U.S. industry and airlines to counter the Concorde (and TU–144). The SST has not been shown to be the preferred one.

WHY SHOULD THE U.S. GOVERNMENT PARTICIPATE IN DEVELOPING A SUPERSONIC TRANSPORT?

The logic of U.S. Government participation in the supersonic transport (SST) program has been based on two kinds of arguments. The first is that it is a good commercially viable venture, *but* government financial assistance is required because of the magnitude of the investment, the long period before any net revenues are realized, and the substantial risk involved. This rationale can be tested by asking if the funds invested in the SST program will earn as much as they could elsewhere in the economy. As is shown later, the program fails to pass this test of commercial profitability, even under extremely optimistic assumptions. It produces estimated rates of return ranging from less than zero to 3 percent unless large scale sonic booms of heavily populated areas are expected to be acceptable. Such low rates of return for such a risky venture are clearly inadequate. Thus, this rationale does not explain why USG should be involved.

An alternate rationale for USG participation, even in a commercially unprofitable program is that it is in the national interest on such other grounds as: improved U.S. balance of payments (BOP); creation of jobs for U.S. workers; technological discoveries of value to other programs; and maintenance of U.S. prestige and leadership in the commercial aircraft industry. If these objectives are worthwhile, USG might subsidize the program by taking a low or negative return, so that the manufacturers can earn a normal commercial profit. A rational decision on this issue requires a comparison of these benefits with the required USG subsidy. These benefits are discussed below.

Balance of payments

The interrelationships among various accounts in the BOP makes this a complicated issue, but it must be addressed. FAA funded studies examined these interrelationships and concluded that an SST would cumulatively improve our BOP by less than one billion dollars between 1975 and 1990. To gain this improvement would cost the USG much more than a billion dollars in direct subsidies to the manufacturers, and far more in foregone returns from other programs that could have used these funds. In addition, most of the improvement occurs near 1990, while the USG costs occur before 1975. USG financing of the SST is an expensive way to purchase foreign exchange.

Job creation

Some proponents of the SST program have argued that 50,000 jobs will be created directly by SST manufacture, plus induced creation of 250,000 additional jobs. Because the SST earns a low rate of return, it will make the nation poorer. Thus, if it has any effect, one would expect it to reduce employment, rather than increase it. No analysis has been produced to counter this expectation.

Consider the 50,000 primary jobs first. Given probable SST sales, and labor costs approximately 50% of total production cost, the annual SST wage bill will average about $156 million, or only $3,120 per worker. Even at current wage rates, this wage bill would support only about 20,000 workers, at most. Thus, the 50,000 figure is very questionable. But far more important these will not be new jobs for the economy as a whole, but only new employment for highly skilled workers who would be employed anyhow. They may represent added employment to the aircraft industry, but this has not been adopted as a goal of American society.

Nor is there reason to believe this added employment has any important military value.

Similar remarks apply to the induced employment.

Technical advance

There may be technological discoveries of use in military or other programs, such as improved titanium production techniques. If USG is to spend over a billion dollars on aircraft technology, it would probably be more productive to spend the money directly on solutions to the technical problems of interest. The Defense Department does not expect important technical advance to result from the SST program. More importantly, this argument for technical advance runs counter to the underlying philosophy of the SST program, which is, "the technology is in hand, and we can now exploit it commercially." This is the philosophy that has structured the program to date. It is wrong—the technology is not in hand—yet the program has been approved both because it will require new discoveries and because it does not need them. That is, the stronger is this argument, the more likely is it that the SST will cost far more than is now predicted, and will not be commercially profitable on the current schedule.

Prestige

As for prestige and leadership in the field of commercial aircraft, the U.S. SST will be the best commercial supersonic aircraft in the world—technically and economically. Considering the resources of the U.S., it is not surprising that we can best the British-French Concorde and Soviet TU–144 if we establish the SST as a national goal. But it is not evident that the image of the U.S. and its economic system will be enhanced if the success of the SST depend upon public intervention rather than free enterprise. The experience of the U.S. with subsidies to the merchant marine, as well as British sub-

sidization of their aircraft and airline industries, suggests that this type of subsidy may create something other than an image of vigorous leadership.

The only remaining argument is that the SST program itself represents a desirable subsidy. The usual criteria for subsidization are that the benefits are distributed broadly over the country as a whole or, if distributed narrowly, they result in a redistribution of income from a less needy to a more needy segment of society. The SST subsidy will be drawn from general tax revenues and granted to highly skilled workers in the aircraft industry, stockholders of the SST manufacturers and their suppliers, and air travelers who can afford faster transportation at prices that do not reflect all the costs involved. Thus the SST does not meet the usual criteria for government subsidy. Of these rationales, job creation, and balance of payments have been investigated and disposed of, as has the general subsidy argument. The technical advance argument is inconsistent with the present program though it could play a central role in an SST program which did not pretend to be exploiting a known technology. (Such a program is suggested below.) The prestige argument could be useful if the amount USG is willing to pay for prestige were specified explicitly. The current lack of a suitable rationale for USG participation poses great problems for management of the program. For example, one reason why the development of a financing plan was so difficult and its results so unsatisfactory, was this lack of reasons for the USG being directly involved in the first place.

THE SST PROGRAM AS AN INVESTMENT

The analysis presented here calculates fare levels for both the SST and subsonic aircraft during the 1970's, based on their operating costs, the airline's desired rate of return on investment, and aircraft productivity (trips per year). The assumption that passengers will choose between subsonic and supersonic flights based in part on the value of their time and on supersonic and subsonic fares, serves as a basis for estimating the number of passengers who will travel in supersonic airplanes. This passenger demand is then translated into aircraft demand and a 1974–1990 SST sales profile is generated. For given estimates of development and production costs, the net cash flow, and return on the investment (ROI) are obtained. The effect of uncertainty about any of these assumptions has been analyzed. Since the results of this analysis—discussed below—are so different from those the FAA reported elsewhere it is important to understand how the differences arise. They do not arise because of differences in the way the calculations are made, but because of different values used for the value of travelers' time, operating costs, etc. Further, this analysis is based on the new Boeing design, not the one selected in 1966 and subsequently judged to be unworkable. The main source of difference is the reduced payload of the new design. The 1966 Boeing design was to carry about 300 passengers; the present design will probably carry about 234. This approximately 22% decline in payload has a large leverage because it induces higher fares to cover costs, and these reduce the number of passengers who will pay the difference to go supersonic, etc.

Aside from differences due to the new design, there are other differences due to differing assumptions about the value passengers place on their time, aircraft operating costs, etc. The values chosen here are more nearly consistent with research results—including those results obtained by FAA funded studies—than those FAA used in their 1966 economic evaluation.

The analysis discussed below assumes: air travel grows at an average rate of 10% per year; passengers value their time at a rate equal to their hourly earnings before taxes; the SST will weigh 675,000 lbs. and cost $40 million sans spare parts; development cost through certification will be about $2.4 billion; total program cost of 200 SST's would be about $9 billion; disposable personal income per capita will grow at a rate of 2.5% per year; fares are set to provide a 20% pretax yield on all airline investment; supersonic flight is restricted to routes over water and uninhabited land areas because of sonic booms.

By treating the USG as a private investor, rates of return on the total program can be calculated. These rates because they are low show what USG is paying for the benefits of the program. The results of the calculations are shown below:

Aircraft sold	Rate of return on investment (percent)			Net cash flow (millions)	
	USG	Manufacturing	Program	USG	Manufacturing
139	(1)	1	(1)	−$1,183	+$150

[1] Loss.

This compares with earlier FAA estimates of 497 sales and rates of return of over 10% for the manufacturer and about 4% for the Government. The new estimates not only show losses for USG, they also indicate that the manufacturers can be expected to exert heavy pressure to get the Government to pick up even more of the losses than the $1183 million shown in the table. Manufacturers will not proceed with a program which promises them only a 1% return; their return can be raised only if USG will absorb more losses.

Value of time saved

The success of the SST depends largely on the willingness of air travelers to pay higher fares to fly faster. There is general agreement that this willingness is determined by the value air passengers place on their time. However, there is uncertainty about this value. FAA sponsored analyses concluded that the value of time was equal to a person's average hourly earnings. The FAA, after discussions with 10 airlines, concluded that the value was 150% of a person's average hourly earnings. Recent research at Columbia University indicates that people value their time at as little as 40% of their hourly earnings.

The table below shows that—depending on passengers' value of time—USG can expect to lose between $552 and $1,382 million cash under existing SST financing arrangements. Even with the FAA's more optimistic assumptions, the 3% rate of return on the program falls far short of an acceptable commercial profit rate. While the true "value of time" variable is not known, it is very unlikely that it lies above 150, and even this value gives an unsatisfactory result. The rate of return is low (3%) and sales are less than half the FAA's 1966 estimates.

Value of time (percent of hourly earnings)	Aircraft sold	Rate of return on investment (percent)			Net cash flow (millions)	
		USG	Manufacturing	Program	USG	Manufacturing
75	111	(1)	(1)	(1)	−$1,382	−$252
100	139	(1)	1	(1)	−1,183	150
150	225	(1)	6	3	−552	1,689

[1] Loss.

Sonic boom restrictions

Various sonic boom tests indicate that about 25–30% of the public would find repeated sonic booms unacceptable. (This is discussed in more detail later.) Booms for these tests were about 1.0 to 2.0 lbs. per square foot. The SST is expected to create a boom during supersonic cruise of about 2.0 lbs. per square foot, and more during acceleration. Variable conditions in the atmosphere and on the ground will cause booms of 3.0 lbs. or more with surprising frequency. Thus, it is prudent to assume that SST's will be restricted to flight over unpopulated areas.

This restriction costs the SST about two-thirds of its potential sales, as shown in the table below. Only if SST's are not restricted by sonic boom will USG be repaid its full cash contribution and the program rate of return approach a commercially acceptable level.

Sonic boom	Aircraft sold	Rate of return on investment (percent)			Net cash flow (in millions)	
		USG	Manufacturing	Program	USG	Manufacturing
Restricted	139	(1)	1	(1)	−$1,183	150
Unrestricted	443	4	14	10	1,050	$6,495

[1] Loss.

Effects of changes in operating and R. & D. costs

Operating and R&D cost estimates are subject to large errors. Given our assumptions and restriction of the SST to overwater flights only, the profitability of the program is relatively insensitive to reasonable variations in aircraft operating costs and the cost of SST R&D. The table below shows that even favorable variation in one or the other of these factors will not enable the program to earn an adequate rate of return for either the government or the manufacturer.

Variation of costs about base values	Aircraft sold	ROI (percent)			Net cash flow (in millions)	
		USG	Manufacturing	Program	USG	Manufacturing
Operating costs:						
−10 percent	170	(1)	3	(1)	−$957	$665
+10 percent	126	(1)	(1)	(1)	−1,275	−43
R. & D.:						
−20 percent	139	(1)	3	(1)	−953	−480
+25 percent	139	(1)	(1)	(1)	−1,440	−199

[1] Loss.

HOW SHOULD THE DEVELOPMENT AND PRODUCTION PROGRAMS BE PLANNED?

The development and production programs laid out for the SST assume that the cost of development and production, time of availability, and performance of new aircraft can be estimated accurately. Thus the program is now specified in some detail, only one contractor team remains, and some overlapping of successive aircraft, very few for such an advanced program. When the Boeing 707 was adapted from the USAF KC–135 the Air Force had a hundred or more such aircraft, and many thousands of hours of experience with it, and much more experience with other subsonic jets. By contrast, the SST is planned for 100 hours of flight test and a certification program. No one in the "free world" has much experience at the SST speed of mach 2.7 and above.

Extensive experience with aircraft development projects indicates that good predictive ability should not be assumed because it does not exist. Some test aircraft have failed to fly without extensive modification. Some supersonic aircraft have failed to go supersonic without many re-configurations. Where technically advanced aircraft have been developed for the Department of Defense, production costs have been under-estimated by average factors of 3.4–5.0. Systems have been available on average 2 or more years late. R. & D. costs have risen by average factors of 2.5 to 3.0. These are not the worst cases. These cost increases and slippages have been necessary to achieve desired performance levels. The fundamental uncertainties associated with aircraft R&D programs are thus demonstrably great.

Further, the performance requirements for commercial aircraft are much more rigid than those for military developments. This may seem paradoxical, but military aircraft are expected to fly only one or two sorties per day. Often these are relatively short missions. Maintenance between missions may be extensive, and no one high performance aircraft type is expected to be intensively employed for wars of several years duration. Commercial aircraft, on the other hand, are expected to fly 8 or more hours per day for at least a decade. They must be very reliable, and rapidly and cheaply maintainable. The present commercial jets have been so profitable because low maintenance requirements permit them to fly almost all day and much of the night. Thus, the SST poses a much more difficult problem than most of the military aircraft whose sad experience has been cited above, since it must meet more stringent commercial standards.

Experience in the SST program to date tends to confirm this difficulty. The Boeing and Lockheed resigns were subjected to numerous changes before the final selection of the Boeing design. Since the selection of the original design, the Boeing has grown from 675,000 lbs. to about 900,000, the swing-wing has been abandoned, and a completely new design is being developed at a weight of about 675,000. This new plane will probably have about 60–80 fewer seats than the swing-wing, however, and a much-reduced earning potential. As an example of the difficulty of dealing in a pre-planned way with such a program, the new Boeing design might better be mated to the earlier Pratt & Whitney engine which was designed for a fixed wing SST. But Pratt & Whitney is no longer in the program. This is another illustration of the problems of "cutting off your options" early and acting as if you could predict where you cannot.

If the SST is to be developed and produced, very different principles should guide the planning for its development, certification, and production. Flexibility in the face of this uncertainty is clearly in order, and the entire program should be re-structured to adapt to uncertainty.

Initially, a flexible program appears most costly. However, by the end of the program, when the real costs are in, the more flexible approach is usually the less costly.

As Thomas Marschak has recently said:

"When the predictions available at the start of a development program are used as the basis of heavy commitments to a highly specified design, then in the fortunate cases when the predictions turn out to be correct, time and money may have been saved compared with the postponing of such commitments until later in development. If the predictions are seriously wrong, however, costly revisions will be required. The initial uncertainties of development are such that the gains due to heavy initial commitments in the fortunate cases are outweighed by the costly revisions of the unfortunate cases."

WHAT SPECIAL PROBLEMS ARE CREATED BECAUSE USG IS MANAGING THE PROGRAM?

There are several major problems associated with USG development of a commercial SST. The first arises because there has been no explicit rationale for the programs. If USG is in for the prestige, how much is it willing to pay? In what sense is the program to be profitable? Such basic questions have never been explicitly answered. Whatever agency is responsible needs guidance on why USG is in the program. To date the FAA has acted as if it were directed by President Johnson to "develop an SST." Thus, FAA has ignored studies showing it is a poor program, suppressed pessimistic contractor estimates, and debated with other USG agencies which questioned the profitability of, or need for, the program. The FAA, and other interested agencies, should either be told that the SST will definitely be developed and why, or that development remains an open question subject to study. If the latter, criteria for deciding are needed.

If it is an open question, the agency responsible for developing the SST should not also be responsible for studying whether the SST program should be continued. They cannot be disinterested analysts of their own program. There is a need for a continuous analysis of the program by an organization experienced in such analysis, independent of the hardware program, and with access to very senior officials in the White House or Bureau of the Budget. The Presidential Advisory Committee for the SST is not such a body. Special arrangements for this program are required because the usual government apparatus is not particularly attuned to developing commercially profitable products. The inept handling of the financing arrangements is only a part of the evidence of this. Perhaps it should be monitored by an office in the Program Evaluation Staff, Bureau of the Budget, with funds for contracts to study various parts of the program.

Assuming this problem of program guidance is solved, several other serious ones arise. The USG is now in the awkward position of having the FAA develop an SST, and, through the FAA, of having to certify both the SST and Concorde. Simultaneously, through the CAB and the State Department, USG will be in a position to fix air fares and thereby affect the success of the program. The potential conflicts of interest here are obvious. Will FAA feel free to deny certification to Concorde if it seems unsafe? If it seems safe? Will it certificate an unsafe SST? The "subsonic travelling public" is especially vulnerable as are the producers and owners of subsonic aircraft. The USG could "cover up its mistakes" on the SST program at their expense by raising subsonic fares, and may do so. Removing the SST program from FAA would not solve this problem, but would force its explicit consideration at a higher level in the Government. This would be desirable.

Sonic boom

The single most important factor underlying the viability of the SST program is public acceptance of sonic booms as part of the daily environment. If the public accepts booms, transcontinental flight can be unrestricted, and the SST program can earn about 10%. If flight paths are restricted, the program will lose about a billion dollars.

Some attempts have been made to test public reaction to sonic booms. An opinion survey in Oklahoma City, after six months of about seven booms per day, suggested that 27% of the population "could not live with eight booms per day." After seven months of one boom every three days, an opinion survey revealed that 35% of St. Louis residents were "annoyed." At Edwards AFB, 26%–30% of the residents considered eight booms per day "unacceptable." In addition, 34% of people surveyed in France said ten booms per day would be "intolerable." These tests fall far short of the number of exposures implied by overland SST operations (4–50 per day for 45 million people).

All these tests have yielded similar results, about 25%–35% of those surveyed finding booms at least annoying. The average boom intensity in these tests has been about 1.5 pounds per square foot (PSF) overpressure.[1] An SST with gross weight between 500,000 to a million pounds would create a boom of approximately 2.0–3.0 psf in supersonic cruise.[2] In the Edwards AFB tests, the proportion of people rating the boom "unacceptable" more than doubled (30% to 62%) when boom overpressures were inreased from 1.5 to 3.0 psf.

