Leftist-oriented Institute for Policy Studies, and many others identified with elements of the New Left movement.

The groundwork for the December meeting was laid on November 22 at a meeting in downtown Washington when New Mobe's executive committee gathered to make an assessment of their "moratorium" campaign. Minutes of that meeting reveal that New Mobe received a number of inquiries from the news media for information about their future plans. However, the executive committee decided a "decision on any such plans would be made at the Steering Committee meeting in December."

Committee investigators reported that at the November meeting, David Dellinger—one of New Mobe's eight national co-chairmen and a man who has described himself publicly as a "non-Soviet" style Communist, offered a three-point proposal for the future of the organization.

This proposal not only called for a steering committee meeting December 13–14 but also advocated the establishment of task forces to "develop program ideas which could then be discussed in depth in workshops at the Steering Committee meeting."

This proposal was adopted—an indication of Dellinger's influence on New Mobe—and task forces were set up to deal with such subjects as "G.I.'s", "Tax Refusal," "Repression and Political Prisoners", "Conspiracy", "the Draft", and "Economic Boycott".

Virtually word for word, the Dellinger list comprised the agenda for the Saturday workshops at the Cleveland meeting in December.

Chairman Ichord said the Committee staff report indicated that while New Mobe will continue its campaign to force an immediate withdrawal of American troops from Vietnam under such slogan banners as "Stop the War!", "Stop the War Machinery!", "Stop the Death Machine!", the broadened range of attack on the so-called "power structure" of the U.S. will, in Sidney Peck's stated view, cause the major political emphasis of the anti-war movement to be directed as exposing "the relationship between the racist, genecidal character of the war machine in Vietnam and the death-dealing aspects of that same machinery in the destruction of the environmental ecology at home."

Arthur Waskow, who admits a "gut preference for disorder," told the conferees in Cleveland that he believes New Mobe is the most important force on the Left now that Student for a Democratic Society, in his opinion, is collapsing. He said this would be particularly the case if college and high school students can be enlisted in New Mobe's activities.

Waskow declared that aside from anti-war actions, the New Mobe should "give a Left direction to the country" by devoting more attention to numerous domestic problems ranging from hunger to medical care, inadequate housing, air and water pollution, and any conditions viewed as irritants to the middle class and working class in America.

He concluded: "The anti-war movement, as such, no longer needs the Mobilization (except perhaps to set dates and name focal points of action). The country, however, needs and wants an intelligent Left. That need is the one the Mobe should now fulfill."

Peck told the conferees that Arthur Waskow, Stewart Meacham of the American Friends Service Committee and he were asked to draft plans for a mass national action next spring. He declared that New Mobe wants "a general work stoppage (political general strike) in New York, Detroit, and either San Francisco or Los Angeles, with a sympathetic strike or moratorium demonstrations in every city in the country, including a special call to Federal employees in major Governmental offices in Washington, D.C."

The Committee staff reports the likelihood that a further national organizing conference of New Mobe to implement a detailed program of protests will be held in the near future.

SOCIAL SECURITY RISE

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 17, 1969

Mr. KEITH. Mr. Speaker, the 15-percent across-the-board increase in social security benefits as it has just passed the House is a much-needed step in the right direction. When one considers that the cost of living has risen 9.1 percent since the last social security rise in February of 1968, and that the benefits we are now voting will not take effect until next April, then the rightness of our vote becomes obvious.

As Chairman MILLS of the Ways and Means Committee has pointed out, this measure is only a beginning, not the end, of our consideration of the social security system. Mr. MILLS has promised to undertake an extensive review of all aspects of social security—disability insurance, hospital insurance, supplementary hospital benefits, and others—and report a comprehensive reform bill to the House next March.

Among the measures to which I hope the committee will give careful consideration is one which I, along with many of my colleagues, have long advocated. It calls for a standard cost-of-living increase in social security benefits, to be applied automatically—as they generally are to civil service and military retirement benefits. Certainly, our senior citizens should not be forced to bear the brunt of inflation, by living on fixed income when wages and prices for the rest of our society are rising. Raising their social security benefits to meet the rising cost of living is not generosity—it is only fairness, and I hope that the Ways and Means Committee will recognize this in their deliberations next year.

For now, however, I applaud the step we have taken—remembering, as I say, that it is only the first of many that we must take to give our senior citizens what they deserve. Yesterday's vote, if accepted by the Senate, will do much to improve the lot of our retired citizens. The average benefit paid to a retired worker would rise from $100 to $116 a month. For a married couple, benefits would rise from $170 to $196 a month. Average widows benefits would rise from $88 to $100 monthly. A disabled worker's benefits would rise from $113 to $130 a month. And a widow with two children would find her social security check rising from $254 to $292 a month.

Some 25 million people would benefit from the increases provided in this bill.

It is, let me reiterate, a beginning to what I hope will be an extensive revamping our entire social security system. But this bill is a good beginning, and I am glad to support it.

COMMITTEE ON THE ENVIRONMENT

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 17, 1969

Mr. ZWACH. Mr. Speaker, I thank my distinguished colleagues for the support they have given me in proposing a Committee on the Environment. It is now my hope that the Rules Committee will hold hearings on this proposal as soon as its schedule allows. Time is of the essence in this matter because if Congress begins the push for a better environment without the necessary committee framework and professional expertise, it may never assert its proper role in this area which becomes more important to all Americans with each passing day.

HOUSE OF REPRESENTATIVES—*Thursday, December 18, 1969*

The House met at 12 o'clock noon.

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

Glory to God in the highest and on earth peace among men of good will.—Luke 2: 14.

Our Heavenly Father, who hast come into this world of darkness to bring light, into this world of worry to bring peace, and into this world of fear to bring faith, may Thy blessing be upon us and upon each one of our homes this Advent season. Do Thou lead us as we seek earnestly to be worthy followers of Thy wholesome way.

Make our feet to walk along the road to Bethlehem where we may give due honor and praise to Thee whose love gave us Christmas Day. May we so make room for Thee in all our hearts that we may live at peace with one another and in good will with all Thy family.

In the spirit of Him whose birthday we celebrate we pray. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.R. 14794. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14794) entitled "An act

making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. MAGNUSON, Mr. PASTORE, Mr. BIBLE, Mr. CASE, Mrs. SMITH, and Mr. ALLOTT to be the conferees on the part of the Senate.

APPOINTMENT OF CONFEREES ON H.R. 14794, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14794) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? The Chair hears none, and appoints the following conferees: Messrs. BOLAND, MCFALL, YATES, MAHON, MINSHALL, CONTE, and BOW.

PERMISSION FOR HOUSE MANAGERS TO FILE CONFERENCE REPORT ON H.R. 14794, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 14794) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970.

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

There was no objection.

PERMISSION FOR HOUSE MANAGERS TO FILE CONFERENCE REPORT ON H.R. 14751, MILITARY CONSTRUCTION APPROPRIATIONS, 1970

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H.R. 14751, making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

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

There was no objection.

REQUEST FOR CONFERENCE ON DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 13111, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

Mr. CONTE. Mr. Speaker, reserving the right to object, I would like to direct a question to someone on the minority side who will be handling this bill. My question is with respect to the so-called Whitten amendment which the gentleman from California (Mr. COHELAN) and I fought, which was passed by this branch by a very close vote, and which has been amended in the Senate.

Should this conference committee not go along with the so-called Scott amendment amending the Whitten amendment, I would like to know whether the right to make a motion to recommit the bill with instructions will be given to me, or to someone of like thinking or whether this motion to recommit will be taken away from us again as it was on the agricultural bill.

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

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

Mr. MICHEL. Mr. Speaker, if I may respond to the gentleman from Massachusetts, I think this is rather a unique question, for such a request to be made at this particular time.

I would point out to the gentleman from Massachusetts that the gentleman from Illinois has no real strong feelings one way or another on the issue but when I go into a conference I go there to uphold the position of the House, but we all know that the reason for having a conference is to have some give and take.

As I say, I have no real strong feelings to shut the gentleman from Massachusetts off from any legitimate legislative prerogatives that he might have when the appropriate time comes.

Mr. CONTE. Mr. Speaker, the reason I am doing this, and it may seem out of the ordinary to some of my colleagues, is that I want to be fair about this thing. I do not want to force a rollcall on a motion at this time if we can get some assurances that this right will not be taken away from us later. But I want to make sure that the opportunity will exist for a clear-cut expression by the House on this issue.

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

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

Mr. GROSS. Mr. Speaker, I should think, in response to the question asked by the gentleman from Massachusetts, that the distinguished Speaker of the House would be an interested first, second, or third party in this procedure that the gentleman is speaking of. I would think that the Speaker would have something to say about who was recognized.

Mr. CONTE. I am sure that the Speaker will use that prerogative wisely, as he has in the past.

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

Mr. CONTE. I will be glad to yield to my friend, the gentleman from California (Mr. COHELAN).

Mr. COHELAN. I just want to say that I share the feelings of the gentleman from Massachusetts and I commend him for his great effort. I would like to express the hope, however, that the conferees will adopt the Senate amendment and come back to the House so that we can vote on the Labor and HEW appropriations and get home to our districts for the holidays.

I think the expression by the Senate is very clear. I think the House remembers well what happened last year. The Senate was in disagreement and on a floor vote in the House on three separate votes, we adopted the Senate amendment which, in effect, negated the previous action we had taken which, of course, is exactly what some of us hoped for.

Mr. CONTE. Mr. Speaker, I yield to the gentleman from Michigan (Mr. O'HARA).

Mr. O'HARA. Mr. Speaker, I wish to commend the gentleman from Massachusetts for the statement he has made under his reservation.

I agree completely with him. Unless this House can be assured of a clear-cut opportunity to express its will on this matter, when the conference report is brought back, a motion to instruct should be offered. If we cannot get that assurance, I would, and the gentleman does not object to sending the bill to conference at this time, I would see that the gentleman will have an opportunity to prepare that motion and have it ready.

Mr. CONTE. I appreciate that and I appreciate the gentleman's offer.

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

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

Mr. WHITTEN. As the gentleman knows, I am not a member of the committee and I did not hear the gentleman's earlier statement, but I did want to say to the gentleman at this time, I recall that he was very insistent on a committee on which I was a conferee to stand by the House position which we worked for a full month. I just wanted to recall that to the gentleman.

Mr. CONTE. Yes, I do recall that and, as I remarked, I have complimented the gentleman from Mississippi many, many times. The gentleman has had great experience in the practice of the law and he is one of the finest parliamentarians I have ever met. I used to have a professor Mr. O'Keefe in remedies back at Boston College law school, and he would say:

> You know, the only way you are really going to learn law and learn all about evidence is by getting your knuckles rapped in the courtroom.

In this session I have had my knuckles rapped many times. That is why I am on my feet today so that it will not happen again, so I will not have the rug pulled out from under me again.

Mr. WHITTEN. The gentleman is overgenerous as he usually is, but I thank him for the kind statement.

Mr. CONTE. I withdraw my reservation at this time.

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

Mr. O'HARA. Mr. Speaker, I object.

Mr. FLOOD. Mr. Speaker——

The SPEAKER. For what purposes does the gentleman from Pennsylvania (Mr. FLOOD) rise?

Mr. FLOOD. Mr. Speaker, I would offer a motion.

The SPEAKER. The Chair will recognize the gentleman after the 1-minute speeches.

BILLION DOLLAR CHRISTMAS PRESENT

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

Mr. PIKE. Mr. Speaker, sometime between now and the end of the year the Air Force has promised to give to some happy corporation a multibillion-dollar Christmas present. It is called the F–15. It is my opinion—and I might say I got this opinion from the Armed Forces Journal—that the competition has been, is, and will conclude illegally. It is in violation of section 2271, chapter 135, title 10, of the United States Code, which says in essence that the competitors in any major procurement should be told precisely what weightings should be given to each element in the competition, and further states that these weightings shall not be changed during the competition.

The Air Force says that they do not have to obey this law because it derives from a law which was passed in 1926 and is obsolete. This is the Air Force equivalent of saying rape is okay as long as you do not get prosecuted for it. Ignoring this law—and it is being ignored—allows the Air Force to come up with any winner in any competition that political expediency demands. If the Air Force can flout mandatory provisions of the law and the clearly expressed intention of Congress that contracts shall be awarded only on the basis of merit and military considerations, then perhaps the best thing for us to do at this time of the year is to kneel toward the Pentagon and join in singing, "How silently, how silently, the wondrous gift is given."

INSTRUCT LABOR-HEW CONFEREES ON VOCATIONAL SCHOOL

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

Mr. NELSEN. Mr. Speaker, now that the conference committee on the Labor-HEW bill is about to proceed, I wish to call to the attention of the conferees on the part of the House that in the division of funds for the technical school and liberal arts college, the original passage of the bill and the report that was submitted provided there would be a division of the proceeds of the endowment of the land-grant funds.

However, HEW has ruled the act did not clearly specify that this should be done. Therefore, there has been some problem.

I am hoping that when the conferees go into session there may be some statement put in on the part of the managers that backs up the original intent of those who have sponsored this legislation. I call the attention of the managers on the part of the House to the fact that I was the author of the bill that established the liberal arts college, the vocational school and authored the legislation that qualified the two schools for land-grant funds.

I feel that I am fully aware of what was legislative intent and I do feel that clarification could be incorporated in a statement by the managers of the conference. The vocational school has done such an outstanding job and deserves our every consideration.

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

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

Mr. ADAMS. I commend the gentleman for his remarks. I support what he said. I hope the conferees will do what the gentleman suggests.

SENATE AMENDMENT TO CUT OFF FEDERAL AID TO COLLEGES THAT FAIL TO CURB DISORDERS

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

Mr. HUNT. Mr. Speaker, I was dismayed by the action taken by the other body yesterday to delete a provision added to the Labor-HEW appropriations that would, in effect, suspend Federal funds to colleges and universities whose administrations fail to effectively insure the rights of the majority of students and faculty by not cracking down on those who deliberately instigate disorderly conduct and disrupt the orderly functioning of those institutions.

In view that the vote was only 49 to 43 in favor of this action, I trust the conferees on the part of both bodies will not yield to minority pressure and will restore this provision to put much-needed backbone into those university administrations which are readily inclined to yield to intimidation by those few distraught and radical revolutionaries who would like nothing more than to close down these institutions. So long as public funds are involved, the hard-pressed taxpayer has every right for once to make a demand of his own that his financial stake in this matter is not abused. Mollycoddling adamant dissidents is a quickly passing fad that must yield to the restoration of good old American commonsense in the recognition that reasoning with the unreasonable is a one-sided flop. We ought to speed the demise of this fad.

SEASONS GREETINGS FROM THE 101 AIRBORNE DIVISION AIRMOBILE

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

Mr. SCHADEBERG. Mr. Speaker, I am sure my colleagues would like to read a very brief note I received from a young man from my district. I read without comment for his words speak for themselves:

DECEMBER 12, 1969.

DEAR CONGRESSMAN SCHADEBERG: I'm in hopes that this card finds your family and yourself in good spirits.

Remember in June of 1968 an individual from Racine, Wis. called and asked for assistance getting in the United States Army.

I would like to say once again, thank you for all you've done for me.

You've done more than you'd suspect.

After a tour in Viet Nam and the army, one can't help but be changed.

I've learned more in the last 9½ months over here, than I could in a life time back in the "world."

The simple things of life have so much more meaning to me.

Its changed me for the rest of my life, all for the better.

I wish the people of the world could realize what a precious thing peace is. But, of course, the price of freedom will never be cheap.

I'm proud to have had the chance to serve in Viet Nam under our beautiful stars and stripes.

May we proudly fight for its honor forever.

Sincerely,

STAN CELME.

TROOP WITHDRAWAL

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

Mr. CONTE. Mr. Speaker, I rise to applaud the speech given by President Nixon Monday night. The announced withdrawal of an additional 50,000 troops is indeed encouraging. This brings the total cuts he has initiated to 110,000. I would remind my colleagues, in this regard, that the actual troop strength was 542,000 when President Nixon took office last January.

The President was quite candid, once again, about our lack of success at the negotiating table in Paris. His satisfaction, however, with the progress of Vietnamization was obvious. It reinforced similar enthusiasm shown by our former colleague, Secretary of Defense Mel Laird, on ABC's "Issues and Answers" on December 14.

Now, as many of my colleagues know, I have often been critical of U.S. policy in Vietnam. I will, of course, continue to raise my voice when I feel it is necessary to do so.

But I must say that I am very pleased by the tone, and the substance, of President Nixon's latest remarks. For the first time in many years, our brave young troops are coming home. The withdrawals have begun, and I fervently hope the process will continue until every last one is back with us.

I fully endorse this latest move by the President to extricate us from this conflict.

CEILING ON SPENDING

(Mr. ARENDS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, President Nixon yesterday referred to the ceiling we voted on spending last spring as a "rubber ceiling."

Unfortunately, the President was right. It is elastic.

We voted a ceiling that was only as good as our word and our intentions.

Which apparently are elastic, too.

Every time we have voted appropriations to stretch that ceiling we have also stretched our credibility with the American people.

And that credibility, Mr. Speaker, does not have as much give to it as either our fiscal ceiling or apparently, our solemn intentions.

If we continue ignoring our responsibilities in an effort to buy votes and popularity, at the price of those responsibilities we may find we have also lost our credibility with the American people.

Mr. Speaker, I believe it is time we quit thinking of how we can buy the affections of the people and begin thinking about how we can preserve the economy of our country.

CHRISTMAS GIFTS FROM CAPITOL HILL TO SOLDIERS IN VIETNAM

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

Mr. FINDLEY. Mr. Speaker, I would like to take this opportunity to thank the many Members of this body and the members of their staffs for the generous support which they have given to the project of sending Christmas gifts from Capitol Hill to soldiers in Vietnam. The cash income has been very good—more than $3,000—but we still have a problem.

The work center for getting the packages together and ready for shipment, the shipment that will be undertaken by air through the generosity of the airlines beginning Saturday morning—is in room 1302 of the Longworth House Office Building which is a subcommittee room of the House Committee on Agriculture. We need some help this afternoon in order to get these packages put together for shipment by air. So if any of you have an extra girl, send her up to that room so we can get the job completed.

AUTHORIZING THE RELEASE OF CERTAIN LAND-USE RESTRICTIONS ON A TRACT OF LAND AT EL PASO, TEX.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12535) to authorize the Secretary of the Army to release certain restrictions on a tract of land heretofore conveyed to the State of Texas in order that such land may be used for the city of El Paso North-South Freeway.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, if I remember correctly, this does not call for any expenditures from the Treasury?

Mr. BENNETT. Mr. Speaker, if the gentleman will yield, not a cent.

Mr. GROSS. The use of this land and the land to be taken for this highway purpose will revert to the Federal Government if it ceases to be used for that purpose?

Mr. BENNETT. That is correct.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 12535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to release or modify on behalf of the United States the land use restrictions and reservations applicable to a tract of land, constituting a portion of a 24.25-acre parcel of land in El Paso, Texas, heretofore conveyed for National Guard and military purposes by the United States to the State of Texas by deed dated November 4, 1954 pursuant to the Act of August 30, 1954 (68 Stat. 974), so that such tract, described in section 2 of this Act may be conveyed by the State of Texas to the city of El Paso as a right-of-way for the construction of the El Paso North-South Freeway.

SEC. 2. (a) The land referred to in section 1 of this Act is located in El Paso County, Texas, being 5.975 acres of land, more or less, out and a part of section 21, black 81, township 2, Texas and Pacific Railroad Company Survey, in El Paso County, Texas, and being a portion of the same land described in a Quitclaim Deed from the United States of America to State of Texas dated November 4, 1954, recorded in volume 1206, page 369, deed records of El Paso County, Texas, said 5.975 acres of land being more particularly described by metes and bounds as follows:

Beginning at a point which is the intersection of the proposed westerly right of way line of United States Highway 54 and the south line of Hayes Avenue, said point bears south 88 degrees 05 minutes 03 seconds east, a calculated distance of 1118.74 feet from the southeast corner of the Intersection of Hayes Avenue, and Pollard Street;

thence south 88 degrees 05 minutes 03 seconds east, 120.69 feet along the said south line of Hayes Avenue to the northeast corner of the Texas National Guard, said corner being a point in the Fort Bliss Military Reservation boundary line;

thence south 01 degrees 56 minutes 18 seconds west, 110.75 feet along the said Military Reservation boundary line to a point in the common property line between the Southern Pacific Railroad Company and the Texas National Guard;

thence south 16 degrees 54 minutes 24 seconds west, 846.56 feet along the said common property line to a point which is the southeast corner of the Texas National Guard;

thence north 86 degrees 38 minutes 45 seconds west, 407.07 feet along the south line of the Texas National Guard to a point in the said proposed westerly right-of-way line;

thence north 26 degrees 52 minutes 55 seconds east, 217.95 feet along the said proposed westerly right-of-way line to a point;

thence north 34 degrees 22 minutes 55 seconds east, 260.00 feet along the said proposed westerly right-of-way line to a point;

thence north 30 degrees 32 minutes 55 seconds east, 571.20 feet along the said proposed westerly right-of-way line to the point of beginning, containing an area of 5.975 acres of land, more or less.

(b) The above legal description may be modified, as agreed upon by the Secretary, the State and the city, consistent with any changes in the right-of-way alinement for the freeway, but in no event shall the total area of this tract exceed six acres.

SEC. 3. The release and conveyance authorized herein shall be upon the following terms and conditions:

(a) That the lands described in section 2 above shall be used only for public highway and related purposes, and if such property shall ever cease to be used for such purposes, all right, title, and interest to such property shall revert to the United States, which shall have the immediate right to entry thereon.

(b) That the structures and improvements presently located on, or adversely affected by, the property to be conveyed, shall be replaced in kind and constructed, at the expense of the city of El Paso, on the adjacent remaining lands of the State of Texas: *Provided,* That the plans for such replacement facilities shall first be approved by the State and the Secretary of the Army, and that no structure shall be removed until satisfactory replacement of the same has been made available.

(c) That the relocated replacement structures and facilities shall be subject to the same restrictions, use limitations and reversionary rights of the United States as set forth in the deed of November 4, 1954, to the State of Texas of the lands involved herein.

SEC. 4. The Secretary of the Army is authorized to impose such additional terms and conditions on the release authorized by this Act as he deems appropriate to protect the interests of the United Staets. All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this Act shall be borne by the city of El Paso.

Mr. BENNETT. Mr. Speaker, this bill would authorize the Secretary of the Army, upon certain conditions, to release or modify the land use restrictions as to approximately 6 acres out of a 24.25-acre parcel of land in El Paso, Tex., conveyed by the United States in 1954 to the State of Texas for National Guard and military purposes. The objective is to enable the State to convey this 6-acre tract to the city of El Paso for the construction of the El Paso North-South Freeway.

The lands involved, together with improvements, comprise a National Guard facility and were formerly a part of Fort Bliss. Pursuant to the act of August 30, 1954 (68 Stat. 974), the Secretary of the Army, by deed of November 4, 1954, conveyed this 24.25-acre parcel of land to the State of Texas subject to the conditions that first, the property be used primarily for training the National Guard and other military purposes, and if it ceased to be so used, title would revert to the United States; second, upon a declaration of war or national emergency the United States may reenter and use said property without charge; third, all minerals, oil and gas are reserved to the

United States; and fourth, rights-of-way for roads and utilities to serve other portions of Fort Bliss are also reserved to the United States.

The city of El Paso has requested the State of Texas to convey to it approximately 6 acres of this facility for the construction of the El Paso North-South Freeway. This is a federally assisted project designated as U.S. No. 54 highway. However, by reason of the statutory and deed restrictions, the State is unable to transfer this property for highway purposes.

H.R. 12535 provides the requisite authority for the Secretary of the Army to release the restrictions and reservations upon certain specified conditions: first, the lands conveyed shall be used only for highway and related purposes, and if such use ceases, title shall revert to the United States; second, all improvements affected shall be replaced in kind on the adjacent State land at the expense of the city; third, plans for the replacement structures are to be approved by the State and the Army; fourth, no structure will be removed until a replacement is available; and fifth, replacement facilities shall be subject to the same rights of the United States as in the deed to the State of November 4, 1954.

The Department of the Army considers that the release of the 6-acre tract as provided in H.R. 12535 would not adversely affect National Guard training or future military requirements, also that the proposed freeway will not be incompatible with present or future military requirements. Accordingly, the Department of the Army interposes no objection to the enactment of H.R. 12535.

Mr. WHITE. Mr. Speaker, I represent the 16th District of Texas, which includes Fort Bliss, the area to which H.R. 12535 pertains. This legislation authorizes and directs the Secretary of the Army to release or modify the land-use restrictions on a 5.975-acre tract of land.

This land is in the path of the proposed North-South Freeway through the Fort Bliss Military Reservation. The freeway is a Federal aid project, a part of U.S. Highway 54, beginning at the Mexican border, and proceeding northward through the city of El Paso and the Fort Bliss Military Reservation to the city limits, where it connects with the present U.S. 54.

Because this highway is equally to the interest of our military installation at Fort Bliss and the civilian community, Fort Bliss has conveyed to the State of Texas all of its own land in the area, as authorized under the Federal-aid Highway program. However, there is a 24.25-acre tract, within the Fort Bliss boundaries, which was conveyed to the State of Texas by the United States, on November 4, 1954, pursuant to an act of Congress of August 30, 1954. (68 Stat. 974). The entire tract, outlined in brown on the map, was conveyed to the State with certain restrictions, the pertinent one being that, should the property cease to be used for the training of the National Guard, and for other military purposes, title would revert to the United States.

This smaller area, at the extreme edge of the tract, is the area needed for the freeway. The Texas National Guard is ready to convey this to the State of Texas Highway Department for building the freeway, but is prevented from doing so by the restrictions which state that, when the property ceases to be used for National Guard or military purposes, it shall revert to the United States. My bill would simply remove those restrictions as they pertain to this area of 5.975 acres. The remainder of this area would continue to be used for National Guard training—and the buildings and equipment located on the smaller tract would be removed, at the expense of the State of Texas and the city of El Paso, to the remaining 18 acres of the tract. The Texas National Guard has stated this will be sufficient for its purposes.

Your committee has a favorable report on this bill, from both the Department of the Army, and the General Services Administration. In each case, the Bureau of the Budget reviewed the report, and advise that, from the standpoint of the administration program, there is no objection to the presentation of the favorable report to the committee.

The General Services Administration, in its report, stated that GSA would prefer that the land be conveyed by the Army to the State of Texas under the Federal aid highway program, I would like to report that the legal staff of the Army, and of the city of El Paso and the State of Texas, investigated this possibility and reported that legislation would be necessary. The General Services Administration therefore says it has no objection to H.R. 12535, which accomplishes the desired results.

The State Highway Department of Texas recently completed construction of Interstate 10, running east and west through the city of El Paso. Its effectiveness will be increased greatly if it can be matched with a major north-south traffic artery. Among its many benefits, it will make Fort Bliss a more effective and more desirable post. It will afford the military better access to the city of El Paso, the International Airport, other major highways, and to the various Fort Bliss training facilities to the north and east in New Mexico. It will also serve to strengthen, even further, the excellent relations between the military and civilian populations of our city, a pleasant relationship which has now existed for 120 years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUSTING THE LEGISLATIVE JURISDICTION OVER LANDS, ETHAN ALLEN, AND UNDERHILL, VT.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 59) to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range, Underhill, Vt.

The Clerk read the title of the Senate bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, am I correct in assuming that there will be no cost to the Federal Government by virtue of the enactment of this legislation and that there will be no loss of property; that is, by way of reversion to any subdivision of government in the State of Vermont?

Mr. BENNETT. The gentleman is precisely correct.

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

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 59

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the Secretary of the Army may, at such times as he may deem desirable, relinquish to the State of Vermont all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any land within the Army National Guard Facility, Ethan Allen, and the United States Army Materiel Command Firing Range, Chittenden County, Vermont, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under authority of this Act may be made by filing with the Governor of the State of Vermont a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Vermont in such manner as its laws may prescribe.

Mr. BENNETT. Mr. Speaker, S. 59 would authorize the Secretary of the Army to adjust jurisdiction now being exercised by the United States over lands within the Army National Guard facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range at Underhill, Vt.

Very simply, this bill would allow State and local officials in Vermont to exercise police jurisdiction over the two military installations.

At the present time, the United States is vested with legislative jurisdiction but neither the military departments nor the U.S. attorney's office located 70 miles away can furnish sufficient staff to provide the necessary police protection. The State and local officials, while willing to do so, are without legal authority to oversee these areas for the reason that exclusive jurisdiction is held by the United States. It is well established that, as long as the United States retains ownership of the subject lands, legislative jurisdiction cannot be revested in the State unless authorized by an act of Congress. It is anticipated that the ability to utilize the combined forces of the Federal, State, and local agencies will result in effective protection and law enforcement in the reservation areas.

This measure is identical to many previous enactments on the same subject with respect to other military reservations all over the United States.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks preceding the passage of the last two bills.

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

There was no objection.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to revise and extend their remarks and include tabular material with regard to the veterans' legislation being considered today.

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

There was no objection.

CARE AND TREATMENT OF VETERANS IN STATE VETERANS' HOMES

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9334) entitled "An act to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes," with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, strike out lines 15, 16, and 17.

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, this bill which passed the House unanimously on June 2, provided three amendments to the laws involving the care and treatment of veterans in State veterans homes. They first authorized the Administrator to pay each State for an eligible veteran cared for in a State home at the rate of $3.50 per day for domiciliary care, $5 for nursing home care, and $7.50 for hospital care.

The second provision authorized the Administrator on a matching fund basis for a period of 10 years to expend as much as $5 million in 1 year for the purpose of renovating and modernizing existing structures providing hospital and domiciliary care. A similar provision is already in effect for the construction of new nursing care facilities at State homes.

The last provision in the bill involved a change in the ratio of nursing care beds which is now 1½ beds per 1,000 war veteran population in a particular State. The house bill had raised this to three. The Senate deleted that provision so that the ratio remains at 1½. My motion would concur in the Senate amendment, thus leaving the ratio as it is today.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

VETERANS' EDUCATIONAL AMENDMENTS OF 1969

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11959), entitled "An act to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance, and special training allowance paid to eligible veterans and persons under such chapters," with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Veterans Education and Training Assistance Amendments Act of 1969".

TITLE I—INCREASE IN ALLOWANCES FOR EDUCATION AND TRAINING PROGRAMS; AMENDMENTS TO FLIGHT TRAINING AND FARM COOPERATIVE PROGRAMS

SEC. 101. Section 1504(b) of title 38, United States Code, is amended to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

"Column I	Column II	Column III	Column IV
Type of training	No dependents	One dependent	Two or more dependents
Institutional:			
Full-time	$160	$219	$255
Three-quarter-time	116	160	189
Half-time	80	109	124
Institutional on-farm, apprentice, or other on-job training: Full-time	138	182	219

Where any full-time trainee has more than two dependents and is not eligible to receive additional compensation as provided by section 315 or section 335 (whichever is applicable) of this title, the subsistence allowance prescribed in Column IV of the foregoing table shall be increased by an additional $7.30 per month for each dependent in excess of two."

SEC. 102. (a) Subsection (a) of section 1677 of title 38, United States Code, is amended by striking out the material preceding clause (1), and inserting in lieu thereof the following:

"(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally recognized as ancillary to the pursuit of a vocational endeavor other than aviation, subject to the following conditions:".

(b) The last sentence of subsection (b) of section 1677 of such title is amended by striking out "$130" and inserting in lieu thereof "$190".

(c) Section 1677 of such title is further amended by adding at the end thereof a new subsection as follows:

"(c)(1) In any case in which a veteran wishes to pursue a course in flight training under this section but does not possess a valid private pilot's license and has not satisfactorily completed the number of hours of flight instruction required for a private pilot's license, the Administrator is authorized to make a direct loan to such veteran to pursue the flight training required for a private pilot's license.

"(2) Loans made under this subsection may be made in any amount not exceeding $1,000 or 90 per centum of the established charges for tuition and fees which similarly circumstanced nonveterans enrolled in the same flight-training course are required to pay, whichever amount is less; and such loans shall bear interest at a rate determined by the Administrator, but not to exceed 6 per centum per annum.

"(3) Loans made under this section shall be repayable in equal monthly installments over a period of time not to exceed three years commencing (A) upon the failure of the eligible veteran to enter upon a course of training under subsection (a) of this section within one year after obtaining a private pilot's license, or (B) upon failure to satisfactorily complete such a course of training within one year after enrollment in a course of training under subsection (a) of this section.

"(4) Loans made under this section shall be made upon such other terms and conditions as may be prescribed by the Administrator."

SEC. 103. (a) The table (prescribing educational assistance allowance rates for eligible veterans pursuing educational programs on half-time or more basis) contained in paragraph (1) of section 1682(a) of title 38, United States Code, is amended to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two
Institutional:				
Full-time	$190	$218	$240	$15
Three-quarter-time	140	162	184	10
Half-time	90	107	119	7
Cooperative	155	177	199	10".

(b) Section 1682(b) of such title is amended by striking out "$130" and inserting in lieu thereof "$190".

(c) Section 1682(c)(2) of such title is amended by striking out "$130" and inserting in lieu thereof "$190".

(d) Section 1682(d) of such title is amended to read as follows:

"(d)(1) An eligible veteran who is enrolled in a 'farm cooperative' training program which provides for institutional and on-farm training and which has been approved by the appropriate State approving agency in accordance with the provisions of paragraph (2) of this subsection shall be eligible to receive an educational assistance allowance as follows: $153 per month, if he has no dependents; $182 per month, if he has one dependent; $211 per month, if he has two dependents; and $10 per month, for each dependent in excess of two.

"(2) The State approving agency may approve a farm cooperative training course when it satisfies the following requirements:

"(A) The course combines organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment; and the course pro-

vides for not less than one hundred hours of individual instruction per year, at least fifty hours of which shall be on a farm or other agricultural establishment (with at least two visits by the instructor to such farm or establishment each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

"(B) The course is developed with due consideration to the size and character of the farm or other agricultural establishment on which the eligible veteran will receive his supervised work experience and to the need of such eligible veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farming management, and the keeping of farm and home accounts.

"(C) The farm or other agricultural establishment on which the veteran is to receive his supervised work experience shall be of a size and character which will permit instruction in all aspects of the management of the farm or other agricultural establishment of the type for which the eligible veteran is being trained, and will provide the eligible veteran an opportunity to apply the major portion of the farm practices taught in the group instruction part of the course.

"(D) Provision shall be made for certification by the institution and the veteran that the training offered does not repeat or duplicate training previously received by the veteran.

"(E) The institutional on-farm training meets such other fair and reasonable standards as may be established by the State approving agency."

(e) The table (prescribing educational assistance allowance rates for eligible veterans pursuing an apprenticeship or other on-job training) contained in section 1683(b) of such title is amended to read as follows:

"Periods of training	No dependents	One dependent	Two or more dependents
First 6 months	$116	$131	$146
Second 6 months	87	102	116
Third 6 months	58	73	87
Fourth and any succeeding 6-month periods	29	43	58".

SEC. 104. (a) Section 1732(a) of title 38, United States Code, is amended to read as follows:

"(a) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate of (1) $190 per month if pursued on a full-time basis, (2) $140 per month if pursued on a three-quarter-time basis, and (3) $90 per month if pursued on a half-time basis."

(b) Section 1732(b) of such title is amended by striking out "$105" and inserting in lieu thereof "$155".

(c) Section 1742(a) of such title is amended to read as follows:

"(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on his behalf a special training allowance computed at the basic rate of $190 per month. If the charges for tuition and fees applicable to any such course are more than $59 per calendar month the basic monthly allowance may be increased by the amount that such charges exceed $59 a month, upon election by the parent or guardian of the eligible person to have such person's period of entitlement reduced by one day for each $6.20 that the special training allowance paid exceeds the basic monthly allowance."

SEC. 105. (a) Except as provided in subsections (b) and (c) of this section, the amendments made by this title shall become effective on the first day of the second calendar month which begins after the date of the enactment of this Act.

(b) Section 101, section 102(b), section 103, except subsection (d) thereof, and section 104 of this title shall become effective as of September 1, 1969.

(c) Any veteran enrolled in a farm cooperative course under section 1682(d) of title 38, United States Code, prior to the effective date prescribed in subsection (a) of this section may continue in such course to the end of the current academic year under the same terms and conditions that were in effect prior to such effective date.

TITLE II—SPECIAL ASSISTANCE FOR EDUCATIONALLY DISADVANTAGED VETERANS; PREDISCHARGE EDUCATION PROGRAM; VETERANS' OUTREACH SERVICES PROGRAM; MISCELLANEOUS AMENDMENTS TO VETERANS' AND DEPENDENTS' EDUCATION PROGRAMS

SEC. 201 (a) Subsection (b) of section 1652 of title 38, United States Code, is amended by adding at the end thereof a new sentence as follows: "Such term also means any curriculum of unit courses or subjects pursued at an educational institution which fulfill requirements for the attainment of more than one predetermined and identified educational, professional, or vocational objective if all the objectives pursued are generally recognized as being reasonably related to a single career field."

(b) Subsection (c) of section 1652 of such title is amended to read as follows:

"(c) The term 'educational institution' means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or other institution furnishing education for adults."

SEC. 202. (a) Chapter 34 of title 38, United States Code, is amended by—

(1) striking out "section 1678 of this title" in section 1661(c) and inserting "subchapters V and VI of this chapter";

(2) striking out section 1678; and

(3) adding at the end of chapter 34 the following new subchapters:

"SUBCHAPTER V—SPECIAL ASSISTANCE FOR THE EDUCATIONALLY DISADVANTAGED

"§ 1690. Purpose

"It is the purpose of this subchapter (1) to encourage and assist veterans who have academic deficiencies to attain a high school education or its equivalent and to qualify for and pursue courses of higher education, (2) to encourage and assist institutions of higher education and other educational institutions in the development of programs which provide special instruction, counseling, tutorial, and other educational and supplementary assistance to such veterans, and (3) to encourage and assist institutions of higher education and other educational institutions in the development of special educational programs and projects for such veterans.

"§ 1691. Elementary and secondary education and preparatory educational assistance

"(a) In the case of any eligible veteran who—

"(1) has not received a secondary school diploma (or an equivalency certificate) at the time of his discharge or release from active duty, or

"(2) in order to pursue a program of education for which he would otherwise be eligible, needs refresher courses, deficiency courses, or other preparatory or special educational assistance to qualify for admission to an appropriate educational institution,

the Administrator may, without regard to so much of the provisions of section 1671 as prohibit the enrollment of an eligible veteran in a program of education in which he is already qualified, approve the enrollment of such veteran in an appropriate course or courses or other special educational assistance program.

"(b) The Administrator shall pay to an eligible veteran pursuing a course or courses or program pursuant to subsection (a) of this section, an educational assistance allowance as provided in sections 1681 and 1682 of this title; except that (1) no enrollment in adult evening secondary school courses shall be approved in excess of half-time training as defined pursuant to section 1684 of this title; and (2) whenever enrollment in a special educational assistance program cannot feasibly be measured under section 1684, such a program shall be considered full-time training for purposes of this chapter when a minimum of twenty-five net clock hours per week of instruction or other supervised program work is required, and the Administrator shall prescribe the instruction or other work requirements for part-time training for any special educational assistance program.

"§ 1692. Special supplementary assistance

"In the case of any eligible veteran who is enrolled in and pursuing a course of education at an educational institution and who, because of a deficiency in his education or training, needs one or more refresher courses, counseling, tutorial, or remedial assistance, or some other form of special supplementary assistance in order to successfully pursue such course, the Administrator shall, on behalf of the veteran, reimburse the educational institution concerned the reasonable cost of providing such veteran with such special supplementary assistance. The amounts which shall be paid on behalf of an eligible veteran to any educational institution for special supplementary assistance provided him under this subchapter and the terms and conditions under which such assistance shall be provided shall be prescribed in regulations issued by the Administrator after consultation with the Commissioner of Education, but in no event shall the amounts exceed $100 per month on behalf of an eligible veteran.

"§ 1693. Grants and contracts

"(a) To carry out the purposes of this subchapter, the Administrator is authorized, in accordance with regulations issued by him after consultation with the Commissioner of Education, to make grants to and enter into contracts with institutions of higher education and other educational institutions to encourage and assist such institutions to—

"(1) plan and develop programs or projects in connection with the special educational and supplementary assistance programs authorized to be provided to eligible veterans by sections 1691 and 1692 of this title; and

"(2) plan, develop, strengthen, or conduct other special educational programs or projects for eligible veterans, including, but not limited to—

"(A) accelerated and concentrated educational programs;

"(B) educational programs extending beyond the usual period for completion of the course of study at an educational institution; and

"(C) encouraging and training such veterans to pursue public service occupations to meet community needs.

"(b) To carry out the purposes of this subchapter and those of subchapter IV of chapter 3 of this title, the Administrator is authorized, in accordance with regulations issued by him after consultation with appropriate departments and agencies of the Government referred to in section 242(6) of this title, to make grants to and enter into contracts with public and private non-profit organizations for the purpose of providing the outreach services specified in that subchapter to educationally disadvantaged eligible veterans.

"(c) There are authorized to be appropriated to carry out this section $15,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971.

"§ 1694. Effect on other benefits and on approval requirements

"(a) The benefits received by or on behalf of any veteran under this subchapter shall be paid without charge to any period of entitlement the veteran may have earned pursuant to section 1661(a) of this title and shall in no way affect his eligibility or qualification for benefits under other provisions of this title or under other provisions of law.

"(b) The provisions of sections 1673(d) and 1675 of this title shall not apply in the case of programs provided under sections 1691(a)(2), 1692, and 1693 of this title.

"SUBCHAPTER VI—PREDISCHARGE EDUCATION PROGRAM

"§ 1695. Purpose; definition

"(a) The purpose of this subchapter is to encourage and assist veterans in preparing for their future education, training, or vocation by providing them with an opportunity to enroll in and pursue a program of education or training prior to their discharge or release from active duty with the Armed Forces. The program provided for under this subchapter shall be known as the Predischarge Education Program (PREP).