A test of the acceptability of sonic boom under normal airline operating conditions has never been conducted. The Office of Science and Technology Coordinating Committee on Sonic Boom Studies designed several test programs to simulate actual airline operations of the SST, but was never permitted to conduct them. This prohibition may have resulted from fears that such tests would reveal an adverse public reaction and force cancellation of SST development. Though far from conclusive, evidence to date suggests that the public will not tolerate sonic booms as part of their daily lives; 30% to 60% of 45 million people will be opposed. Thus the analysis assumes restricted SST operations.

Effect of the SST on current airline industry problems

The airline industry suffers from a congested air traffic control (ATC) system, and a community relations problem due to airport noise. The SST will aggrevate both of these conditions.

In air control the SST will require longer separation times between operations. Therefore, in any given time ATC will be able to handle fewer aircraft, with SST's than in a purely subsonic environment. In addition, the inefficiency of the SST during subsonic flight requires shorter holding times for this aircraft than for subsonics. Thus more controllers will have to be provided to accommodate the SST.

The SST's noise contour differs from that of present and expected subsonics. This means that airports handling both SST's and subsonic planes will inflict high noise levels on a larger part of their neighboring communities and intensify the public relations problems of the airports and the airlines.

HOW IS THE PROGRAM FINANCED?

From the beginning of the program it has been argued that government financial assistance would be required, because of the magnitude of the effort, the long period before any revenues are realized, and the substantial risk. The controversial issues in-

[1] *Report of the OST Coordinating Committee on Sonic Boom Studies*, 1 November 1966, p. 16.

[2] Estimated by extrapolating curve in Annex I of *Sonic Boom Experiment at Edwards Air Force Base*, 24 April 1967, p. I–4.

volved in financing the program were the extent of government assistance and the method and extent of recoupment of government monies. Corollary to these issues, however, were questions of government control of the program.

The larger the share of costs borne by USG, the smaller would be the incentive of the manufacturer to maintain strict cost controls and evolve a commercial successful program. The incentive structure would be similar if the program's principal contributor were somehow accorded a subordinate lien on profits, if any. In addition, USG would be funding a commercial monopoly if it did not maintain a great deal of control over the program, and open to a charge of socialism if it helped steer the program and/or shared in the profits.

As for *cost-sharing* by the government, the initial position of the manufacturers in 1960 was, "Government appropriations would pay completely at the onset for the delivery of (an SST) prototype and its testing." The initial government position was to aid the program only if "absolutely essential." By 1963 the government position had shifted to a willingness to bear 75% of the total cost of development through certification.

Contracts for Phases II–A and II–B (initial design proposal) adhered to the 25%/75% formula. Phase I–C contracts, however, which would finance design efforts leading to the selection of a final team of one airframe and one engine contractor, were negotiated on a 25%/75% formula with a partial payback to the losing contractors. In effect, this made the formula 15%/85%.

The USG position in neogtiation for Phase III (prototype construction) contracts with Boeing and Lockheed was proposed to include a 20%/80% formula on basic development costs, with costs in excess of contract ceilings shared on a 50%/50% basis. The latter provision was to prevent underbidding to win the competition. The Phase III contracts finally signed specify a 10%/90% formula, with a 25%/75% overrun penalty.

There has thus far been no commitment of USG support for the certification and production phases, although there is a strong possibility that it will be found necessary. If the manufacturers balk at carrying the full financial burden for these phases, USG will probably feel obligated at least to guarantee publicly-floated bond issues, since it will already have about $1.5 billion at stake. If this additional USG investment seems highly probable, then the project should, in principle, be re-evaluated. No astute investor would throw good money after bad.

Recoupment of USG contributions to the SST program was a thorny issue, since it involved not only how and how much to recoup, but also whether to recoup at all. Part of the problem resulted from public statements by Presidents Kennedy and Johnson, which alluded to national interests in the SST program; balance of payments benefits, added employment, and national prestige. Since these national interests lent themselves to subjective valuation, it was inevitable that interested parties should attempt to substitute them for at least some of the USG recoupment.

The extent of recoupment also hinged on the financial success of the program. On a partnership basis, the parties should logically share in profits or losses according to their proportional contributions, but many felt that USG should in no case earn more than its cost of borrowing, i.e., 4%–6%. Many also maintained that, should the program fail, the USG should bear the brunt of the loss. The Joint Economic Committee has recently recommended in "Hearings on Economic Analysis Investments—Interest Rate Policy," that USG should not appropriate funds for a purely commercial venture without reasonable assurance of earning normal private rates of return, about 10%, to prevent misallocation of resources.

Two basic methods of recoupment were proposed: royalty and "pooling." The royalty scheme was to be a fixed percentage or fixed sum on each aircraft sold beyond some specified number. The entire USG contribution would be repaid when the estimated sales were achieved.

"Pooling" was a euphemism for partnership. Under this arrangement, all parties would contribute in some agreed ratio, and when the net receipts turned positive, would withdraw funds in the same ratio. No market estimates would be required, and proportionate sharing of profits and losses would be assured.

The manufacturers balked at pooling, presumably because they prefer not to share either profits or losses, and because the royalty scheme required a market estimate. Thus, by estimating an unreasonably high sales volume on which to pay back USG monies, the royalty per plane would be lowered and total recoupment postponed. In addition, if the estimate were not fulfilled, USG would bear all losses while the manufacturer earned approximately normal returns; if estimates were exceeded the manufacturers would earn dramatically high returns while the USG returns approximated nominal interest charges.

The present contracts call for a royalty scheme, whereby the airframe manufacturer can begin royalties at any time prior to the 101st unit sold, and the engine manufacturer will begin with the first unit. The full cash USG contribution is to be repaid by the 300th aircraft sold, and the full contribution with interest at about 6% on the FAA-estimated market of 500 aircraft. The estimate of 500 aircraft is about 80% higher than the market estimates made by the FAA's research contractors, and compares with this paper's estimate of 139 aircraft.

Why should the USG accept—and the manufacturer's insist on such an inequitable financing arrangement? First, the manufacturers realized that the USG was anxious to start the prototype development phase, and the manufacturers were not encouraged to compete on the basis of the financing arrangements. Thus the USG gave away much of its bargaining position. Second, the terms of the financing reflect the manufacturers' private opinions about the prospective success of the SST program. The program was likely to be profitable to them only if the USG would assume the major risk of financial loss while they captured the potential program profits.

MILITARY CONSTRUCTION AUTHORIZATION BILL, 1970

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

Mr. McCARTHY. Mr. Speaker, included in the items funded under the military construction authorization bill for 1970 passed Thursday by a vote of 343 yeas to 32 nays are two facilities at Dugway Proving Grounds. These facilities, a sampler processing building and an instrumentation building addition, are for the testing of biological and chemical warfare agents. The justification given for these items at the time the authorization bill was considered is as follows:

The sampler processing building will provide a facility for loading, unloading, decontaminating, and servicing 1,400 heated biological sampler containers used in the installations field test program.

The instrumentation building addition will provide facilities for calibration, maintenance, and protection of mobile cinetheodolites, optical tracking units, and maintenance and protective cover for 6,390 special chemical and biological sampling devices. These instruments are essential in the conduct of chemical and biological field trials by the installation.

These two facilities have been authorized in the military authorization bill for 1970. At the time that the authorization bill was considered, I stated that I would not oppose the authorization, but that unless the executive branch review of chemical and biological warfare policies and practices was completed, I would oppose an appropriation for these facilities. The bill that we considered Thursday contained $420,000 for these facilities. That money should have been stricken from the bill.

There is no basis for appropriating this money before the executive branch of chemical and biological warfare is complete. There is every indication that the administration will cut back our involvement in biological warfare as a result of the review in process. It would be unwise to proceed with this permanent construction before we know whether the facilities will be needed.

On the other hand, if as a result of the executive branch review of chemical and biological warfare, it is decided that these facilities are needed, the administration can submit a supplemental appropriations bill.

Because the military construction authorization bill for 1970 was considered under a closed rule, I had no opportunity to bring this matter to the attention of my colleagues and amend the bill accordingly. Rather than appropriate unneeded money, I voted against passage of the bill.

WHO DECIDES WHETHER OUR TROOPS WILL STAY

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, the House is being asked to endorse the President's speech of November 3 on his plan for peace in Vietnam which he promised the people during the campaign of 1968.

Before we are asked to vote this carte blanche endorsement which may well become another Gulf of Tonkin resolution, I would like to call to the attention of this House a most cogent and penetrating analysis of the President's speech:

The President has announced that he is not seeking a military solution in Vietnam. Instead, he wants to bring our ground forces home as fast as they can be replaced by South Vietnamese forces. How fast that will be depends, he says, upon three conditions.

1. Progress at the peace talks in Paris.

2. The level of enemy activity.

3. Progress in training the South Vietnamese forces to take over the fighting.

1. Who decides the progress at the peace talks?

The United States can make proposals at Paris but to make progress there must be agreement by some or all of the other three parties. Hanoi and the Viet Cong (or, more accurately, the Provisional Republican Government) can continue their consistent refusal to budge and so prevent progress. Saigon, which has its own reasons for wanting the war to continue indefinitely, can hold up progress. Most of its top leaders

would gain more by keeping the war going than by ending it.

Who decides the progress? They do, not we.

2. Who decides the level of enemy activity?

The new United States policy of "protective response" leaves it up to Hanoi and the Viet Cong to decide the level of fighting. They can step it up or down. The Saigon government, which may act without our approval, can increase or decrease the fighting.

Who decides the level? They do, not we.

3. Who determines the progress in training the South Vietnamese forces?

The United States can urge the Saigon government to take over the war quickly but if that government does not wish to do so, it can easily obstruct and delay the Vietnamization of the war.

Who decides how fast to take over? They do, not we.

WE SHOULD WITHDRAW

Announce our plan to speed up withdrawal and to complete it by a definite date, say December 1, 1970.

The United States is not defeated. For good reasons we have never chosen to use all of our available military might. We have prevented South Vietnam from being taken over by military force. This was our objective. We are not committed to upholding the Thieu-Ky government. If, after our years of aid, that government does not have popular support, we should not impose it on the South Vietnamese people.

We should not try to Vietnamize the war but should end our participation in it. The World Communist movement is no longer the monolithic threat that it was when we went into Vietnam. The movement has disintegrated into conflicting groups. We can safely and honorably withdraw from Vietnam. We cannot honorably stay there. Withdrawal is not surrender.

WHAT WOULD WITHDRAWAL DO?

1. Withdrawal would reduce the fighting in South Vietnam. Fewer American boys would be there to shoot and be shot at. The other side, knowing that the Americans were leaving, would have little reason for offensive action. They would probably reduce their activity.

2. The Paris peace talks would probably move forward because the Thieu-Ky government would no longer feel that it had more to gain by delays than by action. It would have to make itself more representative of the people of South Vietnam. Hanoi and the NLF will not, and cannot, negotiate as long as we continue our all-out support of the Thieu-Ky regime, which really does not want an end to the war and authentic self-determination for Vietnam.

3. The Saigon government would have to make peace or see that its army rapidly took over the war. They will probably protest our leaving whenever and however it is done but they have about 1,500,000 men in their army and the other side has an estimated 90,000 North Vietnamese and 135,000 Viet Cong. If their army does not want to fight, we should not keep fighting for them.

4. Some persons fear a blood bath if the United States withdraws. If it comes, it would be as bad as the blood bath that the American presence is causing. We can offer asylum to those who are closely identified with Americans. Is there any reason to believe that prolonging the war, at the cost of 1000 American lives per month, will result in its ending with a smaller blood bath?

I believe that the President is right in not seeking a military solution. It would not be worth its cost in U.S. and Vietnamese lives and dollars. To win completely, we would have to suppress the native guerrillas in South Vietnam and we would have to invade and occupy North Vietnam. If we step up the war, China and/or the U.S.S.R. might consider it necessary to come into the war, and almost surely they would stir up more fighting by giving increased aid to Communists in North Korea, Laos and Thailand. We might win in Vietnam and find that we had three new "Vietnams" on our hands.

The President wants to save face for the United States by fighting for "an honorable peace". I wish he would tell us what that phrase means, if it means anything more than a peace which has Saigon's approval. And why should we fight for that?

When the President adopts a policy that lets others decide when we will withdraw, I believe that he is acting against our national interest and not bringing honor to our country.

HENRY E. NILES,
Chairman, Business Executives Move for Vietnam Peace.

BACTERIOLOGICAL WARFARE TESTS AT ENIWETOK

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, most of us are familiar with the island called Eniwetok. This small plot of land located far away in the Pacific Ocean became internationally famous more than 20 years ago when the United States began using it as a test site for nuclear explosions.

For 22 years the former residents have led an existence near starvation on the island of Ujelang, while hoping that their home island will recover from these nuclear detonations so that they may return. Now, however, they have been given another setback with the disclosure that the U.S. Department of Defense may be using Eniwetok Atoll for tests of biological warfare agents.

I strongly protest such experimentation. Residents of Hawaii were shocked by the Army's recent disclosure, after repeated denials to Members of Congress, that chemical warfare agents were tested in Hawaii in 1966 and 1967. We should not impose on innocent peoples whose welfare is our responsibility and who lack representation in Congress or our Government, these abuses which would not be tolerated on our land.

I hope that the Department of Defense will disclose all of its activities in Micronesia, and that any tests or storage of chemical or biological warfare agents or substances will be stopped immediately.

The Congress of Micronesia, which is the local governing body of the Trust Territory of the Pacific Islands of which Eniwetok is a part, has passed a resolution urging immediate cessation of the reported use of Eniwetok for tests of these agents. I include the resolution at this point in the RECORD:

HOUSE JOINT RESOLUTION 62

(A house joint resolution unequivocally stating the sense of the Congress of Micronesia regarding the plight of the Eniwetokian Micronesians and strongly urging the President of the United States to effect immediate cessation of the reported use of Eniwetok Atoll, Marshall Islands District, by the U.S. Department of Defense for tests of biological warfare agents)

Whereas, being the Administering Authority for all Micronesia, the United States of America freely and willingly accepted on July 18, 1947, the responsibility to "promote to the utmost" the well-being of all Micronesians, including the Eniwetokian Micronesians; and

Whereas, the United States in discharging this responsibility must act in full accordance with the Charter of the United Nations, the International Trusteeship Agreement, and the Trusteeship Agreement for these islands; and

Whereas, on December 1, 1947, only five months after the United States had become the trustee for the Micronesians, this same trustee closed Eniwetok to the whole world in order that "necessary experiments relating to nuclear fusion" could be conducted there; and

Whereas, on December 21, 1947, only twenty days after Eniwetok was closed to the whole world, the Eniwetokian Micronesians were forcibly relocated in order that nuclear tests for their trustee's own security and peace could commence at once; and

Whereas, for the last twenty-two years of trusteeship the United States as the trustee for the Eniwetokian Micronesians has arrogantly ignored its responsibilities bestowed upon it to guarantee the peace and the security of the beneficiaries of the trusteeship by its continuous use of their beloved home island for nuclear related tests, while the same trustee knowingly left the said beneficiaries to exist almost on the verge of starvation on an alien island; and

Whereas, the contract entered into by the said Micronesians with the United States of America, their trustee, is not morally and legally binding because the said contract was never translated into the vernacular language and as a result the said Eniwetokian Micronesians never understood well what they were signing; and

Whereas, the said Micronesians have pleaded for mercy and help from their trustee by sending their pleas through the Congress of Micronesia and by petitioning the United Nations; and

Whereas, the United States has agreed to give only a token compensation to the said Micronesians for the loss of some of their islands, twenty-two years of absence from their home island of Eniwetok, and an existence of near starvation; and

Whereas, the Honorable Richard D. McCarthy of New York has recently disclosed that he has discovered that the U.S. Department of Defense may be using the Eniwetok Atoll for test of biological warfare agents; and

Whereas, any existence of such activities in Micronesia is highly questionable in the light of the Trusteeship Agreement and the U.S. policy which does not permit such activities within its own boundaries; and

Whereas, such activities pose dangers of catastrophic magnitude and scope to not only the peoples but also to the land and sea resources of Micronesia and territories and nations throughout the Pacific Basin; and

Whereas, such additional use of Eniwetok Atoll by U.S. Department of Defense dims the prospects of the earliest possible return of the said Micronesians to their beloved home islands; now, therefore,

Be it resolved by the House of Representatives of the Third Congress of Micronesia, Second Regular Session, 1969, the Senate concurring, that it is the unequivocal sense of the Congress of Micronesia that the Eniwetokian Micronesians have contributed more than their share, as called for in the Trusteeship Agreement, toward "the maintenance of international peace and security"; and

Be it further resolved that the President of the United States of America, the trustee of these islands, including the Eniwetok Atoll, is hereby strongly urged to effect immediate cessation of the reported use of the Eniwetok Atoll for the testing of biological warfare agents; and

Be it further resolved that the President of the United States is hereby also strongly urged to take immediate steps to return the Eniwetokian Micronesians, now existing on

the island of Ujelang, to their beloved home islands; and

Be it further resolved that certified copies of this Joint Resolution be transmitted to the President of the United States of America; the President and Speaker of the U.S. Congress; the President of the U.N. Security Council; U.N. Secretary General; the President of the Trusteeship Council; the Prime Minister of Japan; the President of the Republic of the Philippines; the Chairman of the Senate Foreign Relations Committee; the Chairman of both Senate and House Interior and Insular Affairs Committees; Representative Richard D. McCarthy; Senators Mike Mansfield, Edward M. Kennedy and William Proxmire; and Representative Patsy Mink.

Adopted August 26, 1969.

BETHWEL HENRY,
Speaker, House of Representatives.
CARL HEINE,
Clerk, House of Representatives.
AMATA KABUA,
President of the Senate.
VICTORIO UHERBELAU,
Clerk of the Senate.

MOBILIZATION RIOT REPORT—WHO PAYS FOR THE DAMAGE?

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the controlled news media are pumping out their propaganda version of the weekend occupation of Washington as some peaceful demonstration of nonviolence and proletariat street political action. We can be sure that little news is reaching the taxpayers and decent American people of their role in the affair—to pay for the protection and repair of our capital.

District police, park police, Secret Service, and Sanitation Department crews, all indirectly salaried by the U.S. taxpayers, were required to work overtime. Some 9,000 paratroopers and servicemen were flown into the Nation's Capital and quartered here at taxpayers' expense as a precautionary police force. One hundred fifty businesses and stores in the District were damaged to various extents. Windows seemed special targets for bottles. The Department of Justice and the Labor Department buildings suffered broken windows and were smeared with red paint.

While the people at home are being fed the line that this was a peaceful bunch of idealistic youth, someone will have to suffer the loss from their vandalism and rioting. One way to stop this foolishness might be for the Justice Department and insurance companies to start filing suits against the Mobilization Committee and the various fronts which collaborated with it to recover damages. Better yet, any first-year law student can tell you about the liability of joint tortfeasors—and some of the ones in Washington last week are judgment collectable.

Several news clippings follow:

[From the Washington (D.C.) Evening Star, Nov. 17, 1969]

ABOUT 150 D.C. FIRMS DAMAGED AFTER PROTEST

(By Lee Flor)

Windows were broken in about 150 downtown businesses in the wake of the assault on the Justice Department by young radicals on Saturday, according to unofficial estimates today by the Metropolitan Washington Board of Trade.

Police said they had been too busy with other details of the three-day anti-war protests to gather firm statistics yet.

Unofficially, they said windows were smashed in about 30 businesses along Connecticut Avenue and 17th Street between Dupont Circle and Pennsylvania Avenue Friday night, while another 30 to 40 stores were damaged in the Justice Department area on Saturday.

BANKS A TARGET

Leonard Kolodny, the staff head of the board's Retail Bureau, which includes around 250 representatives of 1,000 business outlets, said he was in radio contact with many businessmen during the Saturday outbreak.

Other witnesses said this morning that some or all the windows were broken in almost every bank in downtown Washington. Banks seemed to be a particular target of the vandals who, in some blocks, ignored other stores while breaking bank windows.

Kolodny said the merchants reported only scattered incidents of looting Saturday night. In some instances, merchandise in broken windows was exposed to looting all night Saturday, and was left untouched.

The number of businesses reporting broken windows and other damage, however, is expected to grow even higher. Capitol City Glass Co., manager Eugene C. Norton said he had requests for emergency repairs from at least 150 businesses. He said his company was only one out of 50 glass replacement firms.

Norton said "We have noticed a number of windows with bullet holes."

H. H. Harris, manager of the local Pittsburgh Plate Glass Co. outlet, said his men also noticed bullet holes in second floor windows around Dupont Circle and along 15th Street NW. He said his men were placing emergency taping over the bullet holes, so they could concentrate on the replacement of windows that were completely smashed.

Norton said his men reported no trouble with the demonstrators here over the weekend, and said some of the crowd members helped sweep up broken glass.

Arthur Anargyros, manager of the Palace Florists, Connecticut Avenue and Dupont Circle, said damage to his firm Friday night would total $10,000. He said 12 of his 14 large plate glass windows were smashed, amounting to half of the damage.

The impact of freezing weather on delicate plants caused the rest, he said.

If his insurance rules that the Friday night fighting was a riot, Anargyros said his losses would be covered. He said his insurance did not cover malicious damage.

Observers reported that windows were smashed in almost every business on the north side of F Street between 13th and 14th Streets.

DEPARTMENT STORES HIT

Every window on the 11th Street side of Woodward & Lothrop's downtown store was broken, and six of eight windows in Garfinckel's Department Store were smashed on the 14th Street side, as well as six of 12 on the F Street side.

Kolodny said it was too early to estimate the full loss from the drop in customers downtown on Friday and Saturday. He said that unofficial estimates of a drop in business of as much as 30 to 40 percent on Friday, and a larger drop on Saturday, did not appear to be unreasonable.

Kolodny said that business generally was far below normal because of the marchers. Only a few coffee shops, button salesmen and restaurants made any money, he said.

Many businessmen, asked about the conduct of the crowd, commented on how well-mannered and orderly it was.

PRAISE FROM CAFE OWNER

Jerry Furman, owner of a cafe and carry-out shop on D Street, a block from the Justice Depratment, spoke highly of the capacity crowd—largely young people—who patronized his store.

"They ate very well and were well-behaved—less problem than the regulars," he said.

A counter clerk at a souvenir shop on Pennsylvania Avenue, across the street from the National Archives, said business was slow, considering all the people here from out of town.

One big seller, however, was a button which read, "Hi. I'm an effete, impudent, intellectual snob." The button cost 50 cents on Saturday.

Other restaurants in the area reported heavy business Saturday. "We'd welcome them back any time," one restaurant manager said of the orderly crowds.

A District Department of Insurance spokesman said the department would be watching to make sure insurance companies pay off legitimate claims for window damage.

[From the Washington (D.C.) Post, Nov. 17, 1969]

AT LEAST 76 BUILDINGS DAMAGED IN WEEKEND OUTBREAKS

(By Robert J. Samuelson)

"If they say this was a riot, we're covered. If it's not, we're out of luck," Arthur Anargyros said bitterly.

Anargyros is the manager of Palace Florists at the corner of Connecticut Ave, NW. and Dupont Circle in downtown Washington. Of all the stores damaged during the weekend's street fighting between police and far-left demonstrators, his probably suffered the most.

Ten of its twelve plate glass windows were shattered late Friday evening. To replace them, Anargyros estimates, will cost at least $5,000 to $6,000. Some expensive tropical plants were probably frozen by the evening's cold winds—it will take a few days to tell. Total damage may run as high as $10,000, according to Anargyros, and he is waiting to see if the insurance company will pay.

Two nights of street fighting left at least 76 buildings with broken windows. On Friday night, when police and demonstrators struggled in the Dupont Circle area, 26 stores—almost all on Connecticut Avenue above and below the Circle—received damage, according to the Board of Trade. Little looting occurred, and what there was was trivial.

WIDELY SCATTERED

Police have yet to give a figure for Saturday evening, but a hasty tour of the downtown area yesterday showed at least 50 more buildings were damaged. They were widely scattered, from 7th and D NW as far west as 20th and N NW.

No one knows how much of the damage is covered by insurance. Interviews with a number of merchants along Connecticut Avenue revealed that most were insured. But many feared that the weekend's events will make future protection unavailable, or raise the premium price.

"Who can tell when it will be cancelled?" said Michael Rizik, whose women's dress-store on Connecticut Ave. NW had several of its windows smashed Friday evening.

Though many city leaders praised the District police for their weekend performance, affected businessmen disparaged security precautions. Many longed for the sight of the National Guard or the Army lining the streets.

"Why didn't they have a show of force (with troops)?" asked Mrs. Sally Gordon, manager of Peck and Peck's on Connecticut Ave NW that had its window broken.

READY WITH GUNS

Next door, Mr. and Mrs. Philip Fisher rushed down to the family art store when they first received word of trouble Friday evening. "We were here with guns," Mrs. Fisher said, "We saw no troops and we saw no police, ex-

cept when they were shaking their heads saying, 'what can you do'."

Despite the damage, many—but not all—businessmen distinguished between "just a few individuals" or "the militants" and "the rest of the peace movement."

Anargyros who said that he has gained a new respect for Vice President Agnew's tough attitude toward demonstrators, recalls that many young people—obviously in the city for the Mobilization—offered to help him clear away the broken glass.

And at Walpole's linen shop on upper Connecticut Ave. NW, other young people said the owner removed merchandise from the damaged display window.

Some downtown executive expressed admiration for Saturday's main march.

"The crowds—well, they were Magnificently behaved, just as you would expect." said Kann's vice president B. B. Burgunder, at midafternoon.

But the subsequent street fighting, originating at the Justice Department and continuing for hours in the downtown area, may have embittered merchants. Judging from talks, with many businessmen, Leonard Kolodney, head of the Board of Trade's Retail Bureau, said:

"There is a lot more hated for this thing now . . .

It was relatively peaceful on the previous days, and, generally speaking, people were against it only because of the inconvenience and problems it caused."

BUSINESS DECLINE

The inconvenience had been anticipated, and most businessmen found that their predictions of a big sales decline proved accurate.

Kann's volume dipped 30 to 40 per cent on Saturday, according to Burgunder. Woodward and Lothrop's downtown store reported a decline of 35 to 50 per cent for a normal Saturday.

Frank H. Rich, president of Rich's Shoe Stores, said this his Georgetown and two downtown shops all experienced "washouts," with people staying away from the downtown area and most of the regular Georgetown customers participating in the march.

How much money did the 250,000 to 400,000 marchers inject into the city's economy? No one knows, but few businessmen seem to think that the demonstration—taken as a whole—added to the city's commerce. Most businessmen viewed the influx as a self-sufficient army, arranging for its own sleeping and eating accommodations.

[From the Washington Daily News, Nov. 17, 1969]

CITY TALLIES COSTS AS MARCHERS LEAVE

Nearly all of the 250,000 demonstrators who gathered at the Washington Monument Saturday were gone today, leaving a tired city behind.

A few stragglers who missed buses, planes or trains or discovered they had no money for a return ticket still were wandering into New Mobe offices or the churches and dormitories where they had slept during the weekend. At George Washington University's Thurston Hall, about 15 students including six from Texas, four from Michigan and several from New York were sent to overnight lodging and assured that transportation would be arranged this morning.

Most of those who came in the 2,000 buses chartered for the demonstration departed from Haines Point Saturday night, New Mobe spokesmen said.

However, many who came in private cars stayed thru yesterday to sightsee in the capital. Park and District police reported much larger crowds than normal in Georgetown, and the city's main sights.

The youthful demonstrators left behind a bill for overtime pay that still must be computed for District police, Park police, Secret Service, and Sanitation Department crews. Dep. Mayor Thomas Fletcher said, "District police worked 12-hour shifts rather than their normal 8-hour shifts but we don't know the total cost yet."

Park police spokesmen said 240 of their 300-man force worked overtime during the weekend.

The demonstrators also left other mementos. A truckload of personal belongings "from sleeping bags to underwear" was brought from the lost-and-found center at the monument to New Mobe headquarters.

"We've also got medals, shoes, radios, cameras and pocketbooks—every kind of personal belonging imaginable," a New Mobe Worker said.

The youthful demonstrators also left behind piles of broken glass and plywood-boarded windows as signs of a different passage.

At Dupont Circle on Friday night and the Justice Department late Saturday afternoon, radical groups, variously calling themselves SDS, the Weathermen, and the Mad Dog Crazies, ran wild.

Police stopped them in clouds of tear gas, but the record of the peace march had been smudged and some of the marchers themselves were angry.

"Nobody was pleased with them. It wasn't peaceful and peace is what it's all about," Princeton student Tom Bolton, 20, a marshal, said.

"Dumb, just dumb," another marcher said as he passed the Justice Department on his way home.

The stolid, gray facade of the Justice Department was marked by a score or more of broken windows, backed by plywood, and two basketball-size blotches of red paint.

A long-haired marshal, sent by the march organizers to protect the building, still walked up and down outside, kicking at dead leaves.

In the logbook of the gatekeeper to the building's courtyard, a red ink entry noted that the second platoon had entered Friday and left Sunday.

The second platoon, otherwise unidentified, was one of the units of Federal troops sent to guard government buildings. As they left the capital in olive-drab truck convoys, passing marchers gave the soldiers the V peace sign.

[From the Washington (D.C.) Evening Star, Nov. 15, 1969]

TEAR GAS HALTS EMBASSY MARCH

An attempt by militant radicals to march to the South Vietnamese Embassy last night touched off an hours-long, on-again, off-again skirmish between demonstrators and police in the Dupont Circle area.

By the time the clash ended shortly after 1 a.m., 26 persons had been arrested—25 for disorderly conduct and one for carrying a pistol.

Ten policemen were injured and two were admitted to Washington Hospital Center, one after a tear gas canister had exploded in his hand, another after his motorcycle was hit by a car.

Eighteen passersby were treated in hospitals for minor injuries, 16 for tear gas effects and two for wounds by flying objects. One person's auto was burned.

In addition, windows were broken in some 60 buildings including a liquor store, a cafeteria, a portrait studio, and a Western Union office and some TV stores and record shops. A large florist shop on Connecticut Avenue at the circle had all of its large plate glass windows smashed. Fifty police vehicles were damaged by flying objects.

Police reported some looting over a widespread area.

The New Mobilization Committee to End the War in Vietnam, sponsors of today's mass march and the 40-hour "March Against Death"—which continued solemn and unabated to this morning's finale while the skirmishing raged a half-mile to the north—disavowed the demonstration in advance and deplored it after it had taken place.

The police laid down massive barrages of gas that at one time or another blanketed the area for several blocks around the circle.

Such was the effectiveness of the gas, dispensed both by canister and vacuum cleaner-like gas generators, that only in isolated instances did the police resort to the use of nightsticks.

Brisk winds and freezing temperatures quickly dissipated the CS-type gas, and the demonstrators regrouped time and time again, only to meet more gas. National Guardsmen were on the scene, but stayed in their vehicles.

Metropolitan Police Chief Jerry V. Wilson said he was concerned that there had been any disturbances at all, but under the circumstances he said his men had reacted with the restraint he had urged.

"Our policy is to use restraint and to use the least damaging method of force when force is necessary," Wilson said. He said attempting arrests and using tear gas were the first preferred methods to avoid having physical battles between the police and demonstrators.

Wilson said this policy proved effective last night.

The march, which began at Dupont Circle, was organized by the "Revolutionary Contingent," a coalition of far left radicals, including two factions of Students for a Democratic Society—Weatherman and Revolutionary Youth Movement-II (RYM-2)—the Mad Dog Caucus and Youth Against War and Facism.

A march coordinator told reporters Thursday that the demonstrators—whose aim was to serve an "eviction notice" on the representatives of the South Vietnamese government—would not initiate violence, but would be "prepared to defend ourselves."

Many of the Weatherman wore helmets, despite earlier promises that they would leave their helmets at home as evidence of good faith. Some carried rocks and bricks, with which they pelted windows and police vehicles.

About 2,000 to 3,000 persons, by police estimate, had gathered by 8:30 p.m. at Dupont Circle; and without any speeches or formal announcement, began to move through the Friday evening traffic, west on Massachusetts Avenue, toward the South Vietnamese Embassy, five blocks away on Sheridan Circle.

A permit had been issued for the rally in the circle, but not for the march.

The marchers, carrying Viet Cong flags and chanting "Ho, Ho, Ho Chi Minh" and other slogans in support of the Viet Cong, were met near Sheridan Circle by lines of helmeted, gas mask-wearing policemen who had massed at the embassy earlier in the evening.

When the first of the marchers crossed 22nd Street, police warned that arrests would be made unless they retreated.

When the demonstrators stood their ground, a squad of police moved forward and missiles began flying from the crowd. The police responded with the first gas barrage.

The crowd ran from the gas, east on Massachusetts, south on 22nd and north on Florida Avenue. Groups then reformed in these areas while the police marched to the intersection of Massachusetts and 22nd and formed another line, leaving two or three dozen men in the embassy area.

From then on, the action swirled throughout the area, then back to Dupont Circle, from which demonstrators made window-breaking forays north and south on Connecticut Avenue, west on Massachusetts, and northeast on New Hampshire Avenue.

The areas around the rim of the circle were gassed several times, as the demonstrators would regroup. For a while, any gathering of

more than a small group was gassed, and everyone in the area—demonstrators, newsmen and spectators—received at least one taste of the biting gas.

Police were seen interferring with attempts of a television crew to film events at one spot.

Chief Wilson attempted one of the first arrests, at the corner of Massachusetts and 22nd. He caught a young girl by the arm.

Several demonstrators immediately came to the girl's aid, grabbing her other arm. Wilson pulled one way, demonstrators pulled another, and the girl screamed in the middle. Wilson won the tug-of-war, but the girl eventually got away.

Around the corner, on 22nd and P Streets, a young man found an unattended police scooter and began to angrily attack it. He pushed it over, then kicked and pounded it. He was joined by others, and they set the scooter on fire. Later, a private automobile was set afire.

During the height of the skirmishing, a policeman walked to the edge of the Dupont Circle fountain, where a group of protestors had gathered.

The officer said he had heard reports of protesters suffering from the gas, and handed one man a plastic jug filled with water and a ball of cotton. He walked off to a hearty applause from the surprised group.

A reporter, blinded during a gas barrage, found himself being led by the hand to a house near Massachusetts and 22nd. "Come with us, we'll get some water for your eyes," he was told. Inside, an impromptu first-aid station had been set up, mainly to dispense water and towels for flushing out the gas.