"(b) For the purposes of this subchapter, the term 'eligible person' means any person serving on active duty with the Armed Forces who (1) has served on active duty not less than twelve consecutive months, and (2) has twelve months or less active duty service remaining prior to the time he is expected to be discharged or released from active duty, as certified to the Administrator by the Secretary concerned.

"§ 1696. Payment of training and education expenses

"(a) The Administrator shall, under such regulations as he shall prescribe jointly with the Secretary of Defense and the Commissioner of Education, pay the education and training expenses for any eligible person who enrolls in and pursues a course of education or training offered by an educational institution if such course of education or training is required for or preparatory to any progam of education or training or any vocation such eligible person intended to pursue after his discharge or release from active duty with the Armed Forces.

"(b) The education and training expenses which the Administrator shall pay under this subchapter on behalf of any eligible person shall include the cost of determining suitability for enrollment, job placement, and career guidance, and books and supplies furnished to the eligible person by the institution. In no event shall the Administrator pay more than $150 per month for any course of education or training pursued by any eligible person.

"(c) The cost of any education or training course paid for by the Administrator under this subchapter shall be paid directly to the educational institution furnishing such course.

"(d) In no event shall education or training expenses be paid on behalf of any eligible person for any period in excess of twelve months.

"§ 1697. Approved education or training courses and institutions

"The Administrator shall pay the expenses of a course of education or training pursued by an eligible person under this subchapter only if such course and the educational institution providing such course have been approved, without regard to sections 1673(d) and 1675 of this title, by the Administrator in accordance with regulations issued jointly by the Administrator, the Secretary of Defense, and the Commissioner of Education.

"§ 1698. Educational and vocational guidance

"The Administrator shall be responsible for arranging for and coordinating educational and vocational guidance and job placement assistance to persons eligible for education and training under this subchapter.

"§ 1699. Effect on educational entitlement and benefits

"(a) Education and training expenses under this subchapter shall be paid without charge to any period of entitlement an eligible person may earn pursuant to section 1661 (a) of this title.

"(b) No person shall be eligible to receive educational benefits under this subchapter for any period for which he is receiving an educational assistance allowance under subchapter IV of this chapter."

(b) The table of sections at the beginning of chapter 34 of title 38, United States Code, is amended by striking out

"1678. Special training for the educationally disadvantaged.";

and by adding at the end thereof the following:

"SUBCHAPTER V—SPECIAL ASSISTANCE FOR THE EDUCATIONALLY DISADVANTAGED

"1690. Purpose.
"1691. Elementary and secondary education and preparatory educational assistance.
"1692. Special supplementary assistance.
"1693. Grants and contracts.
"1694. Effect on other benefits and on approval requirements.

"SUBCHAPTER VI—PREDISCHARGE EDUCATION PROGRAM

"1695. Purpose; definition.
"1696. Payment of training and education expenses.
"1697. Approved education or training courses and institutions.
"1698. Educational and vocational guidance.
"1699. Effect on educational entitlement and benefits."

(c) Section 1681(a) of such title is amended by inserting ", except subchapter VI," immediately after "this chapter".

SEC. 203. (a) Section 1684(a) of title 38, United States Code, is amended by—

(1) striking out "and" after the semicolon in clause (2); and

(2) striking out clause (3) and inserting in lieu thereof the following:

"(3) an academic high school course requiring sixteen units for a full course shall be considered a full-time course when a minimum of four units per year is required. For the purpose of this paragraph, a unit is defined to be not less than one hundred and twenty sixty-minute hours or their equivalent of study in any subject in one academic year; and

"(4) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of fourteen semester hours or its equivalent is required; except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of semester hours, for which credit is granted toward a standard college degree, shall be considered a full-time course, but in the event such minimum number of semester hours under (B) is less than twelve hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course.

Notwithstanding the provisions of clause (4), a veteran shall be considered to be pursuing a full-time course at a junior college, college, or university if (A) he is carrying a number of semester hours, or the equivalent thereof, necessary to be considered a full-time course under clause (3), (B) credit is granted toward a standard college degree for not less than half the number of those hours, and (C) he is carrying one or more courses not paid for under section 1692 of this title and for which no credit is granted toward such a degree but which he is required to take because of a deficiency in his education."

(b) Section 1733(a)(3) of such title is amended to read as follows: "(3) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of fourteen semester hours or its equivalent is required; except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such a college or university with such minimum number of semester hours, for which credit is granted toward a standard college degree, shall be considered a full-time course, but in the event such minimum number of semester hours under clause (B) is less than twelve hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course."

SEC. 204. (a) Chapter 3 of title 38, United States Code, is amended by adding at the end thereof a new subchapter:

"SUBCHAPTER IV—VETERANS OUTREACH SERVICES PROGRAM

"§ 240. Purpose; definition

"(a) The Congress declares that the outreach services program authorized by this subchapter is for the purpose of insuring that all veterans, especially those who have been recently discharged or released from active military, naval, or air service and those who are eligible for readjustment or other benefits and services under laws administered by the Veterans' Administration and other governmental programs, receive personalized educational, vocational, social services, and job placement assistance in order to aid them in applying for and obtaining such benefits and services, in achieving a rapid social and economic readjustment to civilian life, and in obtaining a higher standard of living for themselves and their dependents. The Congress further declares that the outreach services program authorized by this subchapter is for the purpose of charging the Veterans' Administration with the affirmative duty of seeking out eligible

veterans and eligible dependents and providing them with such services through, to the maximum extent possible, one integrated Federal program which utilizes personnel who are able to communicate with and provide such assistance in the most effective and meaningful manner and which places maximum emphasis upon personal contact.

"(b) For the purposes of this subchapter (1) the term 'other governmental programs' shall include all programs under State or local laws as well as all programs under Federal law other than those authorized by this title, and (2) the term 'eligible dependent' shall mean an 'eligible person' as defined in section 1701(a)(1) of this title.

"§ 241. Veterans assistance centers and outreach services

"(a) The Administrator shall establish and maintain veterans assistance centers at such places throughout the United States, its territories, Commonwealths, and possessions, as he determines to be necessary to carry out the purposes of this subchapter, with due regard for the geographic distribution of veterans recently discharged or released from active military, naval, or air service, the special needs of educationally disadvantaged veterans, and the necessity of providing appropriate outreach services in less populated areas.

"(b) Veterans assistance centers shall seek especially to provide the outreach services provided for in this subchapter to educationally disadvantaged veterans and such centers shall, to the maximum practicable extent, be located in communities where large numbers of those veterans reside rather than in Federal or other business-district office buildings.

"(c) Special efforts shall be made to employ at veterans assistance centers veterans who themselves reside in the community served or in similar communities and, where possible, who themselves have received assistance from such centers. Personnel assigned to such centers shall be selected with major regard to their ability to communicate with and provide the outreach services authorized in this subchapter directly to educationally disadvantaged veterans in the most effective and meaningful manner.

"(d) Those outreach services that the Administrator shall provide to all eligible veterans and eligible dependents shall include, but shall not be limited to, the following:

"(1) The distribution of full information regarding all benefits and services to which they may be entitled under laws administered by the Veterans' Administration and to which they are entitled under other governmental programs, including training and manpower programs.

"(2) Arranging for and conducting, to the maximum extent possible, person-to-person interviews to explain and answer questions regarding the programs referred to in paragraph (1), and planning an individual program of education, training, or employment as may be best suited to the eligible veteran or eligible dependent concerned, and, in the case of an eligible veteran, an individual program which will also aid him in making a rapid social and economic readjustment to civilian life.

"(3) Providing job and other appropriate referrals and job placement assistance when appropriate, undertaking especially to match the particular qualifications of an eligible veteran or eligible dependent with an available job, on-job training opportunity, or apprenticeship opportunity which is commensurate with his qualifications or vocational objectives, and, if every effort to locate such an opportunity in his home area reveals no such opportunity, furnishing him with a listing of such opportunities available in other parts of the Nation.

"(4) Providing social and other special services necessary to aid them in obtaining maximum assistance from the benefits and services to which they are entitled.

"(5) Providing aid and assistance in the preparation and presentation of claims under this title and in connection with any other governmental program.

"(6) Maintaining full records of the outreach services offered and conducting periodic followup checks to determine the success of individual assistance provided and the success of the program generally.

"(e)(1) The Administrator shall pay the reasonable travel expenses, including per diem for food and necessary lodging, of any eligible veteran or eligible dependent in connection with any interview of such veteran or dependent with an employer or training or apprenticeship director where such interview results from services provided through the outreach services program. The amount paid to any veteran or dependent under this paragraph as a per diem allowance and for travel expenses shall not exceed the amount authorized for such purposes under the Standardized Government Travel Regulations.

"(2) The Administrator shall pay a reasonable moving allowance to any eligible veteran or eligible dependent who obtains employment or is placed in a training or apprenticeship program as a result of services provided through the outreach services program, if (A) every effort made to locate suitable employment or placement in a training or apprenticeship program in the veteran's or dependent's home area has revealed no such opportunity, (B) a moving allowance or similar relocation assistance is not available under any other existing Federal program, and (C) a moving allowance is not provided as a matter of established policy by the employer or by the training or apprenticeship program in which the veteran or dependent is to participate. Such allowance may include reasonable travel expenses for the veteran or dependent and dependent members of his immediate family; reasonable expenses for moving his personal effects and household goods; and reasonable expenses for lodging for not more than a two-week period while seeking housing in the new location. In no case may the amount paid for moving the personal effects and household goods of a veteran or dependent exceed the maximum amount authorized to be paid pursuant to regulations issued by the President under section 5724 of title 5, United States Code, in connection with the transfer of an employee of the Federal Government.

"(3) The Administrator shall, after consultation with the Secretary of Labor, prescribe regulations to carry out the provisions of this subsection.

"(f) To the maximum extent possible, the Administrator shall begin providing the outreach services authorized in this subchapter to members of the Armed Forces prior to their discharge or release from active duty. Such services shall be provided such members at Army, Navy, and Air Force installations, especially those in foreign countries, pursuant to the authority of section 231 of this title.

"§ 242. Coordination with Federal and other agencies

"In carrying out the purposes of this subchapter, the Administrator shall—

"(1) utilize the facilities and services of any other Federal department or agency pursuant to proper agreement with the Federal department or agency concerned;

"(2) cooperate with and use the services of any State or local governmental agency or recognized national or other organization;

"(3) where appropriate, make referrals to any Federal department or agency or State or local governmental unit or recognized national or other organization;

"(4) at his discretion, make payment to cover the cost of services either in advance or by way of reimbursement as may be provided by agreement with any such Federal department or agency, State or local governmental unit or other organization;

"(5) at his discretion, furnish available space and office facilities for the use of authorized representatives of such governmental unit or other organization providing services under contract or agreement; and

"(6) conduct studies, in consultation and coordination with the Department of Health, Education, and Welfare, the Office of Economic Opportunity, the Department of Defense, the Department of Labor, the Department of Housing and Urban Development, and the Urban Affairs Council, to determine the most effective program design to carry out the purposes of this subchapter with respect to locating educationally disadvantaged veterans and assisting and motivating them to pursue education and training under this title.

"§ 243. Reports to Congress

"The Administrator shall submit to the Congress not later than September 1 and March 1 each year a report on the activities carried out under this subchapter, each report to include (1) an appraisal of the effectiveness of the programs authorized herein and the degree of cooperation received from other Federal departments, agencies, other governmental programs, and service organizations, with particular reference to section 241(d)(6) and 242(6) of this title, and (2) recommendations for the improvement or more effective administration of such programs."

(b) The table of sections at the beginning of chapter 3 of such title is amended by inserting immediately after

"236. Administrative settlement of tort claims arising in foreign countries."

the following:

"SUBCHAPTER IV—VETERANS OUTREACH SERVICES PROGRAM

"240. Purpose; definition.
"241. Veterans assistance centers and outreach services.
"242. Coordination with Federal and other agencies.
"243. Reports to Congress."

SEC. 205. Section 1677(a)(1) of such title is amended by deleting "or must have satisfactorily completed the number of hours of flight training instruction required for a private pilot's license,".

SEC. 206. Section 1681(d) of title 38, United States Code, is amended by inserting below clause (2) the following: "Notwithstanding the foregoing, the Administrator may pay an educational assistance allowance representing the initial payment of an enrollment period, not exceeding one full month, upon receipt of a certificate of enrollment."

SEC. 207. Section 1712 of title 38, United States Code, is amended by—

(1) deleting in subsection (a)(3) the words "first occurs" immediately preceding "(A)" and inserting in lieu thereof "last occurs"; and

(2) adding at the end thereof a new subsection as follows:

"(e) The term 'first finds' as used in this section means the effective date of the rating or date of notification to the veteran from whom eligibility is derived establishing a service-connected total disability permanent in nature, whichever is more advantageous to the eligible person."

SEC. 208. (a) Chapter 35 of title 38, United States Code, is amended by adding at the end of subchapter VI thereof a new section as follows:

"§ 1763. Notification of eligibility

"The Administrator shall notify the parent or guardian of each eligible person defined in

section 1701(a)(1)(A) of this chapter of the educational assistance available to such person under this chapter. Such notification shall be provided not later than the month in which such eligible person attains his thirteenth birthday or as soon thereafter as feasible."

(b) The table of sections at the beginning of chapter 35 of such title is amended by inserting immediately below

"1762. Nonduplication of benefits."

the following:

"1763. Notification of eligibility."

SEC. 209. Chapter 36 of title 38, United States Code, is amended as follows:

(1) by inserting at the end of section 1772 thereof the following new subsection (c):

"(c) In the case of programs of apprenticeship where—

"(1) the standards have been approved by the Secretary of Labor pursuant to section 50a of title 29 as a national apprenticeship program for operation in more than one State, and

"(2) the training establishment is a carrier directly engaged in interstate commerce which provides such training in more than one State,

the Administrator shall act as a 'State approving agency' as such term is used in section 1683(a)(1) of this title and shall be responsible for the approval of all such programs.";

(2) by deleting section 1781 of subchapter II in its entirety and inserting in lieu thereof the following:

"§ 1781. Limitations on educational assistance

"No educational allowance or special training allowance granted under chapter 34 or 35 of this title shall be paid to any eligible person (1) who is on active duty and is pursuing a course of education which is being paid for by the Armed Forces (or by the Department of Health, Education, and Welfare in the case of the Public Health Service); or (2) who is attending a course of education or training paid for under the Government Employees' Training Act and whose full salary is being paid to him while so training."; and

(3) by deleting in the table of sections at the beginning of such chapter the following:

"1781. Nonduplication of benefits."

and inserting in lieu thereof the following:

"1781. Limitations on educational assistance."

SEC. 210. The amendments made by this title shall become effective on the first day of the second calendar month which begins after the date of enactment of this Act, except that the amendments made by section 208 shall become effective July 1, 1970.

Amend the title so as to read: "An Act to amend title 38, United States Code, to increase the rates of vocational rehabilitation, and special training assistance allowances paid to eligible veterans and eligible persons under such title; to improve the flight training and farm cooperative programs; to provide educational assistance to veterans attending elementary school; to provide special assistance to educationally disadvantaged veterans; to provide for a predischarge education program and a veterans' outreach services program; to reduce under certain circumstances the number of semester hours that a veteran must carry in an institutional undergraduate college course in order to qualify for a full-time educational assistance allowance; and for other purposes."

Mr. TEAGUE of Texas (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

There was no objection.

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House concur in the Senate amendments with an amendment, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Veterans Educational Amendments of 1969".

TITLE I—INCREASE IN EDUCATIONAL AND VOCATIONAL REHABILITATION SUBSISTENCE ALLOWANCES

SEC. 101. Section 1504(b) of title 38, United States Code, is amended to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

"Column I	Column II	Column III	Column IV
Type of training	No dependents	One dependent	Two or more dependents
Institutional:			
Full time	$130	$176	$205
Three-quarter time	95	130	153
Half time	65	89	100
Institutional on-farm, apprentice, or other on-job training: Full time	113	148	176

Where any full-time trainee has more than two dependents and is not eligible to receive additional compensation as provided by section 315 or section 335 (whichever is applicable) of this title, the subsistence allowance prescribed in Column IV of the foregoing table shall be increased by an additional $6 per month for each dependent in excess of two."

SEC. 102. Section 1677(b) of title 38, United States Code, is amended by striking out in the last sentence thereof "$130" and inserting in lieu thereof "$170".

SEC. 103. (a) The table (prescribing educational assistance allowance rates for eligible veterans pursuing educational programs on half-time or more basis) contained in paragraph (1) of section 1682(a) of title 38, United States Code, is amended to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two
Institutional:				
Full-time	$170	$200	$225	$13
Three-quarter-time	125	149	174	10
Half-time	79	97	110	7
Cooperative	138	162	187	10".

(b) Section 1682(b) of such title is amended by striking out "$130" and inserting in lieu thereof "$170".

(c) Section 1682(c)(2) of such title is amended by striking out "$130" and inserting in lieu thereof "$170".

(d) The table contained in section 1682(d)(2) of such title is amended to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Basis	No dependents	One dependent	Two dependents	More than two dependents
				The amount in Column IV, plus the following for each dependent in excess of two:
Full time	$138	$162	$187	$10
Three-quarter time	99	117	136	7
Half-time	66	78	91	4".

(e) The table (prescribing educational allowance rates for eligible veterans pursuing an apprenticeship or other on-job training) contained in section 1683(b) of such title is amended to read as follows:

"Periods of training	No dependents	One dependent	Two or more dependents
First 6 months	$105	$117	$129
Second 6 months	79	91	103
Third 6 months	53	65	78
Fourth and any succeeding 6-month periods	27	39	52".

SEC. 104. (a) Section 1732(a) of title 38, United States Code, is amended to read as follows:

"(a)(1) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate of (A) $170 per month if pursued on a full-time basis, (B) $125 per month if pursued on a three-quarter-time basis, and (C) $79 per month if pursued on a half-time basis.

"(2) The educational assistance allowance on behalf of an eligible person pursuing a program of education on less than a half-time basis shall be computed at the rate of (A) the established charges for tuition and fees which the institution requires other individuals enrolled in the same program to pay, or (B) $170 per month for a full-time course, whichever is the lesser."

(b) Section 1732(b) of such title is amended by striking out "$105" and inserting in lieu thereof "$138".

(c) Section 1732 of such title is further amended by deleting subsection (c).

(d) Section 1742(a) of such title is amended to read as follows:

"(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on his behalf a special training allowance computed at the basic rate of $170 per month. If the charges for tuition and fees applicable to any such course are more than $54 per calendar month the basic monthly allowance may be increased by the amount that such charges exceed $54 a month, upon election by the parent or guardian of the eligible person to have such person's period of entitlement reduced by one day for each $5.60 that the special training allowance paid exceeds the basic monthly allowance."

TITLE II—MISCELLANEOUS AMENDMENTS TO VETERANS' AND DEPENDENTS' EDUCATION PROGRAMS

SEC. 201. (a) Subsection (b) of section 1652 of title 38, United States Code, is amended by adding at the end thereof a new sentence as follows: "Such term also means

any curriculum of unit courses or subjects pursued at an educational institution which fulfill requirements for the attainment of more than one predetermined and identified educational, professional, or vocational objective if all the objectives pursued are generally recognized as being reasonably related to a single career field."

(b) Subsection (c) of section 1652 of such title is amended to read as follows:

"(c) The term 'educational institution' means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or other institution furnishing education for adults."

SEC. 202. (a) Section 1673(a) of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall not approve the enrollment of an eligible veteran in—

"(1) any (A) bartending course, or personality development course, or (B) any sales or sales management course which does not provide specialized training within a specific vocational field; or

"(2) any type of course which the Administrator finds to be avocational or recreational in character unless the veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation."

(b) Section 1673 of such title is further amended by adding at the end thereof a new subsection as follows:

"(e) The Administrator shall not approve the enrollment of any eligible veteran in an apprentice or other on the job training program where he finds that by reason of prior training or experience such veteran is performing or is capable of performing the job operations of his objective at the same performance level as the journeyman in the occupation."

SEC. 203. (a) Subsection (a) of section 1677 of title 38, United States Code, is amended by striking out the material preceding clause (1), and inserting in lieu thereof the following:

"(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally recognized as ancillary to the pursuit of a vocational endeavor other than aviation, subject to the following conditions:".

(b) Section 1677(a)(1) of such title is amended by deleting "or must have satisfactorily completed the number of hours of flight training instruction required for a private pilot's license,".

SEC. 204. Section 1681(d) of title 38, United States Code, is amended by inserting below clause (2) the following: "Notwithstanding the foregoing, the Administrator may pay an educational assistance allowance representing the initial payment of an enrollment period, not exceeding one full month, upon receipt of a certificate of enrollment."

SEC. 205. Section 1682 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(e) If a program of education is pursued by an eligible veteran at an institution located in the Republic of the Philippines, the educational assistance allowance computed for such veteran under this section shall be paid at a rate in Philippine pesos equivalent to $0.50 for each dollar."

SEC. 206. Section 1684(a) of title 38, United States Code, is amended by—

(a) striking out "and" after the semicolon in clause (2);

(b) inserting at the end of clause (3) thereof the following:

"Notwithstanding the provisions of clause (3), a veteran shall be considered to be pursuing a full-time course at a junior college, college, or university if (A) he is carrying a number of semester hours, or the equivalent thereof, necessary to be considered a full-time course under clause (3), (B) credit is granted toward a standard college degree for not less than half the number of those hours, and (C) he is carrying one or more courses for which no credit is granted toward such a degree but which he is required to take because of a deficiency in his education; and"; and

(c) adding at the end thereof a new clause (4) as follows:

"(4) an academic high school course requiring sixteen units for a full course shall be considered a full-time course when a minimum of four units per year is required. For the purpose of this clause, a unit is defined to be not less than one hundred and twenty sixty-minute hours or their equivalent of study in any subject in one academic year."

SEC. 207. Section 1712 of title 38, United States Code, is amended by—

(a) deleting in subsection (a)(3) the words "first occurs" immediately preceding "(A)" and inserting in lieu thereof "last occurs"; and

(b) adding at the end thereof a new subsection as follows:

"(c) The term 'first finds' as used in this section means the effective date of the rating or date of notification to the veteran from whom eligibility is devised establishing a service-connected total disability permanent in nature, whichever is more advantageous to the eligible person."

SEC. 208. Section 1723(a) of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall not approve the enrollment of an eligible person in—

"(1) any (A) bartending course, or personality development course, or (B) any sales or sales management course which does not provide specialized training within a specific vocational field; or

"(2) any type of course which the Administrator finds to be avocational or recreational in character unless the eligible person submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation."

SEC. 209. Section 1732 of title 38, United States Code, is amended by adding at the end thereof a new subsection (d) as follows:

"(d) If a program of education is pursued by an eligible person at an institution located in the Republic of the Philippines, the educational assistance allowance computed for such person under this section shall be paid at a rate in Philippine pesos equivalent to $0.50 for each dollar."

SEC. 210. Section 1772 of title 38, United States Code, is amended by adding at the end thereof a new subsection (c) as follows:

"(c) In the case of programs of apprenticeship where—

"(1) the standards have been approved by the Secretary of Labor pursuant to section 50a of title 29 as a national apprenticeship program for operation in more than one State, and

"(2) the training establishment is a carrier directly engaged in interstate commerce which provides such training in more than one State,

the Administrator shall act as a 'State approving agency' as such term is used in section 1683(a)(1) of this title and shall be responsible for the approval of all such programs."

SEC. 211. Chapter 36 of title 38, United States Code, is amended as follows:

(a) by deleting section 1781 of subchapter 11 in its entirety and inserting in lieu thereof the following:

"§ 1781. Limitations on educational assistance

"No educational allowance or special training allowance granted under chapter 34 or 35 of this title shall be paid to any eligible person (1) who is on active duty and is pursuing a course of education which is being paid for by the Armed Forces (or by the Department of Health, Education, and Welfare in the case of the Public Health Service); or (2) who is attending a course of education or training paid for under the Government Employees' Training Act and whose full salary is being paid to him while so training."; and

(b) by deleting in the table of sections at the beginning of such chapter the following:

"1781. Nonduplication of benefits."

and inserting in lieu thereof the following:

"1781. Limitations on educational assistance."

SEC. 212. (a) Section 504 of the Act of October 15, 1968, entitled "An Act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes" is hereby repealed.

(b) Section 506 of the Act of October 16, 1968, entitled "An Act to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related Acts" is hereby repealed.

TITLE III—EFFECTIVE DATE

SEC. 301. The amendments made by this Act shall become effective on the first day of the second calendar month which begins after the date of the enactment of this Act.

Amend the title so as to read as follows: "To amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance, and special training allowance paid to eligible veterans and persons under such chapters; to amend chapters 34, 35, and 36 of such title to make certain improvements in the educational programs for eligible veterans and dependents; and for other purposes."

Mr. TEAGUE of Texas (during the reading). Mr. Speaker, I ask unanimous consent that the amendment to the Senate amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the motion which I have made preserves the integrity of the House action while at the same time offering a real basis for compromise with the Senate on a reasonable proposal which will do justice and equity to those involved. I have proposed a slight increase in the rates which now amount to more than a 31.8-percent increase for those taking training under the so-called GI bill of rights and approximately 17 percent for those under the vocational rehabilitation program which have their educational costs paid. I hope that speedy concurrence can be had in the other body and that we can send this proposal to the White House so that the beneficiaries may have this increase at the earliest possible time.

I include the following comparative tabulation:

COMPARATIVE PRINT OF H.R. 11959 AS PASSED HOUSE; H.R. 11959 AS PASSED SENATE; HOUSE SUBSTITUTE AMENDMENT; AND CURRENT LAW

Provision	House-passed version	Senate-passed version	House substitute amendment	Present law
Vocational rehabilitation subsistence rates:				
Col. I: Type of training	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 or more dependents	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 or more dependents	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 or more dependents	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 or more dependents
Institutional:				
Full-time	$127 / $173 / $201	$160 / $129 / $255	$130 / $176 / $205	$110 / $150 / $175
Three-quarter-time	92 / 127 / 150	116 / 160 / 189	95 / 130 / 153	80 / 110 / 130
Half-time	63 / 86 / 98	80 / 109 / 124	65 / 89 / 100	55 / 75 / 85
Institutional on farm, apprenticeship or other on-job training: Full-time	109 / 144 / 173	138 / 182 / 219	113 / 148 / 176	95 / 125 / 150
Additional amount for dependents in excess of 2	$6 ($4.0 million)	$7.30 ($12.3 million)	$6 ($4.8 million)	$5.
Flight training program:				
Ancillary flight training	No provision	Provision made (Nominal)	Provision made (Nominal)	No provision.
Monthly rate of charge against entitlement	$165 ($13.2 million)	$190 ($22.3 million)	$170 ($14.9 million)	$130.
Loans for pursuit of private pilot's license	No provision	Provision made ($10.9 million)	No provision	No provision.
Repeal of equivalency alternative	Identical to provision of H.R. 6808 (No cost)	do (No cost)	Provision made (No cost)	Alternative presently contained in current law.
Educational assistance allowance rates:				
Col. I: Type of program	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 dependents / Col. V: More than 2 dependents	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 dependents / Col. V: More than 2 dependents	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 dependents / Col. V: More than 2 dependents	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 dependents / Col. V: More than 2 dependents
	The amount in col. IV, plus the following for each dependent in excess of 2:	The amount in col. IV, plus the following for each dependent in excess of 2:	The amount in col. IV, plus the following for each dependent in excess of 2:	The amount in col. IV, plus the following for each dependent in excess of 2:
Institutional:				
Full-time	$165 / $197 / $222 / $13	$190 / $218 / $240 / $15	$170 / $200 / $225 / $13	$130 / $155 / $175 / $10
Three-quarter-time	121 / 147 / 170 / 9	140 / 162 / 184 / 10	125 / 149 / 174 / 10	95 / 115 / 135 / 7
Half-time	78 / 96 / 109 / 7	90 / 107 / 119 / 7	79 / 97 / 110 / 7	60 / 75 / 85 / 5
Cooperative	133 / 150 / 184 / 9	155 / 177 / 199 / 10	138 / 162 / 187 / 10	105 / 125 / 145 / 7
	($140.2 million)	($210.6 million)	($151.0 million)	
Active duty; less than half-time	Tuition cost, not to exceed full-time rate of $165. ($10.2 million)	Tuition cost, not to exceed full-time rate of $190. ($17.4 million)	Tuition cost, not to exceed full-time rate of $170. ($11.6 million)	Tuition cost, not to exceed full-time rate of $130
Correspondence course monthly entitlement charge	$165 ($11.1 million)	$190 ($19 million)	$170 ($12.7 million)	$130.
Farm cooperative training:				
Col. I: Basis	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 dependents / Col. V: More than 2 dependents	Eliminates existing program with savings clause.	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 dependents / Col. V: More than 2 dependents	Col. II: No dependents / Col. III: 1 dependent / Col. IV: 2 dependents / Col. V: More than 2 dependents
	The amount in col. IV, plus the following for each dependent in excess of 2:		The amount in col. IV, plus the following for each dependent in excess of 2:	The amount in col. IV, plus the following for each dependent in excess of 2:
Full-time	$133 / $159 / $184 / $9		$138 / $162 / $187 / $10	$105 / $125 / $145 / $7
Three-quarter-time	96 / 116 / 134 / 6		99 / 117 / 136 / 7	75 / 90 / 105 / 5
Half-time	64 / 77 / 90 / 4		66 / 78 / 91 / 4	50 / 60 / 70 / 3
	($0.2 million)		($0.2 million)	
Korean conflict type on-farm program	No provision	Provision made (rates): $153, no dependents; $182, 1 dependent; $211, 2 dependents; $10 each dependent in excess of 2. ($0.9 million)	No provision	No provision.

Apprenticeship and other on-the-job training:

Periods of training	No dependents	1 dependent	2 or more dependents	No dependents	1 dependent	2 or more dependents	No dependents	1 dependent	2 or more dependents	No dependents	1 dependent	2 or more dependents
1st 6 months	$102	$114	$127	$116	$131	$146	$105	$117	$129	$80	$90	$100
2d 6 months	76	89	102	87	102	116	79	91	103	60	70	80
3d 6 months	51	64	76	58	73	87	53	65	78	40	50	60
4th and any succeeding 6-month periods	25	38	51	29	43	58	27	39	52	20	30	40
War orphans, widows, and wives education rates:			($11.9 million)			($19.9 million)			($13.0 million)			
Institutional:												
Full-time	$165			$190			$170			$130.		
Three-quarter-time	$121			$140			$125			$95.		
Half-time	$76			$90			$79			$60.		
Less than half-time	No provision			No provision			Tuition cost, not to exceed full-time rate of $170			No provision.		
Cooperative	$133			$155			$138			$105.		
Special restorative training	$165			$190			$170			$130.		
Increased allowances with reduction in entitlement.	Reduced 1 day for each $5.30 on tuition amount over $50 per month ($15.7 million)			Reduced 1 day for each $6.20 on tuition amount over $59 per month ($26.8 million)			Reduced 1 day for each $5.60 on tuition amount over $54 per month ($17.9 million)			Reduced 1 day for each $4.25 on tuition amount over $41 per month.		
Permits dual educational-vocational objectives	No provision			Provision made (Nominal)			Provision made (Nominal)			No provision.		
Elementary level education	No provision			Provision made (Nominal)			Provision made (Nominal)			No provision.		
Special assistance for educationally disadvantaged veterans	No provision			Provision made ($15 million)			No provision			More limited program (38 U.S.C. 1678).		
Predischarge education program	No provision			Provision made ($22 million)			No provision			No provision.		
Veterans outreach services program	No provision			Provision made ($20.5 million)			No provision			Limited program under authority of sec. 231 and 3311 of title 38, U.S.C.		
Full-time academic high school course defined	Provision made (Nominal)			Provision made (Nominal)			Provision made (Nominal)			Measured on clock-hour basis (38 U.S.C. 1684).		
Measurement of full-time college undergraduate course under chs. 34 and 35	No provision			Liberalizes 14-hour requirement ($0.9 million)			No provision			Requires 14-hour minimum.		
Notwithstanding Clause—Non-credit deficiency course counted toward full-time pursuit	No provision			Provision made (Nominal)			Provision made (Nominal)			No provision.		
Earlier initial payment for below college training	Provision made in H.R. 6808 (Nominal)			Provision made (Nominal)			Provision made (Nominal)			No provision.		
Liberalization of periods of eligibility for children under ch. 35 and certain widows and wives	Provision made in H.R. 6808 (Nominal)			Provision made (Nominal)			Provision made (Nominal)			No provision.		
Notification of eligibility of children under ch 35	No provision			Provision made (No cost)			No provision			No provision.		
Approval of interstate transportation apprenticeship programs	Provision made in H.R. 6808 (Nominal)			Provision made (Nominal)			Provision made (Nominal)			No provision.		
Modification on nonduplication of Federal benefits bar.	Provision made in H.R. 6808 ($1.5 million)			Provision made ($1.5 million)			Provision made ($1.5 million)			More stringent requirements (38 U.S.C. 1781).		
Avocational-Recreational Curb:[1]												
Applicable to veterans	Provided only in H.R. 6808			No provision			Provision made			Provides certain limitations.		
Applicable to dependents	Provided only in H.R. 6808 (No cost)			No provision			Provision made (No cost)			Provides certain limitations.		
Apprenticeship limitation[1]	Provided only in H.R. 6808 (No cost)			No provision			Provision made (No cost)			More liberal provision.		
Philippine Education Payment:[1]												
Applicable to veterans	Provided only in H.R. 6808			No provision			Provision made			More liberal provision.		
Applicable to dependents	Provided only in H R. 6808 (Savings: $1.35 million)			No provision			Provision made (Savings: $1.35 million)			More liberal provision.		
Nonduplication Law Repeals:[1]												
Public Health Service	Provided only in H.R. 6808			No provision			Provision made			Not applicable.		
Higher Education Act	Provided only in H.R. 6808 (No cost)			No provision			Provision made (No cost)			Not applicable.		
Effective dates:												
Rates	1st day of 2d calendar month beginning after date of enactment.			Sept. 1, 1969			1st day of 2d calendar month beginning after date of enactment.			Not applicable.		
Notification of children's eligibility	Not applicable			July 1, 1970			No provision			Do.		
All other provisions	1st day of 2d calendar month beginning after date of enactment.			1st day of 2d calendar month beginning after date of enactment.			1st day of 2d calendar month beginning after date of enactment.			Do.		
Farm cooperative: Savings clause	Not applicable			Provision made			No provision			Do.		
Total first Year Cost	($208 million)			($400 million)			($226.25 million)					

Note: (1) H.R. 6808 was passed by the House of Representatives May 19, 1969.
(2) The costs of all itmes through the War orphans, widows and wives education rates column are costed on a first-year basis and therefore are not identical with those shown for fiscal year 1970 on page 69 of Senate Report No. 91-487. All items below that category are for fiscal year 1970 and reflect an effective date of January 1, 1970.

[1] These provisions were contained only in H.R. 6808 as passed by the House and were not included in either the House or Senate passed version of H.R. 11959. The savings which would result from inclusion of the Philippine "peso rate" formula are not reflected in the total first-year cost figures on H.R. 11959, except in the House substitute amendment.

Mr. Speaker, as chairman of the House Veterans' Affairs Committee, I have tried to cooperate with the administration on veterans matters. I fully understand the President's desire to balance the budget and I, too, recognize that the taxpayers cannot make an unlimited commitment to veterans programs. I think my record of responsibility in this field is sufficient evidence to establish my own concern. I have tried to understand the administration's position that the Senate approved 46 percent increase in educational benefits for returning Vietnam veterans was more than the administration wanted, and I understand the Senate has been advised of the possibility of a Presidential veto. It is in an effort to cooperate and avoid a veto that has led me to insist on the House rates with only a small increase, and send this bill back to the Senate.

I should add that the Senate approval of 46 percent is completely understandable if one is to accept the President's own words that the Nation must do more to encourage Vietnam veterans in the educational field. Nevertheless, the later plea for restraint was heard, and we are attempting to cooperate with the administration request. I hope the Senate will accept the House bill and the President will sign it.

This acquiesence to the President's request on educational benefits was done in the spirit of cooperation. However, there is absolutely no basis on which I can go along with the administration actions, which if allowed to stand, will wreck the VA hospital program. The administration policies are undermining the veterans medical program to the point of dangerous dilution in quality. The administration has canceled or delayed needed construction. It has denied needed air conditioning. It has refused funds to staff and operate lifesaving modern equipment already purchased and installed that stands idle while sick and dying veterans are denied the innovative care these facilities can provide.

The Veterans' Administration hospital system has long been considered among the best of Government-operated medical facilities, and this Nation has prided itself in its service to those who have borne the burden of battle. A bipartisan attitude has long prevailed in Congress in the funding of an adequate medical program for America's veterans, and in providing for the educational and housing needs of returning servicemen. We in Congress, of both parties, have always acted in the belief that the finest medical care should be made available to those who served their country in uniform, and especially to those who returned home suffering wounds and service-connected disabilities. The construction program which is being curtailed by the Nixon administration was devised by the Eisenhower administration in cooperation with the Congress.

The present administration has broken that tradition of support for an adequate medical program for our veterans. The actions by the Nixon administration, including the failure of the White House to even respond to urgent pleas to inform the President of the seriousness of the situation, leads me to the irrefutable conclusion that the administration is willing to reduce medical care in VA hospitals to a second class status and to ignore the medical and other pressing needs of returning Vietnam veterans. We are told this is a part of the war on inflation. I take the position that the Vietnam veteran has contributed enough when he fights the shooting war and that he should not be expected to fight the inflation war too, at the expense of his health.

I have sought, through the usual channels and through a personal call to the White House, to bring to the attention of the President the deterioration and serious crisis of the VA medical care program. An earlier effort—a letter to the President of November 18—received a perfunctory acknowledgement, and my latest and most persistent plea, a personal telephone call to the White House requesting a meeting with the President to discuss the problem, has not been acknowledged.

I have waited for a week since the request for a meeting was made. That is sufficient time.

Under present budgetary and personnel ceiling policies of the Nixon administration, the entire VA hospital system faces a very grave crisis. This Congress, recognizing the need, repealed the personnel ceiling, but the administration reimposed it administratively. We are told now that the Bureau of the Budget has approved some additional positions for the VA, but many of these had to be allocated to the offices that administer other benefits. There is also the question as to whether extra funds to support these positions are being allotted.

The modest increase in appropriations for the Veterans' Administration this year was mostly eaten up by pay raises for personnel, and sufficient funds are not being made available for increased costs and increased medical needs combined with the greater demand for these services by the returning Vietnam servicemen.

The present staff-patient ratio throughout the VA hospital system is only 1.5 staff to each patient in general medical hospitals and less than one per patient in psychiatric hospitals. This compares unfavorably with the national staff ratio of 2.72 staff for each patient in general medical communities, State and local government hospitals, and three staff per patient in university and teaching hospitals.

The fiscal 1970 budget submitted by the outgoing administration provided for 4,000 additional medical personnel. Even this number would not have been sufficient to bring the staff-patient ratio to a desirable level, but it would have permitted staffing of the modern equipment in various intensive care units. The Nixon administration cut this request, reduced the budget, and now many of these innovative treatment facilities remain idle, even though Congress restored most of the funds.

The restrictions of the administration have caused some hospital wards and beds to be closed. The Nixon administration veteran policies have brought a curtailment in some hospitals of nursing care programs, a reduction in outpatient drug programs, deferral of medical equipment purchases, deferral of maintenance, reduction in food allowances, decreases in research and—worst of all—lack of sufficient personnel to properly staff hospitals and treat our veterans.

Certainly these administration actions are inconsistent with their words. The administration spokesmen say the Nation faces a medical crisis, and point to the extreme shortage of trained medical personnel. The VA hospital system is the world's largest training system for just those personnel, and the original budget included funds for the expansion of the VA education program in the medical field. Mr. Nixon cut these out. Congress has restored them, and it remains to be seen whether the administration will permit their use. And, if the administration is really serious about training other medical personnel, the VA system can provide the most economical avenue to do just that, and train them adequately.

I do not intend to sit idly by and allow the shortsighted attitude of the administration to destroy a medical program that is not only needed, but absolutely necessary, to give adequate care to veterans.

We cannot in good conscience permit the medical care of our veterans to deteriorate into a second-class operation, and unless the direction is reversed, it is about to do just that under the Nixon administration.

My committee is in the process of accumulating the details of the effects of fund reductions on the various hospitals and I expect to make this information available to Members of the House. A Senate committee is holding hearings now and receiving testimony that underscores the concern I have expressed here. I dislike resorting to reciting detailed cases involving individuals who may not have received the best treatment as a way of demonstrating the conditions that exist, but I certainly will do so if it becomes necessary.

There is not the slightest doubt in my mind that the American public expects its injured servicemen to receive the very best quality medical care and I think the American taxpayer will bear this burden with the same dignity that our soldiers bear the battle, and I serve notice here and now that I intend to exert every effort to bring these facts before President Nixon and his administration, and continue to insist that these obligations be met.

The correspondence referred to follows:

NOVEMBER 18, 1969.

The PRESIDENT,
The White House
Washington, D.C.

DEAR MR. PRESIDENT: On Veterans Day I visited the Washington Veterans Administration Hospital and was pleased to learn that you and Mrs. Nixon had toured some of the wards and greeted many of the patients earlier in the day. I am sure this was a thrilling experience for these patients to have an opportunity to meet their President and America's First Lady.

I am certain, Mr. President, that you were

as impressed as I with this most modern medical facility. The physical plant, which has been immaculately maintained since it was dedicated over four and a half years ago, ranks with the best of our nation's medical facilities. The competence and dedication of the hospital staff is likewise outstanding.

However, Mr. President, under present budgetary and personnel ceiling policies, the Washington VA hospital, like almost every other of the 165 in the VA system is facing a grave crisis. This may not be apparent from a brief Veterans Day visit; but the Veterans Administration is being compelled to attempt to operate a first-class medical care program for America's sick and disabled veterans on a second-class budget and with inadequate and arbitrary personnel limitations.

For example, the Washington VA hospital, which we both visited last Tuesday, is operating with about half the hospital staff of comparable private sector hospitals. Consider these comparisons—

The Washington VA hospital has a staff of 1.48 to each patient.