Along Connecticut Avenue, at least one restaurant owner placed water outside his door, and the manager of the Dupont Theater allowed a crowd inside during a particularly heavy gas barrage.

There were remarks from some demonstrators on the scene critical of the acts of some of their colleagues.

The Mobilization released a statement from its office at 11 p.m. which said:

"The demonstration tonight was not sponsored by the New Mobilization Committee. Neither was it endorsed by the New Mobilization. It was indicated to the New Mobilization Committee by the leaders of tonight's demonstration that it would be a peaceful rally. It is unfortunate that violence occurred, regardless of the cause or source. We reaffirm our commitment to legal and nonviolent demonstrations these three days in Washington."

The skirmishing finally ended shortly after 1 a.m. Philip Hirschkop, chief lawyer for the Mobilization, and several young lawyers on former Atty. Gen. Ramsey Clark's legal task force, which is keeping an impartial eye on the proceedings, reached an agreement with the police and representatives of the mayor's office.

[From the Washington (D.C.) Post, Nov. 16, 1969]

THOUSANDS AT JUSTICE DEPARTMENT GASSED IN RADICALS' ASSAULT

(By William Chapman)

Police used wave after wave of tear gas yesterday to disperse a crowd of several thousand of antiwar demonstrators from the Justice Department when militants broke windows, threw bottles and a smoke bomb.

The crowd was driven into downtown shopping streets, where many windows were broken. Small groups continued roaming the city and committing minor vandalism for hours after the confrontation.

Eighty-three arrests were reported by metropolitan police yesterday, 80 for disorderly conduct. The other three for felonies. Most of those charged with disorderly conduct were permitted to post collateral and leave.

Police reported 97 civilian injuries and five injuries to policemen during the day, all of a miner nature.

Shortely after 10 p.m. Mayor Walter Washington announced the city had been secure as of 8 p.m. He paid tribute to the planning of Police Chief Jerry V. Wilson, the National Guard and the Justice Department for preventing serious damage, injuries or loss of life in a "difficult situation."

The mayor expressed his sympathy to the organizers of the Moratorium and the Mobilization for having a "small band" mar their "peaceful demonstration" with violence. Wilson paid high tribute to the efforts of the marchers to prevent violence.

Leading the throng that converged on the Justice Department about 4:30, after the huge peace rally at the Washington Monument, were militants carrying Vietcong flags and a giant paper-mache mask of Attorney General John N. Mitchell.

They shouted "Stop the Trial" in protest of the Chicago conspiracy trial of seven men accused of planning to start a riot at the Democratic National Convention last year.

During the melee there, an American flag was hauled down and a Vietcong flag raised in its place. Another small American flag was burned.

Chief Wilson threw one of the first tear gas grenades and then ordered his men to disperse the crowd with "whatever means necessary."

For hours, tear gas drifted around the downtown area, remnants of the waves that had driven demonstrators away from the Justice Department in many directions—to the Washington Monument, up 12 and 15th Streets, and west as far as 18th.

Middle-aged couples and young children were in the crowd, along with an assortment of radicals. Marshals appointed by the New Mobilization Committee sought repeatedly to avert confrontations with police and to move the crowd to safe points.

Three hours after the encounter, one band of militants surged up 20th Street to Dupont Circle, breaking about 15 windows, mainly in banks and savings and loan associations. Police finally dispersed them.

Earlier, following the rules of their parade permit, the thousands marched once around the Justice Department. Then one contingent halted the march at the ornate Constitution Avenue entrance and they all massed outside shouting slogans. Someone ran up a Vietcong flag on a Justice Department pole.

About eight windows in the Justice building were broken by thrown stones. Someone threw a red paint bomb at the building and smoke rose up the wall. As the front-rankers in the mass began banging on the large iron entrance-way doors, a canister of tear gas was thrown.

There was a brief scuffle between police and demonstrators at the 9th Street and Constitution Avenue intersection and many more canisters were thrown.

Part of the crowd fled up 10th Street, but was forced back to Constitution by a police cordon.

For about 20 minutes, the big crowd faced a police line stretched across Constitution. Demonstration marshals persistently held back a hard-core contingent of militants trying to press forward for a confrontation.

Police ordered them to disperse. But someone threw a string of firecrackers into the police line, followed seconds later by a bottle that smashed on the pavement near the officers.

At that point, police unleashed the first huge volley of tear gas canisters and the crowd fled west on Constitution.

Attorney General Mitchell and his deputy, Richard G. Kleindienst, watched from their fifth floor suite of offices as the clash occurred.

There appeared to be about 10,000 in the throng, but the vast majority had no part in instigating the melee.

About 800 federal troops were stationed inside the Justice Department building, along with FBI agents and 50 members of the District's civil defense unit. The rally there had been arranged by the Yippies, who obtained a permit for a three-hour demonstration.

Many demonstrators, after the first round of tear gas fled into Kann's Department Store for handkerchiefs to protect their faces. A man eventually appeared in the store with a pump shotgun over his shoulder and ordered everyone out.

As the crowd was being swept west on Constitution, a number of militants tried to halt the retreat and push back for a confrontation with police. They were restrained by a human wall of parade marshals who pushed them back to avert an encounter.

The largest throng of retreating demonstrators fled up 12th Street and into the shopping area. Still followed by clouds of drifting tear gas, they continued chanting, "Free Bobby Seale." Seale is under indictment in the Chicago conspiracy case. Young members of the crowd broke windows in shops and cars.

At 12th and F Streets, some of the radicals tried to organize the retreating, leaderless mass, telling them to stand fast and face the police. But most continued away from the scene of the tear gas.

For an hour or more, the police and demonstrators chased each other through the shopping district, occasionally engaging in street corner confrontations that ended with the exploding of tear gas canisters.

Many shoppers, coming out of still-open stores along F Street NW, suddenly found themselves in the midst of milling throngs, surrounded by the CS gas. Women carrying shopping bags were sometimes forced to run from the gas.

The police grouped in lines the width of each street to sweep up and down 12th Street, E Street, and 14th Street NW, using tear gas only when massed youths did not move out of their path. No police batons were seen being used.

The police responded by tossing several tear gas canisters into the group, which stood on the edge of the monument grounds on the southwest corner of the intersection of 15th Street and Constitution Ave. NW.

In the brisk breeze, the gas blew quickly up 15th Street, where it inundated people trying to go south on 15th toward the monument grounds to reach buses they had come in. The buses were parked to the west of the monument.

Among those caught in the gas was S. R. Brainard, a middle-aged real estate developer from Marblehead, Mass., who said: "I've seen this on television but I never realized what it was like. Everytime we try to get across to the buses, the cops gas us." Police apparently thought they were trying to join with a large group of radicals gathered south of the Ellipse.

Across Constitution Avenue, a line of police guarded the approach to the White House. When the front ranks fired new volleys of canisters, the line of police along the Ellipse cheered them on. "That's it, put it on 'em, put it on 'em," said one officer.

After fleeing westward to Virginia Avenue and 19th Street, several young demonstrators took over a corner hot dog stand abandoned by its owner and started selling his hot dogs and soda pops.

In the confusion, these people, including many women and children did not know where to turn to reach their buses. After about half an hour, and the explosion of more tear gas canisters at 15th and Constitution, some policemen and remaining Mobilization marshals began telling people to go back to K Street and over to 18th Street to reach their buses.

After the mass of those people had passed

14th and Pennsylvania Avenue, where police and national guardsmen were massed to cut off access to the White House, tear gas was used to disperse stragglers at 14th and Pennsylvania.

Some youths continued to try to rally the forces of more militant demonstrators and urged them to regroup on the monument grounds. By 6 p.m., a large group had gathered there and began setting trash cans on fire.

The demonstrators, driven west from the monument grounds along Constitution Avenue, headed past government buildings and up 20th Street NW. With no police in that area, some of the youths broke several windows along 20th Street until they reached Dupont Circle.

Earlier, during the melees in the shopping district, windows were broken at Beyda's clothing store at 12th and E Streets NW and the American Savings and Loan Association on 14th Street near Pennsylvania Avenue.

Earlier in the afternoon, there was a brief incident at the Labor Department, where one faction of Students for Democratic Society had arranged a rally to demonstrate solidarity with striking General Electric workers.

After a few speeches, two apples were thrown against a door and a rock was thrown through one window. Then about 80 policemen from the civil disturbance unit emerged and shoved protesters away with night sticks. The crowd drifted away, many heading for the Justice Department confrontation.

With the fleeing crowd nearing the White House, policemen and Secret Service agents there were ordered to don gas masks. Military policemen in about a dozen jeeps passed the White House and barricaded the 15th Street and Pennsylvania Avenue intersection, Washington police stood in front of them.

[From the Evening Star, Nov. 16, 1969]

OFFICER J. V. WILSON PATROLS HIS BEAT

(By Robert Walters)

In another place, at another time, he might have been the typical cop on the beat. Pacing up and down the sidewalk, checking for possible trouble, the police officer coolly surveyed the score.

But there was a difference this time. The location was the south side of the Justice Department, on Constitution Avenue between 9th and 10th Streets NW. The time was late yesterday afternoon, and thousands of anti-war demonstrators were converging on all sides of the building.

Police had earlier granted a permit for a march on the building, a protest against the Chicago trials of eight men accused of conspiring to provoke the street demonstrations at the 1968 Democratic National Convention.

That permit called only for a march around the west, north and east sides of Justice Department headquarters. Uniformed officers stood almost shoulder to shoulder on those three sides, forming a cordon on both sides of the street.

But only a squad of six officers, under the command of Deputy Chief Tilmon B. O'Bryant, had been assigned to the south side of the building—and that unit had its hands full shortly after the mass of demonstrators arrived there at about 4:30 p.m.

So the task of patrolling the rest of the block fell to that cop on the beat. His standard-issue metal name tag identified him simply as "J. V. Wilson."

None of the demonstrators gave any indication they knew they were dealing with Jerry V. Wilson, chief of Washington's 3,600-man police force. And Wilson did nothing to indicate his rank.

Literally surrounded by thousands of angry young people, he walked first west, to investigate a pop bottle flying through the air into a Justice Department window, then east to check on a brilliant red smoke bomb hurled against the base of the building.

At the southwest corner of the building, O'Bryant's six men rushed a small group of youthful protesters who had pulled down the American flag and hoisted a Viet Cong flag halfway up the staff. They succeeded in restoring the American flag to the top of the high pole.

ROCKS, BOTTLES FLYING

But down at the middle and east end of the building, there was only one man on patrol—J. V. Wilson. Rocks and bottles flew past him, some crashing into windows, some bouncing off the stone facade.

A young black girl walked directly up to Wilson's face, waved a clenched fist and shouted at him: "Free Bobby Seale, Free Bobby Seale," referring to the Black Panther leader whose trial in the Chicago case has been separated from the others. Wilson didn't even acknowledge her presence, so she came right back with her clenched fist and embittered voice to shout: "Pig, pig, pig."

Others took up the cry, swirling about the chief. Wilson heard all the obscenities in the racial left's catalog of police insults, but never once displayed any emotion.

Still, there were no other officers in sight. The crowd was growing uglier, and other police officials down the street knew it. One called Wilson on the walkie-talkie to ask if reinforcement were needed.

PATIENCE WEARS THIN

"Just keep your men on standby. I'll yell when we need you," the chief responded evenly.

The bottles and epithets started flying in greater intensity, and Wilson's patience finally began to wear thin. Mobilization marshals were trying to clear the demonstrators away from the building, but the situation was rapidly getting out of control.

Wilson raised his bullhorn to his lips and warned the crowd that it was gathered illegally. At the same time, he picked up his walkie-talkie and made the call he had been trying to avoid: "One to squad." It was the chief of police calling in his department's riot-equipped Civil Disturbance Unit.

Wilson told the CDU men to be ready to move into the block and make arrests of any demonstrators who would not promptly move away from the area. Moments later, a soda bottle soared through the air within 10 feet of the chief.

That was the end of J. V. Wilson's duty as the lonely cop on the beat. He unsnapped a button on a canvas bag around his waist and hurled the first tear gas cannister into the crowd. The CDU men moved in almost immediately and the battle at the Justice Department began.

THE FOUR-NATION FIGHT TO HATCH THE SST EGG

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PELLY. Mr. Speaker, Russia now leads in the development of a commercial airplane that flies faster than sound with its TU–144 SST. The British-French Concorde is second, and the U.S. SST is far behind.

The question of why America should continue development of the SST is carefully analyzed and stated in an article by Stanley H. Brewer, professor of transportation, University of Washington, which appeared in the Seattle Times on November 9, 1969.

Because of the importance of this article and the facts it has to relate to this body as we face the vote on continuing SST prototype development, I include the aforementioned article at this point in the RECORD:

[From the Seattle Times, Nov. 9, 1969]

SST's To BATTLE OVER BARREN LANDS

Great competitive battles will be waged with supersonic transports for business over the great-circle, overocean and Arctic and subarctic routes in the 1970's and beyond.

Boeing's SST will compete with planes made by Russia and the British-French Concorde for much of this business in the race for supremacy of the world's skyways.

Russia now leads in the development of a commercial airplane that flies faster than sound with its delta-winged TU–144. The British-French Concorde is a close second. The United States is far behind, and further delays could result in this country's losing its dominant position in the manufacture of the world's commercial aircraft.

Because of the sonic-boom problem, flights at supersonic speed are not expected over populated areas, and subsonic jets will continue to dominate domestic air routes in the United States and Europe.

But, even now, the great-circle routes of the Atlantic, Pacific and Arctic are attracting a higher percentage of the world's air commerce. Passengers, cargo and mail will move to these routes in increasing volume.

There is no real need to fly at supersonic speeds over populated areas. Four-fifths of the surface of the earth is covered by water. A high percentage of the land is virtually uninhabited and is not likely to be populated in the foreseeable future—the Arctic and subarctic regions. Supersonic flights can be operated over these regions without concern for the sonic-boom problem.

One of the hottest issues now before the nation is development of the controversial supersonic transport. President Nixon recently approved this project and asked Congress for $96 million to continue SST development this fiscal year.

Before the aircraft is flown commercially, the Treasury will be tapped for about $1 billion.

With the nation's many pressing needs, why should Congress appropriate money to subsidize development of the SST with its controversial sonic-boom problem and higher operating costs than today's jets?

The subsonic jet already flies at speeds of nearly 600 miles an hour. By comparison, supersonic aircraft will operate at 1,200 to 1,800 miles an hour.

A new era in commercial aviation will begin with the introduction of wide-bodied super jets such as the Boeing 747, the Lockheed 1011 and the McDonnell Douglas DC–10. The 747 will be in operation early next year and will offer a new comfort that approaches the world's best luxury liners.

The most heavily traveled Europe-Asia air route now crosses the Arctic by way of Anchorage, Alaska—between Tokyo and London, Copenhagen, Paris, Frankfurt, Rome and other major European cities.

Nearly 1 million passengers will fly this route in 1969. At present rates of growth of about 20 per cent each year, this would increase to nearly 7½ million travelers by 1980. The mail and cargo that move over this route also are increasing at astounding rates.

Siberian routes are a threat to this Europe-Alaska-Japan aerial highway, and the Russian SST well may be used to divert a high percentage of this air traffic to Tokyo-Moscow gateway routings.

The Siberian route through the desolate subarctic is a perfect land-route environment for testing SST travel. Sonic boom is not a problem. If all works well, and there is no reason to think or plan otherwise, the leading aviation nations of Western Europe have much to lose. They may become very anxious to deal with Russia, both for Asiatic routes and for Russian SSTs.

RUSSIANS HAVE ADVANTAGE WITH SIBERIAN AIR ROUTES

Many of the world's leading international aviation routes can be flown with little or

no sonic-boom problems. Northern Canada, much of Alaska and the rest of the subarctic and Arctic is like Siberia, with shrieking winter winds and violent summer thunderstorms.

The most heavily traveled overocean air route is between North America and Europe. Some 25 of the world's most competitive airlines now fly this route. For this reason the North Atlantic often is singled out for inaugural service by each new and better aircraft.

It is the route that will see the first of the Boeing 747s in service. The SST probably will be introduced to international travelers between New York-London-Paris, or perhaps New York-Moscow with an intermediate fuel stop, if the TU–144 proves to be as good or better than the Concorde.

The SSTs can be flown at subsonic speeds over populated land areas, and this will be done to some extent. The major limitation is that it will be more costly to operate in this manner.

Most intercontinental air traffic now feeds through a limited number of coastal gateways for overocean flights. This is true for Pacific, Atlantic, Latin American and African travelers. Coastal gateways or inland points within 200 to 400 miles from the coast are the primary origins or destinations of overseas passengers.

A higher percentage of this traffic now changes aircraft at the coastal point. This will be a characteristic of supersonic travel. The subsonic jets of today and tomorrow will be used for movement to and from the coastal city, with a choice of supersonic or subsonic schedules beyond.

The Boeing SST is more advanced in design than the Concorde or the TU–144. Made mostly of titanium and other new metals, the machine is being designed to travel at about 1,800 miles an hour or about 600 miles an hour faster than the other two SSTs.

It is also much larger—seating about 250 passengers comfortably, with a nonstop range in excess of 4,000 miles. This means better economics.

The direct cost of flying the Concorde is estimated to be about $1.70 an aircraft mile, and the cost of operating the Russian SST will be about the same. This is about 1.4 cents a seat-mile.

The United States supersonic transport will be flown at about $3.05 an airplane-mile. With 130 more seats in the United States aircraft, the cost a seat-mile will be about 1.2 cents.