The current ratio throughout the VA hospital system approximates 1.5 staff to each patient for general medical hospitals and 0.93 for psychiatric hospitals.

Several hundred yards away from the Washington VA hospital is a comparable District of Columbia community medical facility with a staff of 3.3 to each patient.

The national staffing ratio average in general medical community and state and local government hospitals is 2.72.

Recently this Committee conducted a comprehensive survey on all VA hospitals. The survey on the Washington VA hospital revealed that at a minimum it was over two hundred personnel short. Translating this into the needs of one hospital, if it is to be staffed at a minimal acceptable ratio of 2.0 staff to each patient, the Washington VA hospital needs 14 more physicians, 94 more nurses and nursing attendants, 16 more lab and pharmacy personnel, 64 more medical administrative and supply personnel, 3 more social workers, 2 more inhalation therapists, and 10 more maintenance personnel.

This means, Mr. President, that the Veterans Administration, which operates the largest single hospital system in the world, is being forced to operate with about half the personnel-patient ratio of the other modern hospital systems elsewhere in our nation. To compound this problem, there have been large increases in VA hospital workload factors between fiscal year 1968 and fiscal year 1969 as follows:

Workload items	Fiscal year 1968	Fiscal year 1969	Change from fiscal year 1968
Admissions	670,600	689,459	+18,859
Patients treated	787,871	800,012	+12,141
Outpatient visits	6,563,787	6,947,074	+383,287
Dental examinations and treatments	920,781	960,231	+39,450
Patients receiving new prosthetic appliances	363,365	391,645	+28,280
Clinical laboratory work units	78,538,657	85,017,251	+6,478,594
Prescriptions filled	10,530,716	11,782,365	+1,251,649

Despite these soaring workloads, Mr. President, when the revised budget was submitted to the Congress in April, it contained a recommendation that over 4,000 medical personnel be cut from the budget recommended in January. In addition to modest increases to relieve other personnel shortages, the January budget included staffing for over twenty million dollars of already constructed life-preserving and life-prolonging heart, kidney, blind, and other sorely needed intensive care units which were not performing their life-saving missions because of inadequate staffing. A list of these facilities is attached.

Mr. President, both the House and Senate have rejected most of the unwise budget cuts which the Bureau of the Budget recommended in the April revised budget. Funds have been voted by the Congress for FY 1970 to take a modest step forward to increase medical personnel in VA hospitals; to maintain a modest level of construction and modernization for VA hospital facilities; and to increase VA medical education and research which is so urgently needed to help solve America's health manpower crisis. I fervently hope that your Administration will use all the FY 1970 funds appropriated by the Congress for the Veterans Administration. Otherwise, the VA medical program will fall hopelessly behind in its capability to deliver first-class medical care to America's veterans.

A survey of all VA hospitals conducted by this Committee in June 1969 revealed that in order to bring the 166 hospitals up to a minimal acceptable staffing ratio of 2.0 to each patient for general medical hospitals and 1.0 for psychiatric hospitals, over 28,000 additional hospital personnel were needed. Under present pay scales, this would cost approximately $240 million. I am aware that this cannot be realistically accomplished in one fiscal year—but we must move ahead—and I therefore urge your Administration, in planning its 1971 VA budget, to urgently consider the very grave funding and personnel deficiencies which now exist in the Veterans Administration.

I particularly hope that special attention will be given to adequately funding the medical education program in the Veterans Administration. In my opinion the VA has a vast reservoir of resources to help solve the "massive health crisis" which was the subject of your July 10, 1969 press conference. I had written Secretary Finch about this serious medical manpower problem on February 3, 1969; however, to my knowledge little if anything has been done to even plan for the full utilization of these VA resources despite promises from Secretary Finch that the Department of Health, Education and Welfare and the Veterans Administration would confer on this vital matter. By June 5, 1969, to my knowledge, no conference had been held, so I sent a wire to Secretary Finch reminding him of this Committee's interest in this problem in which he had expressed so much concern.

When Dr. Egeberg was appointed Assistant Secretary for Health and Scientific Affairs in July, by telegram and letter I called his attention to the lack of action by the Department of Health, Education and Welfare on my suggestion. In responding to my communications on July 18th, Dr. Egeberg explained that he would not return to Washington until the end of August but he stated: "When I return I shall be in immediate touch with you and with Mr. Johnson, the Administrator of Veterans Affairs, so that we can look into definitive ways to pursue the objectives you propose and which the Secretary (Finch) and I share. I reiterate my complete agreement with your view that something must be done and done quickly about health manpower, and I look forward to talking with you as soon as possible.

As of today, Mr. President, there has been no further contact with me or any member of my staff by anyone in the Department of Health, Education and Welfare or the Veterans Administration concerning this urgent matter which I consider most vital to our nation's future health needs. I cannot begin to tell you just how frustrating and disappointing, this inaction is to me and my colleagues on this Committee who have been responsible for expanding medical education in the Veterans Administration medical program. In 1968 alone, this VA program trained over 10,000 medical students and thousands of other para-medical personnel. With a little ingenuity and proper funding, this program could do so much more to solve the health needs of America's veterans and all mankind.

Mr. President, I have written to you personally because I believe you should be aware of these urgent problems. I respectfully urge you to instruct those in your Administration who are responsible for recommending funding and personnel ceiling policies for our veterans program to give a much higher priority to the programs of the Veterans Administration in the future. With the added demands of the Vietnam war, if these matters are not given immediate attention, I feel that the quality of our veterans program will rapidly deteriorate to a completely unacceptable level.

Sincerely,

OLIN E. TEAGUE,
Chairman.

THE WHITE HOUSE,
Washington, November 20, 1969.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I want to acknowledge receipt of your letter of November 18 to the President detailing the Committee survey on the status of Veterans Administration facilities.

You may be assured that your letter and its careful analysis of this matter will be called to the President's prompt attention and we will be in further contact with you shortly.

With cordial regard.

Sincerely,

WILLIAM E. TIMMONS,
Deputy Assistant to the President.

THE WHITE HOUSE,
Washington, November 24, 1969.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further response to your November 18 letter to the President and to assure you that the information you forwarded will be of assistance as work progresses on preparation of the Fiscal Year 1971 budget.

I have also been asked to let you know that both Dr. H. Martin Engle and Dr. Roger O. Egeberg will be in touch with you to discuss further the man-power training program in which you and your Committee are vitally interested.

With cordial regard.

Sincerely,

WILLIAM E. TIMMONS,
Deputy Assistant to the President.

Mr. BROWN of California. Mr. Speaker, I am happy to see progress here today moving H.R. 11959 toward final enactment. This bill originated in the Education and Training Subcommittee. I am honored to serve as chairman of that subcommittee and wish to express appreciation to my colleagues who are members: Hon. THADDEUS J. DULSKI, Hon. WALTER S. BARING, Hon. W. J. BRYAN DORN, Hon. HENRY HELSTOSKI, Hon. ROMAN C. PUCINSKI, Hon. DON EDWARDS, Hon. EDWARD R. ROYBAL, Hon. SHIRLEY CHISHOLM, Hon. SEYMOUR HALPERN, Hon. JOHN J. DUNCAN, Hon. WILLIAM H. AYRES, Hon. WILLIAM LLOYD SCOTT, Hon. JOHN M. ZWACH, and Hon. ROBERT V. DENNEY.

This bill, H.R. 11959, combines most of the provisions of another bill which our subcommittee reported earlier in the year—H.R. 6808. The Senate merged the

two bills, and there are no basic disagreements between the House and Senate on the major provisions of H.R. 6808. This is the bill that will eliminate the bar against duplicate education payments; that is, it will permit a veteran to receive his educational training allowance and at the same time receive the benefits of other Federal scholarship payments for which he may qualify.

Another provision of H.R. 6808 combined into this bill would redefine the amount of training required for veterans pursuing an accelerated high school course. We have all been greatly concerned about the large number of veterans who have not completed high school and who are not taking advantage of this bill to complete their high school education.

Last year we passed a law which provides that high school training will not be charged against a veteran's entitlement. In other words, he may receive benefits but not use up his entitlement. This bill extends this provision to veterans in elementary level education.

With this provision already in law, the provision of this bill which redefines full-time and part-time loads for high school training is of great importance. Under the present requirement of law, a veteran must attend accelerated high school classes 12½ hours a week to qualify for a full-time allowance. This is excessive since most of these individuals must work full time to support themselves and their families.

Under the provisions of this bill, high school training will be defined on a basis of credits or units similar to the method used for regular high school students. Therefore, two units would be considered as half-time training and on the accelerated basis the veteran would be required to attend only 6 to 8 hours a week and would receive a half-time allowance which under this bill would be $85 for a single man and $100 for a married man. This changed provision will create financial support and, I believe, will make possible the finishing of high school by a great many veterans.

The amendments which we have approved here today will raise education and training allowances about 31 percent. The allowance for a full-time single veteran will be $170 a month and for a married veteran $200 a month. Comparable allowances would be paid for part-time training.

The Senate passed a greater percentage increase, more in line with my own position that I would like to see veterans receive as generous allowances as we can provide. At the same time, I share the concern of the chairman growing out of the President's implied veto threat. We are in a dilemma. We want the highest rate possible for veterans but we do not want a vetoed bill.

The Senate added several other provisions which are of great interest to me. These are the outreach programs, the predischarge program for servicemen, and the program of assistance to educationally disadvantaged. If these proposals are not included in the final version adopted by Congress, I am anxious for my subcommittee to study them intensively. As a cosponsor of H.R. 11959, I am happy to see progress in the House. I hope that differences with the Senate may be reconciled soon and that increased assistance can be signed into law.

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

The motion was agreed to.

The Senate amendments, as amended, were concurred in.

A motion to reconsider was laid on the table.

COAST GUARD RESERVE

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 13716) to improve and clarify certain laws affecting the Coast Guard Reserve.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 13716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14, United States Code, is amended as follows:

(1) Subsection (b) of section 762 is amended by striking out the words ", but not above the grade of captain".

(2) Section 770 is amended by striking out the figure "795" in both of the places it appears and inserting in lieu thereof, the figure "798"; by redesignating clause "(9)" as "(10)"; and by adding a new clause "(9)" as follows:

"(9) the 'active duty promotion list' is as defined in section 41a of this title."

(3) Section 772 is amended by inserting before the period in the second sentence of subsection (b) the phrase "or because an excess results directly from the operation of mandatory provisions of this or other laws".

(4) Section 774 is amended to read as follows:

"A Reserve officer must be in an active status to be eligible for consideration for promotion and to be promoted under this subchapter. Officers retained in an active status and excluded from promotion by the provisions of section 787 of this title are not eligible for consideration for promotion."

(5) Section 775 is amended by adding a new subsection (f) to read as follows:

"(f) Whenever a selection board is convened to consider officers of the Women's Reserve not serving on active duty, membership of the board shall include, when reasonably available, not less than two members of the Women's Reserve not serving on active duty."

(6) Section 780 is amended—

(A) by amending subsections (c) and (d) to read as follows:

"(c) Each selection board, from among those officers whose names are submitted to it as determined by section 783 of this title, shall recommend for promotion to the next high grade:

"(1) those male officers serving in the grade of lieutenant (junior grade) or above whom it considers to be best qualified;

"(2) those male officers serving in the grade of ensign whom it considers to be fully qualified;

"(3) those officers of the Women's Reserve serving in the grade of lieutenant or below whom it considers to be fully qualified; and

"(5) those officers of the Women's Reserve serving in the grade of lieutenant commander or above whom it considers to be best qualified. The recommendation of a selection board shall be based on comparative fitness for the duties to which officers of the Women's Reserve are normally assigned.

"(d) Before convening a board to recommend officers for promotion to any grade above lieutenant (junior grade), the Secretary shall determine the total number of officers to be selected for promotion to that grade. Unless the Secretary takes action pursuant to the provisions of subsection (c) of section 772 of this subchapter, this number shall be equal to the number of vacancies existing in the grade, plus the number of vacancies estimated for the next twelve months, less the number of officers on the promotion list for that grade."

(B) by adding a new subsection (i) to read as follows:

"(i) Vacancies in all grades shall be filled by the combined total of those officers, male and female, who have been selected for promotion. Selection opportunity for officers of the Women's Reserve to grades above lieutenant commander shall be equivalent to that prescribed for male officers of the same grades. Officers of the Women's Reserve being considered for promotion to the grades of lieutenant commander or below shall be considered and selected in their order of precedence up to the number designated to be selected."

(7) Section 781 is amended to read as follows:

"Officers of the Reserve shall have rank and take precedence in their respective grades among themselves and with officers of the same grade on the active duty promotion list and the permanent commissioned teaching staff in accordance with the dates of rank as stated in their commissions. When Reserve officers and officers on the active duty promotion list or the permanent commissioned teaching staff have the same date of rank in a grade, such officer shall take precedence as determined by the Secretary.

(8) Section 782 is amended—

(A) by amending subsection (a) to read as follows:

"(a) Each officer of the Reserve in an active status not on the active duty promotion list shall be assigned a running mate who shall be the officer of the same grade on the active duty promotion list who is next senior to him in precedence as determined in the manner prescribed in section 781 of this title. Officers who are extra numbers, who have twice failed of selection, or who have not been recommended for continuation under section 289 of this title shall not be assigned as running mates under this section.";

(B) by amending clause (1) of subsection (b) to read as follows:

"(1) If a running mate is promoted from below the promotion zone, is removed from the active duty promotion list, suffers loss of numbers, or fails to qualify for promotion, the new running mate shall be the officer of the same grade on the active duty promotion list who was next senior to the old running mate or if there be no such officer then the most senior officer in that grade on the active duty promotion list. If the old running mate was on a list of selectees for promotion, the new running mate shall be on a list of selectees.";

(C) by amending clause (2) of subsection (b) by striking the words "of the regular Coast Guard, exclusive of extra numbers," and inserting in lieu thereof the words "on the active duty promotion list.";

(D) by amending clause (3) of subsection (b) to read as follows:

"(3) If an officer of the Reserve is considered for promotion at approximately the same time as his running mate and fails of selection, fails to qualify for promotion after selection, or declines an appointment after having been selected for promotion and his running mate is promoted, the new run-

ning mate shall be the next senior officer remaining in the same grade on the active duty promotion list whose name is not on a list of selectees and who is eligible for consideration for promotion.";

(E) by amending clause (4) of subsection (b) to read as follows:

"(4) If an officer of the Reserve was not considered for promotion at approximately the same time as his running mate, and the Reserve officer subsequently is considered and fails of selection or fails to qualify for promotion, such failure shall be deemed to have occurred at the same time as his running mate was considered. His new running mate shall be the next senior officer remaining in the same grade on the active duty promotion list whose name was not on a list of selectees at the time the original running mate was selected.";

(F) by adding a clause (5) to subsection (b) to read as follows:

"(5) In any situation not expressely covered by this subsection or where the assignment of a running mate would result in an inequitable change in precedence, the Secretary may assign an appropriate running mate to effect the intent of this section that no unjust benefit or detriment will result to any officer from the operation of this section.";

(G) by adding a clause (6) to subsection (b) to read as follows:

"(6) A Reserve officer on the active duty promotion list shall become the running mate of all the inactive duty Reserve officers who are junior to him and had a running mate in common with him at the time of his being placed on the active duty promotion list."; and

(H) by adding a subsection (c) to read as follows:

"(c) The Secretary is authorized to adjust, as necessary, the dates of rank of Reserve officers not on active duty so that the dates will correspond with those of the running mates assigned to them in accordance with the provisions of this section. However, the dates of rank of those Reserve officers whose names are on a list of selectees for promotion to the next higher grade at the time of enactment of this subsection, shall not be adjusted until such time as the officers have been promoted. If overpayments of pay and allowances will have resulted from the adjustment of dates of rank, such overpayments shall not be subject to recoupment."

(9) Section 784 is amended by designating the existing section as subsection (a) and by adding a new subsection (b) as follows:

"(b) Notwithstanding any other provision of law, a Reserve rear admiral shall become entitled to the pay and allowances of the upper half for duty performed from the date his running mate becomes so entitled."

(10) Section 787 is amended—

(A) by striking out the first sentence in subsection (a) and inserting in lieu thereof the sentence "Officers of the Women's Reserve in the grades of lieutenant (junior grade) and lieutenant failing of selection for promotion to the next higher grade, and all other Reserve officers after failing of selection for promotion to the next higher grade for a second time, may be retained in or eliminated from an active status in the discretion of the Secretary.";

(B) by striking out the word "Other" in the second sentence and inserting in lieu thereof the word "Those";

(C) by striking out the words between "officers" and "shall" in the second sentence and inserting in lieu thereof the words "who are not retained in an active status"; and

(D) by striking the column heading "Total commissioned service years" and inserting in lieu thereof the heading "Total years of commissioned service".

(11) Section 790 is amended—

(A) by deleting the words "or her" after the word "his";

(B) by deleting the words "in the Regular Coast Guard" after the word "mate";

(C) by deleting the word "Regular" before the words "running mate" in the two places they appear; and

(D) by deleting the words "in the Regular service" after the word "mate" in subsection (a).

(12) Section 791 is amended to read as follows:

"(a) While serving on active duty other than active duty for training, or other than for duty on a board, a Reserve officer shall not be eligible for consideration for promotion or for promotion under the provisions of this subchapter. Such an officer shall be considered for promotion and promoted pursuant to appropriate provisions contained elsewhere in this title. If so promoted, such an officer shall be considered as having been promoted under this subchapter and shall be considered as an extra number in the grade to which promoted for the purpose of grade distribution prescribed in this subchapter and shall not be counted in such distribution until he is released from active duty.

"(b) Notwithstanding provisions of subsection (a) of this section a Reserve officer who, at the time he reports for active duty has been recommended for promotion to the next higher grade under the provisions of this subchapter, shall be promoted to such grade subject to the same conditions as though selected under provisions of law applicable to a Reserve officer serving on active duty.

"(c) A Reserve officer who, at the time he is released from active duty, has been recommended for promotion to the next higher grade under provisions of law applicable to a Reserve officer serving on active duty, shall be promoted to such grade subject to the same conditions as though selected under provisions of this subchapter.

"(d) A failure of selection for promotion to the next higher grade shall be counted for all purposes regardless of whether it occurred under the provisions of this subchapter or under other provisions of law."

(13) The following new sections are added:

"§ 796. Failure of selection for promotion

"(a) A Reserve officer, other than an officer serving in the grade of captain, who is, or is senior to, the junior officer in the promotion zone established for his grade, fails of selection if he is not selected for promotion by the selection board which considered him, or if having been recommended for promotion by the board, his name is thereafter removed from the report of the board by the President.

"(b) An officer shall not be considered to have failed of selection if he was not considered by a selection board because of administrative error. If he is selected by the next succeeding selection board after the error is discovered and is promoted, he shall be given the date of rank and precedence that he would have held if he had been recommended for promotion by the selection board which would have considered him but for the error.

"(c) Those officers of the Women's Reserve in the grades of lieutenant and lieutenant (junior grade) who are junior to the last officer selected by a board pursuant to subsection (i) of section 780 of this title shall not be considered to have failed of selection, and the names of such officers shall be submitted to the next ensuing selection board.

"§ 797. Promotion; acceptance; oath of office

"(a) An officer who has been appointed under the provisions of this subchapter is considered to have accepted such appointment unless delivery of the appointment cannot be effected.

"(b) An officer who has served continuously since he subscribed to the oath of office prescribed in section 3331 of title 5, United States Code, is not required to take a new oath upon his appointment in a higher grade.

"§ 798. Rear admiral; maximum service in grade

"A Reserve rear admiral, unless retained in or removed from an active status under other provisions of law, shall be removed from an active status on the date he completes five years of service in the permanent grade of rear admiral."

SEC. 2. (a) Reserve officers in each grade who have been recommended as qualified for promotion under laws and regulations in effect the day before the effective date of this Act but not promoted to the grade for which they were recommended shall be placed on a list in the order of their precedence, an they shall be promoted as if they had been selected for promotion in the approved report of a selection board convened under the provisions of title 14, United States Code, as amended by this Act.

(b) Reserve officers who have failed of selection for promotion to the next higher grade under laws and regulations in effect the day before the effective date of this Act shall be deemed to have failed of selection for promotion to the next higher grade under the provisions of title 14, United States Code, as amended by this Act.

(c) The enactment of this Act does not terminate the appointment of any officer.

With the following committee amendment:

On page 4, following line 19, insert the following:

"Notwithstanding any other provision of law, Reserve officers shall not lose precedence when transferred from the Reserve promotion list to the actice duty promotion list or vice versa nor shall their dates of rank be changed due to such transfers.

"Reserve officers, when on the active duty promotion list, shall be promoted in the same manner as are other officers on the active duty promotion list regardless of the length of their active duty service."

The committee amendment was agreed to.

Mr. GARMATZ. Mr. Speaker, some 5 years ago, the committee reported and the House enacted a bill to transform the promotion practices of Coast Guard Regulars to conform to that of the other armed services by substituting a best qualified for a fully qualified system. The same problems that justified such a move with respect to the Regulars now exists with respect to Reserves and that is a bulge arising out of the many commissions granted during World War II years.

The present system among the Reserves reduces the opportunity for promotion and has a bad effect on the quality of officer material available from that source.

This bill would provide a system identical with that of the other armed services and identical to that utilized for the Coast Guard Regulars which has proven so effective during the past 5 years.

I strongly urge its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. COHELAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 337]

Abbitt	Fulton, Tenn.	Podell
Andrews, Ala.	Fuqua	Powell
Ashley	Giaimo	Purcell
Baring	Goldwater	Reifel
Barrett	Green, Pa.	Rivers
Bolling	Gubser	Rooney, Pa.
Cahill	Hall	St. Onge
Celler	Hanna	Scheuer
Chisholm	Hébert	Sisk
Clay	Kirwan	Skubitz
Conyers	Kluczynski	Taft
Coughlin	Lipscomb	Tunney
Cunningham	Long, La.	Van Deerlin
Dawson	Martin	Whalley
Diggs	Moss	Wiggins
Fascell	Pelly	
Ford, Gerald R.	Pepper	

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

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

CONFERENCE REPORT ON H.R. 15090, DEPARTMENT OF DEFENSE APPROPRIATIONS, 1970

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 17, 1969.)

Mr. MAHON. Mr. Speaker, this is the conference report on the Defense appropriation bill for the fiscal year which ends June 30, 1970.

The bill passed the House on December 8, 1969, and passed the other body on December 15, 1969. The conference report provides $69,640,568,000. This is below the House bill by $319,480,000, and is above the Senate bill by $317,912,000.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, so as to better explain in detail the content of the conference agreement.

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

There was no objection.

Mr. MAHON. Mr. Speaker, the bill is not radically different from the form in which it passed the House. It does provide a cut in defense spending this year of about $3 billion, and does provide a $5,637,632,000 reduction in appropriations. Extensive detail appears in the reports of the two Houses and in the floor debate here on December 8, 1969. A summary of the actions of the two Houses compared with the budget and last year's appropriations follow:

DEFENSE APPROPRIATION BILL, 1970

SUMMARY OF APPROPRIATIONS

Item	1969 appropriation (NOA)	1970 revised budget estimate (NOA)	Passed House	Passed Senate	Conference action	Conference action compared with— 1969 appropriation	Revised budget estimate	House	Senate
Title I, military personnel	$21,427,103,427	21,641,900,000	21,057,200,000	20,831,300,000	20,834,800,000	−592,303,427	−807,100,000	−222,400,000	+3,500,000
Title II, retired military personnel	2,450,000,000	2,735,000,000	2,735,000,000	2,735,000,000	2,735,000,000	+285,000,000			
Title III, operation and maintenance	22,355,818,000	21,792,100,000	20,878,100,000	20,920,441,000	[1] 20,860,100,000	−1,495,718,000	−932,000,000	−18,000,000	−60,341,000
Title IV, procurement	20,619,500,000	20,886,800,000	18,092,148,000	17,454,818,000	17,841,848,000	−2,777,652,000	−3,044,952,000	−250,300,000	+387,030,000
Title V, research development test and evaluation	7,549,828,000	8,222,400,000	7,197,600,000	7,381,097,000	7,368,820,000	−181,008,000	−853,580,000	+171,220,000	−12,277,000
Total	74,402,249,427	75,278,200,000	69,960,048,000	69,322,656,000	69,640,568,000	−4,761,681,427	−5,637,632,000	−319,480,000	+317,912,000
Distribution by organizational component:									
Army	24,473,208,223	23,955,300,000	22,348,000,000	22,109,361,000	[1] 22,134,020,000	−2,339,188,223	−1,821,280,000	−213,980,000	+24,659,000
Navy	20,698,463,204	22,804,000,000	20,809,548,000	20,535,469,000	[1] 20,802,248,000	+103,784,796	−2,001,752,000	−7,300,000	+266,779,000
Air Force	25,058,824,000	23,959,434,000	22,359,634,000	22,244,160,000	22,268,634,000	−2,790,190,000	−1,690,800,000	−91,000,000	+24,474,000
Defense agencies	1,721,754,000	1,824,466,000	1,707,866,000	1,698,666,000	1,700,666,000	−21,088,000	−123,800,000	−7,200,000	+2,000,000
Retired military personnel	2,450,000,000	2,735,000,000	2,735,000,000	2,735,000,000	2,735,000,000	+285,000,000			
Total	74,402,249,427	75,278,200,000	69,960,048,000	69,322,656,000	69,640,568,000	−4,761,681,427	−5,637,632,000	−319,480,000	+317,912,000

[1] Prior balances transferred to fiscal year 1966.

I would now like to highlight the significant differences between the report of the conferees and the bill as passed by the house.

MILITARY PERSONNEL

With respect to military personnel, the conference report is $222,400,000 below the House bill. This reduction is in consonance with the additional troop withdrawal from Vietnam announced by the President on Monday evening, December 15.

OPERATION AND MAINTENANCE

The conferees agreed to provide for the funding of International Military Headquarters in the Defense appropriation bill rather than in the Foreign Operations appropriation. This supports the position taken in the House version of the Defense bill and is in accord with the budget proposal of the Department of Defense. This arrangement should provide the Department a better management position.

It was agreed that the training of Navy and Air Force helicopter pilots in fixed-wing aircraft was an unnecessary expense. The Army does not follow this practice and the conferees agreed that the Navy and Air Force should discontinue fixed-wing aircraft training for helicopter pilots by December 31, 1970.

PROCUREMENT

The conferees agreed to a Senate reduction of $10,000,000 in the MBT–70 Main Battle Tank program.

The $8,500,000 proposed by the Senate for advance procurement of F–14 fighter aircraft in fiscal year 1971 was deleted. As proposed originally in the House, no funds are provided committing the Congress to the support of production runs of F–14 aircraft. The conferees provided funds for three additional test aircraft in the Navy's R.D.T. & E. appropriation, as proposed by the Senate.

The conferees provided $354,700,000 for the conversion of four Polaris submarines to the Poseidon configuration instead of six conversions as proposed by the House and two conversions, and four related overhauls, as proposed by the Senate.

A total of $110,000,000 was provided in advance procurement funding for new construction of five SSN–688 class high-speed submarines in fiscal year 1971, instead of $90,000,000 for four such submarines as proposed by the Senate.

The Navy was provided a total of $126,300,000 for the MK–48 torpedo program, as proposed by the Senate. This amount is $27,800,000 more than was proposed by the House.

The conferees agreed to the funding of $10,000,000 for the procurement of the Air Force's Short Range Attack Missile—SRAM—as proposed by the Senate.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

The conferees strongly urge the discontinuance of the Army's Project Mallard, an international program for the development of a tactical communications system for the field armies of the four participating countries. It was also agreed that two other communications systems be discontinued.

A total of $8,000,000 was provided for the Navy's Condor air-to-surface missile, and $100,000,000 was provided for the

Underwater Long-range Missile System, both as proposed by the Senate.

The conferees agreed to provide $2,000,000 for the development of the A–X close air support aircraft for the Air Force, as proposed by the Senate.

GENERAL PROVISIONS

The conferees agreed to the language of the House bill with respect to certain payments in connection with international military headquarters. In addition, the conferees adopted the Senate language (a) limiting availability of multiyear appropriations, and (b) prohibiting the use of funds to finance the introduction of U.S. ground combat troops into Laos and Thailand.

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

Mr. MAHON. I yield to the gentleman from New York, Mr. Stratton.

Mr. STRATTON. Mr. Speaker, I thank the gentleman from Texas for yielding to me. It was my understanding that the conference report included a reference to the language that appeared earlier in the authorization conference report, and which was also referred to in the defense appropriation bill as it passed the House, with respect to $20 million of the money appropriated for research and development for the Army to be expended exclusively for further research on the use of the Shillelagh antitank missile in an infantry mode, looking toward its possible use in place of the Tow antitank missile, rather than developing two missiles for this purpose.

Mr. Speaker, I do not see this reference in either the section on missiles and aircraft for the Army, or in the R. & D. for the Army, and I wonder if the chairman, the gentleman from Texas, could enlighten me as to the actual decision within the conference committee on that point?

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

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

Mr. SIKES. Mr. Speaker, I think I may be able to help clarify this situation for the distinguished gentleman from New York.

This was not an item that was in conference. I believe the gentleman from New York has reference to permissive language that was carried in the Senate report, which would have made it possible for the Shillelagh testing to continue. Since the item was not in controversy and was not before the conference, the language of the Senate report would prevail, and the situation would be the same as set forth in the Senate report.

Mr. STRATTON. It is my understanding that the Senate language in the report on their appropriation bill—and I am not sure of this, but it is my understanding—actually deleted any reference to the expenditure of any funds for this Shillelagh testing, on the ground that there had been specific authorization for that item. But the decision of the authorization conference report was that that item was to come out of the overall research and development funding for the Army. I had been most anxious that any language should not prevail in this conference report that would prevent the Army from carrying out these tests.

If such language were to prevail in the conference report, then the Army would be unable to continue this testing of the Shillelagh, antitank missile in the ground mode, looking toward ultimate savings in the future as a result of having just one missile in the Army for antitank purposes instead of two.

Mr. MAHON. As chairman of the conference, I would say it is my understanding that the Army would be permitted to continue with the testing of the Shillelagh as a weapon for ground forces.

Mr. STRATTON. May I ask the chairman of the committee to say whether it would be his interpretation that these remarks and our interchange here today indicate not only permission to the Army to do this testing, but also the desire of the committee and of the House, if the conference report is adopted, that that testing should continue.

Mr. MAHON. I believe that would be a fair statement.

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

Mr. MAHON. I yield to the gentleman.

Mr. MINSHALL. Mr. Speaker, I would like to point out to my friend, the gentleman from New York, that the Senate report on page 111, at the bottom of the page, talking about the Shillelagh problem says:

> The House bill does not provide funds for this purpose. The committee has no objection to the use of a reasonable amount to investigate the feasibility of this proposal. However, no additional funds have been provided for this purpose. The initiation of a full-scale development program for this proposal is to be considered as a matter of special interest.

Mr. STRATTON. I want to thank my friend, the gentleman from Ohio, for pointing that out. My only query was whether this language permits the Army, in fact encourages the Army, to continue this testing. It was the intention of the authorization conference committee that the Army should take these funds out of the overall research and development funds appropriated to them, and they would decide which other program they wanted to take the money from.

Mr. MINSHALL. I think it is quite clear that that is the intention, that they should go ahead.

Mr. MAHON. I think it would be true that while the committee of conference does not encourage the Army to take such steps, there is nothing to prevent the Army from initiating this kind of step in seeking the concurrence of the appropriate committees.

Mr. STRATTON. Mr. Speaker, I thank the gentleman and appreciate his helping in making this legislative history.

Mr. MINSHALL. Mr. Speaker, I have no further requests for time on this side. I would like to point out that this was a very good conference. I think the position of the House has been well maintained, and I heartily endorse the conference report.

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

Mr. MAHON. I yield to the gentleman.

Mr. YATES. Did the Senate make any changes in the appropriation for Safeguard ABM?

Mr. MAHON. No changes are in the bill. The bill contains over $700 million for the Safeguard ABM program.

Mr. YATES. That is still going forward?

Mr. MAHON. Yes.

Mr. YATES. I thank the gentleman.

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

The previous question was ordered.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. DONOHUE). The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 7, line 2, insert: "*Provided*, That not to exceed $142,165,000, in the aggregate of the unobligated balances of appropriations made under this head for prior fiscal years, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation account under this head for fiscal year 1966."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: Page 8, line 20, insert: "*Provided*, That not to exceed $66,000,000, in the aggregate of unobligated balances of appropriations made under this head for prior fiscal years, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation account under this head for the fiscal year 1966."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 9, line 15, insert: ": *Provided*, That not to exceed $2,500,000, in the aggregate of unobligated balances of appropriations made under this head for prior fiscal years, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation account under this head for the fiscal year 1966.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that amendments in dis

agreement numbered 20, 22, 24, 26, 27, 29, 31, 33, 34, 36, 38, 40 and 41 be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Senate amendment No. 20: Page 16, line 3, strike out: "for obligation until June 30, 1972" and insert "until expended."

Senate amendment No. 22: Page 16, line 18, strike out: "for obligation until June 30, 1972" and insert: "until expended."

Senate amendment No. 24: Page 17, line 7, strike out: "for obligation until June 30, 1974" and insert "until expended."

Senate amendment No. 26: Page 18, line 8, strike out: "for obligation until June 30, 1972" and insert: "until expended."

Senate amendment No. 27: Page 18, line 18, strike out: "for obligation until June 30, 1972" and insert: "until expended."

Senate amendment No. 29: Page 19, line 14, strike out: "for obligation until June 30, 1972," and insert: "until expended."

Senate amendment No. 31: Page 20, line 8, strike out: "for obligation until June 30, 1972" and insert: "until expended."

Senate amendment No. 33: Page 20, line 25, strike out: "for obligation until June 30, 1972" and insert "until expended."

Senate amendment No. 34: Page 21, line 14, strike out: "for obligation until June 30, 1972" and insert: "until expended."

Senate amendment No. 36: Page 21, line 25, strike out: "for obligation until June 30, 1971," and insert: "until expended."

Senate amendment No. 38: Page 22, line 7, strike out: "for obligation until June 30, 1971" and insert: "until expended."

Senate amendment No. 40: Page 22, line 15, strike out: "for obligation until June 30, 1971" and insert: "until expended."

Senate amendment No. 41: Page 22, line 25, strike out: "for obligation until June 30, 1971" and insert: "until expended;".

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendments of the Senate numbered 20, 22, 24, 26, 27, 29, 31, 33, 34, 36, 38, 40, and 41 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: Page 44, line 9: Strike out:

"SEC. 642. Appropriations heretofore made available for Procurement of Equipment and Missiles, Army; Procurement of Aircraft and Missiles; Navy; Other Procurement, Navy; Procurement, Marine Corps; Aircraft Procurement, Air Force; Missile Procurement, Air Force; Other Procurement, Air Force; and Procurement, Defense Agencies shall not be available for obligation after June 30, 1972. Appropriations heretofore made available for Shipbuilding and Conversion, Navy, shall not be available for obligation after June 30, 1974. Appropriations heretofore made available under the headings Research, Development, Test, and Evaluation, Army; Research, Development, Test and Evaluation, Navy Research, Development, Test, and Evaluation, Air Force; and Research, Development, Test, and Evaluation, Defense Agencies shall not be available for obligation after June 30, 1971.

And insert:

"SEC. 642. (a) Amounts, as determined by the Secretary of Defense and approved by the Director of the Bureau of the Budget, of any appropriations of the Department of Defense available for procurement (except Shipbuilding and Conversion, Navy) which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for three or more fiscal years, shall be proposed for rescission.

"(b) Amounts, as determined by the Secretary of Defense and approved by the Director of the Bureau of the Budget, of any appropriations of the Department of Defense available for Shipbuilding which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for five or more fiscal years, shall be proposed for rescission.

"(c) Amounts, as determined by the Secretary of Defense and approved by the Director of the Bureau of the Budget, of any appropriations of the Department of Defense available for research, development, test and evaluation (except Emergency Fund, Defense) which (1) will remain unobligated as of the close of any fiscal year for which estimates are submitted and (2) which have been available for obligation for two or more fiscal years, shall be proposed for recission."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 44: Page 45, line 23, insert:

"SEC. 643. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 44 and concur therein.

The motion was agreed to.

A motion to reconsider the vote by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the Defense appropriation bill, just passed, and I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the conference report in connection with the Defense appropriation bill just passed and to include extraneous matter.

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

There was no objection.

EXECUTIVE PROTECTIVE SERVICE

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 754 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 754

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R 14944) to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 754 provides an open rule with 1 hour of general debate for consideration of H.R. 14944 to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes.

The purpose of H.R. 14944 is to enable the President to meet his constitutional responsibility to assure to the duly accredited representatives of foreign governments to the United States, at the seat of government, the security of person and property that the laws of this Nation assure to its own citizens.

There are 117 diplomatic missions in Washington, D.C., and the immediately surrounding area. At the present time, the protection of foreign embassies is a responsibility of the Metropolitan Police Department. Over the past 4 years incidents at embassies and crime involving diplomatic personnel have shown a marked increase and the foreign diplomatic corps has constantly complained to the Department of State concerning disturbances, harassment, and the high incidence of crime involving foreign embassies and their employees. Ambassadors and other high diplomatic officials have demanded that the National Government fulfill its obligation to maintain the security of foreign diplomatic missions located in this country.

The demands upon the Metropolitan Police Department in carrying out its citywide responsibilty to the general public for law enforcement and protection are already overwhelming and they cannot provide the necessary protection. The State Department has no security personnel even remotely qualified to meet the needs involved.

The White House Police, who are under the supervision of the Director of the Secret Service, are uniquely qualified by training and the responsibilities already assigned to them under existing

law to meet this need. Their assignment to embassy protection will center responsibility in the Federal Government, where it belongs.

H.R. 14944 will change the name of the White House Police to Executive Protective Service, which more adequately describes the functions already assigned to it as well as the function to be added here. In addition, the legislation will extend the jurisdictional area within which the Service may function to the metropolitan area surrounding the city of Washington itself. Some embassies are already located outside the city limits, and it may reasonably be assumed that other embassies will so locate in the future. To carry out its function, the Service must be able to protect these embassies as well as those located within the city proper.

In order for the Service to adequately carry out its additional authority, the number of personnel assigned to it will be increased from the present 250 to not more than 850.

Mr. Speaker, I urge the adoption of House Resolution 754 in order that H.R. 14944 may be considered.

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

Mr. Speaker, House Resolution 754 provides for 1 hour of general debate under an open rule on H.R. 14944. As the gentleman from New York (Mr. DELANEY) has ably stated, the purpose of the bill is to provide increased protection to the foreign diplomatic missions accredited to the President.

There are now 117 diplomatic missions in the Washington area. In the past few years the incidence of crimes involving diplomatic personnel have greatly increased, and this fact has been brought to the personal attention of the President. In response, he has requested this legislation.

The bill reconstitutes the White House Police as the Executive Protective Service. The authorized strength is increased from 250 to 850. The force will continue to be a part of the Department of the Treasury under the direct supervision of the Director of the Secret Service.

The jurisdiction of the Executive Protective Service will extend to the Metropolitan Washington area, where the accredited foreign diplomatic missions are located. Additionally, the President may authorize protection for diplomatic personnel at places outside of Washington, but within the United States, its territories, and possessions on a case-by-case basis as he deems necessary.

The committee report stresses that local police efforts to combat crime and to carry out normal and regular duties in connection with diplomatic personnel are not superseded by this legislation. The bill seeks to insure adequate protection from such events as demonstrations or other large disturbances occurring at or near foreign diplomatic missions. Local police departments throughout the country will continue to be responsible for the protection of consular missions and traveling diplomatic personnel as a normal and regular part of their responsibilities in this field.

There are no minority views. The Department of the Treasury and the Department of State support the legislation.

Mr. Speaker, at this time I yield 10 minutes to the gentleman from Virginia (Mr. BROYHILL).

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in support of the rule and the legislation, H.R. 14944, which it would make in order, which would increase the White House Police force from 250 to 850.

I do so with great reluctance, Mr. Speaker, because I am ashamed as I believe every Member of this House must be ashamed, to have to admit to the world that the Capital City of the United States of America is unsafe.

The strength of our Government and the foreign governments we deal with depends largely on the protection and freedom we provide the leaders of those governments in carrying out their duties. Good government cannot exist if it has to operate in fear or amidst gunfire. It cannot exist if its leaders live in peril or lose their lives by acts of wanton radicals or psychopathic gun toters.

Unfortunately, the legislation we are considering here today does not merely, as the committee report states, assure to the duly accredited representatives of foreign governments to the United States, at the seat of government, the security of person and property that the laws of this Nation assure its own citizens. What it really does is assure the representatives of foreign governments protection it does not and cannot assure the residents of the District of Columbia or any other visitors to the Nation's Capital at this time.

The committee acknowledges that the need for expanding the protective forces for diplomatic officials has arisen because of the marked increase in incidents at embassies and crime involving diplomatic personnel. It hastens to add that the fact that necessary protection cannot be provided here is not an adverse reflection on the Metropolitan Police Department. I emphatically agree. The Metropolitan Police Department is one of the finest and best trained in the country. So why do we not face it, Mr. Speaker. If the Metropolitan Police Department was receiving the full support of the legislative and executive branches of our Government it deserves, we would today simply be adding additional manpower to that Department, if necessary, rather than attempting to build up another department responsible to the Secretary of the Treasury to do the job.

We are told that the expanded force, called the Executive Protective Service, will not be expected to provide full protection for embassy personnel, but that it will supplement protection now provided by the Metropolitan Police Department. There is no question among any of us, I am sure, about the need for additional protection, but this seems to me to be a piecemeal approach which cannot solve the real problem in the Nation's Capital.

I am concerned, Mr. Speaker, that we may, by including the protection of diplomatic personnel in the duties of the force, weaken rather than strengthen the protection we now provide the President of the United States and the Executive family. Where would they draw the line, Mr. Speaker, if riots broke out at several embassies simultaneously throughout the city and suburbs? Would they guarantee that a maximum security force remained at the White House and with the President at all times, or would they, finding all quiet at the White House, make the mistake of leaving it relatively unprotected and vulnerable while the security force was racing into all parts of the city?

I might point out that the Treasury Department expressed the same concern that I am expressing here now during their testimony in hearings conducted by the House Committee on the District of Columbia last year in an effort to solve the same problem we are talking about now. This is the problem of fragmented police protection in the District of Columbia. Do you realize that we have seven police departments operating here? We have the White House Police, the Park Police, the Metropolitan Police, the Capitol Police, the Zoo Police, the Supreme Court Police, and the Airport Police. Last year we considered legislation that would merge the first five police departments I mentioned under one commission appointed by the Congress so that we could coordinate the training and recruiting and services of protection that must be provided by these police departments with particular concern and acknowledgement of the Federal responsibility to provide protection for the foreign embassies as well as our national leaders and the American citizens and the citizens of the District of Columbia. However, here is what the Treasury representative said during those hearings last year on what I say is essentially the same problem.

The White House Police force protects the White House, Executive Offices and grounds, and the President and his immediate family. The Secretary of the Treasury is charged with the supervision of the force and he has delegated his functions to the Director of the Secret Service as it has the statutory responsibility for protection of the Chief Executive and his immediate family.

The responsibilities of the White House Polices are interwoven with those of the Treasury Department and particularly the Secret Service in every aspect of its operation and administration. To fragment the direction and supervision of the existing protective system could compromise the effective coordination of the efforts of the Secret Service and the White House Police to guarantee the physical security of the President of the United States.

The White House Police force is a highly specialized unit whose duties are related to the physical security of the Chief Executive, his family, and certain property as defined by statute. Their responsibilities are not as broad as those of the municipal police force. The officers receive special training from the Secret Service in addition to basic police training. Once on board they work under experienced senior personnel carrying out their functions as a security force under the most trying circumstances.

Mr. Speaker, what has caused the Treasury Department to change its concern about exclusive protection of the President of the United States and the Executive family?

How can we explain to our fellow Americans that we must, by special legislation, protect the occupants of the Russian Embassy, yet have no similar obligation to protect the American tourist who stops at the Statler down the street? Can we urge them to bring their children to visit their Nation's Capital, then tell them that because they are Americans we cannot guarantee them safety while here? Surely if we can protect the "rights" of criminals and killers we can find some means of guarding American citizens as well as our national leaders and those who visit us from foreign lands against their criminal acts.

This bill is an indictment of the Government of the United States, Mr. Speaker. It acknowledges that we are incapable of providing protection under the present system in the District of Columbia, then seeks to insure protection for foreign diplomatic personnel alone by augmenting a force under the executive branch. Every Member of this House must know that it will not provide a lasting solution or even the protection it seeks to provide. And I again say we ought to be ashamed to pass a bill to protect residents of other lands while admitting that we cannot protect Americans in their Nation's Capital.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, the gentleman from Virginia (Mr. BROYHILL) has raised some highly interesting questions that deserve to be answered before this debate is over.

Mr. Speaker, I am struck by the fact that the report accompanying the bill contains not a single communication from any agency of the Government in behalf of this bill. The report conforms to the Ramseyer rule, but it does not contain a single recommendation from any department or agency of Government that ought to be interested in what is involved here, and that is the addition of 600 police officers to the Secret Service force, and the cost of this increase.

Now, I wonder if the committee during the consideration of this legislation took into consideration the number of police on the Metropolitan Police force and all the other law enforcement officers in the District of Columbia?

I will put it this way: What is the authorized strength of the Metropolitan Police force? Can the gentleman in charge of this bill, the gentleman from Illinois (Mr. GRAY), give me any information?

Mr. GRAY. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GROSS. Yes, of course, I will yield to the gentleman from Illinois.

Mr. GRAY. Mr. Speaker, there are about 5,000 and there are 800 vacancies now in the District of Columbia Police force, and they are trying desperately to find them, and they are not, and therefore we do not feel we can rely upon the District of Columbia to give them the protection the President wants.

I will be glad to explain this in detail when I speak.

Mr. GROSS. How it is planned to recruit 600 more for the Secret Service for the purpose of policing foreign embassies if the Metropolitan Police force apparently is having difficulty in recruiting up to 5,100 police in the District of Columbia?

Mr. GRAY. Will the gentleman yield further?

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

Mr. GRAY. Mr. Speaker, I have a letter here dated December 16, 1969, from the very distinguished Director of the U.S. Secret Service, James J. Riley, who will be in charge of this Executive Protection Service if it is authorized by this act, who says here that the service plans a massive recruitment effort throughout the country, using the facilities of its 70 field offices of the U.S. Secret Service.

We are also considering the suggestion made by the Civil Service Commission to provide for lateral entry of experienced policemen from other cities above the rank of private. Other sources of recruitment will be explored, including the Civil Service Commission, interagency efforts, and recruitment teams which will visit colleges and military transition centers throughout the country.

I would say that, although there are about 800 vacancies on the Metropolitan Police force, I think the attractiveness of being a member of the White House protective force would possibly be more enticing to other people from other parts of the country to come here. And the Chief of the Secret Service felt in his testimony before our committee that he would have no trouble recruiting the 600 additional men.

Mr. GROSS. Will the Secret Service be permitted to recruit in the Southern States?

Mr. GRAY. All over the United States where the Secret Service has 70 field offices, and that certainly does include the South.

Mr. GROSS. The gentleman is aware, is he not, that roadblocks have been thrown up against the Metropolitan Police carrying on recruiting in the Southern States?

Mr. GRAY. Will the gentleman yield further?

Mr. GROSS. What makes the Secret Service police any different than the Metropolitan force? Is the gentleman saying that the pay is going to be better in the Secret Service police force, or that it will have better uniforms and other equipment? What is going to be the attraction that brings recruits to the Secret Service whereas the Metropolitan Police force cannot get them?

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

Mr. GROSS. I yield further to the gentleman from Illinois.

Mr. GRAY. First of all, the salaries will be identical with the District of Columbia Police, but this is not a Secret Service police force. I might have been misunderstood a moment ago. The Chief of the Secret Service will be in charge of the force, but the direct supervision will be the Chief of the White House Police, and the name of the police force will be the Executive Protective Service. We changed it from the White House Police force to the Executive Protective Service in order to avoid any embarrassment on the part of the President if some type of situation developed at one of the embassies, and we did not want anyone to say that it was the President's police there. So we changed the name to the Executive Protective Service, and it will be under the supervision of the Secret Service, but these people will not be hired as Secret Service employees.

Mr. GROSS. I think the gentleman from Illinois will agree with me that one of the things we do best around here is to devise euphemistic titles for bills, and promote many enterprises with the most euphemistic descriptions that we can give them.

Mr. GRAY. If the gentleman will yield further, I am glad we do something well.

Mr. GROSS. That is a dubious accomplishment, I would say to the gentleman, for often it is not only misleading; it is deceiving. I am not saying that is true in this case, necessarily.

Mr. GRAY. The gentleman makes a valid point. There is no question about it.

Mr. GROSS. Let me ask the gentleman this question, since there is not one word in the report about it: What is the cost of this new constabulary?

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

Mr. GROSS. I yield further to the gentleman from Illinois.

Mr. GRAY. Mr. Speaker, in reply to the gentleman from Iowa, I would say that if we do not use any of the District of Columbia Police, and we recruit the entire 600 additional personnel, it would cost approximately $1 million per year. However, the bill would authorize using the District of Columbia Police and the Park Service Police, plus the fact that I want to make this very clear, that if we are now using the total of 600 people to protect the 117 embassies, and so forth, and we relieve them of that responsibility to go back to other District of Columbia duties, if we have a vacancy of 800 we really envision that this change cannot cost anything because if we hire an additional 800 police that is going to cost $1 million.

The SPEAKER pro tempore. The time of the gentleman from Iowa (Mr. GROSS) has expired.

Mr. QUILLEN. Mr. Speaker, I yield 5 additional minutes to the gentleman from Iowa.

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

Mr. GROSS. I yield to the gentleman.

Mr. GRAY. Mr. Speaker, I wanted to point out that if we use the people who are now protecting the embassies for the District of Columbia Police in place of the 800 authorized, there will be no additional cost. But if we do not relieve any

of the District Police, then the total cost of the bill would be a $1 million a year.

But as I said, I am sure when we relieve the people who are now protecting the missions in Washington for the District of Columbia Police, this will preclude the necessity of hiring additional District Police, which as I have said will not cost any additional money.

Mr. GROSS. Is the gentleman saying, "relieve the District Police?"

Mr. GRAY. Yes.

Mr. GROSS. What do you mean by—relieve the District Police?"

Mr. GRAY. If the gentleman will yield further, let me give just a brief explanation.

The gentleman from New York knows of the particular instance that happened down at the Russian Embassy recently where some type of fight or holdup occurred across the street from the Embassy. They had three District Police guarding the Russian Embassy and asked them to come in and intervene. They said, "No, we cannot, we have to stay here."

If we have a protective force in this case, protecting the Russian Embassy, that would relieve those three policemen who are now there for District of Columbia work. Then, as I said, we will not have to hire three additional District Police.

Mr. GROSS. The gentleman does not think for one moment does he, nor can he give the slightest assurance that the Metropolitan Police force will not recruit, if it can find the men, up to the 5,100 police that is their maximum authorized strength? He is not saying that as an attempt to justify these 600 additions to the Secret Service police force?

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BROYHILL of Virginia. I want to say first of all, getting back to the question that the gentleman raised first, that the difficulty of recruiting these additional policemen is under the existing law and regulations pursuant to that law, that the recruits come exclusively from the Metropolitan Police Department and the Park Police.

I think under the law they could use the civil service procedures in recruiting. They will have to do that in order to get the additional—what is it—the 500 or 600 additional men they will need, because we cannot get them to work for the Metropolitan Police Department. Because the primary reason being the police department does not have the support of the communities that they are serving.

So possibly by putting them under the Secret Service, these recruits or potential recruits that they will have the support, so to speak, of the people they serve and then they can get to work.

Second, insofar as this being in lieu of the 850 vacancies that they have now, this police force is intended, and the gentleman from Illinois I think will agree with this, to provide additional protection for these embassies and the normal protection that is provided for the rest of the American people, which is not sufficient, so it will have in the final analysis the additional numbers of policemen appointed.

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

Mr. GROSS. I yield to the gentleman.

Mr. GRAY. I want to make the record very clear to my distinguished friend, the gentleman from Virginia, that this is not an additional overlapping force. This is in lieu of the policemen now being employed by the District of Columbia Police Department. This is very clear and the Chief of the Secret Service and those who testified before our committee, and I want to make the record very clear in that respect.

Mr. GROSS. Let me say to the gentleman that I am concerned about the enforcement of law and order in the District of Columbia, including the embassies.

I am not interested in an elite police force to protect the embassies to the exclusion of homes and businesses in the District of Columbia. And I am particularly concerned for the women in the District of Columbia, who are being attacked and raped on the streets by day and night.

This is where we ought to center our first attention—not upon the embassies.

Someone said a while ago that the embassies were moving out of the District of Columbia into the countryside, somewhere beyond the District of Columbia and therefore out of the jurisdiction of the Metropolitan Police force.

Are they actually moving out? If so, why are they moving out? Why? Will this new police force, this new Secret Service police force, be used to protect the International Monetary Fund's new country club just beyond the District of Columbia in Maryland? Are they going to be authorized to wet-nurse members of the new golf and country club for the International Monetary Fund and the World Bank, as well as the embassies? There are a lot of questions in connection with this subject that ought to be answered and more justification than we have had for this bill.

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

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

Mr. RARICK. I thank the gentleman for yielding. I certainly support the bill. I believe in law and order. I wonder if the gentleman has seen the afternoon Washington Daily News, which carries a front-page story of the nightmares in the District of Columbia schools, and the recently announced plan to station National Guard officers in the various public education facilities in the District of Columbia to protect the children.

I feel we should provide the necessary protection for those at our Nation's Capital conducting business with our Government. As Congressmen, we recognize Washington is intended to be a Federal city, a neutral city, which should be safe for the representatives of our people to meet and legislate for our Nation. Yet, I tell the gentleman that I am unable to live in our Nation's Capital because I happen to be a southerner. I have no feeling of security here in Washington, if anything I feel intimidated by the environment. Yet, I do not find anyone offering me police protection. I support this legislation which I feel is born of necessity, but I question this solution.

I leave this question with my distinguished colleague. Where can it be shown that crime has been effectively controlled by the mere increase in the number of police officers?

Mr. GROSS. I thank the gentleman for his observation. Let me say that we already have more police per capita in the District of Columbia than in any other city in the world, without the addition of 600 to protect the embassies.

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

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

Mr. KYL. The authorized strength of the Metropolitan Police force has been 4,100 men. It apparently will be 5,100. At this time there are 3,868 men on the force. Recruiting is easier than it has been.

Mr. GROSS. Whatever it is, I am told that we have more policemen in the District of Columbia per capita than in any other city of the world. Is that disputable?

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time. I reserve the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14944) to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14944, with Mr. DANIELS of New Jersey in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Illinois (Mr. GRAY) will be recognized for 30 minutes, and the gentleman from Florida (Mr. CRAMER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois, Mr. GRAY.

Mr. GRAY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, 194 years ago our forefathers met a few miles from Washington to plan the future and destiny of our great country. During this period we have grown to become the greatest and the

most powerful nation on the face of the earth, primarily because we have worked in unison here in this country and because of our friendships abroad, our friendships with the other nations trading with this great country.

Mr. Chairman, there are more diplomatic missions in Washington, D.C., than in any other country of the world. We have a total of 117 foreign governments doing business and operating embassies and chanceries in our Nation's Capital. We are faced today with a great paradox: We have the most beautiful and the most wonderful Capital in the world, but we also have one that is rampant with crime, with the highest crime rate of any place I know of.

Mr. Chairman, it is indeed unfortunate that freedom loving people cannot come to visit and discuss their future and the destinies of the people of this country and around the world without fear of being mugged or robbed or encountering some type of demonstration or burning or other acts of violence.

It was with this feeling that our President, your President, and my President, requested the House Committee on Public Works to establish a separate police force, to be known as the Executive Protective Service, to be able to insure that the people who are representing foreign governments in Washington, D.C., would be protected and that they could go about their business without fear.

That is the sole purpose of the legislation now before us. This would merely change the name of the White House Police force to the Executive Protective Service and simply increase the complement of 250 men to a total of 850, or an increase of 600.

This new force would be under the direct supervision of the very distinguished Director of the U.S. Secret Service, Mr. James Rowley, and the distinguished Chief of the White House Police force.

We have heard a great deal of talk here and discussion under the rule about crime in the District of Columbia. As I said earlier in my remarks, crime is rampant here. There has been a 300-percent increase in crime in Washington in the past 7½ years, but I submit to the Members that this is the responsibility of the Committee on the District of Columbia and of the District of Columbia Police.

I would say to my very distinguished friend, the gentleman from Virginia, if he feels the District of Columbia Police force is not adequate, then that committee should come forth with some additional legislation, as we are doing here. But this bill is for the protection of the embassies, chanceries, and the White House here in the District of Columbia. Our committee has nothing to do with the Metropolitan Police force.

The figure of 5,100 for the District of Columbia Police was given to me by the Appropriations Committee, and that is the most recent authorization. The gentleman from Iowa (Mr. KYL), referred to the figure of 4,100, but that is the old authorization. I merely point that out to indicate that the District of Columbia Police force is enlarging and I hope we can bring some hope of clearing away the clouds of uncertainty about protection in the Nation's Capital and bring back some sunshine and hope and peace to this city of approximately 3 million in the Washington area plus the approximately 18 million who visit here each year of which approximately 3 million are foreign visitors.

To get back to the bill before us, this would say to the President: You have the manpower to establish motorized patrols and you have the manpower to station sentries at our 117 missions, and you have the general authorization under the direction of the Secret Service to go anywhere in the United States to a foreign mission and give protection if there was advance intelligence that there was going to be trouble in one of those missions or embassies in the United States.

The Constitution gives this responsibility to the President. Furthermore, in 1963 all of our chiefs of missions gathered in Vienna, Austria, and they signed a pact. We were a signatory to this pact.

Article 40 of such pact says that the receiving state shall treat consular officers with due respect and shall take all appropriate steps to prevent any attack on their person, freedom, or dignity.

So the President is coming here not only with a personal feeling but also a responsibility to the 117 missions, that we give them the utmost and the ultimate in protection.

As was pointed out in the colloquy I had earlier with the gentleman from Iowa (Mr. GROSS), the total cost of this bill should not exceed $1 million the first year if we recruited all of these officers and kept all of the District of Columbia Police who are now protecting the embassies. But I feel that by relieving a lot of the officers who are now protecting the 117 missions this will preclude the necessity for recruiting additional District of Columbia Police, and thereby save some money.

Even if it did cost more, we would then be able to give the protection afforded by the Vienna Conference, and the protection we expect for our people in foreign countries.

I repeat that: the protection we expect for our people in foreign countries. As the Members know, we have reciprocal agreements, under which we expect protection by foreign governments around the world. If we are going to expect that type of service overseas we certainly have to give that type of protection at home.

I, for one, am willing to give this responsibility to the President, to give him the tools with which to carry out his responsibility. I hope this House will pass this bill without one dissenting vote today and say to the President, "We are sorry to see the large crime rate in Washington, District of Columbia, but we are for doing something about it. We are not giving it lipservice. We are protecting the embassies. We hope the District of Columbia Police can do their duty, so that we can protect all citizens."

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

Mr. GRAY. I yield to my distinguished chairman.

Mr. FALLON. I thank the gentleman for yielding. I should like to ask the gentleman a question.

Is it not true that during the hearings it was brought out the President under his constitutional authority has a duty to assure these people safety and dignity in our country?

Mr. GRAY. The gentleman is eminently correct. I go one step further and state that we signed a pact at Vienna, Austria, in 1963, with all other foreign governments who have missions here, that we would do this, that we would go beyond the constitutional responsibility of the President.

We have personally told these people, by signing with them, we would give them that protection. My distinguished chairman is eminently correct.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the distinguished gentleman from Virginia.

Mr. BROYHILL of Virginia. The gentleman stated earlier that if we felt the Metropolitan Police force was not adequate we should come out with legislation to make it adequate. I do not think it is adequate. The reason why it is not adequate is because we have not been able to obtain sufficient recruitment. The reason why we have not been able to obtain sufficient recruitment is because the Metropolitan Police Department does not have the backing of the people they serve.

I promise the gentleman that we have considered legislation in the House Committee on the District of Columbia. It will be embraced in the President's crime bill, to bring the Metropolitan Police Department and the other departments under a single commissioner.

In the meantime, I agree with the gentleman that we have to do something to provide necessary protection for these foreign embassies. I regret that we have to use this piecemeal approach. We cannot get recruits necessary to provide protection unless we recruit them under some situation where the recruits are assured they will have the support of the people for whom they work.

Mr. GRAY. I appreciate the remarks of the gentleman from Virginia.

What I had reference to a moment ago, when I was talking about the Committee on the District of Columbia, is the fact that our Committee on Public Works does not have the police jurisdiction. I did not mean to impugn the motives of the gentleman from Virginia when I made that statement. I merely point out we do not have the authority to bring out a District of Columbia police bill. We are acting under our authority here to protect public buildings and grounds. This comes under the subcommittee which I have the honor to chair, the Subcommittee on Public Buildings and Grounds, because the White House and other property is under our jurisdiction. But the police of the District of Columbia are not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY. Mr. Chairman, I yield myself 5 additional minutes for the purpose of answering any questions.

I now yield to my distinguished friend from California.

Mr. ANDERSON of California. Mr. Chairman, I thank the gentleman for yielding to me.

Earlier the gentleman mentioned the inability of the Metropolitan Police Department to recruit and that there were some 600 positions that it had not been able to fill at the present time. This would make an additional 600 police that would have to be recruited from the Metropolitan Police and the Park Police. What assurance do we have if these additional 600 members of this Executive Protective Service have to be recruited from the Metropolitan Police force or the Park Service, that it will not jeopardize the Metropolitan Police further?

Mr. GRAY. The gentleman from California raises a very good point, and I am glad he did, because inadvertently I omitted commenting on it when I made my initial remarks.

I have before me a letter dated December 16, 1969, from the Chief of the Secret Service, Mr. Rowley, and I would like to quote a part of that letter:

It is important to note that before an officer would be transferred to the Executive Protective Service—

He would have to be released by the Metropolitan Police Department or the Park Police—

Meaning that he cannot voluntarily transfer into this new force.

So if the Metropolitan Police Department is having trouble recruiting and feels that they cannot release officers from the District responsibilities to go into the new force, then the individual officer would be precluded from joining up with the new force without written permission from the Metropolitan Police or the Park Police.

Mr. ANDERSON of California. Will the gentleman yield further?

Mr. GRAY. Yes.

Mr. ANDERSON of California. My understanding is they cannot get them any place else. They can only recruit them from the Metropolitan Police and the Park Service.

Mr. CRAMER. Mr. Chairman, will the gentleman yield on that point?

Mr. GRAY. Yes. I yield to the gentleman.

Mr. CRAMER. The committee was concerned, as the gentleman knows, because he served on it, with this aspect of diluting the District of Columbia Police. So we wrote into the report on page 3 the following language which appears at the bottom of the third paragraph:

The direction of the Executive Protective Service will be a responsibility of the Director of the U.S. Secret Service, and it is contemplated that the members of the Service will be recruited under the civil service laws and regulations on a nationwide basis. It is not anticipated that the local police forces of the metropolitan area will be a primary source of recruitment.

Section 205 of title III specifically provides for such recruitment outside of the District of Columbia.

So what we are really trying to do is something that has to be done, namely, get the emphasis on recruiting from outside of the District of Columbia rather than diluting and weakening the District of Columbia Police, which has been done in the past.

Mr. GRAY. The gentleman from Florida is eminently correct. I might add to that the fact that 70 field offices of the Secret Service will be utilized throughout the United States to recruit people, and it will be a little more enticing, I believe, than the beat on 14th Street. I do not think they will have any trouble recruiting officers from all over the United States.

I yield to my friend from Iowa (Mr. GROSS).

Mr. GROSS. What is the average pay? The gentleman gave us the figure of $1 million annual cost for the 600 additions to the Secret Service. What would be the average pay? Surely the committee ascertained this when the witnesses were before them.

Mr. GRAY. The pay would be identical, as well as the authority, with that of the District of Columbia Police, and the starting salary now is a little over $7,000 per year, I believe.

Mr. GROSS. It is $7,000 a year?

Mr. GRAY. Yes.

Mr. GROSS. The $1 million per year cost would cover training, uniforms, equipment, motor cars, and all that goes with it. Is that correct?

Mr. GRAY. That was the estimate given to us by the Department of the Treasury and, as you know, the Secret Service is an agency of the Department of the Treasury. The figures were given by them, and I assume they have a breakdown on them. There is no way of knowing what the total costs are at this time.

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

Mr. GRAY. Yes, I yield further to the gentleman from Iowa.

Mr. GROSS. We are dealing with a certain fact here. If we pass this legislation you would expect to get 600?

Mr. GRAY. That is right.

Mr. GROSS. Whatever happens with respect to the Metropolitan Police is quite another thing.

Do you expect to put 600 people under the jurisdiction of the Secret Service on the payroll of this country?

Mr. GRAY. Right.

Mr. GROSS. On the payroll of all the Federal taxpayers, in other words. It is not a District of Columbia obligation. So, we are dealing now with the proposal to provide a 600-man additional force to the Secret Service and all the supporting services for it.

The gentleman from Illinois (Mr. GRAY), has put a price tag or cost figure upon this request of $1 million a year. I appreciate having this information because it is not in the committee report.

Let me ask the gentleman this: Would not the District of Columbia government, if it was not providing such things as some 400 policemen at professional football games, and I do not know how many at professional baseball games, at apparently no cost to the football club or the baseball club—would the department not have the strength with which to police these embassies? In other cities the owners of football and baseball teams provide their own police.

Mr. GRAY. Most of the games to which the gentleman refers are played, of course, in the afternoon. I think the great manpower requirements here in the District of Columbia are at night. However, the gentleman has a very valid point. I am not on the District of Columbia Committee but I think the question is well worth looking into.

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

Mr. GRAY. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, I realize the point the gentleman from Iowa is making, but we already have an authorization of 1,000 to be secured. That is going to cost, perhaps, several millions per year in the District of Columbia. When this executive force is in place, we can relieve the District police of the necessity of obtaining some of these additional people. So, this is not a layer on another layer of police and cost.

Mr. GROSS. I think the gentleman is indulging in some wishful hoping with respect to the reduction in the Metropolitan Police force as the result of adding 600 to the Secret Service Force.

Mr. GRAY. I do not think we will have a reduction, but I think we will have a greater use of the police now protecting the embassies and we hope they will be able to turn their attention to the crime problem in the District.

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

Mr. GRAY. I yield to the gentleman from Maryland.

Mr. GUDE. Mr. Chairman, I rise in support of the Executive Protective Service Act. I want to commend the gentleman for his statement.

I would like to say that I think this would be a good supplement to the Metropolitan Police because of the ability to have a broader recruiting service and being able to tap resources insofar as recruiting is concerned which is now unavailable to the Metropolitan Police. But rather than to place all the blame for the crime situation here in the metropolitan area of our police force, I would like to remind the committee that we have had before us court reform bills in the House since the middle of the summer, bills which have been sent up here by the executive branch of the Government. These court reform bills are recognized as a very essential part in our crime fight. We have police out on the streets having to deal with criminals who have been arrested and then are released to go back out on the streets, criminals who have not been tried. This goes on to the second, third, and fourth offense. So, there is no simple solution to this crime problem. Certainly, court reform and additional judges is a very important aspect of it in order that we have speedy trials of the criminals now behind bars where they belong.

Mr. GRAY. The gentleman is eminently correct and I concur in his statement.

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

Mr. GRAY. I am delighted to yield to the gentleman from Iowa.

Mr. KYL. I would like to discuss with the gentleman a little mathematics in

order to see if I am correct on the premise of hiring 600 additional men. If they are hired at a minimum salary of $7,000 a year—actually, it is higher than that—it seems to me that that comes out to $4.2 million for salaries alone rather than $1 million if all of these 600 men are beginning police.

If all of these 600 are beginning policemen, but of course you have to have corporals, sergeants, captains, and all the rest that go with it, and their pay is higher, and then you have the contributions toward their retirement, you have their uniforms, the implements that they use, the automobiles and the motorcycles, and so on, so it would be incorrect, would the gentleman not say, that the cost of this 600-man force is going to be $1 million?

Mr. GRAY. If the gentleman is talking about additional police, then the gentleman is correct, but I have tried to say all along that this is in lieu of the police that are now working who will fill the spots of other recruits that would cost money, and the committee has estimated that the people that they are going to have to take on additionally would only cost $1 million or so the first year.

Mr. KYL. If the gentleman will yield further, the gentleman is not being logical there, because the request of the Metropolitan Police Force for extra police took into account the number of them they had to have on duty in connection with the embassy patrols, and of course the need for police officers will be decreased, that is true, but you do not get money that way. That is a little mental legerdemain.

Mr. GRAY. It is going to cost the taxpayers the same, if we relieve the 600 we will not have to hire the additional 600. This is money saved that can be spent on the new force.

Mr. KYL. The gentleman is attempting to engage in a little bit of legerdemain because we are going to have to hire 600 if you take the duties away from the Metropolitan Police Department.

Mr. GRAY. That is right. But we save that. If we do not take 600 away then we have to hire 600 additional for the District.

Mr. KYL. But I was speaking about the mathematics used by the gentleman, and then you have to reduce the authorized strength of the Metropolitan Police by that number.

Mr. GRAY. That would make sense, but we just will not fill the vacancies if they are not needed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY. Mr. Chairman, I yield myself 1 additional minute.

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

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

Mr. RARICK. Mr. Chairman, I thank the gentleman for yielding. I wonder if the gentleman feels that as long as we have a Supreme Court that is soft on criminals if the addition of these proposed police officers would have any effect?

Mr. GRAY. Mr. Chairman, I would say to my distinguished friend, and this is my own personal opinion, of course, that if we do not do something to tighten up the court procedures we cannot hire enough police to combat crime in the District of Columbia.

Mr. RARICK. If the gentleman would yield further, I wonder if the gentleman does not also agree that since the District of Columbia is of a limited size, geographically, and can only accommodate a limited number of people—if it would not be more feasible to export the criminal element rather than add to the population by importing more peace officers.

The criminal element, for the most part, is not in the Federal city on our Nation's business and should be removed.

We might not be able to export all the criminal element but we can reduce or abolish those many fringe benefits, financed by our taxpayers, which encourage their presence. Specifically, I refer to public housing, liberal welfare programs, and lax judicial procedures.

In other words, we of Congress—in striving to protect the people of the District—those who have business being here—are going to need to adopt more constructive policies and institute programs to remove the many attractions which have induced the criminal element to infest our Capital City.

Mr. GRAY. The gentleman is correct.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY. Mr. Chairman, I yield myself 1 additional minute.

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

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

Mr. TAYLOR. I thank the gentleman for yielding. I just wish to ask the gentleman this question: If we failed to do all we can to offer this new protection to the embassies and their personnel, can we expect to continue to offer the protection that is needed to our own American people, and representatives serving abroad?

Mr. GRAY. The gentleman has put his finger right on the point. I was in Japan last December, and saw 3,500 Japanese students crowded around our American Embassy, and if it had not been for the immediate action of the police of Tokyo we could have had a very serious situation. I know money, of course, is important, and must be, but even if we are talking about $4 million a year, if we allow something to happen in Washington that is going to be embarrassing, and then we have a $10 million American facility in some foreign country burned down because of our inaction here then we will be penny wise and dollar foolish. Plus a major embarrassment to our President and the American people.

Mr. TAYLOR. Mr. Chairman, I commend the gentleman from Illinois for a fine presentation on legislation which I think we must pass.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from California, a valued member of our committee.

Mr. DON H. CLAUSEN. Mr. Chairman, actually not only is there a constitutional obligation on the part of the President to provide this protection, but it is my understanding that he has an obligation under international law to do just what the legislation is proposing.

Mr. GRAY. The gentleman is correct.

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

Mr. GRAY. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, I include the following letters for the information of the committee:

THE DEPARTMENT OF THE TREASURY,
Washington, D.C., December 8, 1969.

HON. KENNETH J. GRAY,
Chairman, Subcommittee on Public Buildings and Grounds, Committee on Public Works, House of Representatives, Washington, D.C.

DEAR MR. GRAY: It has come to my attention that an objection to the enactment of H.R. 14944 may be raised on the belief that the creation of an organization to provide embassy protection could lead to the establishment of a national police force. I want to stress that there are no grounds whatsoever in fact or in the bill for such a belief.

As you are aware, H.R. 14944, as amended by the Public Works Committee, would change the name of the White House Police force to the Executive Protective Service. In addition to the protection duties now performed by the White House Police, the new Protective Service would be authorized to provide protection of foreign embassies located in the Metropolitan area of the District of Columbia and in such other areas within the United States as the President may direct on a case by case basis. The authorized statutory strength of the Executive Protective Service would be limited to 850 members.

The protection to be provided the foreign diplomatic missions will be *preventive* in nature, not investigative. It is not authorized nor is it contemplated that the Executive Protective Service will operate as a police force. It will not and cannot usurp the responsibility of the local police department to enforce the laws relating to the protection of persons and property. The narrowly restricted responsibility granted to the Executive Protective Service by the bill is a security authority.

The ultimate responsibility for the security of foreign diplomatic missions located in this country is a Federal responsibility. It is an obligation of the central government under international law and practices. American embassies in foreign countries receive protection from the central government of the countries in which they are located. In most instances, this protection has been adequate to provide reasonable security for American diplomatic personnel stationed abroad. In order to insure the continued security of American diplomatic personnel, it is incumbent upon the Federal Government to reciprocate and insure reasonable security to foreign diplomatic missions located in this country. To this end, the foreign diplomatic corps has repeatedly petitioned the State Department and the Office of the President for increased protection due to the high incidence of crimes directed at foreign embassies and their personnel. It is not contemplated that the new Service will have a broader police role than to fulfill the purposes for which it is established. Its jurisdiction is restricted to the performance of *preventive* security functions in very limited areas of responsibility, i.e., the Executive Mansion and grounds, Presidential offices, and foreign diplomatic missions. The size and authority of the new Protective Service are restricted by statute and it is dependent upon the Congress for the appropriations

necessary for the performance of its functions.

I wish to emphasize that the Executive Protective Service will not be authorized to assume the responsibility of the local police in providng protection to foreign diplomatic personnel, or to conduct criminal investigations involving embassy personnel, or to furnish officers in adequate numbers to control demonstrations and other disturbances occurring in close proximity to foreign diplomatic missions.

Such is the extent of the jurisdiction of the new Service as it relates to diplomatic protection.

Sincerely yours,

EUGENE T. ROSSIDES.

TREASURY DEPARTMENT,
U.S. SECRET SERVICE,
Washington, D.C., August 13, 1969.

Subject: Estimated Costs—Embassy Protective Forces.

Mr. RICHARD J. SULLIVAN,
Chief Counsel, Committee on Public Works, U.S. House of Representatives, Washington, D.C.

DEAR DICK: In accordance with the request of Congressman Cramer, and pursuant to the provisions of section 2953, title 5, United States Code, there is attached an estimate of expenditures for the next five fiscal years in connection with the establishment of a special Embassy Protective Force.

The aforementioned information relates to H.R. 14944, proposed legislation pending before your Committee which, if enacted, will entail an estimated annual expenditure of appropriated funds in excess of $1,000,000.

We appreciate your assistance in the matter of the legislation pending before your Committee regarding the Embassy Protective Force. If you should need any further information, we would be most happy to supply it.

Sincerely,

JAMES J. ROWLEY.

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

Mr. GRAY. I yield to the gentleman.

Mr. FALLON. Mr. Chairman, I rise in support of H.R. 14944, reported unanimously by the Committee on Public Works.

This legislation was requested by the Treasury Department, acting for the President of the United States. I have been advised that over the last number of months the President has received complaints from over 50 different embassies accredited to the United States involving various criminal incidents which have occurred in or about the embassies located in the District of Columbia. The embassies of these foreign nations, some 117 diplomatic missions in all, have requested the Department of State and the President to take action to find means of preventing disturbances, harassment, and the high incidents of crime involving foreign embassies and their employees.

The President, under his constitutional authority, has the duty to assure these duly accredited representatives of foreign governments to the United States that the security of their person and property will be fully provided for by this Government.

H.R. 14944, as reported, I believe will accomplish the purposes which the President desires.

The bill increases the size of the existing White House Police force from 250 to 850; it changes the name of that force to the Executive Protective Service; it gives the service new authority to protect the foreign missions located in the metropolitan area of the District of Columbia, including Maryland and Virginia; it authorizes the President to use this service to protect foreign missions located outside of the Washington area whether they be in the United States, its territories, or possessions as he may determine on a case-by-case basis.

There has been some concern that a large number of the new service will be drafted from members of the existing Metropolitan Police Force. This is not the intent of the legislation nor will this happen.

It is my personal belief and the committee's feeling that by relieving the members of the Metropolitan Police Force from their present duties of protecting these diplomatic missions and substituting for them the new Executive Protective Service, there will be an increase in police protection for the residents of the District of Columbia as the Metropolitan Police members will then be able to assume other duties than that of protecting embassies.

This is necessary legislation. There is a sense of urgency to it and, for this reason, I urge its adoption. At the same time I wish to commend those responsible for bringing this legislation to the floor today, which includes the distinguished chairman of the Subcommittee on Public Buildings and Grounds, the gentleman from Illinois, the Honorable KENNETH J. GRAY, and his counterpart, the ranking minority member of the subcommittee, the gentleman from New York, the Honorable JAMES GROVER.

May I also commend to the Members the expert testimony received from the Department of the Treasury on this matter including particularly the able Director of the Secret Service, Mr. James Rowley.

May I conclude by thanking my dear friend, the chairman of the Subcommittee on Treasury, Post Office and Related Agencies, of the Committee on Appropriations, the gentleman from Oklahoma, the Honorable TOM STEED, for his work in cooperating with the committee in bringing this legislation to the floor.

Mr. GRAY. Mr. Chairman, I yield back the balance of my time and urge the unanimous support for the bill.

The CHAIRMAN. The gentleman has consumed 22 minutes.

The Chair recognizes the gentleman from Florida (Mr. CRAMER).

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

Mr. Chairman, I am in wholehearted support of this legislation. I just as much support this as I supported the President's initial recommendation with regard to fighting crime nationwide which incidentally is sitting in most of the subcommittees without action today.

I think it is a crime that it is being bottled up; and as much as I supported for instance the 1,000 new metropolitan police called for by the President of the United States, trying to do something about crime running rampant in the District of Columbia; and crime running rampant as much if not more so than every city in America—and this is supposed to be the showcase of government for the world.

I support also, and have encouraged others, and to try to get out of the proper committees legislation to control crime in the District of Columbia; in addition to the add on of 1,000 more people in the police force in the District.

So, really the way I conceive this legislation is that this is a peripheral way—this is a way of accomplishing better law enforcement in the District of Columbia when the Congress to this day has absolutely refused to provide the relief needed by direct legislation.

Let me tell you exactly what I mean. Today there are hundreds of metropolitan police needed on the beats and on the streets in the District of Columbia to combat crime and the rapes and robberies that are going up at a phenomenal rate here in the District of Columbia. So they put them in a cruise car and take them off the beats and the streets, to do what? In order to economize on personnel and save money. But it does not save the poor, harassed citizen or visitor in the District of Columbia who ends up being the victim of rape and robbery in their homes and on the streets.

So hundreds of District of Columbia police are needed on the beats and on the streets of the District of Columbia to fight crime in our Nation's Capital and for those who are criticizing providing a force for the embassies, listen to this—instead of those police who are needed on the beats and on the streets of the District of Columbia, they are presently protecting the embassies of the foreign nations.

So all we are saying is—to provide a proper force to protect the embassies, which is the duty of the President of the United States and our Government in any event, and a reciprocal responsibility of other governments that they have to protect our embassies in other countries. That is our duty. So let us establish a police force that may accomplish this and relieve these hundreds of Metropolitan Police and let them go back to the beats where they belong and protect the citizens of the District of Columbia and the visitors to the District.

That is as I see this legislation. So here is an opportunity to get 600 additional well-trained police—not recruited principally from the District of Columbia Police because that approach would not accomplish the objective of better law enforcement throughout the District. But we specifically provide in the report a requirement—

It is not anticipated that the local police forces of the metropolitan area will be a primary source of recruitment.

We state that specifically. I understand that there may be an amendment proposed that will clarify further that we clearly intend for them to recruit these people from outside the District. I will say this to you, it is my opinion that they will have no problem whatsoever to recruit people for this particular service because this service is going to have prestige and is going to have a specific

job and it is going to be backed up, which is not the case in many instances, by the police in the District of Columbia.

So this will be a nationwide effort to recruit for this force and to relieve the police for the District so that those who want law enforcement in the District should cling to this legislation and support it wholeheartedly because it will relieve those law enforcement authorities in the District of Columbia to do the job they should do and have not been doing. So if we have to use this peripheral way of doing it, I am 100 percent for it, if it is going to cost $4½ million to do it, I am 100 percent for that, to get the job done even partially in solving crime or helping to solve the problem of crime in the District of Columbia so that this will relieve some of the pressure on the Metropolitan Police force which is having to provide embassy protection for some 20 to 21 embassies here in the District of Columbia today.

In addition, these police will have the same authority for arrests as does the Metropolitan Police, and if a crime takes place in their presence or to their knowledge while they are on duty with the embassy, they will have the authority to make the necessary arrests, so they will be accomplishing that dual law enforcement purpose, too.

The city police are being stretched too thin, and everyone knows it. With the hippies, the kooks, and the peaceniks forever on the march, and some of them looking for trouble, providing the White House and embassies protection is becoming an ever more difficult task for the regular city police. Under international law and practice the United States is obligated to provide this protection. We have all heard of the rising crime rate in the District of Columbia. It is my hope that maybe this measure, if it gets the support to which it is entitled, will perhaps unlock the door to some of the anticrime measures that are not being acted on at the present time. The administration has exerted efforts to combat crime in America. It has presented legislation constantly. That effort, so far, is being thwarted in the Congress. I do not think the fight against crime can be frustrated in the name of cost or anything else. The need to combat the cancer of organized crime and crime in the streets far transcends partisan considerations. The people of America want prompt action on anticrime legislation, and they are entitled to have it. So I wholeheartedly support this legislation and encourage my colleagues to do likewise.

The President of the United States is vested with the constitutional responsibility for conducting this country's foreign policy. In order to adequately perform his duties in this regard, it is imperative that he assure accredited representatives of foreign governments in the United States at the seat of government security of person and property.

I regret to say that in recent years members of the foreign diplomatic corps stationed in the District of Columbia have complained that such security is lacking. They have been plagued with disturbances, harassments, and a high incidence of crime involving their embassies and their personnel. These have prompted demands that this country begin to provide them with the same kind of protection that their governments provide our people stationed abroad.

When the President became aware of these demands, he directed that a plan be developed for placing the responsibility for the protection of the 117 diplomatic missions in the Washington area under the control of an expanded White House Police force.

At the present time, the Metropolitan Police Department has this duty. In view of the increasing burdens being placed on it, however, it is doubtful whether this law enforcement agency can any longer fulfill this essential function. Its citywide responsibilities are too great. Moreover, it is operating more than 600 men below authorized strength.

Enactment of H.R. 14944 would shift the protective burden from the shoulders of the Washington Police to a new Executive Protective Service whose job would be to give embassies and their representatives in the Nation's Capital the same kind of protection presently provided the President and his family.

This legislation would boost authorized strength of the old White House Police from 250 to a maximum of 850 men. The new Service would be under the control of the Director of the U.S. Secret Service.

Its use would be specifically limited to providing security in the Washington metropolitan area. On special occasions, however, diplomatic missions in other areas of the country could be given protection where warranted on a case-by-case basis.

The reason for this special authority is to insure that the Executive Protective Service could be used on a selective basis to protect foreign dignitaries visiting this country. In such cases, however, the Service would not replace local police. Rather, it would supplement their efforts.