Between the Arctic and subarctic wastelands and the four major oceans that cover more than two thirds of the earth, there are available SST routes for a higher percentage of the international travel of the future.

For example, a supersonic flight from New York could be flown over the oceans to any one of four or five major European gateways with less than 400 miles of the schedule flown at subsonic speeds. This is also true for flights to Africa and Latin America. Flights to Asia could be flown subsonically to the Canadian subarctic, again not more than 400 miles, and then supersonically by way of Alaska to Tokyo.

The Boeing SST is expected to have a nonstop range of at least 4,000 miles. Rapidly advancing technology may enable manufacturers to stretch the range to more than 5,000 miles by the time the airplane is put into service.

The commercial air routes of the world differ widely in traffic density and the desires and interests of the passengers. Most long-haul routes will not support a high-level schedule frequency. Many will not support large aircraft, such as the Boeing 747 and SST. The smaller Concorde or the TU–144 will be more suitable for these routes.

Financing the purchase of new aircraft is one of commercial aviation's largest problems, and it will become more intense. Many foreign nations simply do not and cannot get dollars to purchase United States aircraft. For some of these countries French francs, British pounds or Russian rubles may be easier to come by.

Russia may provide a new dimension for the Western world to ponder. The Russians are interested in marketing their commercial aircraft abroad, and they have enjoyed some success. The TU–144 could provide them with a big breakthrough. Russian geography lends itself to utilization of SST aircraft, but the Russians have been reluctant to permit other nations to use routes over their land.

Russia may decide to trade these routes for SST sales.

BOEING SST PROMISES BEST ECONOMICS

What about the higher costs of the SST that will in turn mean higher fares to travelers? About 50 percent of air travel is for business; the other half is personal. Just before the jet age it was 70 percent business and 30 percent personal. In another 10 years it may be 70 percent personal. This changing ratio has created problems for air carriers.

When most travelers were flying for business purposes, airlines were able to keep 65 to 70 percent of their seats filled on scheduled flights. Business travel is less subject to peak-period demand that personal travel.

But by catering to customers who put a high value on the speed of the SST, they will attract a high percentage of business travel. As a result, they expect to maintain higher load factors throughout the year on SST flights than on subsonic schedules. This higher earning capacity, along with the greater productivity of the SST from its higher speeds, may offset differences in cost of operation.

However, it this occurs, the nations of the world that do not have and cannot afford the SST will insist on higher fares and rates for supersonic air transportation to protect their own interests. The disputes within the organization of the international air carriers would add another complexity in the introduction of this new technology. There are many more.

The SST is coming, but the United States is behind the other nations that are developing this technology. The SST can be operated practically and economically over many of the world's air routes.

Mr. Nixon was correct in urging the nation to move ahead with the SST. Further delays may well put this country so far behind it will be most difficult to catch up.

NEW YORK TIMES SOFTPEDALS GOLDA MEIR'S PRAISE OF NIXON VIETNAM SPEECH

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, while flying down to Washington this morning I read the Boston Herald Traveler. Prominently displayed on page 1, where it belonged in my opinion, was the news that Prime Minister Golda Meir of Israel has sent her personal congratulations to President Nixon on his November 3 statement of his peace policy for Vietnam.

I then turned with interest to the New York Times, which I had also brought along. Mrs. Meir was in New York recently where she was accorded a tumultuous welcome. The Times is noted for its comprehensive coverage of foreign affairs. The significance of Mrs. Meir's endorsement of the Nixon Vietnam statement could hardly be overstated, especially in New York City.

The story, however, was played on page 8 of the Times. It was, incidentally, the same story by Peter Grose, which was displayed on page 1 in the Herald Traveler, which subscribes to the New York Times News Service.

I know there is great disparity in editorial judgment. But it is very baffling that the Times, which is normally so sensitive to news of both Israel and Vietnam, should choose to downplay the praise given by the Prime Minister of Israel to the President of the United States for the President's statement on Vietnam. And what a magnificent statement she issued. As quoted by Timesman Peter Grose in both newspapers, Mrs. Meir said, in part:

> The President's speech contains much that encourages and strengthens freedom-loving, small nations, the world over, which are striving to maintain their independent existence looking to that great democracy, the United States of America.

Surely, Mrs. Meir has stated the reasoning for our fight in Vietnam as well as it has ever been stated.

Is it possible that the Times does not care for President Nixon and did not wish to give page 1 emphasis to the big boost he was given, even though the booster is Mrs. Meir?

VICE PRESIDENT AGNEW'S COMMENTS

(Mr. HARVEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARVEY. Mr. Speaker, in the hue and cry over Vice President SPIRO T. AGNEW, I believe a deliberate effort is being made once again to divert and twist the real meaning and the real substance of the address.

For example, usually responsible individuals are charging that Vice President AGNEW has called for censorship. Nothing could be further from the truth. I have read his speech with care. On the contrary, the Vice President stated:

> I am not asking for government censorship or any other kind of censorship. I am asking whether a form of censorship already exists when the news that 40 million Americans receive each night is determined by a handful of men responsible only to their corporate employers and filtered through a handful of commenators who admit to their own set of biases.

Let me relate to you a most interesting personal experience of exceptional currency and pertinency to this entire situation and particularly to the Vice President's quoted paragraph above.

As one who believed the main thrust of the Vice President's speech was one calling for "balance, fair presentation, and objectivity," I was both angered and amused as to how one network show decided to report on this controversy.

Let me set the stage for you. It is the morning after the Vice President's address, Friday, November 14; the time, 7 a.m.; the program, the "Today Show," with newscaster Frank Blair, as usual, opening with a news report. This is less than 10 hours after the Vice President's speech. Now, let us review the opening news report as presented by Mr. Blair.

First, Mr. Blair makes general com-

ments on Vice President AGNEW's speech and then approximately 45 seconds is spent on a film of Mr. AGNEW during his address. Then, Mr. Blair follows up with lengthy quotes, in opposition of course, from Senators VANCE HARTKE and EDWARD M. KENNEDY.

Mr. Blair then continues by reading portions of statements issued by Leonard H. Goldenson, president of ABC, and also from CBS President Frank Stanton. I do not believe that Mr. Blair quoted the representative of Mutual Broadcasting, Vice President Stephen McCormick, who endorsed Mr. AGNEW's speech.

After these statements, a film strip of National Broadcasting Co.'s President Juliam Goodman is shown. This takes a minute or so.

Then, if my memory serves me correctly, Mr. Blair ends with another film clip by the Honorable Averell Harriman. So, this is the "balance" and this is the "objectivity" as NBC saw it on the morning of November 14:

FOR

Vice President SPIRO T. AGNEW.

AGAINST

Senator VANCE HARTKE, Senator EDWARD M. KENNEDY, Leonard H. Goldenson, Frank Stanton, Julian Goodman, and Averell Harriman.

In essence, what the Vice President told television is what it has been told many times since former Federal Communications Commissioner Newton Minow graphically termed it a "wasteland"—and that is "you—network television—can do a better job."

Television has been told this about crime and violence it has permitted. It has taken voluntary steps to correct it.

Television has been told not to stage action and activities such as a pot party or during demonstrations. I shall always remember demonstrations during the Poor People's March when television people asked demonstrators to shout and shake their fists so that cameras could get better action. This happened right on Capitol Hill, right beside the Longworth Building.

Television has been told to be fair, and not to falsify presentations.

I say this to all Members. Read the Vice President's speech. Perhaps he was harsher than some in his scolding; but I happen to believe it was well placed. The howling reactions by the networks carried a false ring and they should be carefully examined, too.

In closing, permit me to insert the lead editorial from the Saturday, November 15, 1969, edition of the Washington Daily News, entitled "Mr. Agnew and TV." In addition, I am including an editorial from the Detroit News of Sunday, November 16, 1969:

MR. AGNEW AND TV

The TV networks have been under heavy attack for alleged lack of fairness in their news reporting ever since the 1968 Democratic national convention in Chicago.

Frankly, we think television news reporting and commentating has improved since that time—whether a result of the criticism or something else. Anyway it seems to us that the network reporters and commentators have been trying harder to present both sides.

Now comes Vice President Agnew with another major blast at the TV newsfolks. And we suspect this criticism too will have a beneficial effect. All concerned will try harder.

The nub of what the Vice President wants is "a wall of separation" between news and comments on the nation's TV networks. (He thinks of the news story on the front page of a newspaper and of editorial comment on the editorial page.)

We do not know how the "wall of separation" can be created on TV and certainly do not believe the TV networks should stop their commentary or criticism.

But also, as in the case of the comment they offered immediately after the recent Vietnam speech by the President, the networks should clearly label as "personal" the opinions of their analysts. If not, the comments actually become the editorial opinion of the network to this largely captive audience, whether the network realizes this or not.

And, of course, as the network executives as well as those of newspapers and magazines well know, the qualifications of the man selected to comment are most important. We still view with amazement the selection by one major TV station of the late Sen. Robert F. Kennedy's former press secretary, Frank Mankiewicz, to comment on Sen. Edward F. Kennedy's Chappaquiddick speech. The commentator was not identified for the uninformed listener and neither, as one could guess, were his remarks critical.

And we can understand Mr. Agnew's adverse reaction to the selection of Democrat Averell Harriman by one of the networks for "instant" comment on President Nixon's Vietnam speech.

Mr. Agnew (and we believe him) said he was not calling for any kind of government censorship.

He was simply exercising the free speech right to say what he thought and show his bias to a group he regards as biased. The outpouring of telegrams and phone calls in support of his remarks shows many agree with him.

We do not believe the television news industry, which has made such great strides and has such major impact on public life, will go namby-pamby as a result of Mr. Agnew's criticism. It's a cinch to try harder to do a fair and objective job.

That never hurt anyone, newspapers included.

[From the Detroit News, Nov. 15, 1969]

AGNEW ESSENTIALLY RIGHT—A DIRECT HIT ON TV

Vice President Spiro Agnew's scorching criticism of TV network newsmen for their distorted and one-sided view of current events was a justified, necessary and overdue statement that has been waiting too long for a man courageous enough to make it.

"Censorship!" was TV's immediate retort, which discouragingly suggests that the medium hasn't the slightest intention of taking the careful look at itself suggested by the vice president.

The vice president hasn't the power of censorship, nor did he attempt to use such power. What he did was use his right of free speech, a right used and too often abused by the TV newsmen, to bring the force of public opinion to bear.

His charge of bias and selectivity was essentially correct. The proof is there before one's eyes on the television screen day in and day out. The viewer is permitted to see an American GI igniting a grass hut with a cigaret lighter and is told repeatedly and pointedly about the evils of the South Vietnamese government and its leaders. But he gets scarcely a glance at the mass graves at Hue, where the Communists committed an atrocity comparable with the worst committed by the Nazis in World War II.

In its follow-up treatment of Agnew's speech, TV displayed exactly the one-sidedness which the vice-president had criticized. A network show, presenting reaction to Agnew's remarks, trotted out Senators Ted Kennedy and Vance Hartke, plus Averell Harriman, all of whom could be expected to be highly critical—and were—plus network officials from NBC, CBS and ABC, who charged Agnew variously with appealing to prejudice, intimidating the news medium and acting as a censor.

Not included were the remarks of a Mutual network spokesman who heartily endorsed the speech as a "call for fairness, balance, responsibility and accuracy in news presentation." As a footnote, the network show whispered that a check by Associated Press had revealed that telegrams were running 3 to 1 in Agnew factor.

Despite the efforts of his political foes and some TV and newspaper commentators to present him to the public as the village boob, Agnew is beginning to come through as an intelligent and articulate spokesman for the "great silent majority" described by President Nixon.

This majority has been all but forgotten by the tight little coterie that wields the awesome power of the television networks. One of the worst credibility gaps in American society exists in the TV news medium, whose voices too often reflect the views of a narrow and provincial few clustered together on the Eastern seaboard and out of touch with the ordinary citizen.

What troubles Agnew's "effete" intellectuals and the TV commentators is that he has the temerity to answer their attacks with a forcefulness of language and a sarcasm nearly equal to their own. Until he started speaking out, it was all right to ask the President how many kids he's killed today—but it wasn't nice to criticize the critics by calling them impudent snobs. It was all right to load a TV network show with "analysts" united in their opposition to the President—but it was not nice to call these analysts prejudiced and hostile critics.

Well, the vice-president has finally called them that and for the most part he is right. Someone had to start hitting back.

"Of course, it would be a splendid idea if both sides would deescalate the rhetoric," William H. Stringer said in the Christian Science Monitor prior to Agnew's speech. "But it takes two to untangle this tango. And if somebody is really annoyed, he might hark back to Harry Truman's trenchant advice: 'If you can't stand the heat, get out of the kitchen.'"

THE ECONOMICS OF SUPERSONICS

(Mr. RHODES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. RHODES. Mr. Speaker, the problems of transportation—both within and between our cities—are finally receiving the attention and the long-range analysis which they so urgently require if we are to avoid chaos, if not paralysis, in urban and interurban traffic.

This morning in New York the Honorable John H. Shaffer, Administrator of the Federal Aviation Administration, addressed himself to an air transportation problem of the 1980's—supersonic-type aircraft.

I am sure that my colleagues will want to have the benefit of Mr. Shaffer's thoughtful remarks on the supersonic transport before the Long Island Association of Commerce and Industry entitled, "The Economics of Supersonics."

THE ECONOMICS OF SUPERSONICS

(Remarks of John H. Shaffer, Administrator, Federal Aviation Administration, to the Long Island Association of Commerce and Industry, November 17, 1969—Long Island, N.Y.)

The subject I want to explore with you is the supersonic transport. It is typical of aviation that even before we have one family of new airplanes (the wide body jets) certificated we are, of necessity, at work on the next.

When we speak to the SST—the American model—we are talking primarily about airline operations of the 1980's. Ten years is truly a generation in terms of the changes it brings in air transportation. It was just a little over ten years ago that we witnessed the introduction of the jet transport to the world's traveling public.

The decade before that—the 50's—was the period of expansion with four-engine propeller equipment. To go back to the decade before that is to revisit light twin-engine equipment (DC–3).

Now just a little more than ten years after the start of jet service, we are about to introduce another new generation of equipment with the 747, to be followed shortly by the DC–10 and the L–1011. These wide bodies will give the airlines a new look, and I hope, not incidentally, they will replenish the industry's coffers.

You are all familiar by now with air traffic growth projections and their profiles ten, fifteen and twenty years from now. The volume of business involved will not only provide the opportunity for the newer and faster equipment that the state of the arts permits, but will *demand it*.

Last September 23, the President announced his unconditional support of the SST program. He recognized that the decision could affect the course of the aviation industry and the economy of our Nation for decades to come; but the program must still go through Congress, and as usual in these situations, we are hearing objections.

There is a natural tendency to underestimate something new. It happened with the steamship, the locomotive, the automobile and the airplane, each of which ultimately led to tremendous follow-on developments and ushered in new eras in transportation. But doubts persist. You may recall that not too many years ago there was a widespread belief that the pure "jet" could not possibly compete with piston engine and turbo-prop powered aircraft. The "jet" promised more speed but its economics were thought to be marginal or even inferior. Many thought it would be necessary to tow the aiplane to the runway to save fuel. Others believed that clear path landings and all first-class fares would mark the jet operations. But it turned out much differently. The older airplanes could not compete with the jet. Today the Boeing 2707–300 faces almost identical arguments, under similar circumstances.

There are other headwinds to the launching of the prototype SST program. We appear to be in a period when protest is "the thing." There is a protest in general against what free enterprise is doing and even against business as an institution. There is protest against what Government is going. To anyone in such a frame of mind, the SST program is a large and symbolic target.

There is also the genuine interest in social problem-solving, and this is to be applauded. But it is a mistake to set these efforts off categorically against such efforts as the development of a supersonic transport. Since the social objective includes employment and wage improvement and the increased business activity necessary to keep up with growing populations, something has to support this large employment movement. History has shown that the dividends of advancing technology play a large part in providing the means.

They are the germinator of new activity. In the case of space activities for instance, these dividends derive from the spinoffs of new technology. In the case of the 2707–300 there will be similar dividends. Improved techniques for processing titanium is just one example. But more importantly, the program will have tremendous earning power in its own right. The prototype investment will be paid back with interest from royalties on production aircraft. In addition to this, the corporate and individual income taxes of those involved in the production program will provide Federal revenue in an amount more than double the amount of the Government's prototype investment.

These revenues will be needed to support other Government programs in the years ahead, when population pressures will add to the problem-solving requirement. We cannot forever foster programs that disburse funds without also giving attention to programs that generate revenues.

Opposition to the SST program falls generally into three categories: those who believe the money should go to something else; those who believe the SST is a frill and a mistake; and those who are concerned about the environment, principally about the sonic boom.

Let's talk for a minute about the sonic boom. There is a lot of misunderstanding about this issue and frankly, I'm not too surprised. Speculation on the sonic boom has run rampant of late. All sorts of dire consequences are being predicted. I personally believe that these "scare stories" will be dissipated in time, first, as we learn that the boom *would* be rather than what it's reported to be; and, second, as we demonstrate that we do, indeed, intend to respect the wishes of our citizens and respond to their watchfulness in this matter.

The fact is that the "boom" is a sudden sound, similar to a thunder clap. It can be startling if you are not expecting it. The sonic boom from the American SST will not damage anything on the ground or on the sea, but it could surprise—or startle—people if they are unprepared for it.

Now I want to make this point about the SST and sonic boom, or as we water people say "now hear this." There will be no sonic boom nuisance or annoyance because the whole program is based on the President's policy that the plane will not be operated at boom-producing speeds over populated areas.