The Service will be a primarily preventive force. As planned, it will consist of motorized elements whose task it will be to patrol foreign missions in the metropolitan area. These will be supplemented by fixed or short beat patrols of the more sensitive embassies.

A ready reserve will be on duty at all times. It will respond when minor altercations or disturbances cannot be handled by the men on the beat.

When major trouble appears to be brewing, the Service will call upon District of Columbia Police to assist in handling it. When the Service is operating in other jurisdictions throughout the country under the special authority of subsection 3 (5) of the bill, local police will be called in when, as, and if needed. In all cases, the same operational arrangements and working guidelines which have proven so successful in the past will continue to govern the relationships between the law enforcement agencies involved.

Within the Nation's Capital, the expanded Service will relieve hundreds of District of Columbia policemen from embassy duties. This will enable them to pursue other law enforcement activities. In other words, by expanding the White House Police force, we will, in effect, be beefing up our sorely pressed Washington police.

As for recruitment, members of the new Executive Protective Service will come under the civil service laws and regulations. They will be recruited nationwide, although it is expected that local police forces in the metropolitan area will serve as a primary source of recruitment.

In view of the National Government's responsibility for protecting the President and the foreign diplomatic corps, the proposed expansion of the White House Police envisioned by this bill makes sense. Such duties properly belong to the Federal Government. The change should have been made long ago.

During the recent moratorium, I am informed, an unruly throng assembled in DuPont Circle. From there, they began to march on the Vietnamese Embassy. Fortunately, the security forces at hand were sufficient to deal with them before they reached their goal. Had they failed, we may have witnessed the sacking or worse of the embassy of a friendly nation and ally.

Such incidents happening to our embassies abroad have always shocked and outraged me. The establishment of a highly trained and mobile Executive Protective Service will insure that they will not happen here. Foreign representatives in this country will be assured the type of protection they are entitled to and deserve.

Their dignity and security requires it. The responsibility to preserve tranquillity and safety in the United States demands it.

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

Mr. CRAMER. I am glad to yield to the gentleman from Louisiana, who is known as a strong law-enforcement supporter in America.

Mr. RARICK. I thank the gentleman. I wonder if the gentleman and the committee have considered the possibility of transferring the Supreme Court Police to this newly proposed police force? The Supreme Court has many friends among the criminal element and should have minimal need for police protection. In this manner we can save the taxpayers money and at the same time promote international good will.

Mr. CRAMER. That would make about as much sense to the gentleman in the well as transferring the Capitol Police force, which we recently beefed up, just last year, and gave them additional authority to police Capitol Hill and Congress. I disagree with the gentleman, although, if some of the Justices were subjected to the same mob violence or criminal attacks suffered by many in the District of Columbia, they might render some different decisions.

The CHAIRMAN. Does the gentleman from Florida desire to yield additional time?

Mr. CRAMER. Mr. Chairman, I yield as much time as he may consume to the gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Chairman, I join my colleagues on the Public Works Committee in supporting the President's request to improve the protection of foreign embassy personnel and facilities through creation of an "Executive Protection Service."

The President has the clear constitutional responsibility of providing protection of personnel and for the conduct of the U.S. relationships with foreign governments and their resident representatives; their security of person and property in the same degree that the laws of this Nation assure to our own citizens.

Under international law and practice, it is the obligation of the host government to take reasonable precaution to insure the safety of foreign diplomatic officials and the embassies of foreign governments located in the receiving state. Our embassies overseas have been receiving protection from the central government of the countries in which they are located. It is, therefore, appropriate that we have the capability to carry out our reciprocal responsibility.

There are 117 diplomatic missions in Washington, D.C., and the immediately surrounding area. At the present time, the protection of foreign embassies is a responsibility of the Metropolitan Police Department. Over the past 4 years incidents at embassies and crime involving diplomatic personnel have shown a marked increase. The foreign diplomatic corps has constantly complained to the Department of State concerning disturbances, harassment, and the high incidence of crime involving foreign embassies and their employees. Ambassadors and other high diplomatic officials have demanded that the National Government fulfill its obligation to maintain the security of foreign diplomatic missions located in this country. Recently their complaints came to the attention of the President, and the level of his concern is evidenced in the request for this legislation.

The Metropolitan Police Department cannot provide the necessary protection. This fact is not an adverse reflection on the Department. The demands upon it in carrying out its citywide responsibility to the general public for law enforcement and protection are already overwhelming.

Responsibility for providing protection of this nature might reasonably be expected to lie with the Department of State. That Department, however, has no security personnel even remotely qualified to meet the needs involved.

The White House Police, under the supervision of the Director of the Secret Service, are uniquely qualified, by both training and the responsibilities already assigned to them under existing law, to meet this need. The assignment of embassy protection to this group will center responsibility in the Federal Government, where it belongs.

Accordingly, H.R. 14944 here reported, with amendments, will change the name of the White House Police to the Executive Protective Service, which more adequately describes the functions already assigned to it as well as the function to be added here. In addition, this legislation will extend the jurisdictional area within which the Service may function to the metropolitan area surrounding the city of Washington itself. Some embassies are already located outside the city limits, and it may reasonably be assumed that other embassies will so locate in the future. To carry out its function, the Service must be able to protect these embassies as well as those located within the city proper.

The committee wishes to make it clear, however, that foreign representatives are accredited to the President; they necessarily must be so situated physically as to be in relatively close proximity to the central seat of this Government. The authority for embassy protection is limited to the metropolitan area itself, except as the President otherwise provides, on a case by case basis. Where embassies are located in Maryland or Virginia, to the extent those States comprise a part of the metropolitan area, the same cooperation with local police forces would apply as now applies with respect to the Metropolitan Police Department. In this regard, the committee would emphasize that the embassy protective function cannot, and is not intended to, assume the local police department's responsibility (whether it be in the District of Columbia, Maryland, or Virginia) to conduct criminal investigations involving embassy personnel but to furnish police officers in adequate numbers to control major demonstrations and other large disturbances occurring in close proximity to foreign diplomatic missions.

With respect to the authority granted the President to utilize the Executive Protective Service for the protection of "foreign diplomatic missions located in such other areas in the United States, its territories and possessions, on a case-by-case basis," the committee here states plainly that this authority extends only to situations of extraordinary gravity, where the local police force is totally incapable of providing a level of protection deemed essential to the international integrity of the United States, or where the protection of the President himself, for example, would be involved. This additional authority is not, and may not be construed to be, a substitute for the responsibility of local police forces to provide protection for consulates, the United Nations, and similar foreign delegations within the United States. The increased protection to be provided by the Executive Protective Service is designed primarily as a preventive measure within the Washington metropolitan area. It is not intended that this new Service assume the responsibility of other police departments to provide protection to persons and property within their respective jurisdictions.

The number of personnel assigned to the Service will be increased from the present 250 to not more than 850. Not all of this authorized increase in personnel, of course, is attributable to embassy protection. The need for increased protection for the President accounts for part of the added personnel. The direction of the Executive Protective Service will be a responsibility of the Director of the U.S. Secret Service, and it is contemplated that the members of the Service will be recruited under the civil service laws and regulations on a nationwide basis. It is not anticipated that the local police forces of the metropolitan area will be a primary source of recruitment.

The administration originally requested an open-end authorization for personnel for this Service. The committee is unequivocally opposed to any such arrangement. The duties assigned the Service are specific. A maximum of 850 should, on the basis of the information submitted to the committee, be adequate for the foreseeable future. By whatever name it is called, and however meritorious its purpose, a police force at the disposal of the Federal Executive power is an instrument upon which our philosophy of government requires tight rein. The committee has every reason to expect restrained executive use and close congressional oversight of the Service, its assignments, and its performance.

The committee has had this legislation under active consideration since May 21 last. Public hearings were held on July 24, and four extensive executive sessions followed the public hearings. We believe H.R. 14944 as reported will meet the undeniable need for embassy protection as a Federal responsibility, but with safeguards the committee considers absolutely essential.

Mr. PETTIS. Mr. Chairman, I rise today to express my unqualified support for the pending measure to authorize the establishment of a federalized police force for the protection of the Executive Mansion and the 117 embassies of foreign governments.

And, in stating my support, I also wish to deplore the conditions in this, the Nation's Capital, which make this kind of legislation necessary. I think we have reached a rather sorry state of affairs when we have to admit that the local police force is not capable of providing adequate protection for the well-being and property of the diplomatic emissaries from around the world. This is supposed to be the greatest capital city in the world but I wonder how long we will be able to maintain that image.

The incidence of thievery, vandalism, and mayhem visited upon the foreign embassies is shocking and inexcusable. Let me cite just a few examples. Last July 27, persons forced their way into the Ethiopian Embassy and broke windows, furniture, and other valuable furnishings before they were subdued and arrested; two persons attempted to enter the Russian Embassy grounds last summer, and just this month 19 persons handcuffed themselves to the Embassy fence; the Italian Embassy has reported that automobiles on its property have been tampered with, and there have been any number of incidents at the Embassies of the Vietnamese and French Governments.

To my knowledge, this is the first time

in history that the Government has been forced to institute this kind of a federalized police force for such a purpose. And one has only to glance at the daily listings of criminal activity in the local newspapers to see the reason why. The weekend list of crime in the District would fill an entire page if it were printed in the same type as the rest of the newspaper.

Even though the Washington police force has been enlarged to almost 3,900—an increase of about 500 men over the past year—the crime rate continues to climb.

The number of homicides in the first 9 months of this year have increased by 56 percent over the figure for the same period last year and that was dreadful enough. Robberies have jumped 54 percent in the same 9-month period and I think they have lost count on the number of rapes, they occur with such sickening frequency. Nobody is spared the sadists. The young shopgirl, the matron, the very old, the infirm are daily victimized.

Just within the past 24 hours I read of the pleas of some women who are seeking to have year-round daylight saving so they will have a fighting chance to reach the safety of their homes—and that is a little precarious, too—before darkness sets in. Why, some of the women who work in the downtown agencies are sacrificing an hour's pay at the end of the day in order to get a head start on the rapists and muggers they know are roaming the city after dusk.

However, we do not have to go downtown for samples of violence. There is ample evidence right here on Capitol Hill. Members of the Congress have been mugged and robbed—one attacked in his own office. Our female staff members have been murdered, raped, robbed, and terrorized; even those girls who live within two blocks of the Capitol have a justifiable fear of walking home.

This deplorable situation has created a bonanza for people in the security business. Citizens have taken to double-bolting doors, buying watchdogs, and hiring guards. There are many Members, like myself, who have found themselves forced to find persons to live in their homes while out of the city. And the foreign embassies around the city have been forced to maintain their own security forces.

Whatever the shortcomings of the local police force, I do not lay the complete blame for this situation at their doorstep. A major reason we find ourselves having to enact such a bill as we have before us today is our inaction in taking up the President's anticrime proposals.

The first session of this Congress has been at work since January 3, now January of 1970 is right around the corner and not a single one of the major recommendations on crime has been acted upon. Instead of taking measures to combat crime in the streets, we have seemed more interested largely in superficial legislation and "giveaway" aid programs.

The administration has requested $296 million this year to help States and local communities improve their police and criminal justice systems. Legislation has also been introduced to intensify the national effort against organized crime which claims as its major victims the poor. A major revision of all Federal narcotics laws also has been proposed in an effort to curb illicit narcotics trade.

Failure to deal effectively with criminals and the causes of crime has resulted in what can only be termed major disaster. Crime has quadrupled since 1944. In 1968 alone, it increased by 17 percent.

Use of drugs has grown at an even more frightening rate. Between 1960 and 1967 juvenile arrests involving the use of drugs rose almost 800 percent and the number of narcotics addicts in the United States is now estimated to be in the hundreds of thousands.

The flow of smut and obscenity through the mails has increased enormously in recent years, to the disgust of decent citizens and to the detriment of our children.

Here in the Nation's Capitol, while serious crime skyrockets, the criminal courts lack progressive, effective procedures.

Organized crime continues to wrap its tentacles about our society. It controls illegal gambling, the numbers racket and dope smuggling, and has infiltrated government and legitimate business.

We must devote new resources and knowledge to the curbing of juvenile delinquency; we must develop new techniques of prisoner rehabilitation, both institutional and extrainstitutional; we must address the urgent need for penal reform.

Control of all areas of crime is absolutely necessary if we are to maintain the internal strength and security of our Nation, if we are to be safe in our homes and on our streets and if our children are to have the protection they deserve.

We should decide now to give anticrime legislation the number one priority for the next session so our people will know that we are interested in arresting and curing the cancer of crime which now afflicts the Nation.

Many people are coming to believe that the motto of Washington is "Kill a Citizen a Day" or "Rob a Bank Daily." That may be true of many other cities before long.

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

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

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

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 3 of title 3 of the United States Code is amended as follows—

(1) by striking the words "White House Police force" whenever they appear in the chapter and inserting in lieu thereof the words "Executive Protective Force";

(2) by striking the words "White House Police" whenever they appear in the chapter and inserting in lieu thereof "Executive Protective Force";

(3) by striking the second sentence and inserting in lieu thereof, the following: "Subject to the supervision of the Secretary of the Treasury, the Force shall perform such duties as the Director, United States Secret Service, may prescribe in connection with the protection of the following: (1) the Executive Mansion and grounds in the District of Columbia; (2) any building in which Presidential offices are located; (3) the President and members of his immediate family; and (4) foreign diplomatic missions located in the metropolitan area of the District of Columbia, and such other areas as the President may direct."; and

(4) by striking the words "two hundred and fifty" in the first sentence of subsection (a) of section 203 and inserting in lieu thereof "eight hundred and fifty".

Mr. GRAY (during the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of the bill, and that the bill be printed in the RECORD and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: First page, line 8, strike out "Force" and insert "Service".

Page 2, line 2, strike out "Force" and insert "Service".

Page 2, line 6, strike out "Force" and insert "Executive Protective Service".

Page 2, line 12, strike out "and".

Page 2, strike out lines 13 and 14, and insert: "metropolitan area of the District of Columbia; and (5) foreign diplomatic missions located in such other areas in the United States, its territories, and possessions, as the president, on a case-by-case basis may direct."; and".

The committee amendments were agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I would like to ask: This 600-man addition to the Secret Service is for the purpose of being added to the 250 already in existence. Is that correct?

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

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

Mr. GRAY. Mr. Chairman, the gentleman is correct. The total complement of the White House Police force is 250 maximum, and this would add an additional 600, but I would correct the gentleman, it is not a Secret Service force.

Mr. GROSS. The gentleman can construe it any way he wants to. The additional 600 would be under the jurisdiction of the Secret Service.

Mr. GRAY. They work out of the White House Chief of Police.

Mr. GROSS. But now there will be a total force of 850, the 600 being provided ostensibly to protect the embassies.

Mr. GRAY. That is correct.

Mr. GROSS. We have 127 or 137 embassies?

Mr. GRAY. It is 117.

Mr .GROSS. It is 117 embassies. What in the world can they do with 600 men on any basis of a logical tour of duty per man, using 600 to protect 117 embassies?

Mr. GRAY. Mr. Chairman, if the gentleman will yield further, first let me remind the gentleman the additional 600 will not all be used for the 117 missions. The President wants to beef up the

White House protection and also the protection of the President and the Vice President and their families, so a small portion of the 600 would be used for those purposes.

I would remind the gentleman this contemplates three shifts per day, 7 days a week, for 365 days a year.

Mr. GROSS. Does it take 600 men on that basis to protect 117 Embassies? Surely, that would leave quite a cushion for the additions to the protection of the White House or any other function they might be called upon to perform in the Federal service.

Mr. GRAY. I would remind the gentleman these are maximum ceilings. The Chief of the Secret Service will have to come to the Appropriations Committee and justify every single body he puts on this force.

I would point out further that our very distinguished friend, the gentleman from Oklahoma (Mr. STEED), the chairman of the subcommittee, and the ranking Republican member on the committee, the gentleman from Massachusetts (Mr. CONTE), looked into this matter thoroughly. They made suggested changes. This is a compromise bill. They are coauthors of the legislation before us. They certainly will look into the shifts and how many are on them, and whether or not each man is justified, before ever one man is funded under the authorization.

Mr. GROSS. Will this require any brick and mortar for a headquarters?

Mr. GRAY. There is not a dime for construction in this bill.

Mr. GROSS. That may be, but does the gentleman know of any that would be proposed?

Mr. GRAY. I do not envision any authorization for construction of any facilities. These people will work out of the adequate space in the White House.

Mr. GROSS. There is adequate space in the White House?

Mr. GRAY. There will be three phases. The motorized police will work out of the GSA motor pool or the White House motor pool, and the second phase of it will be the foot patrols, and the third phase of it will be the stationary guard at the facility. He will report for duty and his sergeant will come around and make sure he is there. We do not need any barracks, and all that. Nobody will be domiciled there. They will be living at home and report for work to the White House directly.

Mr. GROSS. With all due respect for my friend, the gentleman from Illinois—and I do respect him—I think he has underestimated again, as he underestimated the cost of this 600-man addition, and as I think he has underestimated the cost of headquartering and maintaining this group. I think time will amply demonstrate it.

Mr. GRAY. If I did underestimate, I think my chairman, the gentleman from Oklahoma (Mr. STEED) will correct my errors.

Mr. GROSS. But that will come a little late for many of us on this floor, as many other things have come too late, including the revised estimates of more millions for the cultural castle in foggy bottom, as well as the visitors' center, and so on, up and down the line. It will come too late for the poor old taxpayers of this country.

Mr. GRAY. If the gentleman would like to have lunch with me tomorrow, I will be glad to bring him up to date at that time on the visitors' center. It is very exciting.

AMENDMENT OFFERED BY MR. MATSUNAGA

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

The Clerk read as follows:

Amendment offered by Mr. MATSUNAGA: Page 1, line 19, strike out the word "and",

Page 1, line 22, strike out the period and insert in lieu thereof a semicolon and the word "and".

Page 2, after line 22, add the following new paragraph:

"(65) Strike out the period at the end of the second sentence of section 203(a), title 3, United States Code and insert in lieu thereof 'and by recruitment under the civil service laws and regulation on a nationwide basis.'"

Mr. MATSUNAGA (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

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

Mr. GROSS. Mr. Chairman, reserving the right to object——

Mr. MATSUNAGA. If the gentleman will yield, I will explain to the gentleman what the amendment will do, under his reservation of objection.

Mr. GROSS. I yield to the gentleman.

Mr. MATSUNAGA. This amendment has been approved by both the majority and the minority sides of the committee.

Mr. Chairman, the amendment which I offer is really a very simple amendment. It would merely provide that the major part of the 600 additional members authorized by H.R. 14944 for the proposed Executive Protective Service would be recruited on a nationwide basis and not primarily from among members or former members of the Metropolitan Police force of the District of Columbia.

I support the bill now under consideration, for I am convinced that there is an urgent need to provide better protection for foreign embassies and their personnel in our country. As their host, we are responsible for their safety.

However, the Metropolitan Police force is severely undermanned today and is having extreme difficulty in recruiting police officers. According to testimony presented before the Rules Committee there are 800 vacancies which are yet to be filled. With the crime rate in the District on a constant increase we should not create a situation which would further decrease the Metropolitan Police force. This would tend to allow an even greater increase in crimes in the District.

Because of the greater attraction of the new Executive Protective Service, unless we limit the number of men who can be recruited from the Metropolitan Police force, we would open the floodgates and leave the District in an intolerable situation. The testimony before the Rules Committee was to the effect that only the basic cadre would be recruited from the District force and that the main part of the additional 600 officers could be recruited from areas other than the District because of the greater attraction of the new Executive Protective Service.

My amendment, therefore, would in no way interfere with the program intended by this legislation. By the same token, my amendment would protect the Metropolitan Police force from being severely crippled by mass resignations of its members who would be attracted to the new Executive Protective Service. My amendment would insure happiness all around.

I urge its adoption.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

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

Mr. BROYHILL of Virginia. In view of the fact that at present and for the past several years the recruitment of the White House Police has been exclusively from members of the Metropolitan Police force, I feel this additional language the gentleman proposes would certainly help to provide protection which the gentleman seeks.

Mr. MATSUNAGA. I thank the gentleman from Virginia.

Mr. GROSS. There is nothing in the gentleman's amendment—which was not read in full, as the gentleman knows—which would preclude the recruiting of potential police officers in the Southern States?

Mr. MATSUNAGA. Nothing at all.

Mr. GROSS. Mr. Chairman, I withdraw my reservation.

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii (Mr. MATSUNAGA).

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DANIELS of New Jersey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 14944) to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes, pursuant to House Resolution 754, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

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

Mr. O'HARA. 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 394, nays 7, not voting 32, as follows:

[Roll No. 338]

YEAS—394

Abernethy	Colmer	Green, Oreg.
Adair	Conable	Green, Pa.
Adams	Conte	Griffin
Addabbo	Corbett	Griffiths
Albert	Corman	Grover
Alexander	Coughlin	Gubser
Anderson, Calif.	Cowger	Gude
	Cramer	Hagan
Anderson, Ill.	Crane	Haley
Anderson, Tenn.	Culver	Halpern
	Cunningham	Hamilton
Andrews, N. Dak.	Daddario	Hammer-schmidt
	Daniel, Va.	
Annunzio	Daniels, N.J.	Hanley
Arends	Davis, Ga.	Hansen, Idaho
Ashbrook	Davis, Wis.	Hansen, Wash.
Ashley	de la Garza	Harrington
Aspinall	Delaney	Harsha
Ayres	Dellenback	Harvey
Beall, Md.	Denney	Hastings
Belcher	Dennis	Hathaway
Bell, Calif.	Dent	Hays
Bennett	Derwinski	Hechler, W. Va.
Berry	Devine	Heckler, Mass.
Betts	Dickinson	Helstoski
Bevill	Diggs	Henderson
Biaggi	Dingell	Hicks
Biester	Donohue	Hogan
Bingham	Dorn	Holifield
Blackburn	Dowdy	Horton
Blanton	Downing	Hosmer
Blatnik	Dulski	Howard
Boggs	Duncan	Hull
Boland	Dwyer	Hungate
Bow	Eckhardt	Hunt
Brademas	Edmondson	Hutchinson
Brasco	Edwards, Ala.	Ichord
Bray	Edwards, Calif.	Jacobs
Brinkley	Edwards, La.	Jarman
Brock	Eilberg	Johnson, Calif.
Brooks	Erlenborn	Johnson, Pa.
Broomfield	Esch	Jonas
Brotzman	Eshleman	Jones, Ala.
Brown, Calif.	Evans, Colo.	Jones, N.C.
Brown, Mich.	Evins, Tenn.	Jones, Tenn.
Brown, Ohio	Fallon	Karth
Broyhill, N.C.	Farbstein	Kastenmeier
Broyhill, Va.	Feighan	Kazen
Buchanan	Findley	Kee
Burke, Fla.	Fish	Keith
Burke, Mass.	Fisher	King
Burleson, Tex.	Flood	Kleppe
Burlison, Mo.	Flowers	Kluczynski
Burton, Calif.	Flynt	Koch
Burton, Utah	Foley	Kuykendall
Bush	Ford, William D.	Kyl
Button		Kyros
Byrne, Pa.	Foreman	Langen
Byrnes, Wis.	Fountain	Latta
Cabell	Fraser	Leggett
Caffery	Frelinghuysen	Lennon
Camp	Frey	Lloyd
Carey	Friedel	Long, La.
Carter	Fulton, Pa.	Long, Md.
Casey	Fuqua	Lowenstein
Cederberg	Galifianakis	Lukens
Chamberlain	Gallagher	McCarthy
Chappell	Garmatz	McClory
Clancy	Gaydos	McCloskey
Clark	Gettys	McClure
Clausen, Don H.	Giaimo	McCulloch
	Gibbons	McDade
Clawson, Del	Gilbert	McDonald, Mich.
Cleveland	Goldwater	
Cohelan	Gonzalez	McEwen
Collier	Goodling	McFall
Collins	Gray	McKneally
McMillan	Podell	Staggers
Macdonald, Mass.	Poff	Stanton
	Preyer, N.C.	Steed
MacGregor	Price, Ill.	Steiger, Ariz.
Madden	Price, Tex.	Steiger, Wis.
Mahon	Pryor, Ark.	Stephens
Mailliard	Pucinski	Stokes
Mann	Purcell	Stratton
Marsh	Quie	Stubblefield
Mathias	Quillen	Stuckey
Matsunaga	Railsback	Sullivan
May	Randall	Symington
Mayne	Rarick	Talcott
Meeds	Rees	Taylor
Melcher	Reid, Ill.	Teague, Calif.
Meskill	Reid, N.Y.	Teague, Tex.
Michel	Reuss	Thompson, Ga.
Mikva	Rhodes	Thomson, Wis.
Miller, Calif.	Riegle	Tiernan
Miller, Ohio	Roberts	Udall
Mills	Robison	Ullman
Minish	Rodino	Utt
Mink	Roe	Van Deerlin
Minshall	Rogers, Colo.	Vander Jagt
Mize	Rogers, Fla.	Vanik
Mizell	Rooney, N.Y.	Vigorito
Mollohan	Rooney, Pa.	Waggonner
Monagan	Rosenthal	Waldie
Montgomery	Rostenkowski	Wampler
Moorhead	Roth	Watkins
Morgan	Roudebush	Watson
Morse	Roybal	Watts
Morton	Ruppe	Weicker
Mosher	Ruth	Whalen
Murphy, Ill.	Ryan	White
Murphy, N.Y.	St Germain	Whitehurst
Myers	St. Onge	Whitten
Natcher	Sandman	Widnall
Nedzi	Satterfield	Wiggins
Nelsen	Saylor	Williams
Nichols	Schadeberg	Wilson, Bob
Nix	Scherle	Wilson, Charles H.
Obey	Scheuer	
O'Hara	Schneebeli	Winn
Olsen	Schwengel	Wold
O'Neal, Ga.	Scott	Wolff
O'Neill, Mass.	Sebelius	Wyatt
Ottinger	Shipley	Wydler
Passman	Shriver	Wylie
Patman	Sikes	Wyman
Patten	Skubitz	Yates
Perkins	Slack	Yatron
Pettis	Smith, Calif.	Young
Philbin	Smith, Iowa	Zablocki
Pickle	Smith, N.Y.	Zion
Pike	Snyder	Zwach
Pirnie	Springer	
Poage	Stafford	

NAYS—7

Chisholm	Hawkins	O'Konski
Clay	Landgrebe	
Gross	Lujan	

NOT VOTING—32

Abbitt	Fulton, Tenn.	Pollock
Andrews, Ala.	Hall	Powell
Baring	Hanna	Reifel
Barrett	Hébert	Rivers
Bolling	Kirwan	Sisk
Cahill	Landrum	Taft
Celler	Lipscomb	Thompson, N.J.
Conyers	Martin	Tunney
Dawson	Moss	Whalley
Fascell	Pelly	Wright
Ford, Gerald R.	Pepper	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Sisk with Mr. Lipscomb.
Mr. Rivers with Mr. Hall.
Mr. Hanna with Mr. Pollock.
Mr. Wright with Mr. Pelly.
Mr. Baring with Mr. Martin.
Mr. Fascell with Mr. Reifel.
Mr. Celler with Mr. Cahill.
Mr. Pepper with Mr. Taft.
Mr. Barrett with Mr. Whalley.
Mr. Abbitt with Mr. Landrum.
Mr. Andrews of Alabama with Mr. Moss.
Mr. Thompson of New Jersey with Mr. Conyers.
Mr. Tunney with Mr. Dawson.
Mr. Kirwan with Mr. Powell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

PERMISSION FOR HOUSE MANAGERS TO FILE CONFERENCE REPORT ON S. 2577, TO LOWER INTEREST RATES, FIGHT INFLATION, HELP HOUSING, SMALL BUSINESS, AND EMPLOYMENT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (S. 2577) to lower interest rates and fight inflation, to help housing, small business, and employment, and for other purposes. That is the bill passed yesterday afternoon.

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

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. COUGHLIN. Mr. Speaker, when the votes were taken on rollcall No. 335, the motion to recommit, and rollcall No. 336, the conference report on the Federal Coal Mine Health and Safety Act, I was necessarily absent. I was a sponsor of the legislation. I firmly supported it, and supported its passage.

Had I been present, I would have voted "nay" on the motion to recommit, rollcall No. 335, and "yea" on the conference report, rollcall No. 336.

APPOINTMENT OF CONFEREES ON H.R. 13111, DEPARTMENTS OF LABOR, HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13111) making appropriations for the Departments of Labor, Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

Mr. CONTE. Mr. Speaker, reserving the right to object, and I do not intend to object, let me say that we had an earlier colloquy on the floor of the House on the parliamentary situation. Since that time we have had several discus-

sions with the chairman of the subcommittee, Mr. FLOOD, who has been most gracious and most cooperative. We have also had some discussions with Members on my side of the aisle. The parliamentary situation is such, Mr. Speaker, that should I move to instruct the conferees and someone on that side moves to table the motion, we will not have a clear vote either up or down on the question of whether the House wishes to retain the Scott amendments or the Whitten amendments. Therefore, based on the conversations I had with the chairman of the subcommittee and the assurance he has given me of his cooperation, and the assurance I have from members on my side of the committee, including the ranking Republican and others on the committee——

Mr. FLOOD. I confirm these statements.

Mr. CONTE. At present it would appear that the wisest thing to do in order to try to preserve the language of the Senate would be not to move to instruct the conferees and let them work their will. Then when they come back at that time we will make a motion, I hope with the support of the leadership.

Mr. FLOOD. If I were in the position of the gentleman from Massachusetts, I would do exactly the same thing.

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

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

Mr. BOW. The statement has been made that an agreement has been made with the ranking minority member. I do not know what that agreement is. No one discussed any agreement with me. I would like to be advised before any agreement is made here as to what it is.

Mr. CONTE. Certainly. I spoke with the gentleman from Illinois, and I apologize for not speaking to the gentleman from Ohio. Things were moving quite fast here.

Mr. BOW. I am still around here, and I am not hard to catch.

Mr. CONTE. As I understand it, there are Members on our side of the aisle and Members on the other side of the aisle that will support the Scott amendment individually. If we do prevail, then the issue is over with. If we do not prevail, then when the bill comes back from conference, we will have an opportunity at that time to ask for a rollcall vote on this particular amendment.

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

Mr. CONTE. I am glad to yield.

Mr. BOW. There is no question that you can have a rollcall vote, but I have heard some rumors around here that somebody wants to take over the prerogative of the motion to recommit. There has been no agreement on that.

Mr. CONTE. No. There has been no agreement.

Mr. FLOOD. I have never heard of that.

Mr. CONTE. If the gentleman had been in the Chamber earlier, we asked for that agreement but no one in the minority could give me that assurance.

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

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

Mr. COHELAN. I thank the gentleman for yielding.

I merely want to say that the situation is fluid at this moment. The conferences we have been having in this intermittent period have been very awkward. We have been trying to get agreements that would give us some assurance, as the gentleman from Massachusetts has pointed out, that we would ultimately get an opportunity to obtain a clear vote on the Scott Senate amendment and, of course, the House version which was voted into the Committee of the Whole House on the State of the Union. It seems that on the basis of the information the gentleman from Massachusetts has at this moment received, he has decided that we should not follow this course of action.

This, of course, puts us in this awkward position. I want the record to be clear on this. If we fail to make a motion to instruct, we will have no parliamentary opportunity to express ourselves on this matter. Even though the inevitable motion to table will follow a motion to instruct the conferees to accept the Senate amendment and would, of course, obscure the issue.

Mr. Speaker, I am going to these lengths and am being elementary about this because neither I nor the gentleman from Michigan (Mr. O'HARA), who has been working to try to establish some agreement, have been able to make up our minds. As some of the sponsors of the Whitten amendment know, we are all most concerned. We must try to get a clear-cut record vote in the House of Representatives on this issue so we can go back to our constituents this year as we did last year and let them know how we stand on the Whitten amendment. Last year the conference came back in disagreement with the Senate amendments in three particulars and there were three rollcall votes. We adopted the Whitten amendment in the Committee of the Whole House on a teller vote, a nonrecord vote. When it came back from conference, we were in a position to get a record vote and were successful in striking the Whitten amendment. That is the issue here. We are hopeful that the House conference will come back in disagreement with the Scott amendment which was passed by the other body by a vote of 52 to 37. Such action will give us the opportunity to vote clearly on the record; an opportunity we have had in the past.

The Members of this body, especially those of us who have been here for a number of years, know the nature of the conference committee.

The composition of the conference on the other side is interesting in that seven of the nine Members voted against the Scott amendment. It may be assumed therefore that they would, of course, be willing to yield to our very persuasive and distinguished friend, the gentleman from Mississippi (Mr. WHITTEN), and his point of view. This, of course, would be reflected in the conference report. That is what it is all about.

Mr. O'HARA. Mr. Speaker, will the gentleman yield?

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

Mr. O'HARA. May I ask the gentleman from Massachusetts this question: Did I understand the gentleman to say that he had received assurances that he seemed to think were adequate if the motion to instruct were not offered, that an opportunity would be had to have a separate vote on the Scott amendment to the Whitten amendment?

Mr. CONTE. That is my understanding. I want it completely understood here that I have made no agreement on the motion to recommit in case that comes up. We have had an earlier discussion on that. We tried to receive that assurance here on the floor, but we did not receive it. However, I am assured at this time by the leadership on our side that they will support a rollcall vote to delete this from the conference report.

Mr. O'HARA. Mr. Speaker, if the gentleman will yield further for just one moment, I would like to inquire—not being an expert on appropriations conference committees—if it would be possible to bring back an amendment in disagreement if the Senate conferees were to offer to recede from their disagreement.

Mr. CONTE. Well, this is one of the very difficult porblems that we have. I would like to yield to my friend, the gentleman from Ohio, the ranking Republican Member here to respond to that. This represents a very difficult parliamentary procedure.

Mr. BOW. I would say to my friend, the gentleman from Massachusetts (Mr. CONTE), that the gentleman from Massachusetts now sitting in the chair will rule on the parliamentary procedures and not the ranking Republican member of the Committee on Appropriations.

I think we are dealing in semantics here. I would not be a bit surprised that whatever you should bring back in the way of this appropriation bill, unless there are a great deal of changes in it, we will probably be back here on the day after Christmas because I would expect a Presidential veto if it were otherwise.

Mr. CONTE. The vote in the other body on the so-called Scott amendment was 52 to 37.

I realize that seven out of the nine conferees on the Senate side voted against the so-called Scott amendment. Therefore I would imagine that the slightest breeze would topple them over. However, I also imagine the parliamentary situation would be that they would have to go back to the Senate, stating that they receded on that particular amendment, and with such a strong vote, 52 to 37 in the Senate, they would have a very difficult time getting away with it.

Mr. O'HARA. If the gentleman will yield further do we have assurances of the chairman of the subcommittee and the ranking minority member of the full committee and the ranking minority member of the subcommittee that they will endeavor to bring back an amendment in disagreement that will give the House a clear-cut vote on that issue?

Mr. CONTE. Mr. Speaker, I yield to the gentleman from Pennsylvania, because he was very clear and concise with me, and very fair.

Mr. FLOOD. Mr. Speaker, everybody in this House knows personally that I will exert myself to do just exactly what my friend requested. There is no doubt about it.

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

Mr. CONTE. Mr. Speaker, further reserving the right to object, I will yield to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, I am in some state of confusion myself at the moment. I would like to ask the gentleman from Massachusetts further what does the gentleman understand the parliamentary situation to be in the event that the Senate does recede on the Scott amendment? Would the House then have to accept the language that was passed earlier in the Labor-HEW bill, namely, the Whitten amendment? Would we have to accept that precise language?

Mr. CONTE. I would imagine that might be the parliamentary situation.

Mr. ANDERSON of Illinois. Then how are we in a position to get a separate vote on that question when the conference report comes back to the House, if it is not in disagreement, if it is merely a part of the general conference report; unless there is some assurance that this would be the motion to recommit the conference report, how would we get a record vote?

Mr. CONTE. I do not see any way that you can. Of course, we are caught in this dilemma. When I offer a motion to instruct the conferees, I have been informed by the other side that they will immediately offer a motion to table. So we end up in the same fuzzy situation, in which you will not be voting on the specific issue.

Mr. ANDERSON of Illinois. Mr. Speaker, would the gentleman yield further, so that I may address a parliamentary inquiry to the Chair?

Mr. CONTE. By all means.

PARLIAMENTARY INQUIRIES

Mr. ANDERSON of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ANDERSON of Illinois. Mr. Speaker, in connection with the matter now under discussion, if in connection with the so-called Scott amendment the Senate conferees should recede and the position of the House should prevail, and the matter should then be returned to the House in the form of the so-called Whitten amendment as merely a part of the overall conference report, would it be possible then, or would the parliamentary situation be such that we in the House could obtain a separate vote on the question of whether or not we wanted the language of the so-called Whitten amendment?

The SPEAKER. The Chair will state that a motion to recommit with instructions could be made.

The question is then for recognition on the motion to recommit. But in response to the parliamentary inquiry the Chair will state that it cannot answer what might occur in the future.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield further for a further parliamentary inquiry?

Mr. CONTE. I yield further to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, my further parliamentary inquiry is this: If the motion to recommit were to concern itself solely with the amount of the appropriation, the dollar amount of the appropriation, and have no reference to the substantive matter which we are now discussing, would it be possible under those circumstances to get a separate vote on the so-called Whitten amendment?

The SPEAKER. The Chair will state that the one motion to recommit would be in order, and the Chair has no knowledge as to what that motion would be, therefore the Chair does not feel constrained to give an opinion on something that concerns the future and might or might not arise.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Massachusetts yield further?

Mr. CONTE. I will gladly yield further to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, obviously I am in no position to make any commitment for anybody other than myself. But it would certainly be my intention to vote against the so-called Whitten amendment, if the opportunity presented itself for such a separate vote.

I might say further that the public announcement this morning in the press that the Secretary of Health, Education, and Welfare was delighted with the action taken in the Senate yesterday by the so-called Scott amendment, I have received word this morning from two different members of the Department of Health, Education, and Welfare indicating that that is the administration position and that they are desirous of seeing the Scott amendment adopted as part of the final version of the Department of Labor and Health, Education, and Welfare appropriation bill.

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

Mr. CONTE. I yield to the gentleman.

Mr. CORMAN. I want to pose a question to the chairman of the subcommittee as well as the chairman of the conference of the House, Is it not the normal position of the House conferees that they will try to preserve the position of the House?

Mr. FLOOD. Of course.

Mr. CORMAN. Then I would observe that this is very probably the only time that we will have a separate vote on the Whitten amendment. I think we have been educated very well in this session on the use of the motion to recommit to frustrate efforts to get clear cut votes on matters in dispute. I would hope that we would have a vote now, and I do not think there really is any question about the issue, even though it must come up without debate, we should have a rollcall on the motion to table.

Mr. O'HARA. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. O'HARA. I would like to say to the gentleman, I do not think we can in any possible way get any reasonable assurance as to a separate vote when the conference report is brought back and under these circumstances I would hope that the gentleman from Massachusetts will offer his motion to instruct, and if he does not choose to do so, I would like to do so.

Mr. CONTE. Mr. Speaker, in view of this colloquy and the discussion I had with the distinguished chairman of the subcommittee, I want the record to be clear that I regret very much doing this. The chairman has been wonderful about the whole thing. However, if the Senate recedes, we would end up not being able to vote on the real issue—the Whitten amendment. I am afraid that, with seven Members out of nine having voted against the Scott amendment in the other body, we do not have much hope.

We only have one choice if we want to vote clearly on the Whitten amendment—we must act now. I understand the gentleman from Pennsylvania (Mr. FLOOD) will offer a motion to table. The parliamentary situation will be that this motion to table should be voted down.

If it is, then a motion to instruct the conferees should prevail. Therefore, Mr. Speaker, I will make my motion to instruct the conferees to accept the Scott amendment, and thus I withdraw my reservation of objection.

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

Mr. COHELAN. Mr. Speaker, further reserving the right to object, I would like to make one final comment.

I should like the Members of the House to understand that this colloquy is just as pure as it can be and it makes perfectly clear that our options are limited and is essential that the House express itself in this vital issue. I therefore urge Members to support the Conte motion to instruct and to vote against the motion to recommit.

Mr. Speaker, this motion would uphold the standards and principles which have been previously established by Congress and affirmed by the courts for desegregating illegally constituted dual school systems. Those standards, founded in title VI of the Civil Rights Act of 1964, make compliance with the law contingent upon the steps taken by school officials to end unconstitutional school systems.

The Supreme Court on October 29 of this year, just a few short weeks ago, again reaffirmed its position against segregated school systems. In Alexander against Holmes County, the Court ruled that the time in which schools were to desegregate with "deliberate speed" had expired—school systems must desegregate immediately. The Court stated clearly and emphatically that segregation is a concept thoroughly alien to the will of the Supreme Court and that such a concept as applied to education is no longer constitutionally viable. The Court further stated that school districts "must terminate dual school systems once and for all and operate now and hereafter unitary schools."

The language, will, and intent of the Court is perfectly clear. Can we in conscience ignore the dictates of the Court? Can we in conscience run the risk of a

mammoth retreat in civil rights progress—and this is exactly what we would be doing if we accept the original language of the Whitten provisions of this bill.

The acceptance of this language will do no more than weaken and undermine all the good that the Congress has done in the name of civil rights. All the laws in the world will not change mentalities of bigotry, prejudice and discrimination. But the law, in this instance, is the only instrument that will affect the climate of decency and equality under which free men can live with dignity and honor. And the proper enforcement of and protection of such law is that which gives it vitality and essence.

Our action here today will determine our respect for the law and our interest in its proper and equitable enforcement. If we accept the Whitten language, Mr. Speaker, we will be rejecting a fair and effective policy by watering down HEW's authority in taking prompt and decisive action to end illegal dual school systems.

Can any reasonable man believe that there would have been any change in the dual school systems of the South without some reorganization of the school systems? Furthermore, can freedom-of-choice plans be forwarded as effective devices for ending segregation? We have all been over this many times before. The record is abundantly clear. Freedom of choice did not alter patterns of unconstitutional school segregation in the South. Surely, none of us are naive enough to believe that black people living in areas where centuries-old attitudes of hostility and prejudice are realities, are really free to choose to send their children to all-white schools. And surely none of us is naive enough to think that these attitudes will just someday disappear—human nature is not like that. Genuine equality is not something which should be given only to those who are willing to take every conceivable psychic and physical risk to attain it. Equality is something which institutions—especially those supported by public funds—should insure and protect.

To modify title VI of the Civil Rights Act of 1964, with the provisions passed earlier by this body, the Whitten amendment extends nothing but encouragement to those who seek to stop those long overdue changes in the segregated educational institutions. The Senate had the wisdom in the past and again just yesterday, to appreciate the devastating effect which the House-passed language would have on the effective integration of segregated school districts.

The Senate has acted in a constructive manner in this issue and I feel that the House cannot do less. I realize that many of my colleagues are seriously concerned about unnecessary busing, but, if we are honest, we will admit that at issue here is not indiscriminate busing, but the means to be used to end segregation. The Senate version that passed 52 to 37 took note of all the objections of the Whitten language and said that none of the means suggested by this language could be utilized except when there was a constitutional question.

These six words, "except as required by the Constitution" adds a crucial dimension to the Whitten language by subjecting it to the test of constitutionality.

Moreover, the position of the Senate-passed version of the Whitten language is consistent with the courts and the statutes in dealing with school desegregation. For both, the courts and the law, have made it explicitly clear that Federal efforts at desegregation are to be confined to unconstitutional and discriminatory situations. I reject the argument that every effort of HEW or the courts to require positive implementation of school desegregation exceeded statutory and judicial boundaries. The recent Supreme Court decision of last month reaffirms the national commitment to desegregation and illustrates the fact that there has been much unnecessary delay in desegregating schools.

There are those who would contend that anything beyond the voluntary actions of parents or children to desegregate schools is outside the context of the law. I cannot subscribe to such a restrictive interpretation. I am sustained again in my position by the recent ruling of the Supreme Court and by the public statements of no less than the President of the United States, the Attorney General, and the Secretary of Health, Education, and Welfare. Furthermore, I concur with the opinion of the courts that affirmative action upon the part of school officials is both a just and practical way of abolishing educational inequality resulting from segregation.

I support Health, Education, and Welfare in its efforts to implement title VI of the Civil Rights Act of 1964. This effort, incidentally, includes patient and persistent efforts at negotiation with local school districts. But when meaningless gestures are offered as solutions to serious problems of illegal segregation, then the sanctions of title VI should become fully operative.

I regard this approach as one which is fair and hopefully effective. It is for this reason that I ask for support of the Senate language which, if accepted, would keep this Nation moving toward the goal which was charted for it in 1954 and made clearer 10 years later in the Civil Rights Act of 1964, and which was further implemented by the Supreme Court's decision in October of this year.

Mr. Speaker, I support the motion to instruct the conferees to accept the Senate-passed amendment. It is my fervent hope that if this motion is successful, the House conferees will accept and support the will of the House as expressed in this vote.

WHAT THE SENATE LANGUAGE DOES

Mr. CONTE. Mr. Speaker, it merely makes clear that the so-called Whitten amendment can be applied only to the extent that it does not conflict with the Constitution. Without it, this body would clearly be flouting the Constitution.

EQUAL APPLICATION OF THE LAW TO NORTH AND SOUTH IS NOT THE ISSUE

It may be, as some have said, that racial imbalance in the North should be opposed to the same extent that racial segregation is being opposed in the South. But that is not the issue before us now. The Whitten amendment without the change made in the other body, would have us thumb our nose at a series of unanimous Supreme Court decisions which have made it clear that government-created segregation is unconstitutional and must be stopped.

The Whitten proposal would have us retreat to the shameful record of the past before the famous Brown decision. We cannot countenance such a retreat. What is needed is a rededication to the speedy implementation of that great decision.

BUSING TO END RACIAL IMBALANCE IS ALREADY UNLAWFUL

At least three times before, the Congress has made clear that it is opposed to "forced busing" to eliminate racial imbalance. Racial imbalance is not a condition created by Government action. In the Civil Rights Act of 1964, in the Elementary and Secondary Education Act, and in the Metropolitan Development Act of 1966, "forced busing" or other acts to eliminate this innocently created "imbalance" are prohibited.

Therefore, these sections offered by the gentlemen from Mississippi are completely superfluous and unnecessary for that purpose. But, at the same time, they would nullify the action Congress has taken to implement the constitutional mandate to put an end to segregated schools.

Another deceptive phrase is "freedom of choice." Like the phrase "right to work" it has, in practice, a true meaning completely at odds with its civil libertarian ring.

Last year in Green against School Board of New Kent County, the Supreme Court held that so-called "freedom of choice" plans are unconstitutional where they are designed to perpetuate a segregated system. These sections seek to repudiate the Green decision.

As I said before in this House, the language used is nothing but a "red herring" since "forced busing" by the use or withholding of Federal funds is forbidden now for the purpose of achieving racial balance. Therefore, for that purpose, the amendment was unnecessary.

ADMINISTRATION OPPOSED TO WHITTEN AMENDMENT

There can no longer be any doubt where the administration stands on this issue. Secretary of Health, Education, and Welfare Finch has stated that this amendment "would seriously undermine this Department's responsibilities to public education." The amendments, he went on "would cripple the efforts of this Department to enforce the mandate of the Supreme Court."

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

There was no objection.

MOTION OFFERED BY MR. CONTE

Mr. CONTE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CONTE moves that the Managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill, H.R. 13111, be instructed to agree to the amendments of the Senate numbered 87 and 88.

PREFERENTIAL MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. FLOOD moves to lay on the table the motion of the gentleman from Massachusetts (Mr. CONTE).

The SPEAKER. The question is on the preferential motion.

The question was taken, and the Speaker being in doubt, the House divided, and there were—ayes 93, noes 96.

Mr. FLOOD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 181, nays 216, not voting 36, as follows:

[Roll No. 339]

YEAS—181

Abernethy	Edmondson	Myers
Adair	Edwards, Ala.	Natcher
Addabbo	Edwards, La.	Nelsen
Alexander	Eshleman	Nichols
Anderson, Tenn.	Evins, Tenn.	O'Neal, Ga.
	Fisher	Passman
Ashbrook	Flood	Patman
Aspinall	Flowers	Perkins
Ayres	Flynt	Pettis
Belcher	Foreman	Pickle
Bennett	Fountain	Poage
Berry	Frey	Poff
Betts	Fuqua	Preyer, N.C.
Bevill	Gallifianakis	Price, Tex.
Biaggi	Gettys	Pryor, Ark.
Blackburn	Goldwater	Purcell
Blanton	Goodling	Quillen
Bow	Gray	Randall
Bray	Green, Oreg.	Rarick
Brinkley	Griffin	Reid, Ill.
Brock	Gross	Roberts
Brooks	Gubser	Rogers, Fla.
Broomfield	Hagan	Roth
Broyhill, N.C.	Haley	Roudebush
Broyhill, Va.	Hammer-schmidt	Ruth
Buchanan		Sandman
Burke, Fla.	Harsha	Satterfield
Burleson, Tex.	Hastings	Scherle
Burlison, Mo.	Hays	Schneebeli
Burton, Utah	Henderson	Scott
Bush	Hogan	Sebelius
Cabell	Hull	Sikes
Caffery	Hunt	Skubitz
Camp	Hutchinson	Slack
Carter	Ichord	Smith, Calif.
Casey	Jarman	Smith, Iowa
Chamberlain	Johnson, Pa.	Snyder
Chappell	Jonas	Steed
Clancy	Jones, Ala.	Steiger, Ariz.
Clark	Jones, N.C.	Stephens
Clausen, Don H.	Jones, Tenn.	Stubblefield
	Kazen	Stuckey
Clawson, Del	Kee	Taylor
Collier	King	Teague, Calif.
Collins	Kleppe	Teague, Tex.
Colmer	Landgrebe	Thompson, Ga.
Cowger	Langen	Ullman
Cramer	Latta	Utt
Crane	Lennon	Waggonner
Daniel, Va.	Lloyd	Wampler
Davis, Ga.	Long, La.	Watson
de la Garza	Lukens	Watts
Delaney	McClure	Whitehurst
Denney	McMillan	Whitten
Dennis	Mahon	Wiggins
Derwinski	Mann	Winn
Devine	Marsh	Wright
Dickinson	May	Wyman
Dorn	Mills	Young
Dowdy	Minshall	Zion
Downing	Mizell	
Duncan	Montgomery	

NAYS—216

Adams	Bingham	Byrne, Pa.
Albert	Blatnik	Byrnes, Wis.
Anderson, Calif.	Boggs	Carey
	Boland	Cederberg
Anderson, Ill.	Brademas	Chisholm
Andrews, N. Dak.	Brasco	Clay
	Brotzman	Cleveland
Annunzio	Brown, Calif.	Cohelan
Arends	Brown, Mich.	Conable
Ashley	Brown, Ohio	Conte
Beall, Md.	Burke, Mass.	Corbett
Bell, Calif.	Burton, Calif.	Corman
Biester	Button	Coughlin
Culver	Keith	Quie
Daddario	Kluczynski	Railsback
Daniels, N.J.	Koch	Rees
Davis, Wis.	Kyl	Reid, N.Y.
Dellenback	Kyros	Reuss
Diggs	Leggett	Rhodes
Dingell	Long, Md.	Riegle
Donohue	Lowenstein	Robison
Dulski	Lujan	Rodino
Dwyer	McCarthy	Roe
Eckhardt	McClory	Rogers, Colo.
Edwards, Calif.	McCloskey	Rooney, N.Y.
Eilberg	McCulloch	Rooney, Pa.
Erlenborn	McDade	Rosenthal
Esch	McDonald, Mich.	Rostenkowski
Evans, Colo.		Roybal
Fallon	McEwen	Ruppe
Farbstein	McFall	Ryan
Feighan	McKneally	St Germain
Findley	Macdonald, Mass.	St. Onge
Fish		Saylor
Foley	MacGregor	Schadeberg
Ford, William D.	Madden	Scheuer
	Mailliard	Schwengel
Fraser	Mathias	Shipley
Frelinghuysen	Matsunaga	Shriver
Friedel	Mayne	Smith, N.Y.
Fulton, Pa.	Meeds	Springer
Gallagher	Melcher	Stafford
Garmatz	Meskill	Staggers
Gaydos	Michel	Stanton
Giaimo	Mikva	Steiger, Wis.
Gibbons	Miller, Calif.	Stokes
Gilbert	Miller, Ohio	Stratton
Gonzalez	Minish	Sullivan
Green, Pa.	Mink	Symington
Griffiths	Mize	Talcott
Grover	Mollohan	Thompson, N.J.
Gude	Monagan	Thomson, Wis.
Halpern	Moorhead	Tiernan
Hamilton	Morgan	Udall
Hanley	Morse	Van Deerlin
Hansen, Idaho	Morton	Vander Jagt
Hansen, Wash.	Mosher	Vanik
Harrington	Murphy, Ill.	Vigorito
Harvey	Murphy, N.Y.	Waldie
Hathaway	Nedzi	Weicker
Hawkins	Nix	Whalen
Hechler, W. Va.	Obey	White
Heckler, Mass.	O'Hara	Williams
Helstoski	O'Konski	Wilson, Bob
Hicks	Olsen	Wilson, Charles H.
Holifield	O'Neill, Mass.	
Horton	Ottinger	Wolff
Hosmer	Patten	Wyatt
Howard	Philbin	Wydler
Hungate	Pike	Wylie
Jacobs	Pirnie	Yates
Johnson, Calif.	Podell	Yatron
Karth	Price, Ill.	Zablocki
Kastenmeier	Pucinski	Zwach

NOT VOTING—36

Abbitt	Ford, Gerald R.	Pepper
Andrews, Ala.	Fulton, Tenn.	Pollock
Baring	Hall	Powell
Barrett	Hanna	Reifel
Bolling	Hébert	Rivers
Cahill	Kirwan	Sisk
Celler	Kuykendall	Taft
Conyers	Landrum	Tunney
Cunningham	Lipscomb	Watkins
Dawson	Martin	Whalley
Dent	Moss	Widnall
Fascell	Pelly	Wold

So the preferential motion was rejected.

Mr. GALLAGHER changed his vote from "yea" to "nay."

Mr. BOW changed his vote from "nay" to "yea."

Mr. SPRINGER changed his vote from "yea" to "nay."

Mr. WIGGINS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the motion offered by the gentleman from Massachusetts (Mr. CONTE).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. FLOOD, NATCHER, SMITH of Iowa, HULL, CASEY, MAHON, MICHEL, SHRIVER, Mrs. REID of Illinois, and Mr. BOW.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 9366. An act to change the limitation on the number of apprentices authorized to be employees of the Government Printing Office, and for other purposes.

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

H.R. 15149. An act making appropriations for Foreign Assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15149) entitled "An act making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCGEE, Mr. ELLENDER, Mr. MCCLELLAN, Mr. HOLLAND, Mr. MONTOYA, Mr. FONG, Mr. COTTON, Mr. PEARSON, and Mr. YOUNG of North Dakota to be conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2577) entitled "An act to provide additional mortgage credit, and for other purposes," agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mr. BENNETT, and Mr. BROOKE, to be the conferees on the part of the Senate.

The message also announced that Mr. PASTORE and Mr. CASE be appointed as additional conferees on the bill (H.R. 13111) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes."

TO AUTHORIZE ADDITIONAL INVESTIGATIVE AUTHORITY TO THE COMMITTEE ON EDUCATION AND LABOR

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 572 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 572

Resolved, That the second paragraph of House Resolution 200, Ninety-first Congress, is amended by inserting after "within" the following: "or outside".

Such resolution is further amended by striking out the last paragraph and inserting in lieu thereof the following:

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under sec-

tion 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

With the following committee amendment:

Strike all after the word *"Resolved,"* on page 1, and insert in lieu thereof the following language:

"That, notwithstanding the provisions of H. Res. 200, Ninety-first Congress, the General Subcommittee on Labor of the Committee on Education and Labor is authorized to send not more than twelve members of such committee (seven majority and five minority), not more than two majority staff assistants, and not more than two minority staff assistants to the Scandinavian area, Southeast Asia, and countries on the North American continent for the purpose of making a full and complete investigation and study of (1) the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods; (2) welfare and pension plan programs; and (3) the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of civilian officers and employees, and members of the Armed Forces of the United States will receive high quality elementary and secondary education.

"Resolved further, That, notwithstanding the provisions of H. Res. 200, Ninety-first Congress, the Select Subcommittee on Education of the Committee on Education and Labor is authorized to send not more than nine members of such committee (five majority and four minority), not more than two majority staff assistants, and not more than two minority staff assistants to Israel for the purpose of making a full and complete investigation and study of (1) Israeli educational institutions receiving United States funds to perform educational research, vocational rehabilitation services, model programs for the handicapped, adult and community services, preschool programs, higher education programs, and so forth; and (2) the applicability of Israeli programs to the improvement of United States education.

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount of transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

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

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, the resolution as reported grants authority for the Committee on Education and Labor to send no more than 12 members and four staff assistants to the Scandinavian area, Southeast Asia, Mexico, and Canada to make investigations in the areas of the common market, welfare and pension plan programs, and education.

As I understand it, the 12 members who are on the General Subcommittee on Labor, will be separated into three groups, with one group traveling to each of the geographical areas specified.

House Resolution 572 also authorizes the Select Subcommittee on Education to send not more than nine members and not more than four staff assistants to Israel to make an investigation and study of Israel educational institutions receiving U.S. funds to perform educational research, vocational rehabilitation services, model programs for the handicapped, adult and community services, preschool programs, higher education programs, and so forth; and the applicability of Israel programs to the improvement of education in this country.

Counterpart funds shall be made available for the use of the members while in travel status and the resolution contains the so-called Hall amendment providing that per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in another country, irrespective of differences in time zones.

House Resolution 572, as introduced, gave the Committee on Education and Labor blanket authority to travel anywhere at any time. The Committee on Rules, having original jurisdiction over the measure, deemed it advisable to amend the resolution to spell out more specifically how many members and staff personnel would be traveling and what countries would be visited.

Mr. Speaker, I urge the adoption of House Resolution 572, as amended.

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

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

Mr. GROSS. Mr. Speaker, this resolution provides for members of the Education and Labor Committee to go to Europe and Asia and where else?

Mr. YOUNG. Mr. Speaker, I advise the gentleman from Iowa the resolution calls for the visits to the Scandinavian area, Southeast Asia, and countries on the North American Continent.

I understand the request will be laid before the Rules Committee, and the House Education and Labor Committee will be divided into three groups, and the groups will travel separately to those different areas.

Mr. GROSS. Do I understand they will study the common market?

Mr. YOUNG. Mr. Speaker, I will yield to the Chairman of the Education and Labor Committee for a description of his intentions in this respect.

Mr. PERKINS. Mr. Speaker, let me say to my distinguished colleague, the intent of the resolution is that the general Subcommittee on Labor will study the pension and welfare systems in the Scandinavian countries and in the other countries, because that committee shortly will be conducting lengthy hearings concerning the pension and welfare plans and amendments to the present law which involve many billions and billions of dollars.

Mr. GROSS. In the Scandinavian countries, are they going to Sweden?

Mr. PERKINS. I imagine that country will be included.

Mr. GROSS. Will they embark while on this junket on a study of Sweden's free love, trial marriage and so on?

Mr. PERKINS. I do not think so. I think the Subcommittee on Labor has demonstrated in their travels in Europe and in England this last spring, when they went to study mine safety and the so-called black-lung provisions of the law, that their trip was very beneficial.

There is no sinister motive involved, no motive except to write better legislation.

Mr. GROSS. I do not know anybody who ever took a junket abroad who had a sinister motive. There are usually other motives by Members in taking a junket over the world.

But does the Chairman have any idea of the expense of this junket? Was there not a big deficit in the U.S. balance of trade for the month of November.

Mr. PERKINS. Let me say to my distinguished friend I have not been anywhere since World War II days, and I know very little about the situation.

Mr. GROSS. But the gentleman is surely interested in knowing the deficit in the balance of payments as the chairman of the committee and as the one who authorizes these trips. This will contribute to the outflow of dollars.

Mr. PERKINS. The gentleman knows there are counterpart funds involved.

Mr. GROSS. Are there counterpart funds in Sweden? Since when did we have them on our giveaway list?

Mr. PERKINS. I do not know about that. I am not able to answer that.

Mr. GROSS. The gentleman is the chairman of the committee. He has authorized this junket. I am only trying to ask a few questions.

Mr. PERKINS. I will say to my distinguished colleague that I will not refer to them as junkets. I think the general Subcommittee on Labor has a worthy purpose in going over there, which is to study the pension and welfare laws. I think the other subcommittees, such as the Select Subcommittee on Education, has a worthy motive in going to Israel to study the educational problems involved there, where we are spending millions and millions of dollars in the overseas schools. I think it behooves the House to send representatives of the committee to look into the ways the schools are being operated over there. I say to my distinguished colleague, that is their duty.

I see nothing wrong with the resolution.

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

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

Mr. NELSEN. I was just going to suggest, if the Members get over to Denmark and need an interpreter, I speak the language rather fluently and I should be glad to assist the committee.

Mr. PERKINS. I was there once myself. It has been a long time ago. I hope to go back some day.

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

Mr. Speaker, House Resolution 572 as introduced provided for blanket travel authority outside the United States without any prior authorization by the House.

The resolution as reported by the Committee on Rules provides authority to the committee to undertake two investigative trips which it was testified were to be taken in the near future.

The Rules Committee, in its amended language, authorized travel to those places requested and also gave the committee its approval to send as many members to participate as was requested.

However, the Rules Committee did not believe that it should grant blanket, unrestricted travel authority to the Education and Labor Committee. To do so is to avoid its own responsibility to see that congressional travel is worthwhile and productive.

I have no further comments on this resolution as I feel it is clear on its face.

Mr. Speaker, I have no other requests for time. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. I thank the gentleman for yielding.

The committee did not put too many restrictions on them, if they are going to Europe, Southeast Asia, Mexico, Canada, and other watering places. They are going to take a pretty good gallop over parts of the world, are they not?

Mr. QUILLEN. I will say to the distinguished gentleman from Iowa, the Rules Committee did put a few restrictions on the language in the resolution. Had it been reported out as requested it would have been a galloping holiday with jingle bells and Happy New Year all entwined. The resolution as introduced provided for unrestricted travel authority.

Mr. GROSS. I thank the gentleman for what the committee did to put some strings on these junketeers.

Did the gentleman say that this trip was not authorized by any other committee? What was the statement about authorizing?

Mr. QUILLEN. I say that the Rules Committee did not authorize the original resolution which came before our committee. We amended it with this restricted language.

Mr. GROSS. I see. I thank the gentleman.

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

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. GROSS. 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 224, nays 154, not voting 55, as follows:

[Roll No. 340]

YEAS—224

Abernethy	Clark	Fulton, Pa.
Adair	Clausen,	Galifianakis
Adams	Don H.	Gallagher
Addabbo	Clawson, Del	Garmatz
Albert	Cohelan	Gaydos
Anderson,	Corbett	Gettys
Calif.	Corman	Giaimo
Anderson, Ill.	Cramer	Gibbons
Anderson,	Culver	Gilbert
Tenn.	Daddario	Goldwater
Andrews,	Daniels, N.J.	Gonzalez
N. Dak.	Davis, Ga.	Gray
Annunzio	de la Garza	Green, Pa.
Arends	Delaney	Griffiths
Ashley	Dellenback	Gubser
Aspinall	Dent	Gude
Ayres	Derwinski	Halpern
Bell, Calif.	Dingell	Hamilton
Biaggi	Donohue	Hanley
Bingham	Dorn	Hansen, Idaho
Blanton	Downing	Harrington
Blatnik	Dulski	Harvey
Boggs	Eckhardt	Hathaway
Boland	Edmondson	Hawkins
Brademas	Edwards, Calif.	Hays
Brasco	Edwards, La.	Hechler, W. Va.
Bray	Eilberg	Helstoski
Brown, Calif.	Erlenborn	Hogan
Brown, Mich.	Evins, Tenn.	Holifield
Burke, Fla.	Fallon	Horton
Burke, Mass.	Farbstein	Howard
Burleson, Tex.	Feighan	Hungate
Burton, Calif.	Findley	Jacobs
Burton, Utah	Flood	Johnson, Calif.
Byrne, Pa.	Foley	Johnson, Pa.
Cabell	Ford,	Jones, Ala.
Carey	William D.	Jones, Tenn.
Casey	Fraser	Karth
Cederberg	Frelinghuysen	Kastenmeier
Chamberlain	Friedel	Kazen
Kee	Morgan	St. Onge
Keith	Morse	Sandman
Kluczynski	Morton	Scheuer
Koch	Murphy, Ill.	Shipley
Kyros	Murphy, N.Y.	Shriver
Landgrebe	Natcher	Sikes
Leggett	Nedzi	Slack
Lloyd	Obey	Smith, Iowa
Long, Md.	O'Hara	Smith, N.Y.
Lowenstein	Olsen	Staggers
McCarthy	Ottinger	Steiger, Wis.
McCloskey	Passman	Stokes
McClure	Patman	Stubblefield
McCulloch	Perkins	Sullivan
McDade	Philbin	Symington
McEwen	Pickle	Thompson, Ga.
McFall	Pirnie	Thompson, N.J.
McMillan	Podell	Tiernan
Macdonald,	Preyer, N.C.	Udall
Mass.	Price, Ill.	Ullman
Madden	Pryor, Ark.	Van Deerlin
Mahon	Pucinski	Waggonner
Mathias	Purcell	Waldie
Matsunaga	Rees	Watts
May	Reid, N.Y.	Whalen
Meeds	Reuss	White
Melcher	Rhodes	Widnall
Meskill	Rodino	Wiggins
Michel	Roe	Williams
Mikva	Rogers, Colo.	Wolff
Miller, Calif.	Rooney, N.Y.	Wright
Mills	Rooney, Pa.	Wyatt
Minish	Rosenthal	Yates
Mink	Rostenkowski	Yatron
Mollohan	Roybal	Young
Monagan	Ryan	Zablocki
Moorhead	St Germain	

NAYS—154

Alexander	Frey	Pike
Beall, Md.	Fuqua	Poff
Belcher	Goodling	Price, Tex.
Bennett	Griffin	Quie
Betts	Gross	Quillen
Bevill	Hagan	Railsback
Biester	Haley	Randall
Blackburn	Hammer-	Rarick
Bow	schmidt	Reid, Ill.
Brinkley	Harsha	Riegle
Brock	Hastings	Roberts
Brotzman	Heckler, Mass.	Rogers, Fla.
Brown, Ohio	Henderson	Roth
Broyhill, N.C.	Hicks	Roudebush
Broyhill, Va.	Hosmer	Ruppe
Buchanan	Hull	Ruth
Burlison, Mo.	Hunt	Satterfield
Bush	Hutchinson	Saylor
Button	Ichord	Schadeberg
Byrnes, Wis.	Jarman	Scherle
Caffery	Jones, N.C.	Schneebeli
Camp	King	Schwengel
Carter	Kleppe	Scott
Chappell	Kyl	Sebelius
Chisholm	Langen	Skubitz
Clancy	Latta	Smith, Calif.
Cleveland	Lennon	Snyder
Collier	Long, La.	Springer
Collins	Lujan	Stafford
Conable	Lukens	Stanton
Conte	McDonald,	Steiger, Ariz.
Coughlin	Mich.	Stuckey
Cowger	McKneally	Talcott
Crane	MacGregor	Taylor
Daniel, Va.	Mailliard	Teague, Calif.
Davis, Wis.	Mann	Thomson, Wis.
Denney	Marsh	Utt
Dennis	Mayne	Vander Jagt
Devine	Miller, Ohio	Vigorito
Dickinson	Minshall	Wampler
Dowdy	Mize	Watson
Duncan	Mizell	Weicker
Dwyer	Montgomery	Whitehurst
Edwards, Ala.	Mosher	Whitten
Eshleman	Myers	Wilson, Bob
Evans, Colo.	Nelsen	Winn
Fish	Nichols	Wold
Fisher	Nix	Wydler
Flowers	O'Konski	Wylie
Flynt	O'Neal, Ga.	Wyman
Foreman	Patten	Zion
Fountain	Pettis	Zwach

NOT VOTING—55

Abbitt	Colmer	Hanna
Andrews, Ala.	Conyers	Hansen, Wash.
Ashbrook	Cunningham	Hébert
Baring	Dawson	Jonas
Barrett	Diggs	Kirwan
Berry	Esch	Kuykendall
Bolling	Fascell	Landrum
Brooks	Ford, Gerald R.	Lipscomb
Broomfield	Fulton, Tenn.	McClory
Cahill	Green, Oreg.	Martin
Celler	Grover	Moss
Clay	Hall	O'Neill, Mass.

Pelly	Robison	Tunney
Pepper	Sisk	Vanik
Poage	Steed	Watkins
Pollock	Stephens	Whalley
Powell	Stratton	Wilson,
Reifel	Taft	Charles H.
Rivers	Teague, Tex.	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Celler with Mr. Gerald R. Ford.
Mr. Rivers with Mr. Hall.
Mr. Teague of Texas with Mr. Martin.
Mr. Brooks with Mr. Broomfield.
Mr. Steed with Mrs. Reid of Illinois.
Mr. Barrett with Mr. Watkins.
Mr. Hébert with Mr. Jonas.
Mr. Foss with Mr. Lipscomb.
Mr. Poage with Mr. Kuykendall.
Mr. Stratton with Mr. Cahill.
Mr. Stephens with Mr. Ashbrook.
Mr. Abbitt with Mr. Berry.
Mrs. Hansen of Washington with Mr. Pollock.
Mr. Pepper with Mr. Cunningham.
Mr. Hanna with Mr. Grover.
Mr. Vanik with Mr. Esch.
Mrs. Green of Oregon with Mr. Taft.
Mr. Colmer with Mr. Whalley.
Mr. Sisk with Mr. Robison.
Mr. Fascell with Mr. Reifel.
Mr. O'Neill of Massachusetts with Mr. Pelly.
Mr. Fulton of Tennessee with Mr. McClory.
Mr. Andrews of Alabama with Mr. Baring.
Mr. Clay with Mr. Tunney.
Mr. Landrum with Mr. Kirwan.
Mr. Charles H. Wilson with Mr. Diggs.
Mr. Conyers with Mr. Powell.

Mr. WIDNALL changed his vote from "nay" to "yea."

Mr. SEBELIUS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A resolution to authorize additional investigative authority to the Committee on Education and Labor."

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate insists upon its amendments to the bill (H.R. 13000) entitled "An act to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McGEE, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. FONG, and Mr. BOGGS to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to amendments of the Senate to the bill (H.R. 11959) entitled "An act to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance, and special training allowance paid to eligible veterans and persons under such chapters," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CRANSTON, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. KENNEDY, Mr. MONDALE, Mr. HUGHES, Mr. SCHWEIKER, Mr. JAVITS, Mr. DOMINICK, Mr. SAXBE, and Mr. SMITH of Illinois to be the conferees on the part of the Senate.

CONFERENCE REPORT ON H.R. 14580, FOREIGN ASSISTANCE ACT OF 1969

Mr. MORGAN submitted the following conference report and statement on the bill (H.R. 14580) 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 institutions, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91-767)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14580) 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 institutions, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Foreign Assistance Act of 1969".

PART I—ECONOMIC ASSISTANCE

DEVELOPMENT LOAN FUND

SEC. 101. (a). Section 202(a) of the Foreign Assistance Act of 1961, relating to authorization, is amended—

(1) by striking out "and" after "fiscal year 1968,";

(2) by inserting after "fiscal year 1969," the following: "$350,000,000 for the fiscal year 1970, and $350,000,000 for the fiscal year 1971,"; and

(3) by striking out "the fiscal year ending June 30, 1969" in the second proviso and inserting in lieu thereof "each of the fiscal years ending June 30, 1970, and June 30, 1971".

(b) Section 203 of such Act, relating to fiscal provisions, is amended to read as follows:

"SEC. 203. Fiscal Provisions.—Dollar receipts from loans made pursuant to this part and from loans made under the Mutual Security Act of 1954, as amended, are authorized to be made available for the fiscal year 1970 and for the fiscal year 1971 for use for the purposes of this title, for loans under title VI, and for the purposes of section 232. Such receipts and other funds made available under this section shall remain available until expended."

TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 102. Section 212 of such Act, relating to authorization, is amended by striking out "$200,000,000 for the fiscal year 1969" and inserting in lieu thereof "$183,500,000 for the fiscal year 1970, and $183,500,000 for the fiscal year 1971".

AMERICAN SCHOOLS AND HOSPITALS ABROAD

SEC. 103. Section 214 of such Act, relating to American schools and hospitals abroad, is amended—

(1) by striking out of subsection (c) "fiscal year 1969, $14,600,000, to remain available until expended." and inserting in lieu thereof "fiscal year 1970, $25,900,000, and for the fiscal year 1971, $12,900,000, which amounts are authorized to remain available until expended. Amounts appropriated under this subsection for the fiscal year 1970 shall be available for expenditure solely in accordance with the allocations set forth on pages 25 and 26 of House Report No. 91-611 and on page 23 of Senate Report No. 91-603.";

(2) by striking out of subsection (d) "fiscal year 1969 $5,100,000" and inserting in lieu thereof "fiscal year 1970, $3,000,000"; and

(3) by adding at the end of subsection (d) the following new sentence: "Foreign currencies appropriated under this subsection shall be available for expenditure solely in accordance with the allocation set forth on page 23 of Senate Report No. 91-603.".

PROTOTYPE DESALTING PLANT; PROGRAMS FOR PEACEFUL COMMUNICATION

SEC. 104. Title II of chapter 2 of part I, relating to technical cooperation and development grants, is amended by adding at the end thereof the following new sections:

"SEC. 219. PROTOTYPE DESALTING PLANT.—(a) In furtherance of the purposes of this part and for the purpose of improving existing, and developing and advancing new, technology and experience in the design, construction, and operation of large-scale desalting plants of advanced concepts which will contribute materially to low-cost desalination in all countries, including the United States, the President, if he determines it to be feasible, is authorized to participate in the development of a large-scale water treatment and desalting prototype plant and necessary appurtenances to be constructed in Israel as an integral part of a dual-purpose power generating and desalting project. Such participation shall include financial, technical, and such other assistance as the President deems appropriate to provide for the study, design, construction, and, for a limited demonstration period of not to exceed five years, operation and maintenance of the water treatment and desalting facilities of the dual-purpose project.

"(b) Any agreement entered into under subsection (a) of this section shall include such terms and conditions as the President deems appropriate to insure, among other things, that all information, products, uses, processes, patents, and other developments obtained or utilized in the development of this prototype plant will be available without further cost to the United States for the use and benefit of the United States throughout the world, and to insure that the United States, its officers, and employees have a permanent right to review data and have access to such plant for the purpose of observing its operations and improving science and technology in the field of desalination.

"(c) In carrying out the provisions of this section, the President may enter into contracts with public or private agencies and with any person without regard to sections 3648 and 3709 of the Revised Statutes of the United States (31 U.S.C. 529 and 41 U.S.C. 5).

"(d) Nothing in this section shall be construed as intending to deprive the owner of any background patent or any right which such owner may have under that patent.

"(e) In carrying out the provisions of this section, the President may utilize the personnel, services, and facilities of any Federal agency.

"(f) The United States costs, other than its administrative costs, for the study, design, construction, and operation of a prototype plant under this section shall not exceed either 50 per centum of the total capital costs of the facilities associated with the production of water, and 50 per centum of

the operation and maintenance costs for the demonstration period, or $20,000,000, whichever is less. There are authorized to be appropriated, subject to the limitations of this subsection, such sums as may be necessary to carry out the provisions of this section, including administrative costs thereof. Such sums are authorized to remain available until expended.

"(g) No funds appropriated for the Office of Saline Water pursuant to the appropriation authorized by the Act of July 11, 1969 (83 Stat. 45, Public Law 91-43), or prior authorization Acts, shall be used to carry out the purposes of this section.

"SEC. 220. PROGRAMS FOR PEACEFUL COMMUNICATION.—(a) The President is authorized to use funds made available under section 212 to carry out programs of peaceful communications which make use of television and related technologies, including satellite transmissions, for educational, health, agricultural, and community development purposes in the less developed countries.

"(b) In carrying out programs in the fields of education, health, agriculture, and community development, the agency primarily responsible for part I shall, to the extent possible, assist the developing countries with research, training, planning assistance, and project support in the use of television and related technologies, including satellite transmissions. The agency shall make maximum use of existing satellite capabilities, including the facilities of the International Telecommunications Satellite Consortium.

"(c) In implementing activities under this section, the agency primarily responsible for part I shall coordinate closely with Federal, State, and local agencies and with nongovernmental educational, health, and agricultural institutions and associations within the United States."

HOUSING GUARANTIES; OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 105. Chapter 2 of part I of such Act, relating to development assistance, is amended by striking out title III and title IV and inserting in lieu thereof the following new titles:

"TITLE III—HOUSING GUARANTIES

"SEC. 221. WORLDWIDE HOUSING GUARANTIES.—In order to facilitate and increase the participation of private enterprise in furthering the development of the economic resources and productive capacities of less developed friendly countries and areas, and promote the development of thrift and credit institutions engaged in programs of mobilizing local savings for financing the construction of self-liquidating housing projects and related community facilities, the President is authorized to issue guaranties, on such terms and conditions as he shall determine, to eligible investors as defined in section 238(c), assuring against loss of loan investments for self-liquidating housing projects. The total face amount of guaranties issued hereunder, outstanding at any one time, shall not exceed $130,000,000. Such guaranties shall be issued under the conditions set forth in section 222(b) and section 223.

"SEC. 222. HOUSING PROJECTS IN LATIN AMERICAN COUNTRIES.—(a) The President shall assist in the development in the American Republics of self-liquidating housing projects, the development of institutions engaged in Alliance for Progress programs, including cooperatives, free labor unions, savings and loan type institutions, and other private enterprise programs in Latin America engaged directly or indirectly in the financing of home mortgages, the construction of homes for lower income persons and families, the increased mobilization of savings and improvement of housing conditions in Latin America.

"(b) To carry out the purposes of subsection (a), the President is authorized to issue guaranties, on such terms and conditions as he shall determine, to eligible investors, as defined in section 238(c), assuring against loss of loan investment made by such investors in—

"(1) private housing projects in Latin America of types similar to those insured by the Department of Housing and Urban Development and suitable for conditions in Latin America;

"(2) credit institutions in Latin America engaged directly or indirectly in the financing of home mortgages, such as savings and loan institutions and other qualified investment enterprises;

"(3) housing projects in Latin America for lower income families and persons, which projects shall be constructed in accordance with maximum unit costs established by the President for families and persons whose incomes meet the limitations prescribed by the President;

"(4) housing projects in Latin America which will promote the development of institutions important to the success of the Alliance for Progress, such as free labor unions, cooperatives, and other private enterprise programs; or

"(5) housing projects in Latin America, 25 per centum or more of the aggregate of the mortgage financing for which is made available from sources within Latin America and is not derived from sources outside Latin America, which projects shall, to the maximum extent practicable, have a unit cost of not more than $8,500.

"(c) The total face amount of guaranties issued hereunder or heretofore under Latin American housing guaranty authority repealed by the Foreign Assistance Act of 1969, outstanding at any one time, shall not exceed $550,000,000: *Provided*, That $325,000,000 of such guaranties may be used only for the purposes of subsection (b)(1).

"SEC. 223. GENERAL PROVISIONS.—(a) A fee shall be charged for each guaranty issued under section 221 or section 222 in an amount to be determined by the President. In the event the fee to be charged for such type of guaranty is reduced, fees to be paid under existing contracts for the same type of guaranty may be similarly reduced.

"(b) The amount of $50,000,000 of fees accumulated under prior investment guaranty provisions repealed by the Foreign Assistance Act of 1969, together with all fees collected in connection with guaranties issued hereunder, shall be available for meeting necessary administrative and operating expenses of carrying out the provisions of this title and of prior housing guaranty provisions repealed by the Foreign Assistance Act of 1969 (including, but not limited to expenses pertaining to personnel, supplies, and printing), subject to such limitations as may be imposed in annual appropriation Acts; for meeting management and custodial costs incurred with respect to currencies or other assets acquired under guaranties made pursuant to section 221 or section 222 or heretofore pursuant to prior Latin American and other housing guaranty authorities repealed by the Foreign Assistance Act of 1969; and to pay the cost of investigating and adjusting (including costs of arbitration) claims under such guaranties; and shall be available for expenditure in discharge of liabilities under such guaranties until such time as all such property has been disposed of and all such liabilities have been discharged or have expired, or until all such fees have been expended in accordance with the provisions of this subsection.

"(c) Any payments made to discharge liabilities under guaranties issued under section 221 or section 222 or heretofore under prior Latin American or other housing guaranty authorities repealed by the Foreign Assistance Act of 1969, shall be paid first out of fees referred to in subsection (b) (excluding amounts required for purposes other than the discharge of liabilities under guaranties) as long as such fees are available, and thereafter shall be paid out of funds, if any, realized from the sale of currencies or other assets acquired in connection with any payment made to discharge liabilities under such guaranties as long as funds are available, and finally out of funds hereafter made available pursuant to subsection (e).

"(d) All guaranties issued under section 221 or section 222 or heretofore under prior Latin American or other housing guaranty authority repealed by the Foreign Assistance Act of 1969 shall constitute obligations, in accordance with the terms of such guaranties, of the United States of America and the full faith and credit of the United States of America is hereby pledged for the full payment and performance of such obligations.

"(e) There is hereby authorized to be appropriated to the President such amounts, to remain available until expended, as may be necessary from time to time to carry out the purposes of this title.

"(f) In the case of any loan investment guaranteed under section 221 or section 222, the agency primarily responsible for administering part I shall prescribe the maximum rate of interest allowable to the eligible investor, which maximum rate shall not be less than one-half of 1 per centum above the then current rate of interest applicable to housing mortgages insured by the Department of Housing and Urban Development. In no event shall the agency prescribe a maximum allowable rate of interest which exceeds by more than 1 per centum the then current rate of interest applicable to housing mortgages insured by such Department. The maximum allowable rate of interest under this subsection shall be prescribed by the agency as of the date the project covered by the investment is officially authorized and, prior to the execution of the contract, the agency may amend such rate at its discretion, consistent with the provisions of subsection (f).

"(g) Housing guaranties committed, authorized, or outstanding under prior housing guaranty authorities repealed by the Foreign Assistance Act of 1969 shall continue subject to provisions of law originally applicable thereto and fees collected hereafter with respect to such guaranties shall be available for the purposes specified in subsection (b).

"(h) No payment may be made under any guaranty issued pursuant to this title for any loss arising out of fraud or misrepresentation for which the party seeking payment is responsible.

"(i) The authority of section 221 and section 222 shall continue until June 30, 1972.

"TITLE IV—OVERSEAS PRIVATE INVESTMENT CORPORATION

"SEC. 231. CREATION, PURPOSE, AND POLICY.—To mobilize and facilitate the participation of United States private capital and skills in the economic and social progress of less developed friendly countries and areas, thereby complementing the development assistance objectives of the United States, there is hereby created the Overseas Private Investment corporation (hereinafter called the 'Corporation'), which shall be an agency of the United States under the policy guidance of the Secretary of State.

"In carrying out its purpose, the Corporation, utilizing broad criteria, shall undertake—

"(a) to conduct its financing operations on a self-sustaining basis, taking into account the economic and financial soundness of projects and the availability of financing from other sources on appropriate terms;

"(b) to utilize private credit and investment institutions and the Corporation's guaranty authority as the principal means of mobilizing capital investment funds;

"(c) to broaden private participation and revolve its funds through selling its direct investments to private investors whenever it can appropriately do so on satisfactory terms;

"(d) to conduct its insurance operations with due regard to principles of risk management including, when appropriate, efforts to share its insurance risks;

"(e) to utilize, to the maximum practicable extent consistent with the accomplishment of its purpose, the resources and skills of small business and to provide facilities to encourage its full participation in the programs of the Corporation;

"(f) to encourage and support only those private investments in less developed friendly countries and areas which are sensitive and responsive to the special needs and requirements of their economies, and which contribute to the social and economic development of their people;

"(g) to consider in the conduct of its operations the extent to which less developed country governments are receptive to private enterprise, domestic and foreign, and their willingness and ability to maintain conditions which enable private enterprise to make its full contribution to the development process;

"(h) to foster private initiative and competition and discourage monopolistic practices;

"(i) to further to the greatest degree possible, in a manner consistent with its goals, the balance-of-payments objectives of the United States;

"(j) to conduct its activities in consonance with the activities of the agency primarily responsible for administering part I and the international trade, investment, and financial policies of the United States Government; and

"(k) to advise and assist, within its field of competence, interested agencies of the United States and other organizations, both public and private, national and international, with respect to projects and programs relating to the development of private enterprise in less developed countries and areas.