The 2707–300 program is based on supersonic operations *only* on overwater routes (it's a "water bird") and unpopulated areas, such as those north of the Arctic Circle. This doesn't mean it can't be flown—subsonically—over land, or that it can't serve certain major inland cities. The plane is designed so it can be flown efficiently at subsonic speeds for considerable distances. It will fly subsonically when approaching or leaving airports, and during those times when its flight routes take it over populated areas.

Now a little plain English on what the sonic boom would be like if you *could* hear it. The boom created by our SST flying at high altitude is only three or four per cent as powerful as those which could—and have—caused damage to buildings. The effect of the boom from the SST is much overrated and almost universally misunderstood. Sonic booms of 50 to 100 pounds per square foot can be destructive; but the boom from the SST is two pounds per square foot during cruise and four pounds per square foot during supersonic climb *and it is not destructive*. The difference in pressure (which makes the sonic boom) caused by our SST is about the same as you would experience in descending 50 feet in an elevator.

Some concern has been expressed about the sonic boom at sea, and I assure you this has not been disregarded in our thinking. It has been calculated that a three-foot wave hitting the side of a boat in a 30-knot wind creates a load on the structure of the boat that is *100 times greater* than the pressure wave (sonic boom) from the SST at cruise speed (2.7 mach or 1800 mph) and I would point out that there is a lot of water on this globe, and that the sea lanes and the air lanes are not generally superimposed.

Now, the Administration believes that the airplanes, along with the aerospace industry, have a great deal at stake in the SST appropriation request now before the Congress. The future business of the major airlines with overseas routes is directly involved; the business of all domestic carriers will be affected as feeders to the supersonic global routes.

I realize that there have been some misgivings about the program within the airlines themselves. Partly these have been based on a concern over the timing, which has to a very considerable degree been forced by the European Concorde program and the Russian Tupolev 144. But the Concorde and the TU–144 *are on the way*. Competition being what it is, the airlines will make the move to supersonic-type aircraft. It therefore becomes in the industry's interest to have the most desirable airplane to offer the public so that supersonic operations, when they come, will be, economically speaking, successful. That is why the U.S. airlines have participated in setting the specifications for the American SST and many have given active support to the program and have made financial contributions to it which are at risk.

A second source of some misgiving has been a concern over the economics of SST operations. For a time we were proceeding on a certain amount of faith, hope, and prayer as to the economics. We knew that the airplane would be attractive competitively because of its speed, and we were encouraged that it was getting close to the operating cost of the 707's and DC–8's, if not the 747. We knew we had a way to go, but in a prototype program one expects a certain amount of improvement along the line.

We then began to take a more searching look at the operating cost question, Boeing and General Electric have quite a lot at stake, too, in the answer to that question, namely about 285 million dollars in the prototype program alone.

During the past year an all-out study of simulated operation on SST routes in the 1980's was carried out. The study got into a highly sophisticated breakdown of operating costs and the effect of the escalation of these costs with time. The findings of these studies were quite illuminating and highly encouraging. In fact, it has been the best thing that has happened for the SST outlook in a long time, with the exception of President Nixon's decision to ask Congress for the funds to build 2 prototypes and perform 100 hours of test.

Regretfully, these economic facts are not yet well known to the public or to the Congress. We *are* telling the story; I hope you will help. Let me outline briefly what the studies show us.

Originally, the comparison between the SST and the subsonic jets was made in terms of direct operating cost (D.O.C.) only, and in terms of present-day values. On that basis, mainly because of higher fuel consumption, the SST barely matched the 707–320B and fell quite a way behind the Boeing 747.

But when one makes the comparison on the basis of *total* operating cost rather than D.O.C., still using 1969 values, the SST beats the 707 substantially and comes much nearer to equaling the impressively low 747 costs. This is true because various elements of ground support and overhead costs gain the advantage of the SST's greater productivity in terms of seat-miles flown *per hour*. The 2707–300 is two thirds as big as the 747 and it flies three times as fast, so it will do twice as much work as the 747 (and 4½ times the 707 or DC–8) in the same time period.

Projecting a little, we find that the advantage of the SST's greater productivity increases each year as labor costs go up. A faster airplane is less labor sensitive than a slower airplane. For instance, even with premium pay to crew members, their productivity is greater per dollar in a faster airplane. On the other hand the faster airplanes use more fuel so you could say they are more fuel sensitive. But the pattern of inflation has been that kerosene (basically a raw material) has not increased in price as rapidly as labor.

In the study, each element of cost was projected separately at its average rate of increase over the past ten years. Accordingly, the crew cost was escalated at seven and a half per cent per year, which is consistent with its average over the past ten years, and other labor at four and a half per cent per year. Fuel was escalated at one half per cent per year, consistent with the historical increase in new materials costs and in spite of the fact that in the past ten years *the cost of aviation fuel has decreased.*

We found that by 1978, which is the introduction date for the American SST, its total operating cost comes within one-tenth of a cent per seat-mile of matching the 440–seat economy version of the 747. By the eighties, when larger numbers of SST's would be in service, their total operating cost is projected to be approximately equal to the 747's. From the later 1980's on, the Boeing 2707–300 shows up as *more economical to operate than the 747.* Once again, as we have seen before in the history of transportation, an advance in productivity fits into the pattern of growth at the time it is needed.

Furthermore, during the first few years of service the SST's should experience very favorable load factors due to high demand and short supply, as was the case when the jet transport was first introduced. When one gives weight to this increased profitability in the early years, the SST turns out to be economically competitive with the 747 through all the years of its operation. The study was based on the same fares as apply to subsonic equipment and without any surcharge.

Another concern that is being voiced relates to the noise of the 2707–300, apart from sonic boom, let's look at that. There are three types of noise to be considered—community noise under the flight path on climb-out, community noise on approach, and sideline noise at the airport itself during ground run and takeoff. Taking these one at a time, we have so much power in this airplane, to enable it to accelerate through the transonic regime, that it takes off in a short (8000 ft.) distance (10,300 ft. field length) and climbs out like a "homesick angel."

The airplane will be about twice the usual altitude at the classic three and a half mile distance from brake release point (1,800 ft. and climbing). Likewise, we expect the SST to be quieter than today's jets on approach. This is accomplished primarily by means of a choke on the supersonic air inlets that keeps much of the sound from coming out the front.

We do have a problem on sideline noise, but we have a development program going on between Boeing and General Electric to improve this. One means of attacking that part of the noise problem has been identified which involves breaking up the low frequency sounds into higher frequencies which do not carry as far. We understand the problem, we are working at it, and we expect, by the time the production airplane rolls out, that this problem will have yielded to the intensive and extensive development efforts being waged on aircraft noise.

As you may know, we issued the FAA's new noise regulation last Wednesday. This rule establishes noise standards and maximum noise levels for all new subsonic transport aircraft, including some now under development.

This is by no means our final word on the subject of noise; actually, it is just our first. We're looking at the practicality of retrofit standards for aircraft now in use. And we will have a rule relating to supersonic transports—the foreign as well as our own. I had hoped we could get that proposal out by the end of this year; I said as much to a Congressional committee early last month. Although it appears that early or perhaps mid-1970 is a more realistic target date for a formal Notice of Proposed Rule Making now that the subsonic rule has been adopted, I intend immediately to solicit comments from interested persons concerning the applicability of these requirements to the SST.

One thing I am sure of—the Federal regulations pertaining to the supersonics will be in effect well before the planes are in commercial use.

Another concern frequently expressed has to do with the congestion situation on the airways and at our major airports. Why, we are asked, should we add to that problem? Or shouldn't the SST money and effort be applied to that problem?

Actually, supersonic-type aircraft will help relieve airways and airport congestion problems rather than add to them. On the airways they will utilize an entirely new level of airspace, operating at 55,000 feet (ours usually above 60,000) and above. In the terminal area it will help relieve congestion in a relative sense because its shorter en route trip times will permit completely different departure and arrival schedules. For example, departures to Europe out of Kennedy now peak in the evening betwen 6:00 and 8:00 p.m. The SST can leave anytime from early in the morning to 1:00 p.m. and arrive the same day on the continent. Westbound one simply cancels out that time change. The SST leaves any time of the day one wants, getting to its destination at the same hour sun time; this simple fact affords all kinds of schedule flexibility.

Additionally, the SST will be equipped with inertial navigation, on-board computers, and automatic flight management equipment to fit the ground electronics going into the national air traffic control system. It will be an "anytime" operation, without question.

Please bear in mind, too, that the improvements in the Nation's airports and airways, which enactment of the Aviation Facilities Expansion Bill now before the Congress will make possible, will show up in the system well before the SST is introduced to the public. The automation of our terminal and en route air traffic control capabilities, the addition of more personnel, and the growth of airports are developments now programmed or under way which will add substantially to the Nation's capacity for delay-free, congestion-free air transportation.

Let me talk a little bit now about the airplane itself.

We're gaining a very confident feeling about the SST design; it is solid technically, it is viable economically, and it is appropriate to the growth requirements of air transportation. When we look at the forecast of revenue seat-miles, with a sixfold increase from 1968 to 1990, we are looking at a world different from that of today. We must prepare now to meet those conditions. Even by the time of the SST's introduction, in 1978, the potential supersonic portion of the world's air routes will involve as much traffic as the *total* of world air traffic today.

We now have a design that has shaken down to a good, airline-type airplane. It has a near balance of performance, flying qualities and operational features. The Delta wing has a wide span and a lower sweepback angle than either the Concorde or the TU–144 and we use a conventional horizontal tail. These elements plus the incorporation of simple high-lift devices on the leading and trailing edges of the wing provide normal landing and takeoff characteristics. Importantly, they permit subsonic flight for approaches to inland terminals (Chicago, Las Vegas, Cleveland, Dallas, Atlanta, St. Louis) with acceptable flight economy.

The design stems from a long process of exploration of alternatives, thousands of wind tunnel hours and endless testing of structures and components. The engineering time spent on the project is already many times that which went into the original 707 prototype. We are now ready to begin cutting metal.

A word about schedules and timing: our analysis indicates that the 2707–300 will be substantially superior to the non-U.S.A. SST's in range and payload, passenger comfort, safety, community noise and operating economics. But we obviously cannot take lightly the fact that other countries have prototypes flying. If the Government-supported British-French combination were to offer a second model within a few years, taking advantage of the flight experience they will have obtained, and the American SST program were not well under way, the Europeans could take away the lead which American industry has held for so long in world air transport production. In a nutshell this was the situation that Secretary Volpe and President Nixon correctly assessed and which the Congress is now considering with all its effect on our balance of payments problem, employment, and the beneficial growth of our national economy.

The SST will not be a small or inconsequential program. Direct employment of 50,000 people is involved at the production stage, including the prime contractors and subcontractors. The work will reach into communities across the country.

The potential balance of trade effect, in terms of the difference between export of U.S. SST's to foreign countries and the additional purchase of foreign-built SST's that would be required if the American product were not available, is 16 billion dollars.

An adverse balance of payments is in some ways like the bubonic plague. The man in the street really doesn't know what it is, but he knows that it's bad news. And indeed his intuition is substantiated by the facts.

The BOP affects the average U.S. citizen very directly in three vital areas: interest rates, employment, and prices. A deficit in the BOP means the U.S. Government must keep *interest rates high* in order to keep U.S. and foreign capital invested in the U.S. and prevent further gold outflows. For the consumer this is reflected in high interest charges for mortgages and consumer loans. Not only are rates high but credit is tight. High interest rates for business can also means lower levels of domestic (business) investment, which translates into *less employment* for the worker and a profits squeeze for the business firm. The cost of money is one component of prices for most items in our economy, and as the cost of money increases significantly, *price rise* on many commodities. There are a number of other aspects to the balance of payments subject but high interest rates, low employment and higher prices suffice to underscore the importance of the aircraft export account to the U.S.A.

The potential direct return to the U.S. Treasury from contract royalties on production airplanes when 500 are sold in accordance with present estimates, is one billion dollars *more* than the Government's prototype investment. (Incidentially, that 500-plane sales estimate is with sonic boom restriction to overwater and non-populated land in force.)

The corporate and industrial income taxes to be paid into the Treasury by those directly involved in the production program would be approximately three billion dollars, and nearly twice that if the income taxes from secondary employment in services and trades and the like are considered, through what is known as the multiplier effect.

The Congress is being apprised of these facts. But there is still a great deal of skep-

ticism at large, due mostly to misconceptions about the program. Members of Congress need to know how this country feels about the SST—how and why it fits into the requirements of air transportation's growth and progress—why it is important to this Nation to have this work go forward and not forfeit the SST market to Europe and/or the Soviet Union.

I submit that our future is more and more dependent upon Governmental and public understanding and action. I am, to an increasing degree, getting outside my office (everyone there supports it) to enlist help in solving the various problems that constitute constraints to aviation progress. When a columnist says it makes no sense to travel at three times the speed of sound only to spend three hours getting home from the airport, he is *accenting*, not that we should hold back air progress, *but emphasizing the need to make more progress faster in the rest of the system.*

Thank God we yet have time to do this in the years before the SST enters service. We must clear the passage from airport to city and from city to suburb. It will involve rapid transit; there will be STOL service, or a combination of these; the disposition and utilization of land around the airport are also part of the problem. Compatible land use must have a greater appreciation and a larger acceptance.

The establishment of a cabinet level Department of Transportation signaled the necessity of approaching the problems of integrated transportation at the local level as well as nationally. There is great need for involvement, on the part of more of us, in the planning and the civic and the political process affecting these matters. This is going on; I am urging more of it.

At this particular time, a great need is for a better understanding of the place of the 2707–300. I hope you will agree that it is in the national interest to take a prompt and active part in bringing about this better understanding. The SST makes economic sense, for our country's commerce. Looking ahead, the productivity of the 2707–300 may become the principal means of countering rising costs and providing the new dimension that will be necessary for continued air transport growth and profitability. The *starting point* is the building of the prototype airplanes. *Now is the time!*

CRIME AND BAIL THROUGHOUT THE FEDERAL SYSTEM

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

Mr. BURTON of Utah. Mr. Speaker, the newspaper headlines and recent crime statistics require the immediate attention of Congress to the problem of crime and bail throughout the federal system, but especially in the Nation's Capital. Existing legislation requires the release of virtually all defendants prior to trial, no matter how dangerous they may be to society. Since the enactment of legislation requiring such release in June 1966, the number of reported robberies in Washington has more than tripled, the number of rapes and burglaries more than doubled. In September alone, a record 821 armed robberies were reported.

It is the judgment of recent grand juries, many trial judges, and experienced law enforcement officials that crime on bail is a significant factor in this frightful increase in crime in this city.

Steps must be taken to protect society from additional crimes committed on pretrial release.

The Attorney General has forwarded to the Congress legislation designed to deny pretrial release to dangerous defendants and provide them with expedited trials. The proposed legislation has been carefully drawn to accord requisite procedural safeguards to defendants but at the same time to protect society by detaining certain limited categories of arrested defendants against whom there is strong evidence of guilt of a dangerous crime. It also provides for pretrial detention of narcotics addicts charged with dangerous crimes.

It is difficult these days for the police to apprehend those who commit dangerous or violent crimes. The arrest rate for such reported crimes is under 20 percent. Once the police have made an arrest, however, and have gathered strong evidence of guilt, society cannot afford to permit the release of those defendants a judge finds dangerous. We must enact the proposed legislation to permit the pretrial detention of such dangerous defendants now.

LOAN RATE FOR SOYBEANS

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

Mr. SMITH of Iowa. Mr. Speaker, last spring the Department of Agriculture announced a reduction of $0.25 per bushel in the loan rate for soybeans. A plea was being made by the processors, and the Department, under new management, agreed that processors needed to buy soybeans cheaper in order to move the crop into use. The administration also sold thousands of bushels of Government-held soybeans. Several months have now passed and it is time to look at the results.

The USDA Weekly Grain Market Review shows that the average price being received by farmers for soybeans for the month of October was $0.07 a bushel lower than a year earlier even though the value of the oil and meal crushed from that bushel of soybeans by the processors was $0.27 higher. Perhaps some strength in the oil and meal market resulted from a shorter crop of sunflower seeds in Eastern Europe. Whatever the cause happened to be, the return to the processors for a bushel of soybeans was $0.27 higher. With the value of the oil and meal $0.27 higher and the cost of the soybean $0.07 less, the cash crushed margin for processors reached the fantastic and unusual figure of $0.61 per bushel, or about 25 percent profit and about four times greater than the $0.14 in October of 1967 and more than twice the $0.27 in October of 1968.

The farmer has taken his cut in income all right but instead of promoting lower product prices which, in turn, some might argue, would increase market, the lower prices for the farmer went into the processors' pockets along with the increase in market price of the processed product. This illustrates the great importance the loan rate can have on market prices and the fact that in the billion bushel market of today in the United States, selling prices of soybean products are not always directly related to the market price for raw soybeans.

When soybeans reach too high a market level, processors are unable to sell at a profit and will stop crushing. This gives fish products, sunflower and other oil seeds an opportunity to grab part of the soybean market. This happened 3 or 4 years ago and in the long run was harmful to soybean producers. On the other hand, when oil seed products reach a certain low level in price, lowering the price of the raw soybeans does not seem to produce a corresponding reduction in prices of oil seed products or increase market but instead merely goes to the processors.