"SEC. 232. CAPITAL OF THE CORPORATION.—The President is authorized to pay in as capital of the Corporation, out of dollar receipts made available through the appropriation process from loans made pursuant to this part and from loans made under the Mutual Security Act of 1954, as amended, for the fiscal year 1970 not to exceed $20,000,000 and for the fiscal year 1971 not to exceed $20,000,000. Upon the payment of such capital by the President, the Corporation shall issue an equivalent amount of capital stock to the Secretary of the Treasury.

"SEC. 233. ORGANIZATION AND MANAGEMENT.—(a) STRUCTURE OF THE CORPORATION.—The Corporation shall have a Board of Directors, a President, an Executive Vice President, and such other officers and staff as the Board of Directors may determine.

"(b) BOARD OF DIRECTORS.—All powers of the Corporation shall vest in and be exercised by or under the authority of its Board of Directors ('the Board') which shall consist of eleven Directors, including the Chairman, with six Directors constituting a quorum for the transaction of business. The Administrator of the Agency for International Development shall be the Chairman of the Board, ex officio. Six Directors (other than the President of the Corporation, appointed pursuant to subsection (c) who shall also serve as a Director) shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall not be officials or employees of the Government of the United States. At least one of the six Directors appointed under the preceding sentence shall be experienced in small business, one, in organized labor, and one in cooperatives. Each such Director shall be appointed for a term of no more than three years. The terms of no more than two such Directors shall expire in any one year. Such Directors shall serve until their successors are appointed and qualified and may be reappointed.

"The other Directors shall be officials of the Government of the United States, designated by and serving at the pleasure of the President of the United States.

"All Directors who are not officers of the Corporation or officials of the Government of the United States shall be compensated at a rate equivalent to that of level IV of the Executive Schedule (5 U.S.C. 5315) when actually engaged in the business of the Corporation and may be paid per diem in lieu of subsistence at the applicable rate prescribed in the standardized Government travel regulations, as amended from time to time, while away from their homes or usual places of business.

"(c) PRESIDENT OF THE CORPORATION.—The President of the Corporation shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President. In making such appointment, the President shall take into account private business experience of the appointee. The President of the Corporation shall be its Chief Executive Officer and responsible for the operations and management of the Corporation, subject to bylaws and policies established by the Board.

"(d) OFFICERS AND STAFF.—The Executive Vice President of the Corporation shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President. Other officers, attorneys, employees, and agents shall be selected and appointed by the Corporation, and shall be vested with such powers and duties as the Corporation may determine. Of such persons employed by the Corporation, not to exceed twenty may be appointed, compensated, or removed without regard to the civil service laws and regulations: *Provided,* That under such regulations as the President of the United States may prescribe, officers and employees of the United States Government who are appointed to any of the above positions may be entitled, upon removal from such position, except for cause, to reinstatement to the position occupied at the time of appointment or to a position of comparable grade and salary. Such positions shall be in addition to those otherwise authorized by law, including those authorized by section 5108 of title 5 of the United States Code.

"SEC. 234. INVESTMENT INCENTIVE PROGRAMS.—The Corporation is hereby authorized to do the following:

"(a) INVESTMENT INSURANCE.—(1) To issue insurance, upon such terms and conditions as the Corporation may determine, to eligible investors assuring protection in whole or in part against any or all of the following risks with respect to projects which the Corporation has approved—

"(A) inability to convert into United States dollars other currencies, or credits in such currencies, received as earnings or profits from the approved project, as repayment or return of the investment therein, in whole or in part, or as compensation for the sale or disposition of all or any part thereof;

"(B) loss of investment, in whole or in part, in the approved project due to expropriation or confiscation by action of a foreign government; and

"(C) loss due to war, revolution, or insurrection.

"(2) Recognizing that major private investments in less developed friendly countries or areas are often made by enterprises in which there is multinational participation, including significant United States private participation, the Corporation may make such arrangements with foreign governments (including agencies, instrumentalities, or political subdivisions thereof) or with multilateral organizations for sharing liabilities assumed under investment insurance for such investments and may in connection therewith issue insurance to investors not otherwise eligible hereunder: *Provided, however,* That liabilities assumed by the Corporation under the authority of this subsection shall be consistent with the purposes of this title and that the maximum share of liabilities so assumed shall not exceed the proportionate participation by eligible investors in the total project financing.

"(3) Not more than 10 per centum of the total face amount of investment insurance which the Corporation is authorized to issue under this subsection shall be issued to a single investor.

"(b) INVESTMENT GUARANTIES.—To issue to eligible investors guaranties of loans and other investments made by such investors assuring against loss due to such risks and upon such terms and conditions as the Corporation may determine: *Provided, however,* That such guaranties on other than loan investments shall not exceed 75 per centum of such investment: *Provided further,* That except for loan investments for credit unions made by eligible credit unions or credit union associations, the aggregate amount of investment (exclusive of interest and earnings) so guaranteed with respect to any project shall not exceed, at the time of issuance of any such guaranty, 75 per centum of the total investment committed to any such project as determined by the Corporation, which determination shall be conclusive for purposes of the Corporation's authority to issue any such guaranty: *Provided further,* That not more than 10 per centum of the total face amount of investment guaranties which the Corporation is authorized to issue under this subsection shall be issued to a single investor.

"(c) DIRECT INVESTMENT.—To make loans in United States dollars repayable in dollars or loans in foreign currencies (including, without regard to section 1415 of the Supplemental Appropriation Act, 1953, such foreign currencies which the Secretary of the Treasury may determine to be excess to the normal requirements of the United States and the Director of the Bureau of the Budget may allocate) to firms privately owned or of mixed private and public ownership upon such terms and conditions as the Corporation may determine. The Corporation may not purchase or invest in any stock in any other corporation, except that it may (1) accept as evidence of indebtedness debt securities convertible to stock, but such debt securities shall not be converted to stock while held by the Corporation, and (2) acquire stock through the enforcement of any lien or pledge or otherwise to satisfy a previously contracted indebtedness which would otherwise be in default, or as the result of any payment under any contract of insurance or guaranty. The Corporation shall dispose of any stock it may so acquire as soon as reasonably feasible under the circumstances then pertaining.

"No loans shall be made under this section to finance operations for mining or other extraction of any deposit of ore, oil, gas, or other mineral.

"(d) INVESTMENT ENCOURAGEMENT.—To initiate and support through financial participation, incentive grant, or otherwise, and on such terms and conditions as the Corporation may determine, the identification, assessment, surveying and promotion of private investment opportunities, utilizing wherever feasible and effective the facilities of private organizations or private investors: *Provided, however,* That the Corporation shall not finance surveys to ascertain the

existence, location, extent or quality, or to determine the feasibility of undertaking operations for mining or other extraction, of any deposit of ore, oil, gas, or other mineral. In carrying out this authority, the Corporation shall coordinate with such investment promotion activities as are carried out by the Department of Commerce.

"(e) SPECIAL ACTIVITIES.—To administer and manage special projects and programs, including programs of financial and advisory support which provide private technical, professional, or managerial assistance in the development of human resources, skills, technology, capital savings and intermediate financial and investment institutions and cooperatives. The funds for these projects and programs may, with the Corporation's concurrence, be transferred to it for such purposes under the authority of section 632(a) or from other sources, public or private.

"SEC. 235. ISSUING AUTHORITY, DIRECT INVESTMENT FUND AND RESERVES.—(a) (1) The maximum contingent liability outstanding at any one time pursuant to insurance issued under section 234(a) shall not exceed $7,500,000,000.

"(2) The maximum contingent liability outstanding at any one time pursuant to guaranties issued under section 234(b) shall not exceed in the aggregate $750,000,000, of which guaranties of credit union investment shall not exceed $1,250,000: Provided, That the Corporation shall not make any commitment to issue any guaranty which would result in a fractional reserve less than 25 per centum of the maximum contingent liability then outstanding against guaranties issued or commitments made pursuant to section 234(b) or similar predecessor guaranty authority.

"(3) The Congress, in considering the budget programs transmitted by the President for the Corporation, pursuant to section 104 of the Government Corporation Control Act, as amended, may limit the obligations and contingent liabilities to be undertaken under section 234 (a) and (b) as well as the use of funds for operating and administrative expenses.

"(4) The authority of section 234 (a) and (b) shall continue until June 30, 1974.

"(b) There shall be established a revolving fund, known as the Direct Investment Fund, to be held by the Corporation. Such fund shall consist initially of amounts made available under section 232, shall be available for the purposes authorized under section 234(c), shall be charged with realized losses and credited with realized gains and shall be credited with such additional sums as may be transferred to it under the provisions of section 236.

"(c) There shall be established in the Treasury of the United States an insurance and guaranty fund, which shall have separate accounts to be known as the Insurance Reserve and the Guaranty Reserve, which reserves shall be available for discharge of liabilities, as provided in section 235(d), until such time as all such liabilities have been discharged or have expired or until all such reserves have been expended in accordance with the provisions of this section. Such fund shall be funded by: (1) the funds heretofore available to discharge liabilities under predecessor guaranty authority (including housing guaranty authorities), less both the amount made available for housing guaranty programs pursuant to section 223(b) and the amount made available to the Corporation pursuant to section 234(e); and (2) such sums as shall be appropriated pursuant to section 235(f) for such purpose. The allocation of such funds to each such reserve shall be determined by the Board after consultation with the Secretary of the Treasury. Additional amounts may thereafter be transferred to such reserves pursuant to section 236.

"(d) Any payments made to discharge liabilities under investment insurance issued under section 234(a) or under similar predecessor guaranty authority shall be paid first out of the Insurance Reserve, as long as such reserve remains available, and thereafter out of funds made available pursuant to section 235(f). Any payments made to discharge liabilities under guaranties issued under section 234(b) or under similar predecessor guaranty authority shall be paid first out of the Guaranty Reserve as long as such reserve remains available, and thereafter out of funds made available pursuant to section 235(f).

"(e) There is hereby authorized to be transferred to the Corporation at its call, for the purposes specified in section 236, all fees and other revenues collected under predecessor guaranty authority from December 31, 1968, available as of the date of such transfer.

"(f) There is hereby authorized to be appropriated to the Corporation, to remain available until expended, such amounts as may be necessary from time to time to replenish or increase the insurance and guaranty fund or to discharge the liabilities under insurance and guaranties issued by the Corporation or issued under predecessor guaranty authority.

"SEC. 236. INCOME AND REVENUES.—In order to carry out the purposes of the Corporation, all revenues and income transferred to or earned by the Corporation, from whatever source derived, shall be held by the Corporation and shall be available to carry out its purposes, including without limitation—

"(a) payment of all expenses of the Corporation, including investment promotion expenses;

"(b) transfers and additions to the insurance or guaranty reserves, the Direct Investment Fund established pursuant to section 235, and such other funds or reserves as the Corporation may establish, at such time and in such amounts as the Board may determine; and

"(c) payment of dividends, on capital stock, which shall consist of and be paid from net earnings of the Corporation after payments, transfers, and additions under subsections (a) and (b) hereof.

"SEC. 237. GENERAL PROVISIONS RELATING TO INSURANCE AND GUARANTY PROGRAMS.—(a) Insurance and guaranties issued under this title shall cover investment made in connection with projects in any less developed friendly country or area with the government of which the President of the United States has agreed to institute a program for insurance or guaranties.

"(b) The Corporation shall determine that suitable arrangements exist for protecting the interest of the Corporation in connection with any insurance or guaranty issued under this title, including arrangements concerning ownership, use, and disposition of the currency, credits, assets, or investments on account of which payment under such insurance or guaranty is to be made, and any right, title, claim, or cause of action existing in connection therewith.

"(c) All guaranties issued prior to July 1, 1956, all guaranties issued under sections 202(b) and 413(b) of the Mutual Security Act of 1954, as amended, all guaranties heretofore issued pursuant to prior guaranty authorities repealed by the Foreign Assistance Act of 1966, and all insurance and guaranties issued pursuant to this title shall constitute obligations, in accordance with the terms of such insurance or guaranties, of the United States of America and the full faith and credit of the United States of America is hereby pledged for the full payment and performance of such obligations.

"(d) Fees shall be charged for insurance and guaranty coverage in amounts to be determined by the Corporation. In the event fees to be charged for investment insurance or guaranties are reduced, fees to be paid under existing contracts for the same type of guaranties or insurance and for similar guaranties issued under predecessor guaranty authority may be reduced.

"(e) No insurance or guaranty of any equity investment shall extend beyond twenty years from the date of issuance.

"(f) No insurance or guaranty issued under this title shall exceed the dollar value, as of the date of the investment, of the investment made in the project with the approval of the Corporation plus interest, earnings or profits actually accrued on said investment to the extent provided by such insurance or guaranty.

"(g) No payment may be made under any guaranty issued pursuant to this title for any loss arising out of fraud or misrepresentation for which the party seeking payment is responsible.

"(h) Insurance or guaranties of a loan or equity investment of an eligible investor in a foreign bank, finance company, or other credit institution shall extend only to such loan or equity investment and not to any individual loan or equity investment made by such foreign bank, finance company, or other credit institution.

"(i) Claims arising as a result of insurance or guaranty operations under this title or under predecessor guaranty authority may be settled, and disputes arising as a result thereof may be arbitrated with the consent of the parties, on such terms and conditions as the Corporation may determine. Payment made pursuant to any such settlement, or as a result of an arbitration award, shall be final and conclusive notwithstanding any other provision of law.

"(j) Each guaranty contract executed by such officer or officers as may be designated by the Board shall be conclusively presumed to be isssued in compliance with the requirements of this Act.

"(k) In making a determination to issue insurance or a guaranty under this title, the Corporation shall consider the possible adverse effect of the dollar investment under such insurance or guaranty upon the balance of payments of the United States.

"SEC. 238. DEFINITIONS.—As used in this title—

"(a) the term 'investment' includes any contribution of funds, commodities, services, patents, processes, or techniques, in the form of (1) a loan or loans to an approved project, (2) the purchase of a share of ownership in any such project, (3) participation in royalties, earnings, or profits of any such project, and (4) the furnishing of commodities or services pursuant to a lease or other contract;

"(b) the term 'expropriation' includes, but is not limited to, any abrogation, repudiation, or impairment by a foreign government of its own contract with an investor with respect to a project, where such abrogation, repudiation, or impairment is not caused by the investor's own fault or misconduct, and materially adversely affects the continued operation of the project;

"(c) the term 'eligible investor' means (1) United States citizens; (2) corporations, partnerships, or other associations including nonprofit associations, created under the laws of the United States or any State or territory thereof and substantially beneficially owned by United States citizens; and (3) foreign corporations, partnerships, or other associations wholly owned by one or more such United States citizens, corporations, partnerships, or other associations: *Provided*, however, That the eligibility of such foreign corporation shall be determined without regard to any shares, in aggregate less than 5 per

centum of the total of issued and subscribed share capital, required by law to be held by other than the United States owners: *Provided further*, That in the case of any loan investment a final determination of eligibility may be made at the time the insurance or guaranty is issued; in all other cases, the investor must be eligible at the time a claim arises as well as at the time the insurance or guaranty is issued; and

"(d) the term 'predecessor guaranty authority' means prior guaranty authorities (other than housing guaranty authorities) repealed by the Foreign Assistance Act of 1969, sections 202(b) and 413(b) of the Mutual Security Act of 1954, as amended, and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended (exclusive of authority relating to informational media guaranties).

"SEC. 239. GENERAL PROVISIONS AND POWERS.—(a) The Corporation shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof.

"(b) The President shall transfer to the Corporation, at such time as he may determine, all obligations, assets and related rights and responsibilities arising out of, or related to, predecessor programs and authorities similar to those provided for in section 234 (a), (b), and (d). Until such transfer, the agency heretofore responsible for such predecessor programs shall continue to administer such assets and obligations, and such programs and activities authorized under this title as may be determined by the President.

"(c) The Corporation shall be subject to the applicable provisions of the Government Corporation Control Act, except as otherwise provided in this title.

"(d) To carry out the purposes of this title, the Corporation is authorized to adopt and use a corporate seal, which shall be judicially noticed; to sue and be sued in its corporate name; to adopt, amend, and repeal bylaws governing the conduct of its business and the performance of the powers and duties granted to or imposed upon it by law; to acquire, hold or dispose of, upon such terms and conditions as the Corporation may determine, any property, real, personal, or mixed, tangible, or intangible, or any interest therein; to invest funds derived from fees and other revenues in obligations of the United States and to use the proceeds therefrom, including earnings and profits, as it shall deem appropriate; to indemnify directors, officers, employees and agents of the Corporation for liabilities and expenses incurred in connection with their Corporation activities; to require bonds of officers, employees, and agents and pay the premiums therefor; notwithstanding any other provision of law, to represent itself or to contract for representation in all legal and arbitral proceedings; to purchase, discount, rediscount, sell, and negotiate, with or without its endorsement or guaranty, and guarantee notes, participation certificates, and other evidence of indebtedness (provided that the Corporation shall not issue its own securities, except participation certificates for the purpose of carrying out section 231(c)); to make and carry out such contracts and agreements as are necessary and advisable in the conduct of its business; to exercise the priority of the Government of the United States in collecting debts from bankrupt, insolvent, or decedents' estates; to determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations; and to take such actions as may be necessary or appropriate to carry out the powers herein or hereafter specifically conferred upon it.

"(e) The Auditor-General of the Agency for International Development (1) shall have the responsibility for planning and directing the execution of audits, reviews, investigations, and inspections of all phases of the Corporation's operations and activities and (2) shall conduct all security activities of the Corporation relating to personnel and the control of classified material. With respect to his responsibilities under this subsection, the Auditor-General shall report to the Board. The agency primarily responsible for administering part I shall be reimbursed by the Corporation for all expenses incurred by the Auditor-General in connection with his responsibilities under this subsection.

"(f) In order to further the purposes of the Corporation there shall be established an Advisory Council to be composed of such representatives of the American business community as may be selected by the Chairman of the Board. The President and the Board shall, from time to time, consult with such Council concerning the objectives of the Corporation. Members of the Council shall receive no compensation for their services but shall be entitled to reimbursement in accordance with section 5703 of title 5 of the United States Code, for travel and other expenses incurred by them in the performance of their functions under this section.

"SEC. 240. AGRICULTURAL CREDIT AND SELF-HELP COMMUNITY DEVELOPMENT PROJECTS.—(a) It is the sense of the Congress that in order to stimulate the participation of the private sector in the economic development of less developed countries in Latin America, the authority conferred by this section should be used to establish pilot programs in not more than five Latin American countries to encourage private banks, credit institutions, similar private lending organizations, cooperatives, and private nonprofit development organizations to make loans on reasonable terms to organized groups and individuals residing in a community for the purpose of enabling such groups and individuals to carry out agricultural credit and self-help community development projects for which they are unable to obtain financial assistance on reasonable terms. Agricultural credit and assistance for self-help community development projects should include, but not be limited to, material and such projects as wells, pumps, farm machinery, improved seed, fertilizer, pesticides, vocational training, food industry development, nutrition projects, improved breeding stock for farm animals, sanitation facilities, and looms and other handicraft aids.

"(b) To carry out the purposes of subsection (a), the Corporation is authorized to issue guaranties, on such terms and conditions as it shall determine, to private lending institutions, cooperatives, and private nonprofit development organizations in not more than five Latin American countries assuring against loss of not to exceed 25 per centum of the portfolio of such loans made by any lender to organized groups or individuals residing in a community to enable such groups or individuals to carry out agricultural credit and self-help community development projects for which they are unable to obtain financial assistance on reasonable terms. In no event shall the liability of the United States exceed 75 per centum of any one loan.

"(c) The total face amount of guaranties issued under this section outstanding at any one time shall not exceed $15,000,000. Not more than 10 per centum of such sum shall be provided for any one institution, cooperative, or organization.

"(d) The Inter-American Social Development Institute shall be consulted in developing criteria for making loans eligible for guaranty coverage under this section.

"(e) The guaranty reserve established under section 235(c) shall be available to make such payments as may be necessary to discharge liabilities under guaranties issued under this section.

"(f) Notwithstanding the limitation contained in subsection (c) of this section, foreign currencies owned by the United States and determined by the Secretary of the Treasury to be excess to the needs of the United States may be utilized to carry out the purposes of this section, including the discharge of liabilities incurred under this subsection. The authority conferred by this subsection shall be in addition to authority conferred by any other provision of law to implement guaranty programs utilizing excess local currency.

"(g) The Corporation shall, on or before January 15, 1972, make a detailed report to the Congress on the results of the pilot programs established under this section, together with such recommendations as it may deem appropriate.

"(h) The authority of this section shall continue until June 30, 1972.

"SEC. 240A. REPORTS TO THE CONGRESS.—(a) After the end of each fiscal year, the Corporation shall submit to the Congress a complete and detailed report of its operations during such fiscal year.

"(b) Not later than March 1, 1974, the Corporation shall submit to the Congress an analysis of the possibilities of transferring all or part of its activities to private United States citizens, corporations, or other associations."

ALLIANCE FOR PROGRESS

SEC. 106. Section 252(a) of such Act, relating to authorization, is amended to read as follows:

"SEC. 252. AUTHORIZATION.—(a) There is authorized to be appropriated to the President for the purposes of this title, in addition to other funds available for such purposes, for the fiscal year 1970, $428,250,000, and for the fiscal year 1971, $428,250,000, which amounts are authorized to remain available until expended, and which amounts, except for not to exceed $90,750,000 for each such fiscal year, shall be available only for loans payable as to principal and interest in United States dollars. In order to effectuate the purposes and provisions of sections 102, 251, 601, and 602 of this Act, not less than 50 per centum of the loan funds appropriated pursuant to this section for any fiscal year shall be available for loans made to encourage economic development through private enterprise."

PROGRAMS RELATING TO POPULATION GROWTH

SEC. 107. Section 292, relating to authorization, is amended by striking out "fiscal year 1969, $50,000,000" and inserting in lieu thereof "fiscal year 1970, $75,000,000, and for the fiscal year 1971, $100,000,000,".

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 108. (a) Section 301(c) of such Act, relating to general authority, is amended to read as follows:

"(c) No contributions by the United States shall be made to the United Nations Relief and Works Agency for Palestine Refugees in the Near East except on the condition that the United Nations Relief and Works Agency take all possible measures to assure that no part of the United States contribution shall be used to furnish assistance to any refugee who is receiving military training as a member of the so-called Palestine Liberation Army or any other guerrilla type organization or who has engaged in any act of terrorism."

(b) Section 302(a) of such Act, relating to authorization, is amended by striking out "fiscal year 1969, $135,000,000" and inserting in lieu thereof "fiscal year 1970, $122,620,000, and for the fiscal year 1971, $122,620,000".

(c) Section 302(b) of such Act, relating to Indus Basin development, is amended by

inserting "(1)" immediately after "(b)" and by adding at the end thereof the following new paragraph:

"(2) There is authorized to be appropriated to the President for grants for Indus Basin Development, in addition to any other funds available for such purposes, for use in the fiscal year 1970, $7,530,000, and for use in the fiscal year 1971, $7,530,000, which amounts shall remain available until expended."

(d) Section 302 of such Act is further amended by adding at the end thereof the following new subsection:

"(e) There is authorized to be appropriated $1,000,000 for the fiscal year 1970, and $1,000,000 for the fiscal year 1971, to provide added contribution to the United Nations Relief and Works Agency for expansion of technical and vocational training of Arab refugees."

SUPPORTING ASSISTANCE

SEC. 109. Section 402 of such Act, relating to authorization, is amended by striking out "fiscal year 1969 not to exceed $410,000,000" and inserting in lieu thereof "fiscal year 1970 not to exceed $414,600,000, and for the fiscal year 1971 not to exceed $414,600,000".

CONTINGENCY FUND

SEC. 110. Section 451(a) of such Act, relating to the contingency fund, is amended by striking out "fiscal year 1968 not to exceed $50,000,000, and for the fiscal year 1969 not to exceed $10,000,000" and inserting in lieu thereof "fiscal year 1970 not to exceed $15,000,000, and for the fiscal year 1971 not to exceed $15,000,000".

PART II—MILITARY ASSISTANCE

MILITARY ASSISTANCE AUTHORIZATION

SEC. 201. Section 504(a) of the Foreign Assistance Act of 1961, relating to authorization, is amended—

(1) by striking out "$375,000,000 for the fiscal year 1969" and inserting in lieu thereof "$350,000,000 for the fiscal year 1970, and $350,000,000 for the fiscal year 1971"; and

(2) by adding at the end thereof the following new sentence: "Amounts appropriated under this subsection shall be available for cost-sharing expenses of United States participation in the military headquarters and related agencies program."

SPECIAL AUTHORITY

SEC. 202. Section 506(a) of such Act, relating to special authority of the President, is amended—

(1) by striking out "1969" in the first sentence and inserting in lieu thereof "1970 and the fiscal year 1971"; and

(2) by striking out "in the fiscal year 1969" in the second sentence and inserting in lieu thereof "in each of the fiscal years 1970 and 1971".

RESTRICTIONS ON TRAINING FOREIGN MILITARY STUDENTS

SEC. 203. Chapter 2 of part II of such Act, relating to military assistance, is amended by inserting at the end thereof the following new section:

"SEC. 510. RESTRICTIONS ON TRAINING FOREIGN MILITARY STUDENTS.—The number of foreign military students to be trained in the United States in any fiscal year, out of funds appropriated pursuant to this part, may not exceed a number equal to the number of foreign civilians brought to the United States under the Mutual Educational and Cultural Exchange Act of 1961 in the immediately preceding fiscal year."

PART III—GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS PROVISIONS

SEC. 301. Section 610(a) of the Foreign Assistance Act of 1961, relating to transfer between accounts, is amended by inserting immediately after "funds made available for any provision of this Act" the following: "(except funds made available pursuant to title IV of chapter 2 of part I)".

SEC. 302. Section 612 of such Act, relating to use of foreign currencies, is amended by adding at the end thereof the following new subsection:

"(d) In furnishing assistance under this Act to the government of any country in which the United States owns excess foreign currencies as defined in subsection (b) of this section, except those currencies generated under the Agricultural Trade Development and Assistance Act of 1954, as amended, the President shall endeavor to obtain from the recipient country an agreement for the release, on such terms and conditions as the President shall determine, of an amount of such currencies up to the equivalent of the dollar value of assistance furnished by the United States for programs as may be mutually agreed upon by the recipient country and the United States to carry out the purposes for which new funds authorized by this Act would themselves be available."

SEC. 303. (a) Section 620(s) of such Act, relating to prohibitions against furnishing assistance, is amended to read as follows:

"(s) (1) In order to restrain arms races and proliferation of sophisticated weapons, and to ensure that resources intended for economic development are not diverted to military purposes, the President shall take into account before furnishing development loans, Alliance loans or supporting assistance to any country under this Act, and before making sales under the Agricultural Trade Development and Assistance Act of 1954, as amended:

"(A) the percentage of the recipient or purchasing country's budget which is devoted to military purposes;

"(B) the degree to which the recipient or purchasing country is using its foreign exchange resources to acquire military equipment; and

"(C) the amount spent by the recipient or purchasing country for the purchase of sophisticated weapons systems, such as missile system and jet aircraft for military purposes, from any country.

"(2) The President shall report annually to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate his actions in carrying out this provision."

"(b) Section 620(v) of such Act is repealed.

SEC. 304. Section 624(d) of such Act, relating to the duties of the Inspector General, Foreign Assistance, is amended—

(1) by inserting in paragraph (2)(A), after the words "under part I of this Act", the following: "(including the Overseas Private Investment Corporation), and under part IV of the Foreign Assistance Act of 1969 (the Inter-American Social Development Institute)";

(2) by inserting in paragraph (5), before the period at the end of the first sentence, the following: "and part IV of the Foreign Assistance Act of 1969"; and

(3) by inserting in the first sentence of paragraph (7), immediately after "programs under part I or II of this Act, "the following: "and part IV of the Foreign Assistance Act of 1969,".

SEC. 305. Section 634(a) of such Act, relating to reports and information, is amended—

(1) by inserting in the first sentence, after the words "concerning operations", the following: "(other than those reported pursuant to section 240A)"; and

(2) by striking out of the last sentence the following: "on the operation of the investment guaranty program and".

SEC. 306. Section 636(f) of such Act, relating to use of funds, is amended by inserting immediately before the period at the end thereof the following: "or by the Corporation established under title IV of chapter 2 of part I with respect to loan activities which it carries out under the provisions of the Agricultural Trade Development and Assistance Act of 1954, as amended".

SEC. 307. Section 637(a) of such Act, relating to administrative expenses, is amended by striking out "fiscal year 1969, $53,000,000" and inserting in lieu thereof "fiscal year 1970, $51,125,000, and for the fiscal year 1971, $51,125,000".

SEC. 308. Section 643 of such Act, relating to savings provisions, is amended by inserting after "section 642(a)" and "section 642(a)(2)" each time they appear the following: "and the Foreign Assistance Act of 1969".

PART IV—INTER-AMERICAN SOCIAL DEVELOPMENT INSTITUTE

SEC. 401. INTER-AMERICAN SOCIAL DEVELOPMENT INSTITUTE.—(a) There is created as an agency of the United States of America a body corporate to be known as the "Inter-American Social Development Institute" (hereafter in this section referred to as the "Institute").

(b) The future of freedom, security, and economic development in the Western Hemisphere rests on the realization that man is the foundation of all human progress. It is the purpose of this section to provide support for developmental activities designed to achieve conditions in the Western Hemisphere under which the dignity and the worth of each human person will be respected and under which all men will be afforded the opportunity to develop their potential, to seek through gainful and productive work the fulfillment of their aspirations for a better life, and to live in justice and peace. To this end, it shall be the purpose of the Institute, primarily in cooperation with private, regional, and international organizations, to—

(1) strengthen the bonds of friendship and understanding among the peoples of this hemisphere;

(2) support self-help efforts designed to enlarge the opportunities for individual development;

(3) stimulate and assist effective and ever wider participation of the people in the development process;

(4) encourage the establishment and growth of democratic institutions, private and governmental, appropriate to the requirements of the individual sovereign nations of this hemisphere.

In pursuing these purpose, the Institute shall place primary emphasis on the enlargement of educational opportunities at all levels, the production of food and the development of agriculture, and the improvement of environmental conditions relating to health, maternal and child care, family planning, housing, free trade union development, and other social and economic needs of the people.

(c) The Institute shall carry out the purposes set forth in subsection (b) of this section primarily through and with private organizations, individuals, and international organizations by undertaking or sponsoring appropriate research and by planning, initiating, assisting, financing, administering, and executing programs and projects designed to promote the achievement of such purposes.

(d) In carrying out its functions under this section, the Institute shall, to the maximum extent possible, coordinate its undertakings with the developmental activities in the Western Hemisphere of the various organs of the Organization of American States, the United States Government, international organizations, and other entities engaged in promoting social and economic development of Latin America.

(e) The Institute, as a corporation—

(1) shall have perpetual succession unless sooner dissolved by an Act of Congress;

(2) may adopt, alter, and use a corporate seal, which shall be judicially noticed;

(3) may make and perform contracts and other agreements with any individual, corportation, or other body of persons however designated whether within or without the United States of America, and with any government or government agency, domestic or foreign;

(4) shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid;

(5) may, as necessary for the transaction of the business of the Institute, employ, and fix the compensation of not to exceed one hundred persons at any one time;

(6) may acquire by purchase, devise, bequest, or gift, or otherwise lease, hold, and improve, such real and personal property as it finds to be necessary to its purposes, whether within or without the United States, and in any manner dispose of all such real and personal property held by it and use as general funds all receipts arising from the disposition of such property;

(7) shall be entitled to the use of the United States mails in the same manner and on the same conditions as the executive departments of the Government;

(8) may, with the consent of any board, corporation, commission, independent establishment, or executive department of the Government, including any field service thereof, avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this section;

(9) may accept money, funds, property, and services of every kind by gift, devise, bequest, grant, or otherwise, and make advances, grants, and loans to any individual, corporation, or other body of persons, whether within or without the United States of America, or to any government or governmental agency, domestic or foreign, when deemed advisable by the Institute in furtherance of its purposes;

(10) may sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction; and

(11) shall have such other powers as may be necessary and incident to carrying out its powers and duties under this section.

(f) Upon termination of the corporate life of the Institute all of its assets, shall be liquidated and, unless otherwise provided by Congress, shall be transferred to the United States Treasury as the property of the United States.

(g) The management of the Institute shall be vested in a board of directors (hereafter in this section referred to as the "Board") composed of seven members appointed by the President, by and with the advice and consent of the Senate, one of whom he shall designate to serve as Chairman of the Board and one of whom he shall designate to serve as Vice Chairman of the Board. Four members of the Board shall be appointed from private life. Three members of the Board shall be appointed from among officers or employees of agencies of the United States concerned with inter-American affairs. Members of the Board shall be appointed for terms of six years, except that of the members first appointed two shall be appointed for terms of two years and two shall be appointed for terms of four years, as designated by the President at the time of their appointment. A member of the Board appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term; but upon the expiration of his term of office a member shall continue to serve until his successor is appointed and shall have qualified. Members of the Board shall be eligible for reappointment.

(h) Members of the Board shall serve without additional compensation, but shall be reimbursed for actual and necessary expenses not in excess of $50 per day, and for transportation expenses, while engaged in their duties on behalf of the corporation.

(i) The Board shall direct the exercise of all the powers of the Institute.

(j) The Board may prescribe, amend, and repeal bylaws, rules, and regulations governing the manner in which the business of the Institute may be conducted and in which the powers granted to it by law may be exercised and enjoyed. A majority of the Board shall be required as a quorum.

(k) In furtherance and not in limitation of the powers conferred upon it, the Board may appoint such committees for the carrying out of the work of the Institute as the Board finds to be for the best interests of the Institute, each committee to consist of two or more members of the Board, which committees, together with officers and agents duly authorized by the Board and to the extent provided by the Board, shall have and may exercise the powers of the Board in the management of the business and affairs of the Institute.

(l) The chief executive officer of the Institute shall be an Executive Director who shall be appointed by the Board of Directors on such terms as the Board may determine. The Executive Director shall receive compensation at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(m) In order to further the purposes of the Institute there shall be established a Council to be composed of such number of individuals as may be selected by the Board from among individuals knowledgeable concerning developmental activities in the Western Hemisphere. The Board shall, from time to time, consult with the Council concerning the objectives of the Institute. Members of the Council shall receive no compensation for their services but shall be entitled to reimbursement in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred by them in the performance of their functions under this subsection.

(n) The Institute shall be a nonprofit corporation and shall have no capital stock. No part of its revenue, earnings, or other income or property shall inure to the benefit of its directors, officers, and employees and such revenue, earnings, or other income, or property shall be used for the carrying out of the corporate purposes set forth in this section. No director, officer, or employee of the corporation shall in any manner directly or indirectly participate in the deliberation upon or the determination of any question affecting his personal interests or the interests of any corporation, partnership, or organization in which he is directly or indirectly interested.

(o) When approved by the Institute, in furtherance of its purpose, the officers and employees of the Institute may accept and hold offices or positions to which no compensation is attached with governments or governmental agencies of foreign countries.

(p) The Secretary of State shall have authority to detail employees of any agency under his jurisdiction to the Institute under such circumstances and upon such conditions as he may determine. Any such employee so detailed shall not lose any privileges, rights, or seniority as an employee of any such agency by virtue of such detail.

(q) The Institute shall establish a principal office. The Institute is authorized to establish agencies, branch offices, or other offices in any place or places within the United States or elsewhere in any of which locations the Institute may carry on all or any of its operations and business.

(r) The Institute, including its franchise and income, shall be exempt from taxation now or hereafter imposed by the United States, or any territory or possession thereof, or by any State, county, municipality, or local taxing authority.

(s) Notwithstanding any other provision of law, not to exceed an aggregate amount of $50,000,000 of the funds made available for the fiscal years 1970 and 1971 to carry out part I of the Foreign Assistance Act of 1961 shall be available to carry out the purposes of this section. Funds made available to carry out the purposes of this section under the preceding sentence are authorized to remain available until expended.

(t) The Institute shall be subject to the provisions of the Government Corporation Control Act.

PART V—AMENDMENTS TO OTHER ACTS

SEC. 501. Section 101 of the Government Corporation Control Act (31 U.S.C. 846) is amended by striking out "Development Loan Fund;" and inserting in lieu thereof "Overseas Private Investment Corporation;".

SEC. 502. (a) Section 3343(b) of title 5, United States Code, relating to details of personnel to international organizations, is amended—

(1) by striking out "3" and inserting in lieu thereof "5"; and

(2) by striking out the period at the end of such section and inserting in lieu thereof a comma and the following: "except that under special circumstances, where the President determines it to be in the national interest, he may extend the 5-year period for up to an additional 3 years."

(b) Section 3581(5) of such title, relating to reemployment rights of personnel who transfer to international organizations, is amended by striking out "the first 3 consecutive years after entering the employ of the international organization" and inserting in lieu thereof the following: "the first 5 consecutive years, or any extension thereof, after entering the employ of the international organization".

(c) Section 3582(a) of such title, relating to rights of personnel who transfer to international organizations, is amended—

(1) by inserting in clause (1), before the semicolon at the end thereof, a comma and the following: "except that such service shall not be considered creditable service for the purpose of any retirement system for transferring personnel, if such service forms the basis, in whole or in part, for an annuity or pension under the retirement system of the international organization"; and

(2) by striking out clause (2) and inserting in lieu thereof the following:

"(2) to retain coverage, rights, and benefits under chapters 87 and 89 of this title, if necessary employee deductions and agency contributions in payment for the coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund and the Employees' Health Benefits Fund, as applicable, and the period during which coverage, rights, and benefits are retained under this paragraph is deemed service as an employee under chapters 87 and 89 of this title,".

(d) Section 3582(b) of such title, relating to rights of employees transferring to international organizations, is amended—

(1) by striking out, ", except a Congressional employee," in the first sentence;

(2) by striking out of clause (1) "3 years" and inserting in lieu thereof "5 years, or any extension thereof,"; and

(3) by inserting at the end thereof the following new sentences: "On reemployment, he is entitled to be paid, under such regulations as the President may prescribe and from appropriations or funds of the agency from which transferred, an amount equal to the difference between the pay, allowances, post differential, and other monetary benefits paid by the international organization and the pay, allowances, post differential, and other monetary benefits that would have been paid by the agency had he been detailed to the international organization under section 3343 of this title. Such a payment shall be made to an employee who is unable to exercise his reemployment right because of

disability incurred while on transfer to an international organization under this subchapter and, in the case of any employee who dies while on such a transfer or during the period after separation from the international organization in which he is properly exercising or could exercise his reemployment right, in accordance with subchapter VIII of chapter 55 of this title. This subsection does not apply to a congressional employee nor may any payment provided for the preceding two sentences of this subsection be based on a period of employment with an international organization occurring before the first day of the first pay period which begins on or after the date of enactment of the Foreign Assistance Act of 1969."

(e) Section 3582(c) of such title, relating to rights of employees transferring to international organizations, is amended by striking out "3 years" and inserting in lieu thereof the following: "5 years, or any extension thereof,".

(f) Section 3582(d) of such title, relating to agency contributions to retirement and insurance programs for personnel who transfer to international organizations, is amended to read as follows:

"(d) During the employee's period of service with the international organization, the agency from which the employee is transferred shall make contributions for retirement and insurance purposes from the appropriations or funds of that agency so long as contributions are made by the employee."

SEC. 503. Subchapter II of chapter 53 of title 5, United States Code, is amended—

(1) by inserting at the end of section 5314, relating to level III of the Executive Schedule, the following:

"(54) President, Overseas Private Investment Corporation.";

(2) by inserting at the end of section 5315, relating to level IV of the Executive Schedule, the following:

"(92) Executive Vice President, Overseas Private Investment Corporation."; and

(3) by inserting at the end of section 5316, relating to level V of the Executive Schedule, the following:

"(128) Auditor-General of the Agency for International Development.

"(129) Vice Presidents , Overseas Private Investment Corporation (3)."

And the Senate agree to the same.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
DANTE B. FASCELL,
W. S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.
J. W. FULBRIGHT,
JOHN SPARKMAN,
FRANK CHURCH,
G. D. AIKEN,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14580) 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 institutions, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enactment clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for clarifying, clerical, and necessary conforming changes, the differences are noted below:

AUTHORIZATION OF FUNDS

FOREIGN ASSISTANCE AUTHORIZATIONS

(In thousands)

Section number	Economic assistance	Executive request fiscal year 1970	House	Senate	Conference agreement	Difference (H=House S=Senate)
101	Development loans	675,500	425,500	350,000	350,000	H—75,500
102	Technical cooperation and development grants	224,500	200,000	167,000	183,500	H—16,500 S+16,500
103	American schools and hospitals abroad	12,900	23,400	25,900	[1] 25,900	H+2,500
	Local currency			3,000	[2] 3,000	H+3,000
106	Alliance for Progress	553,500	437,500	419,000	428,250	H—9,250
	Loans	(437,500)	(337,500)	(337,500	(337,500)	S+9,250
	Grants	(116,000)	(100,000)	(81,500)	(90,750)	H—9,250 (S+9,250)
104	Desalting plant for Israel		[3] 40,000	[4] 40,000	[5] 20,000	H—20,000 S—20,000
108	International Organizations and programs	142,220	122,620	142,202	122,620	S—19,600
	UNRWA and U.N. Peacekeeping	[6] (19,600)	[7] (19,600)	[6] (19,600)	[7] (19,600)	
	Arab refugees		1,000	1,000	1,000	
	Indus Basin	7,530	7,530	7,530	7,530	
109	Supporting assistance	495,000	[8] 414,600	420,000	[8] 414,600	S—5,400
110	Contingency fund	40,000	15,000	20,000	15,000	S—5,000
307	Administrative expenses: AID	54,250	52,250	50,000	51,125	H—1,125 S—1,125
	Total economic assistance	2,205,400	1,739,400	1,645,650	1,622,525	(H—116,875) S—23,125
201	Grant military assistance	425,000	454,500	325,000	[7] 350,000	(H—104,500) S+25,000
	Total economic and military assistance	2,630,400	2,193,900	1,970,650	[8] 1,972,525	H—221,375 S+1,875

[1] For fiscal year 1971, the bill authorizes $12,900,000.
[2] Not authorized for fiscal year 1971.
[3] This sum was on a grant basis.
[4] This sum was on a loan basis.
[5] This sum is on a grant basis, limited to fiscal year 1970 funds.
[6] Included in international organizations and programs.
[7] Included in supporting assistance.
[8] Includes UNRWA and U.N. peacekeeping operations.