The only way the producer can be protected in these lower levels is through a carefully calculated operation of the loan rate or a reserve so that enough stability can be produced in the supply channels to feed this supply to the processors at the rate which will produce value received to farmers.

One might argue whether the Department should have been able to predict this situation but there surely can be no argument that reducing the loan rate early in the year which also reduced the resale rate from Government bins, and that the sale of Government-held stocks during the year have combined to move the equivalent of about $0.25 to $0.35 per bushel from the farmers' income into the pockets of the processors in 1969. On a national basis, this could mean a reduction of about $300 million in net farm income.

I strongly urge everybody concerned or interested to look both at the statistics available for the marketing year when soybeans were in the $3 to $4 range as well as what happened under the low prices this year and with the view of avoiding both extremes. The farmer loses on both ends of this spectrum. When the soybeans are as high as they were 3 or 4 years ago, he loses market and when they are pushed as low as they are this year, he loses immediate income without gaining enough on the market.

I cannot believe that any more evidence is needed to support my bill providing a reserve for soybeans which I have been promoting for about 6 years. Establishing such a reserve and feeding it into the market to avoid the loss of the market when there is a shortage and also building up the reserve when necessary to avoid what happened this year would surely be good for the whole soybean industry.

SEVENTH MISSOURI CONGRESSIONAL DISTRICT OPINION POLL

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, last August I placed in the mail the annual questionnaire to the people of the Seventh Congressional District of Missouri.

I am happy to report that more than 19,000 replies were received, along with many hundreds of letters containing additional comments.

The results have now been tabulated

and are being mailed to all the news media, as well as any individual desiring a copy.

To say that I am pleased with the response is an understatement. This kind of communication between constituent and Representative is the essence of good representation, which is the backbone of this great Republic.

The results follow:

MISSOURI 7TH CONGRESSIONAL DISTRICT OPINION POLL

[Answers to all questions have been broken down into percentages]

WHAT IS YOUR PARTY PREFERENCE?

Republican	56
Democrat	19
Independent	19
No answer	6

PARTY PREFERENCE BY AGE GROUP

18 to 24:	
Republican	50
Democrat	14
Independent	29
No answer	7
25 to 44:	
Republican	51
Democrat	22
Independent	23
No answer	4
45 to 64:	
Republican	55
Democrat	19
Independent	21
No answer	5
65 plus:	
Republican	65
Democrat	18
Independent	13
No answer	4

WHAT IS YOUR SEX?

Male	62
Female [1]	28
No answer	10

PARTY PREFERENCE BY SEX

Male:	
Republican	56
Democrat	20
Independent	20
No answer	4
Female:	
Republican	60
Democrat	19
Independent	17
No answer	5

WHAT IS YOUR AGE?

18 to 24	4
25 to 44	29
45 to 64	34
65 plus	28
No answer	5

[1] The low percentage of female participants is attributed to the fact that only 1 ballot was sent to each household. Evidently most of the returns were filled in by the male members of the family. However, in some instances ballots were returned with 2 sets of answer, where both husband and wife had participated.

1. Should the Federal Government develop laws to help prevent strikes by public employees?

Total	Republican	Democrat	Independent	Men	Women
Yes, 62	72	49	47	63	58
No, 28	18	43	42	30	25
Undecided, 8	9	5	8	5	14
No answer, 2	1	3	3	2	4

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	64	46	59	79
No	29	43	29	14
Undecided	7	7	10	6
No answer	0	4	2	1

2. Do you favor lowering the voting age to 18?

Total	Republican	Democrat	Independent	Men	Women
Yes, 39	35	38	51	41	35
No, 56	57	62	46	56	56
Undecided, 4	6	0	1	3	6
No answer, 1	1	0	1	0	3

MISSOURI 7TH CONGRESSIONAL DISTRICT OPINION POLL

[Answers to all questions have been broken down into percentages]

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	50	44	38	37
No	50	55	57	55
Undecided	0	2	4	6
No answer	0	0	1	2

3. Do you favor actions of the administration to try and balance the budget and pay on the national debt?

Total	Republican	Democrat	Independent	Men	Women
Yes, 88	92	83	81	91	81
No, 6	3	9	9	6	6
Undecided, 6	4	6	7	3	10
No answer, 0	1	1	3	0	3

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	93	79	88	97
No	0	13	4	0
Undecided	7	9	7	2
No answer	0	0	1	1

4. Do you favor a lottery system for the drafting of military personnel?

Total	Republican	Democrat	Independent	Men	Women
Yes, 38	37	39	41	40	34
No, 36	34	43	36	37	35
Undecided, 22	26	16	22	21	26
No answer, 4	4	3	1	1	5

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	36	33	44	36
No	43	44	28	36
Undecided	21	21	23	24
No answer	0	2	5	4

5. Should the electoral college be abolished and the President elected by a direct vote of the people?

Total	Republican	Democrat	Independent	Men	Women
Yes, 88	87	86	93	85	91
No, 9	9	9	5	11	4
Undecided, 3	4	3	1	4	3
No answer, 0	0	2	1	0	2

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	86	88	87	87
No	14	9	9	9
Undecided	0	3	4	3
No answer	0	0	0	1

6. Do you feel the Paris peace talks to be the best means of ending the Vietnam war?

Total	Republican	Democrat	Independent	Men	Women
Yes, 14	14	14	5	13	12
No, 56	53	62	69	62	45
Undecided, 27	30	18	24	23	38
No answer, 4	3	5	2	2	5

MISSOURI 7TH CONGRESSIONAL DISTRICT OPINION POLL

[Answers to all questions have been broken down into percentages]

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	7	14	15	10
No	57	62	57	54
Undecided	29	22	25	32
No answer	7	2	3	4

7. Should the Federal Government guarantee an annual income to heads of families, whether or not they are working?

Total	Republican	Democrat	Independent	Men	Women
Yes, 10	7	18	11	10	13
No, 82	86	70	81	84	74
Undecided, 7	5	9	7	4	11
No answer, 1	2	3	1	2	2

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	0	11	7	14
No	86	82	88	73
Undecided	14	6	4	9
No answer	0	1	1	4

8. Should the Post Office be converted into a Government-owned corporation and be operated on a self-supporting basis?

Total	Republican	Democrat	Independent	Men	Women
Yes, 65	67	58	64	67	58
No, 18	14	25	23	17	21
Undecided, 16	18	16	11	14	19
No answer, 1	1	1	0	2	2

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Yes	57	56	69	70
No	21	26	16	12
Undecided	21	18	13	15
No answer	1	0	2	3

9. Should part of the revenue collected from Federal income taxes be returned to the States to use as they see fit?

Total	Republican	Democrat	Independent	Men	Women
Yes, 66	70	69	49	66	68
No, 24	22	26	32	26	18
Undecided, 9	8	4	16	8	12
No answer, 1	0	3	3	0	2

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus	No information
Yes	79	64	64	69	68
No	21	26	25	22	18
Undecided	0	9	10	8	9
No answer	0	1	1	1	5

10. How do you rate the kind of job President Nixon is doing?

Total	Republican	Democrat	Independent	Men	Women
Excellent or good, 55	70	29	38	59	54
Fair, 26	19	35	35	26	25
Poor, 7	1	17	11	7	4
Undecided, 12	10	19	16	8	17
No answer, 0	0	0	0	0	0

MISSOURI 7TH CONGRESSIONAL DISTRICT OPINION POLL
[Answers to all questions have been broken down into percentages]

BREAKDOWN BY AGE GROUP

	18 to 24	25 to 44	45 to 64	65 plus
Excellent or good	64	56	52	63
Fair	21	26	26	22
Poor	1	9	4	6
Undecided	14	9	18	9

CONFERENCE REPORT ON H.R. 12307, INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1970

Mr. EVINS of Tennessee submitted the following conference report and statement on the bill (H.R. 12307) the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1970:

CONFERENCE REPORT (H. REPT. No. 91–649)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12307) "making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 15, 19, 24, 28, 39, 45, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 7, 8, 11, 13, 16, 17, 20, 21, 22, 26, 31, 32, 35, 36, 38, 42, and 47, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$282,500,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$40,778,500"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,225,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$307,000,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,006,000,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$438,000,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$68,348,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,200,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendent, as follows: In lieu of the sum proposed by said amendment insert "$19,400,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$20,050,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,500,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$575,000,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,750,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$90,000,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement of the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$85,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,000,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 14, 34, and 50.

JOE L. EVINS,
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LOUIS C. WYMAN,
BURT L. TALCOTT,
JOSEPH M. MCDADE,
FRANK T. BOW,
Managers on the Part of the House.
JOHN O. PASTORE,
WARREN G. MAGNUSON,
ALLEN J. ELLENDER,
RICHARD B. RUSSELL,
SPESSARD L. HOLLAND,
CLINTON P. ANDERSON,
GORDON ALLOTT,
MARGARET CHASE SMITH,
ROMAN L. HRUSKA,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12307) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE 1

NATIONAL AERONAUTICS AND SPACE COUNCIL

Amendment No. 1: Appropriates $500,000 for salaries and expenses as proposed by the House instead of $524,000 as proposed by the Senate.

OFFICE OF SCIENCE AND TECHNOLOGY

Amendment No. 2: Appropriates $1,958,000 for salaries and expenses as proposed by the Senate instead of $1,875,000 as proposed by the House.

APPALACHIAN REGIONAL DEVELOPMENT PROGRAMS

Amendment No. 3: Deletes language proposed by the Senate excluding funds for Section 201 of the Appalachian Regional Development Act of 1965, as amended,

Amendment No. 4: Appropriates $282,500,000 for Appalachian Regional Development Programs instead of $445,000,000 as proposed by the House and $107,500,000 as proposed by the Senate.

Amendment No. 5: Reported in technical disagreement. The House Conferees will offer a motion to include $175,000,000 for the Appalachian Development Highway System, the amount authorized for appropriation in the current fiscal year, and limits obligations to the amount appropriated in the bill.

DISASTER RELIEF

Amendment No. 6: Inserts technical language as proposed by the Senate to permit funds to be used pursuant to the Disaster Relief Act of 1969 (P. L. 91–79).

Amendment No. 7: Appropriates $170,000,000 for disaster relief as proposed by the Senate instead of $45,000,000 as proposed by the House.

CIVIL SERVICE COMMISSION

Amendment No. 8: Inserts language as proposed by the Senate authorizing use of funds for hire of passenger motor vehicles.

Amendment No. 9: Appropriates $40,-

778,500 for salaries and expenses instead of $40,000,000 as proposed by the House and $41,397,000 as proposed by the Senate.

FEDERAL COMMUNICATIONS COMMISSION

Amendment No. 10: Appropriates $22,225,000 for salaries and expenses instead of $21,600,000 as proposed by the House and $22,850,000 as proposed by the Senate. The committee of conference is agreed that the fee structure for the Commission should be adjusted to fully support all its activities so the taxpayers will not be required to bear any part of the load in view of the profits regulated by this agency.

FEDERAL POWER COMMISSION

Amendment No. 11: Appropriates $16,400,000 for salaries and expenses as proposed by the Senate instead of $16,000,000 as proposed by the House. The committee of conference has agreed to an increase of $400,000 over the amount proposed by the House, and urges that emphasis be placed on natural gas pipeline rate regulation with the increased funds provided.

GENERAL SERVICES ADMINISTRATION

Amendment No. 12: Appropriates $307,000,000 for Operating Expenses, Public Buildings Service instead of $301,500,000 as proposed by the House and $309,119,000 as proposed by the Senate.

Amendment No. 13: Appropriates $61,600,000 for repair and improvement of public buildings as proposed by the Senate instead of $70,000,000 as proposed by the House.

Amendment No. 14: Reported in technical disagreement. The House conferees will offer a motion to appropriate $26,533,000 for construction of public buildings projects instead of $19,137,000 as proposed by the House and $13,248,000 as proposed by the Senate.

Amendment No. 15: Restores language proposed by the House to authorize $13,285,000 for the Federal office building, Chicago, Illinois.

Amendment No. 16: Inserts language proposed by the Senate to authorize $7,396,000 for the Federal Bureau of Investigation Academy, Quantico, Virginia.

Amendment No. 17: Appropriates $1,250,000 for Expenses, United States court facilities as proposed by the Senate instead of $750,000 as proposed by the House.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Amendment No. 18: Appropriates $3,006,000,000 for research and development instead of $3,000,000,000 as proposed by the House and $3,019,927,000 as proposed by the Senate.

The committee of conference is proud of the achievements of the National Aeronautics and Space Administration and the astronauts in placing the United States first in space. The committee favors a balanced program of space exploration for NASA, but considerable concern has been expressed about the future of funding for manned lunar programs because of budget constraints at this time and a question of national priorities. The majority of the conferees therefor suggest that the legislative committees of the House of Representatives and the Senate, the National Aeronautics and Space Administration, and the Administration make a careful review of our policy of manned lunar programs for the future and decide and determine a policy, and that the Committees on Appropriations be advised of the policy determined at the earliest possible date.

Amendment No. 19: Appropriates $53,233,000 for construction of facilities as proposed by the House instead of $58,200,000 as proposed by the Senate. The committee of conference is agreed that the new aircraft noise facility at Langley, Virginia, and a maintenance facility at Cape Kennedy, Florida, may be initiated within the total funds provided.

Amendment No. 20: Appropriates $637,400,000 for research and program management as proposed by the Senate instead of $643,750,000 as proposed by the House.

NATIONAL SCIENCE FOUNDATION

Amendments No. 21 and 22: Authorize purchase of two aircraft and maintenance and operation of four aircraft as proposed by Senate instead of the purchase of one aircraft and the maintenance and operation of three aircraft as proposed by the House.

Amendment No. 23: Appropriates $438,000,000 for salaries and expenses instead of $418,000,000 as proposed by the House and $458,000,000 as proposed by the Senate.

Amendment No. 24: Appropriates $2,000,000 in foreign currencies for scientific activities as proposed by the House instead of $3,000,000 as proposed by the Senate.

RENEGOTIATION BOARD

Amendment No. 25: Appropriates $4,000,000 for salaries and expenses instead of $3,640,000 as proposed by the House and $4,140,000 as proposed by the Senate.

SECURITIES AND EXCHANGE COMMISSION

Amendment No. 26: Appropriates $20,416,000 for salaries and expenses as proposed by the Senate instead of $19,750,000 as proposed by the House.

SELECTIVE SERVICE SYSTEM

Amendment No. 27: Appropriates $68,348,000 for salaries and expenses instead of $67,375,000 as proposed by the House and $69,321,000 as proposed by the Senate.

VETERANS ADMINISTRATION

Amendment No. 28: Appropriates $69,152,000 for construction of hospital and domiciliary facilities as proposed by the House instead of $55,217,000 as proposed by the Senate.

DEPARTMENT OF DEFENSE—CIVIL DEFENSE

Amendment No. 29: Appropriates $49,200,000 for operation and maintenance instead of $47,700,000 as proposed by the House and $50,700,000 as proposed by the Senate.

Amendment No. 30: Authorizes $19,400,000 matching grants for personnel and administrative expenses of state and local civil defense organizations instead of $19,100,000 as proposed by the House and $19,700,000 as proposed by the Senate.

Amendments No. 31 and 32: Strike out and insert language relating to constructing and equipping Federal regional operating centers as proposed by the Senate.

Amendment No. 33: Appropriates $20,050,000 for research, shelter survey and marking instead of $16,500,000 as proposed by the House and $21,800,000 as proposed by the Senate.

Amendment No. 34: Reported in technical disagreement. The House conferees will offer a motion to recede and concur in the amendment of the Senate to authorize transfer of $1,800,000 of this appropriation to the Department of Defense for construction of Federal regional operating centers.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE—PUBLIC HEALTH SERVICE

Amendment No. 35: Appropriates $4,000,000 for emergency health activities as proposed by the Senate instead of $6,000,000 as proposed by the House.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Amendment No. 36: Appropriates $250,000,000 for urban renewal programs as proposed by the Senate instead of $100,000,000 as proposed by the House.

Amendment No. 37: Provides annual contract authorization for $6,500,000 for college housing instead of $5,500,000 as proposed by the House and $7,500,000 as proposed by the Senate. The reduction below the Senate amount is not intended to reduce the budget loan program, but it is anticipated that direct loans will be required in some instances where private financing with interest subsidies cannot be obtained.

Amendment No. 38: Deletes limitation relating to payments on contracts in the college housing program as proposed by the Senate.

Amendment No. 39: Appropriates $37,000,000 for salaries and expenses of programs of renewal and housing assistance as proposed by the House instead of $37,500,000 as proposed by the Senate.

Amendment No. 40: Appropriates $575,000,000 for model cities programs instead of $500,000,000 as proposed by the House and $600,000,000 as proposed by the Senate.

Amendment No. 41: Authorizes the transfer of $6,750,000 for administrative expenses relating to model cities programs instead of $6,500,000 as proposed by the House and $7,000,000 as proposed by the Senate.

Amendment No. 42: Appropriates $26,500,000 for homeownership and rental housing assistance payments as proposed by the Senate instead of $46,500,000 as proposed by the House.

Amendment No. 43: Provides $90,000,000 annual contract authorization for homeownership assistance payments under Section 235 of the National Housing Act, as amended, instead of $80,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

Amendment No. 44: Provides $85,000,000 annual contract authorization for rental housing assistance payments authorized by Section 236 of the National Housing Act, as amended, instead of $70,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

Amendment No. 45: Provides $50,000,000 annual contract authorization for the rent supplement program as proposed by the House instead of $100,000,000 as proposed by the Senate.

Amendment No. 46: Appropriates $6,000,000 for fair housing and equal opportunity activities instead of $5,000,000 as proposed by the House and $7,000,000 as proposed by the Senate.

Amendment No. 47: Appropriates $9,000,000 for general administration as proposed by the Senate instead of $7,000,000 as proposed by the House. The conferees are agreed that this amount shall be used for providing a level of employment only to the level provided in the budget estimate.

Amendment No. 48: Appropriates $10,500,000 for regional management and services instead of $9,800,000 as proposed by the House and $11,905,000 as proposed by the Senate.

Amendment No. 49: Deletes language proposed by the Senate to appropriate $250,000 for the National Homeownership Foundation.

TITLE IV—GENERAL PROVISIONS

Amendment No. 50: Reported in technical disagreement. The House conferees will offer a motion to recede and concur in the amendment.

JOE L. EVINS,
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CHARLES R. JONAS,
LOUIS C. WYMAN,
BURT L. TALCOTT,
JOSEPH M. McDADE,
FRANK T. BOW,
Managers on the Part of the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER, for the week of November 17, 1969, on account of official business.

Mr. CHARLES H. WILSON (at the request

of Mr. ALBERT), for today, on account of official business.

Mr. DENNEY (at the request of Mr. GERALD R. FORD), for today, on account of knee injury.

Mr. ESHLEMAN (at the request of Mr. GERALD R. FORD), for an indefinite period 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:

Mr. STRATTON, for 60 minutes, on November 18; to revise and extend his remarks and include extraneous matter on the subject of the reversion of Okinawa.

Mr. MONTGOMERY, for 60 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. PUCINSKI, for 1 hour, today.

(The following Members (at the request of Mr. MAYNE) and to revise and extend their remarks and include extraneous matter:)

Mr. ROBISON, for 30 minutes, today.

Mr. DUNCAN, for 30 minutes, on November 18.

Mr. DUNCAN, for 30 minutes, on November 19.

Mr. DUNCAN, for 30 minutes, on November 20.

(The following Members (at the request of Mr. DANIEL of Virginia) and to revise and extend their remarks and include extraneous matter:)

Mr. FARBSTEIN, for 20 minutes, today.

Mr. FLOOD, for 10 minutes, today.

Mr. REUSS, for 60 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. FARBSTEIN, for 60 minutes, on November 19.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SMITH of Iowa.

Mr. COLMER on House Resolution 675.

Mr. NICHOLS (at the request of Mr. MONTGOMERY), to extend his remarks immediately following Mr. MONTGOMERY's.

(The following members (at the request of Mr. MAYNE) and to include extraneous matter:)

Mr. LUKENS in two instances.

Mr. MESKILL.

Mr. JOHNSON of Pennsylvania.

Mr. ERLENBORN.

Mr. CORBETT.

Mr. RHODES.

Mr. BUSH.

Mr. SCHWENGEL in four instances.

Mr. GUBSER.

Mr. ZWACH.

Mr. RIEGLE.

Mr. POLLOCK.

Mr. SHRIVER in two instances.

Mr. ASHBROOK in two instances.

Mr. DAVIS of Wisconsin in two instances.

Mr. SCOTT.

Mr. BRAY in two instances.

Mr. ROTH.

Mr. WYMAN in two instances.

Mr. HOGAN in two instances.

Mr. SCHERLE.

Mr. REID of New York.

Mr. STEIGER of Arizona.

Mr. DUNCAN in two instances.

Mr. ESCH.

Mr. DELLENBACK.

Mr. DERWINSKI in two instances.

Mr. HUNT.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. LONG of Maryland.

Mr. SCHEUER in two instances.

Mr. FARBSTEIN in three instances.

Mr. BOLLING.

Mr. JACOBS in three instances.

Mr. REUSS in six instances.

Mr. GONZALEZ.

Mr. EILBERG.

Mr. BRASCO.

Mr. OTTINGER.

Mr. MATSUNAGA in two instances.

Mr. BINGHAM in three instances.

Mr. RARICK in three instances.

Mr. FASCELL in two instances.

Mr. RODINO in two instances.

Mr. BURKE of Massachusetts in two instances.

Mr. EVINS of Tennessee in two instances.

Mr. STEPHENS.

Mr. PICKLE in three instances.

Mr. OBEY in six instances.

Mr. KASTENMEIER.

Mr. REES in six instances.

Mr. BURTON of California.

Mr. CABELL.

Mr. RYAN in three instances.

Mr. COHELAN in two instances.

Mr. DINGELL.

Mr. BIAGGI in two instances.

Mr. O'HARA in two instances.

Mr. FRASER in three instances.

Mr. HECHLER of West Virginia.

Mr. ST. ONGE.

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. 2577. An act to provide additional mortgage credit, and for other purposes; to the Committee on Banking and Currency.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 474. An act to establish a Commission on Government Procurement.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

On November 13, 1969:

H.J. Res. 966. Joint resolution making further continuing appropriations for the fiscal year 1970, and for other purposes.

On November 17, 1969:

H.R. 474. An act to establish a Commission on Government Procurement.

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 32 minutes p.m.), the House adjourned until tomorrow, Tuesday, November 18, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1335. A letter from the Secretary of the Army, transmitting a report on the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff, as of September 30, 1969, pursuant to the provisions of 10 U.S.C. 3031 (c); to the Committee on Armed Services.

1336. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to exempt FHA and VA mortgages and loans from the interest and usury laws of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1337. A letter from the Executive Secretary, Public Service Commission of the District of Columbia, transmitting the 56th annual report on the Commission for the calendar year 1968, pursuant to the provisions of section 8 of the act of March 4, 1913; to the Committee on the District of Columbia.

1338. A letter from the Comptroller General of the United States, transmitting a report on the need for management improvement in expediting development of major weapon systems satisfactory for combat use, Department of the Army; to the Committee on Government Operations.

1339. A letter from the Comptroller General of the United States, transmitting a report on U.S. financial participation in the Food and Agriculture Organization of the United Nations, Department of Agriculture and Department of State; to the Committee on Government Operations.

1340. A letter from the Secretary of the Interior, transmitting a report of the national estuarine pollution study, pursuant to the provisions of section 5(g) of Public Law 89–753, and a draft of proposed legislation to amend the Federal Water Pollution Control Act to provide for the establishment of a national policy and comprehensive national program for the management, beneficial use, protection and development of the land and water resources of the Nation's estuarine and coastal zone; to the Committee on Public Works.

1341. A letter from the Administrator of General Services, transmitting copies of a building project survey report for Orlando, Fla.; to the Committee on Public Works.

1342. A letter from the Administrator of General Services, transmitting copies of a prospectus for alterations at the Custom House and Appraisers Stores in Philadelphia, Pa., pursuant to the provisions of the Public Buildings Act of 1959; to the Committee on Public Works.

1343. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of grants approved by his office which are financed wholly with Federal funds, covering the period July 1 through September 30, 1969, pursuant to the provisions of section 1120b of the Social Security Act; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(Pursuant to the order of the House on November 13, 1969 the following report was filed on November 14, 1969)

Mr. FALLON: Committee on Public Works. H.R. 14741. A bill to amend title 23 of the United States Code to revise the next due date for the cost estimate for the Interstate System to amend chapter 4 relating to highway safety, and for other purposes; with an amendment (Rept. No. 91–644). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted Nov. 17, 1969*]

Mr. FALLON: Committee on Public Works. H.R. 5278. A bill to amend the act of July 24, 1956, to authorize the Secretary of the Army to contract with the Benbrook Water and Sewer Authority for the use of water supply storage in the Benbrook Reservoir; without amendment (Rept. No. 91–645). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 707. A resolution previewing as for consideration of H.R. 14580, a bill to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic development within a framework of democratic economic, social, and political institions, and for other purposes (Rept. No. 91–646). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 708. Waiving points of order against H.R. 14794, a bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91–647) referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. House Joint Resolution 757. Joint resolution to authorize appropriations for expenses of the Office of Intergovernmental Relations, and for other purposes, without amendment (Rept. No. 91–648). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Committee of Conference. Conference report on H.R. 12307 (Rept. No. 91–649). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 14813. A bill to provide additional penalties for the use of firearms in the commission of certain crimes of violence; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 14814. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Commitee on Agriculture.

By Mr. DAVIS of Wisconsin:

H.R. 14815. 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. FARBSTEIN:

H.R. 14816. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption; to the Committee on Interstate and Foreign Commerce.

By Mr. FISH:

H.R. 14817. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. HELSTOSKI:

H.R. 14818. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

H.R. 14819. A bill to provide that Federal assistance to a State or local government or agency for rehabilitation or renovation of housing and for enforcement of local or State housing codes under the urban renewal program, the public housing program, or the model cities program, or any other program involving the provision by State or local governments of housing or related facilities, shall be made available only on condition that the recipient submit and carry out an effective plan for eliminating the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

H.R. 14820. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

By Mr. MESKILL:

H.R. 14821. A bill to provide for orderly trade in bicycles; to the Committee on Ways and Means.

By Mr. MIKVA (for himself, Mr. JACOBS, and Mr. WALDIE):

H.R. 14822. A bill to assist in reducing crime by requiring speedy trials in cases of persons charged with violations of Federal criminal laws, to strengthen controls over dangerous defendants released prior to trial, to provide means for effective supervision and control of such defendants, and for other purposes; to the Committee on the Judiciary.

By Mr. MIKVA (for himself, Mr. JACOBS, and Mr. WALDIE):

H.R. 14823. A bill to assist in combating crime by reducing the incidence of recidivism, providing improved correctional facilities, strengthening administration of Federal corrections, strengthening control over probationers, parolees, and persons found not guilty by reason of insanity, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 14824. A bill to strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PASSMAN:

H.R. 14825. A bil to amend the Communications Act of 1934 to establish orderly procedures for consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H.R. 14826. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. STEED (for himself, Mr. EDMONDSON, and Mr. CAMP):

H.R. 14827. A bill to provide for the disposition of funds to pay a judgment in favor of the Sac and Fox Tribe of Oklahoma in Indian Claims Commission docket numbered 220, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VANDER JAGT:

H.R. 14828. A bill to amend section 2412(a) of title 28, United States Code, to make the United States liable for court costs and attorney's fees to persons who prevail over the United States in actions arising out of administrative actions of agencies of the executive branch; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 14829. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. COUGHLIN (for himself, Mr. ADDABBO, Mr. ANDERSON of Illinois, Mr. BYRNE of Pennsylvania, Mr. CARTER, Mr. CEDERBERG, Mr. DON H. CLAUSEN, Mr. CONTE, Mr. DAVIS of Georgia, Mr. DENNEY, Mr. DONOHUE, Mr. DUNCAN, Mr. FISHER, Mr. FLOWERS, Mr. FREY, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. GRAY, Mr. HANSEN of Idaho, Mr. HASTINGS, Mr. LUJAN, Mr. MANN, Mr. MILLER of Ohio, Mr. MORSE, and Mr. MYERS):

H.R. 14830. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. COUGHLIN (for himself, Mr. HECHLER of West Virginia, Mr. PETTIS, Mr. PODELL, Mr. POLLOCK, Mr. ROBISON, Mr. RUPPE, Mr. SEBELIUS, Mr. STANTON, Mr. STEPHENS, Mr. STOKES, Mr. WAGGONNER, Mr. WAMPLER, Mr. WEICKER, Mr. WHITEHURST, Mr. WINN, and Mr. YATRON):

H.R. 14831. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. ECKHARDT (for himself, Mr. ANDERSON of California, Mr. CLAY, Mr. COHELAN, Mr. CULVER, Mr. DAVIS of Georgia, Mr. DIGGS, Mr. FOLEY, Mrs. GRIFFITHS, Mr. HARRINGTON, Mr. HATHAWAY, Mr. HOWARD, Mr. JACOBS, Mr. MILLER of California, Mr. MINISH, Mr. MOORHEAD, Mr. NEDZI, Mr. PEPPER, Mr. POLLOCK, Mr. PRYOR of Arkansas, Mr. REID of New York, Mr. ROYBAL, Mr. TUNNEY, Mr. WALDIE, and Mr. WOLFF):

H.R. 14832. 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 defraud of consumers; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON:

H.R. 14833. A bill to provide for the extension of the term of certain patents of persons who served in the military forces of the United States; to the Committee on the Judiciary.

By Mr. HAMMERSCHMIDT:

H.R. 14834. 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. MATSUNAGA:

H.R. 14835. A bill to repeal the law prohibiting abortions in the District of Columbia; to the Committee on the District of Columbia.

By Mrs. SULLIVAN:

H.R. 14836. A bill to increase to $20,000 the limit of Federal insurance applicable to bank deposits and savings and loan accounts; to the Committee on Banking and Currency.

By Mr. UDALL:

H.R. 14837. A bill to authorize the Smithsonian Institution to acquire lands and to design a radio-radar astronomical telescope

for the Smithsonian Astrophysical Observatory for the purpose of furthering scientific knowledge, and for other purposes; to the Committee on House Administration.

By Mr. ECKHARDT (for himself, Mr. BOLAND, Mr. HALPERN, Mr. HARRINGTON, Mr. HATHAWAY, and Mr. ROYBAL):

H.J. Res. 985. Joint resolution to create a joint congressional committee to review, and recommend changes in, national priorities and resource allocation; to the Committee on Rules.

By Mr. KAZEN:

H. Con. Res. 450. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Comimttee on Ways and Means.

By Mr. WATSON:

H. Res. 709. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 and rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLANTON:

H.R. 14838. A bill for the relief of Dr. Pio Albert Pol y Zapata and his wife, Dolores S. Alvarez de Pol; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 14839. A bill for the relief of Vito Serra; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

329. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to foreign policy; to the Committee on Foreign Affairs.

330. Also, petition of the City Council, Springfield, Ill., relative to preservation of the Lincoln Homesite within the National Park System; to the Committee on Interior and Insular Affairs.

331. Also, petition of the Palau Legislature, Koror, Palau, Western Caroline Islands, Trust Territory of the Pacific Islands, relative to the use of land in the Palau District by the U.S. Government for military purposes; to the Committee on Interior and Insular Affairs.

332. Also, petition of Mrs. H. L. Jordan, Bellevue, Wash., et al., relative to appointments to the U.S. Supreme Court; to the Committee on the Judiciary.

333. Also, petition of the Board of Supervisors, Kalamazoo County, Mich., relative to Federal revenue sharing; to the Committee on Ways and Means.

SENATE—*Monday, November 17, 1969*

The Senate met in executive session at 10:30 a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Reverend Dr. Julius Mark, rabbi emeritus of Temple Emanu-El, New York City, N.Y., offered the following prayer:

"Give me understanding and I shall live," cried the ancient psalmist.

Most fervently do we echo this prayer, O our Heavenly Father. We live in a time of turbulence, confusion, and violence. Our hearts yearn for peace, but there will be no peace unless there is first understanding, firmly founded on justice, in our cities and in the world.

We pray that Thou mayest inspire us, O Master of the universe, that we may be guided by the wisdom of the prophet who declared more than 2,500 years ago that "the work of righteousness shall be peace and the effect of righteousness quietness and confidence forever."

We ask Thy blessing upon the President of our country who bears the awesome burdens of the high office to which his fellow citizens have elected him, upon the Vice President who presides over this great legislative body, the Senate of the United States, and all who have been entrusted with the guardianship of our rights and liberties.

Give all of us understanding that our Nation and all nations may live in peace and tranquillity. Amen.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from West Virginia (Mr. BYRD) is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield to me, without losing his right to the floor or having his time impinged upon?

Mr. BYRD of West Virginia. I yield.

THE JOURNAL

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, November 14, 1969, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that the call of the calendar of unobjected to bills, under rule VIII, be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that, after the remarks of the distinguished senior Senator from West Virginia, there be a period for the transaction of routine morning business, not to extend beyond 12 o'clock noon, unless asked for, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. I thank the distinguished Senator from West Virginia for yielding.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized.

SUPREME COURT OF THE UNITED STATES

The Senate, as in executive session, resumed the consideration of the nomination of Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court of the United States.

Mr. BYRD of West Virginia. Mr. President, the Senate is now considering one of the most important matters that will come before it during this Congress. As Senators, we are charged with the responsibility of deciding whether the Senate should advise and consent to the nomination of Judge Clement F. Haynsworth, Jr., to be an Associate Justice of of the United States.

The decision we make may have profound effect upon our Federal judicial system and upon the Nation.

I have reviewed the record compiled by the Senate Judiciary Committee, of which I am a member, and I am persuaded that this nomination should be confirmed.

In my considered judgment, the opposition to this nomination does not rest on a sound basis.

Each Senator has the obligation to exercise his responsibility of deciding whether to advise and consent to this nomination according to his own best lights. I do not question or impugn the motives of any of the opponents of this nomination.

However, it is obvious to me that the real motive forces behind the opposition to this nomination are certain powerful economic and bloc pressure groups, and, in saying this, I do not speak critically of them. Specifically, I refer to the NAACP, certain organized labor groups, and the so-called liberal establishment which controls much of the news media of this Nation and which cannot reconcile itself to the results of the last presidential election.

The truly paramount issue involved in this nomination is whether these groups will be able to exercise a veto power over the appointments to the Supreme Court made by the President of the United States.

I hope that the Senate will consent to this nomination and let the people of the country and these groups know that the Supreme Court is not the privileged preserve of those of a certain ideological bent which was repudiated at the ballot box last fall.

Most of the public opposition to this nomination expressed by various Senators seems to be connected with charges