The House bill repealed part I of the Foreign Assistance Act of 1961, as amended, which includes the basic authority for economic assistance. In lieu of existing law, the bill restructured and amended the language. The changes made by the House bill were, for the most part, more in form and organization than in substance.

Although the Senate amendment did amend various provisions of existing law, it followed closely the organization of the 1961 Act.

After reaching agreement as to what it regarded as the substantive differences between the two bills, the committee of conference decided to retain the language and structure of existing law, including as amendments the language agreed to in conference and not including those provisions of the House bill which were essentially revisions or updating of present law.

Substantive changes in the House bill agreed to by the committee of conference are as follows:

ASSISTANCE TO MEXICO TO HELP SUPPRESS ILLEGAL TRAFFIC IN DRUGS (HOUSE SEC. 204(a)(2) OF THE ACT)

The House bill made available $500,000 of technical assistance funds to be used solely to furnish assistance to the Mexican Government to help suppress illegal drug traffic.

The Senate amendment did not contain a comparable provision.

The managers on the part of the House accepted the Senate contention that this program did not meet the criteria set forth in the law for the use of technical assistance funds. Further, they believed other agencies of Government were better equipped and financed to engage in this type of operation than the Agency for International Development. Therefore, the House receded from its position.

PROTOTYPE DESALTING PLANT (HOUSE—SECTION 209 OF THE ACT; SENATE—SECTION 101 OF THE BILL)

The House bill authorized the appropriation of not to exceed $40 million for a U.S. contribution to finance not more than 50 percent of the cost of building and operating a water treatment and desalting plant in Israel.

The Senate amendment did not include any reference to a desalting plant, but the report of the Committee on Foreign Relations stated that $40 million of the authorization for development loans "is to be used only for assistance in the development of a water treatment and desalting prototype plant in the Middle East if the executive branch finds the project to be feasible."

The committee of conference accepted the House language with two amendments: (1) an authorization of $20 million instead of $40 million and (2) a requirement that the President determine that development of such a plant is feasible.

The managers on the part of the House believe that an authorization of $20 million should be enough to cover the U.S. share of the cost during the early phases of the project and that it is essential that funds be available on a grant rather than a loan basis.

It is the understanding of the House conferees that because of the developmental and experimental nature of this project, it will not be subject to the requirements of section 611 of the Foreign Assistance Act or section 101 of the Appropriations Act which apply to water related capital projects.

AMERICAN SCHOOLS AND HOSPITALS ABROAD (HOUSE—SECTION 304(b) OF THE ACT; SENATE—SECTION 103 OF THE BILL)

The House bill authorized appropriations of a total amount of $23,400,000 for assistance to U.S. schools and hospitals abroad, including specific authorizations for certain designated institutions.

The Senate amendment authorized a total of $25,900,000, together with $3 million of foreign currency, for this purpose but did not name the institutions included. The report of the Foreign Relations Committee, however, designated the institutions which were included.

Those institutions named in the House bill were listed in the Senate report, which included three more.

Funds for these additional institutions were authorized by the Senate amendment.

The managers on the part of the House agreed to the inclusion of the additional institutions approved by the Senate.

OVERSEAS PRIVATE INVESTMENT CORPORATION (HOUSE—SECTIONS 321–332 OF THE ACT; SENATE—SECTIONS 231–240(a) OF THE BILL)

The House bill and the Senate amendment contained identical language which had the effect of permitting the Corporation to employ not to exceed 20 persons who may be appointed, compensated or removed without regard to the civil service laws and regulations. The language is sufficiently broad to authorize compensation beyond the range of salaries set by the Classification Act. It was the intent of both Houses to limit to not more than eight those who may be compensated at a rate not in excess of that for GS–18. The remaining 12 are not to receive compensation in excess of the rate authorized for GS–15.

CONTRIBUTIONS TO THE MIDDLE EAST (HOUSE—SEC. 452(C) OF THE ACT)

Section 452(c) of the House bill authorized the appropriation of such funds as the President may request with a 5 year period for programs and projects in the Middle East directly related to peacekeeping activities, resettlement and vocational training of refugees, rehabilitation of war damage to public facilities, and programs of health, education, agriculture and community development, upon a determination by the President that a peaceful settlement had been attained in the Middle East.

The Senate amendment did not include a comparable provision.

The House receded.

The Managers on the part of the House were persuaded by the Senate conferees that the Congress should not authorize funds for this area or for such purposes until the situation in the Middle East was clearer than at present and the use to be made of any funds could be more precisely reviewed.

MILITARY ASSISTANCE (HOUSE AND SENATE—SECTION 504 OF THE ACT)

The House bill authorized a total of $454,500,000 for military assistance, of which $350,000,000 was for worldwide allocation, $50 million for Korea, and $54,500,000 for the Republic of China.

The Senate amendment authorized a total of $325,000,000 without any allocation to specified countries.

The managers on the part of the House agreed to an authorization of $350,000,000 without specifying any country allocation.

They found it impossible to obtain agreement to a larger total for military assistance and believed that any specific additional allocation for Korea or the Republic of China would result in a drastic curtailment of the worldwide authorization which would be detrimental to the national security.

INTERNATIONAL MILITARY HEADQUARTERS (SENATE—SECTION 504(a) OF THE ACT)

The Senate amendment included a requirement that amounts appropriated for military assistance should be available for the expenses of U.S. participation in international military headquarters, and that no part of any funds made available under any other provision of law could be used for such expenses.

The House bill did not contain a comparable provision.

The managers on the part of the House accepted a compromise which authorized the use of military assistance funds for this purpose but deleted the prohibition against the use of funds which might otherwise be available for such expenses. This should permit the Department of Defense to draw on any funds which might be available to it, including military assistance funds, to finance the U.S. contribution to such headquarters.

LIMITATION ON CHANGE IN PROGRAM (HOUSE—SECTION 504(C) OF THE ACT)

The House bill amended section 504 of the Foreign Assistance Act to require that the military assistance program for any country in any fiscal year shall not be increased beyond 20 percent of the amount justified to the Congress, or $1,000,000, whichever is greater, unless the President determines such an increase is essential to the national interest.

The Senate amendment did not contain a comparable provision.

The House receded and accepted the deletion of this section.

The program has been operating since the beginning without such a provision in the authorization bill, and the managers on the part of the House were not convinced that it should be enacted under existing circumstances.

RESTRICTIONS ON TRAINING FOREIGN MILITARY STUDENTS (SENATE—SEC. 510 OF THE ACT)

The Senate amendment contained a provision that limited in any fiscal year the number of foreign military students to be trained in the United States whose training was financed out of military assistance funds, to a number no greater than one-half the number of foreign civilians brought to the United States under the Mutual Educational and Cultural Exchange Act of 1961 in the immediately preceding fiscal year.

The House bill did not have a comparable provision.

The Senate conferees receded and accepted a House amendment which permits the training of foreign military personnel in the United States in a number equal to the number of foreign civilian trainees who come here in the preceding fiscal year under the Mutual Educational and Cultural Exchange Act of 1961.

To have accepted the Senate language would have resulted in a drastic reduction in the training program. The managers on the part of the House believe that such training is necessary to achieve operational capability and readiness and is an important complementary element to our military assistance program.

DIVERSION OF RECIPIENT COUNTRY'S ASSETS TO MILITARY PURPOSES (HOUSE—SECTIONS 620(S) AND 620(V) OF THE ACT)

The House bill contained a revision of subsections 620(s) and 620(v) of the Foreign Assistance Act, which prohibited assistance to countries diverting their own resources to military purposes or which purchased sophisticated weapons systems.

The managers on the part of the Senate receded, accepting the House revision as including the essential elements of both subsections.

PROHIBITION OF MILITARY ASSISTANCE TO GOVERNMENTS OPPOSED TO DEVELOPMENT OF DEMOCRATIC INSTITUTIONS (HOUSE—NEW SECTION 620(V) OF THE ACT)

The House bill contained an amendment to section 620 of the Foreign Assistance Act that included a statement expressing disapproval of the provision of military assistance to any government denying freedom to its people and advocating the termination of military assistance to any government which comes into power through means other than through constitutional processes.

The Senate amendment did not include comparable language.

The House receded, accepting the deletion of this provision.

The committee of conference found itself unable to find acceptable language that expressed disapproval of infringement of liberty or of dictators but which would take into account all of the special circumstances which bear on U.S. policy in the various situations which confront us at the present time.

INTER-AMERICAN SOCIAL DEVELOPMENT INSTITUTE (HOUSE—SECTION 6 OF THE BILL)

The House bill contained a section creating the Inter-American Social Development Institute. The bill authorized the availability of not more than $50,000,000 of economic assistance funds for fiscal year 1970 to carry out the programs of the Institute. For subsequent fiscal years an open ended authorization of appropriations was included.

The Senate amendment did not contain a comparable provision.

The conferees accepted the House language with an amendment that permits the use of $50,000,000 of economic assistance funds not limited to fiscal year 1970 and deletes the open ended authorization for subsequent years. In view of the lateness in the fiscal year and the problems of transferring appropriate programs from AID to the Institute, the conferees were of the opinion that the availability of $50,000,000 was sufficient. Funds for subsequent years will require authorization. The conferees also deleted the word "Advisory" from the name of the Council.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
DANTE B. FASCELL,
W. S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.

APPOINTMENT OF CONFEREES ON H.R. 15149, FOREIGN ASSISTANCE AND RELATED PROGRAMS APPROPRIATIONS, 1970

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15149) making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and appoints the following conferees: Messrs. PASSMAN, ROONEY of New York, Mrs. HANSEN of Washington, Messrs. COHELAN, LONG of Maryland, MCFALL, MAHON, SHRIVER, CONTE, Mrs. REID of Illinois, and Messrs. RIEGLE and BOW.

PRESIDENTIAL COMMISSION TO INVESTIGATE ALLEGED MASSACRES AT MYLAI

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

Mr. COHELAN. Mr. Speaker, I and 32 of my colleagues have just now introduced a bill to establish a Presidential Commission which will be directed to make a full investigation of the alleged massacres at Mylai, Vietnam, in March of 1968.

That these reports have shocked the American people is an understatement. I am not, nor are my colleagues who

have cosponsored this bill, making any prejudgments as to the guilt or innocence of any individuals, nor am I casting doubt on the integrity of the Armed Forces.

I have the utmost confidence that justice will prevail and the guilt or innocence of all parties will be established by the military tribunals.

The American people have been confronted with a crisis of conscience and confidence, however. The events of the past few weeks clearly indicate that an untoward and unusual event took place in Mylai in early 1968. I cannot accept unverified news reports as evidence, but neither can I dismiss such reports. If we are to insure the continued honor of our armed services—an honor that is justly deserved—an independent commission must make a full investigation and full report to the American people.

Any lingering doubt about this incident would be disastrous to the conscience of a people which prides itself for its reliance on the rule of law. As we have witnessed in the past, time alone can exaggerate rumor and totally distort the truth. Time alone also renders the truth difficult to find as witnesses are dispersed and the memory fades. It is for this reason that we must act now to establish this fact-finding commission.

I have full confidence in the Army investigation, but feel that full vindication in the eyes of the American people and the rest of the world can only come if an independent investigation is conducted.

The Commission authorized in this bill will be composed of 15 persons: Five Members of the House of Representatives, five Members of the Senate and five distinguished citizens, all appointed by the President. This Commission will have full subpena powers and a staff adequate to conduct a full investigation of all such actions involving military personnel in South Vietnam.

Since this investigation will be conducted concurrently with judicial actions against certain personnel, firm protections are provided for all individuals. These protections include the sealing of evidence during the course of the investigation, executive sessions for the taking of testimony, and representation by counsel for those who desire it.

I am convinced it is absolutely necessary that the questions raised by the Mylai incident be fully explored and aired to the satisfaction of the American people and the world at large.

I invite all my colleagues in this body to join in the introduction of this bill.

CHRISTMAS AND THE COAL MINERS

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. HECHLER of West Virginia. Mr. Speaker, what kind of a Christmas will it be for the coal miners? What kind of a Christmas will it be for the widows of the 78 men who lost their lives at Farmington?

Mr. Speaker, if the President vetoes the coal mine health and safety bill it would be just like placing loose razor blades in the Christmas stockings of hundreds of thousands of coal miners and their families.

The Federal Government, through Democratic and Republican administrations, shares the responsibility for failing to protect either the health or safety of those who work in the coal mines. Federal inaction has produced this terrible coal dust disease called pneumoconiosis. Now when Congress, over the objections of the administration, takes the initiative both to prevent the disease and take care of those miners who suffer from black lung, we are faced with the heartless threat of a Presidential veto.

If the President vetoes this bill, the Christmas lights will go out not only in the coal fields but all over the Nation. For too long, the coal miners have paid the price in broken bodies, and lungs whose tissues have been eaten away by coal dust. I have talked with hundreds of coal miners in the past few days, and I know how they feel. If the President vetoes this bill, there will be a major walkout in the coal fields. Furthermore, the sympathies of people throughout the Nation are on the side of justice for the coal miners. If the President dares to veto this bill, we have the votes to override such a veto.

I do not know who is giving the President the bad advice he is getting. But I would merely suggest that the President stop listening to those who have prevented meaningful legislation in the past, stop listening to the pressures of the coal operators, and stop listening to those special interests who are putting dollar signs on the life, limbs and lungs of the coal miner. In the spirit of this Christmas season, I trust that the President will consider the human values and sign the coal mine health and safety bill.

THE COURT OF APPEALS DECISION IN THE CASE OF BOORDA, ARCHULETA, AND HOLLEY AGAINST SUBVERSIVE ACTIVITIES CONTROL BOARD

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

Mr. ICHORD. Mr. Speaker, my office has received numerous inquiries with respect to a decision rendered last Friday by the Court of Appeals for the District of Columbia Circuit—Chief Judge Bazelon, Judge Wright, and Judge McGowan—in the case of Boorda, Archuleta, and Holley against Subversive Activies Control Board. This is a significant case and I think it important to bring the matter to the attention of the House.

In this case, proceedings had been instituted before the Board by the Attorney General in July of 1968, against the three named individuals under relevant provisions of the Subversive Activities Control Act of 1950, as amended, to make determinations with respect to the membership of each of them in the Communist Party. It will be recalled that in proceedings under that act, the Communist Party had been previously determined to be a "Communist action" organization; that is, an organization operating within the United States under the control of the Soviet Union to advance the objectives of the world Communist movement. The Board made its determination finding each of the named individuals to be members of the Communist Party. They then appealed to the Court of Appeals for the District of Columbia circuit. That court, on December 12, 1969, reversed the Board and held the disclosure provisions of that act to be void on the alleged basis that the disclosure of Communist Party membership is "constitutionally protected" by the first amendment, except for those who join "with the specific intent to further illegal action."

The effect of the decision was not only to reverse the determinations made in the cases of Boorda, Archuleta, and Holley but also to stay 15 additional cases not yet determined that had been instituted this year, with commendable diligence, by the present Attorney General. The necessary result is that these cases must remain in abeyance and no additional cases instituted until and unless action is taken by the Supreme Court to reverse the action of the court of appeals.

The action of the court of appeals appears to me to be clearly in defiance of the prior determination on the same subject by the highest court of the land in *Communist Party* v. *Subversives Activities Control Board*, 367 U.S. 1 (1961), which squarely upheld the registration provisions of section 7 of the act "insofar as they require Communist-action organizations to file a registration statement containing the names and addresses of its present officers and members." Despite the fact that all of the Justices in that case, with the exception of Justice Black, supported this requirement as not repugnant to the first amendment, nevertheless the court of appeals last Friday reached a contrary result and voided section 13(g)(2) of the act. It seeks to justify its departure from the clear pronouncement in the Communist Party case on the basis of a number of other cases which it cited, none of which appears to be in point, and which had been previously considered and differentiated by the Supreme Court in its decision in the Communist Party case.

Without doubt, it seems to me, the court of appeals has ignored the prior pronouncement of the Supreme Court by which it should have been bound. While I do not believe it appropriate at this time to detail the Communist Party case in which all of the issues here pertinent were thoroughly discussed and disposed of by the Supreme Court in opinions which cover 202 pages of the official reports, I have noted certain principal points upon which I base this conclusion in my letter of yesterday to the Attorney General, requesting that he apply for writ of certiorari. In my remarks today, I would like to emphasize that the action of the court of appeals seems clearly in violation of the canon of judicial discipline which requires an inferior court to adhere to the precedents established by a superior court.

In making this comment, I believe I do so with some basis in fact. It appears that the judges themselves were conscious that their course of action might

be construed to be in disregard of the prior holding of the Supreme Court. In footnote 15 of their decision, they have noted a suggestion that the validity of the decision in Communist Party had been "eroded," citing cases which do not sustain this conclusion, although with respect to which they say they "express no opinion." Nevertheless, it appears that their action speaks more clearly than their words of disavowal.

One, of course, may speculate why these particular judges took the course they did. However, I do not believe that one may ascertain the "specific intent" which formed the basis for their action—at least in any greater degree than they could expect others to ascertain an individual's "specific intent" with respect to his membership in the Communist Party. We do know that their action in nullifying important aspects of the congressional program for coping with the dangers posed by the world Communist movement—dangers which have by no means abated within recent years—again demonstrates the frustration which this Congress and the public can experience, particularly by what appears to me in this instance to be ill-advised and undisciplined court action.

It seems clear to me that an application for certiorari, with the hope that the Supreme Court will vindicate its prior holding, is the only course that remains open to Congress to cope with the neat result of the decision of the court of appeals. I do not believe that any effective amendment can be made to the Subversive Activities Control Act to accord with the decision of the court of appeals and still preserve the basic disclosure purposes of the act which had previously been upheld by the Supreme Court. It seems obvious to me that if the act were amended to require proof of "specific intent to further illegal action" as a condition for disclosure of Communist Party membership, the disclosure purposes of the act could not be accomplished under that impossible requirement. There is no present law, as Justice Frankfurter observed in the Communist Party case, which in general makes pursuit of the objectives of the world Communist movement a crime. Hence, it would not be practicable to prove a "specific intent to further illegal action" when such action has not been made illegal. Nor has Congress chosen to make membership a crime as a means of coping with the Communist movement. There is some serious doubt, under recent decisions of the courts, whether that could be done without a constitutional amendment. In any event, if the Government were able to prove that individual membership was entertained with a specific intent to further illegal action, I think we would all agree that the individual should be prosecuted for criminal conspiracy, or some other crime, rather than coping with his action by a determination of his membership for disclosure purposes only.

Accordingly, on yesterday I addressed a letter to the Attorney General urging him to make immediate application to the Supreme Court for a writ of certiorari, and to prosecute this application vigorously to an early determination. I feel certain that the present Attorney General will fulfill his responsibilities and will give my request due consideration. As a matter of interest to the Members, I include with my remarks a copy of the December 12 decision of the court of appeals and a copy of my letter to the Attorney General:

U.S. COURT OF APPEALS, FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22,514—*Simon Boorda, Petitioner* v. *Subversive Activities Control Board, Respondent*

No. 22,522—*Robert Archuleta and Wayne Dallas Holley, Petitioners* v. *Subversive Activities Control Board, Respondent*

(Petitions for review of order of the Subversive Activities Control Board)

[Decided December 12, 1969]

Mr. John J. Abt, of the bar of the Court of Appeals of New York, *pro hac vice*, by special leave of court, with whom *Mr. Joseph Forer* was on the brief, for petitioners.

Mr. Kevin T. Maroney, Attorney, Department of Justice, with whom *Mr. J. Walter Yeagley*, Assistant Attorney General, *Messrs. Frank R. Hunter, Jr.*, General Counsel, *Charles F. Dirlam*, Assistant General Counsel, Subversive Activities Control Board, and *Mrs. Lee B. Anderson*, Attorney, Department of Justice, were on the brief, for respondent.

Mr. Lawrence Speiser filed a brief on behalf of American Civil Liberties Union, as *amicus curiae* urging reversal.

Before BAZELON, *Chief Judge*, WRIGHT and MCGOWAN, *Circuit Judges*.

BAZELON, *Chief Judge*. These are petitions under § 14(a) of the Subversive Activities Control Act [1] to set aside orders of the Subversive Activities Control Board determining that each of the several petitioners is "a member of the Communist Party of the United States of America, a Communist action organization." The fact of membership is not at issue.[2] Instead, petitioners attack the Board's construction, and the constitutionality, of the Act. The Board erred, they argue, in taking official notice of its prior determination that the Communist Party is a Communist-action organization, and in not allowing petitioners to demand a redetermination of the status of the Party in the proceedings against them. Additionally, they claim that the Act is constitutionally defective in allowing public disclosure of an individual's membership to be made without a finding that the individual concerned shares in any illegal purposes of the organization to which he belongs. We find this second argument persuasive.[3]

I

Under the Act, when the Attorney General has "reason to believe . . . that any individual is a member of an organization which has been determined by final order of the Board to be a Communist-action organization," he is to file a petition with the Board seeking a determination "that such individual is a member of such Communist-action organization." § 13(a). After hearing, the Board is to make a written report including its findings of fact. If it determines that the "individual is a member of a Communist-action organization," it shall issue and serve him with an order "determining such individual to be a member of a Communist-action organization." § 13(g)(2).[4] Petitioners argue that the difference in language between the two subsections is critical: that is, they would read § 13(a) as instructing the Attorney General to institute proceedings before the Board whenever it comes to his attention that an individual belongs to any organization "which *has been determined by final order of the Board* to be a Communist-action organization." But § 13(a)(2) requires the Board to determine that the "individual *is* a member of a Communist-action organization," and this language is said to imply that, during the course of the hearings on a petition to determine an individual's membership, the Board must not only find that the individual is a member of a named organization, but must also redetermine that the organization is in fact a Communist-action organization.[5] Support for this construction is sought in § 13(b) and (i), which provide for redetermination, not more than once each calendar year, of the status of individuals and organizations against which Board orders are outstanding. Petitioners would read these subsections to allow an individual to reopen the status of an organization of which he is a member in a § 13(b) petition for redetermination. Therefore, they argue, § 13(g) should be read in the same way, and an individual should be allowed to litigate the status of an organization of which he is alleged to be a member during the course of the initial proceedings against him.

On its face, § 13(b) does not compel the construction sought by petitioners. It provides, in pertinent part:

"Any organization as to which there is in effect a final order of the Board determining it to be a Communist-action or Communist-front organization and *any individual as to whom there is in effect a final order of the Board* determining such individual to be a member of a Communist-action organization *may, not more often than once in each calendar year*, file with the Board and serve upon the Attorney General *a petition for a determination that such organization no longer is a Communist-action or Communist-front organization, or that such individual no longer is a member of a Communist-action organization, as the case may be.*" (emphasis added). This language is not entirely free from ambiguity, but it seems to imply that an individual, in a § 13(b) proceeding, may contest only the fact of his membership in a named organization against which an order is already outstanding.[6] The limitation of petitions to one per calendar year is at least an indication that Congress intended that no particular issue should be relitigated more than once each year.[7] Allowing individual members of an organization to reopen the complex question whether the organization to which they belong is a Communist-action organization would be to open the door to substantial delaying tactics without providing a corresponding benefit to anyone.[8] Absent any support in the legislative history for petitioners' construction of § 13(b) [9] we cannot conclude that it was intended to allow individuals to contest the status of the organizations to which they belong.

Deprived of any support from § 13(b), petitioners' construction of § 13(g) must likewise fail. That construction would require us to read identical statutory language [10] in substantially different ways without any apparent support for such a different construction in the legislative history.[11] It would raise a serious risk of inconsistent adjudications; that is, of opposite determinations of the same question (whether a given organization is a Communist-action organization) in proceedings against different individuals.[12] That § 13(a) allows individual proceedings to be consolidated is no assurance that they would be. The Board did not err in holding that petitioners may not challenge the status of the Communist Party in the instant proceeding.

We must therefore face the constitutional

Footnotes at end of article.

question. Petitioners argue that § 13(g)(2) of the Act[13] is invalid because it provides for public disclosure of the fact of their membership in the Communist Party whether or not they intend to further any of the Party's illegal, as well as its legal and constitutionally protected aims.[14] The Board's primary response to this argument is that it is foreclosed by the Supreme Court's decision in *Communist Party v. Subversive Activities Control Board*, 367 U.S. 1 (1961).[15]

The Supreme Court in the *Communist Party* case was presented with the question whether the First Amendment prohibited the requirement, set forth in § 7 of the original Act,[16] that organizations found to be dominated by a foreign power and intending the illegal overthrow of existing government could be required to file registration statements including the names and addresses of their members.[17] Individual members of the Communist Party were not parties to the action, but the Court allowed the Party standing to "assist those rights of its members, such as anonymity, which are necessarily infringed by the very act of *its filing a registration statement*, and which could not be otherwise asserted than by raising them here." 367 U.S. at 81.

The Court examined the structure of the Act, and found that the registration and disclosure requirements of § 7 did not attach "to the incident of speech, but to the incidents of foreign domination and of operation to advance the objectives of the world Communist movement." *Id.* at 90. Since regulation was premised on constitutionally unprotected conduct, the Court was required to balance "the value to the public of the ends which the regulation may achieve" against "the impediment which particular governmental regulation causes to entire freedom of individual action." *Id.* at 91; *see United States v. O'Brien*, 391 U.S. 367, 377 (1968). Although the Court did not consider the incidental infringement of First Amendment rights to be insubstantial, *see* 367 U.S. at 102, it concluded that the importance of the government's interest in disclosing the names of those who desired to further the illegal aims of Communist-action organizations justified the requirement that such organizations make public their membership lists. *Id.* at 102–03.

The present case, however, stands on an entirely different footing. Of course, in both cases the class of persons upon whom disclosure ultimately operates is the same—all members of the organization, whether innocent or guilty. But § 7 of the original Act on its face dealt directly with organizations at least some of whose members shared in the illicit, constitutionally unprotected aims of the organization. *See id.* at 23–27, 42–55. Of course it would hardly have been practicable to require the organizations themselves to distinguish in their membership lists between innocent and guilty members. Therefore, the disclosure provisions were viewed as attaching to the incidents of foreign domination and illicit purpose, characteristics of the organization and of some but not all of its members. Innocent members were unavoidably caught up in a net designed to disclose the guilty. But § 13(g)(2) operates directly on individuals; consequently, the "operative facts upon which [the statute] depends," *United States v. Robel*, 389 U.S. 258, 263 (1967), must be facts characteristic of the individual upon whom the statute operates. Under § 13(g)(2), disclosure attaches to mere membership in a Communist-action organization, whether or not the member whose affiliation is to be publicized has engaged in, or has any intent to further, the illicit ends of the organization. If mere membership, to which disclosure attaches, is constitutionally protected, the balancing test is inapplicable. *Communist Party, supra*, 367 U.S. at 90.[18] Consequently, the question for decision is simply whether the statute infringes protected rights. *De Jonge v. Oregon*, 299 U.S. 353, 364–65 (1937).

It seems clear to us that mere membership in the Communist Party is protected by the First Amendment. For it is "now beyond dispute," *Bates v. Little Rock*, 361 U.S. 516, 523 (1961), that "an individual's right of association . . . is protected by the First Amendment." *United States v. Robel*, 389 U.S. 258, 263 (1967) When a "quasi-political part[y] or other group . . . may embrace both legal and illegal aims," *Scales v. United States*, 367 U.S. 203, 229 (1961), affiliation with and membership in that group are constitutionally protected except for those who join "with the 'specific intent' to further illegal action." *Elfbrandt v. Russell*, 384 U.S. 11, 17; *see Noto v. United States*, 367 U.S. 290, 299–300 (1961). "Assuming that some members of the Communist Party . . . had illegal aims and engaged in illegal activities, it cannot automatically be inferred that all members shared their evil purposes or participated in their illegal conduct." *Schware v. Board of Bar Examiners*, 353 U.S. 232, 246 (1957). For "men in adhering to a political party or other organization notoriously do not subscribe unqualifiedly to all of its platforms or asserted principles." *Schneiderman v. United States*, 320 U.S. 118, 136 (1943).[19] Therefore the fact that some members of the Communist Party may be engaged in activity not protected by the First Amendment does not mean that the protected activity of their members may be infringed. If rights are abused, "legislative intervention can find constitutional justification only by dealing with the abuse. The rights themselves must not be curtailed." *De Jonge v. Oregon, supra*, 299 U.S. at 364–65.

Since the disclosure provisions of § 13(g)(2) attach solely to constitutionally protected rights, the only remaining question is whether they operate to discourage or penalize the exercise of those rights. We believe that they do. "Inviolability of privacy in group association may in many circumstances be indispensable to preservation of freedom of association, particularly where a group espouses dissident beliefs." *NAACP v. Alabama*, 357 U.S. 449, 462 (1958). In the present situation, we cannot assume that disclosure of an individual's membership in the Communist Party will not operate as a substantial burden upon the exercise of his right of free association.[20] Therefore, the disclosure provisions of § 13(g)(2) must fall as contrary to the First Amendment. *United States v. Robel, supra*; *De Jonge v. Oregon, supra*.

III

We would be led to the same conclusion under the balancing test as enunciated in the *Communist Party* case.[21] The Court in that case sustained the disclosure provisions of § 7 of the original Act, which like the present statute made no distinction between innocent and guilty members. But disclosure in that case was sought from the Party, not from individuals,[22] and consequently there was available no practicable, less intrusive alternative to disclosure of the names of all members: to ask the Party itself to distinguish between those of its members who did and who did not share its illegal aims would be to ask the impossible. But proceedings under § 13(g)(2) are on a case-by-case basis, rendering it feasible to distinguish in each case between protected and unprotected membership. *Scales v. United States*, 367 U.S. 203 (1961). Therefore, in weighing the public interest in disclosure, we must weigh a different quantity: since innocent members may easily be separated from guilty ones, the public interest in exposure of the guilty cannot be used to justify exposure of the innocent. *See Keyeshian v. Board of Regents*, 385 U.S. 589, 606–07 (1967); *Shelton v. Tucker*, 364 U.S. 479, 488 (1960). Since the First Amendment precludes the government from claiming an interest in public disclosure of the associations of innocent members of Communist-action organizations,[23] *Elfbrandt v. Russell*, 384 U.S. 11, 17 (1966), the governmental interest to be weighed in this case is nil.[24]

Since § 13(g)(2) of the Subversive Activities Control Act is contrary to the First Amendment, the orders issued in these cases cannot stand. The cases must be remanded to the Subversive Activities Control Board with instructions to dismiss the petitions.

It is so ordered.

FOOTNOTES

[1] Title I of the Internal Security Act of 1950, 64 Stat. 987, *as amended* 50 U.S.C. §§ 781–798 (1964 & Supp. IV, 1969). Unless otherwise indicated, all references are to the Act as amended.

[2] Petitioners have refused to respond to the allegations of membership on the ground that the statute under which proceedings were had is unconstitutional.

[3] We do not, therefore, consider petitioners' other constitutional claims.

[4] If the Board determines that an individual is not a member of a Communist-action organization, it shall issue and serve upon the Attorney General "an order denying the determination sought by his petition." § 13(h)(2).

[5] Petitions for determination that an individual is a member of a Communist-action organization apparently cannot be brought until the organization in question has been determined by the Board to be a Communist-action organization. *See* § 13(a).

[6] Of course, a petitioner in a § 13(b) proceeding could argue that there was no longer a Board order outstanding against an organization of which he was a member.

[7] The limitation of § 13(b) petitions to one per year was contained in the original act and carried over in the 1968 amendments. But it is of some relevance that the House Report on the 1968 amendments indicated substantial concern over delay in Board proceedings. *See* H.R. Rep. No. 733, 90th Cong., 1st Sess. 10 (1967).

[8] An organization may, of course, reopen the question of its status once per year under § 13(b), this should provide at least some remedy for the organization's members.

[9] Petitioners have directed us to no such material, nor have we been able to unearth any.

[10] The phrase "is a member of a Communist-action organization," appearing in § 13(b) and (g)(2) of the Act.

[11] As originally enacted, § 13(g)(2) spoke of "a Communist-action organization (*including an organization required by final order of the Board to register under § 7(a)*)" (emphasis added). 64 Stat. 1000. The italicized phrase is missing from the section as amended in 1968. But the House Report on the amendments describe them as simply "conforming amendments" to bring the Act in line with Albertson v. SACB, 382 U.S. 70 (1965). We do not believe that the House intended the radical alteration in Board proceedings sought by petitioners. *See* H.R. Rep. No. 733, 90th Cong., 1st Sess. 23 (1967).

[12] A "basic objective" of the Act is to provide public information concerning Communist activities. *See* H.R. Rep. No. 733, *supra* note 11, at 3. A regular pattern of inconsistent determinations based not on changed circumstances but solely on the particular evidence adduced at different proceedings would hardly advance this objective.

[13] Section 13(g) provides:

"If, after hearing upon a petition filed under subsection (a) of this section the Board determines—

* * * * *

"(2) that an individual is a member of a Communist-action organization it shall make a report in writing in which it shall state its findings as to the facts and shall issue and

cause to be served on such individual an order determining such individual to be a member of a Communist-action organization."

All such orders are a matter of public record. § 9(a).

[14] Neither petitioners nor the Board suggest that § 13(g)(2) could be construed so as to apply only to those members of Communist-action organizations who share in the group's illegal aims, and we believe they are correct. United States v. Robel, 389 U.S. 258, 262 (1967); Aptheker v. Secretary of State, 378 U.S. 500, 511 n. 9, 515–16 (1964); *see* Killian v. United States, 368 U.S. 231 (1961).

[15] It has been elsewhere suggested that Supreme Court cases subsequent to the decision in *Communist Party* have eroded its validity. Note, *Civil Disabilities and the First Amendment*, 78 Yale L.J. 842 (1969); *See* United States v. Robel, 389 U.S. 258 (1967); Keyeshian v. Board of Regents, 385 U.S. 589 (1967); Elfbrandt v. Russell, 384 U.S. 11 (1966). In view of the disposition made here, we need express no opinion on this point.

[16] That section has since been repealed. Act of January 2, 1968, Pub. L. No. 90–237, § 5, 81 Stat. 766.

[17] The Court in *Communist Party* phrased the issue as follows:

"The Communist Party would have us hold that the First Amendment prohibits Congress from requiring the registration and filing of information, including membership lists, by organizations substantially dominated or controlled by the foreign powers controlling the world Communist movement and which operate primarily to advance the objectives of that movement: the overthrow of existing government by any means necessary and the establishment in its place of a Communist totalitarian dictatorship."

367 U.S. at 88–89. It pointed out that "our consideration of any other provisions than those of § 7, requiring Communist-action organizations to register and file a registration statement, could in no way affect our decision in the present case." *Id.* at 77.

[18] *See also* United States v. Robel, 389 U.S. 258, 268 n. 20 (1967), where the Supreme Court explicitly rejected any attempt at "balancing" in dealing with § 5 of the Act:

"It has been suggested that this case should be decided by 'balancing' the governmental interests expressed in § 5(a)(1)(D) against the First Amendment rights asserted by the appellee. This we decline to do. We recognize that both interests are substantial, but we deem it inappropriate for this Court to label one as being more important or substantial than the other. . . ."

Petitioners suggest that this footnote implies that the approval of "balancing" in *Communist Party*, *see* 367 U.S. at 91, has since been withdrawn. But the Court once again resorted to a balancing test in United States v. O'Brien, 391 U.S. 367, 377 (1968). It appears, then, that balancing may be appropriate when a statute is directed at constitutionally unprotected conduct, and infringes upon protected conduct only as an unavoidable side effect of an otherwise unexceptionable purpose. But where, as in *Robel*, "the operative fact upon which [the statute] depends is the exercise of [a right] protected by the First Amendment," 389 U.S. at 263, the First Amendment precludes a resort to "balancing."

[19] The Board relies upon Adler v. Board of Education, 342 U.S. 485, 494–95 (1952), for the contrary proposition. But the Supreme Court in Keyeshian v. Board of Regents, 385 U.S. 589, 595 (1967) pointed out that "pertinent constitutional doctrines have since respected the premises" of that decision.

[20] There is no direct evidence in the record in this case as to the degree of harassment that one named as a member of the Communist Party may suffer as a result. But although it is true that the Supreme Court has in some cases relied solely on record evidence to establish such a possibility, *e.g.*, Shelton v. Tucker, 364 U.S. 479, 486 n.7 (1960), Bates v. Little Rock, 361 U.S. 516, 520–22 (1960), NAACP v. Alabama, 357 U.S. 449, 462 (1958), it was willing to state in *Communist Party* that "the public opprobrium and obloquy which may attach to an individual listed with the Attorney General as a member of a Communist-action organization is no less considerable than that . . . in *N.A.A.C.P.* and *Bates*." 367 U.S. at 102. And in American Communications Ass'n v. Douds, 339 U.S. 382, 402 (1950), the Court noted:

"Under some circumstances, indirect 'discouragements' undoubtedly have the same coercive effect . . . as imprisonment. . . . A requirement that adherents of particular religious faiths or political parties wear identifying arm-bands, for example, is obviously of this nature."

[21] "Against the impediments which particular governmental regulation causes to entire freedom of individual action, there must be weighed the value to the public of the ends which the regulation may achieve." 367 U.S. at 91.

[22] This difference was used in *Communist Party* to distinguish Shelton v. Tucker, 364 U.S. 479 (1960). *See* 367 U.S. at 92–93.

[23] We are not dealing here with a legislative investigation the primary purpose of which is to inform Congress with respect to matters properly within its concern. In such cases, some disclosure to the public may be justified as a necessary incident of disclosure to Congress. *Cf.* Watkins v. United States, 354 U.S. 178, 187 (1967) United States v. Rumely, 354 U.S. 41, 56–58 (1953) (concurring opinion).

[24] In the *Communist Party* case, the Court sustained the disclosure provisions of § 7 of the original Act because "the mask of anonymity which [the] organization's members wear serves . . . to enable them to cover over a foreign-directed conspiracy, infiltrate into other groups, and enlist the support of persons who would not, if the truth were revealed, lend their support."

367 U.S. at 102–03. In other words, the government's interest in disclosure was considered to be its interest in disclosure of the names of guilty members of the Party, *i.e.*, those who shared the purposes found by the Court not to be constitutionally protected. But, as pointed out above, there was in that case no practicable way of distinguishing between innocent and guilty members, and a refusal to consider the public interest in disclosure of the guilty members would have meant that the interest could not have been protected at all. *See* 367 U.S. at 88–89.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C., December 16, 1969.

Hon. JOHN N. MITCHELL,
Attorney General,
Department of Justice,
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: I am much disturbed by the extraordinary result reached last Friday by the Court of Appeals (Chief Judge Bazelon, Wright, and McGowan, Circuit Judges) in the cases of *Boorda, Archuleta, and Holley* v. *Subversive Activities Control Board*. It seems to me that this decision voiding the disclosure provisions of the Subversive Activities Control Act relating to individual Communist Party membership, is both irrational and contrary to a prior determination on the same subject by the highest court of the land. Its impact in nullifying important aspects of the congressional program for coping with the dangers posed by the world Communist movement—dangers which have by no means abated within recent years—cannot remain unchallenged. I am writing to urge that immediate application be made to the Supreme Court for a writ of certiorari and that the application be vigorously prosecuted for early determination.

In *Communist Party* v. *Subversive Activities Control Board*, 367 U.S. 1 (1961), the Supreme Court squarely and unequivocally upheld the registration provisions of section 7 of the Subversive Activities Control Act "insofar as they require Communist action organizations to file a registration statement containing the names and addresses of its present officers *and members*." (Page 103). All of the justices, with the exception of Justice Black, supported this requirement as not repugnant to the First Amendment, although the court split 5–4 on other issues not here pertinent. Despite this ruling, and the reasoning in support of it, the Court of Appeals reached a contrary result and voided section 13(g)(2) of the Act on the ground that the disclosure of Communist Party membership is "constitutionally protected" by the First Amendment except for those who join "with the 'specific intent' to further illegal action."

To justify its departure from the clear pronouncement in *Communist Party*, the Court of Appeals cited a number of cases, none of which appeared to be in point, as a basis for its engrafting on the case, and the Act, a requirement of specific intent to further illegal action as a condition precedent to the disclosure of individual membership. All of these cases, namely, *U.S.* v. *Robel*, 389 U.S. 258; *Scales* v. *U.S.*, 367 U.S. 203; *Elfbrandt* v. *Russell*, 384 U.S. 11; *Noto* v. *U.S.*, 367 U.S. 290; *Schware* v. *Board of Bar Examiners*, 353 U.S. 232; *Schneiderman* v. *U.S.*, 320 U.S. 118; *DeJonge* v. *Oregon*, 299 U.S. 353; *Keyeshian* v. *Board of Regents*, 385 U.S. 589, and *Shelton* v. *Tucker*, 364 U.S. 479, involved either criminal prosecutions or situations in which employment or other civil disabilities were sought to be imposed. Cases of this sort, as well as *Bates* v. *Little Rock*, 361 U.S. 516 and *NAACP* v. *Alabama*, 357 U.S. 449, cited by the Court of Appeals in support of its more general proposition that "mere membership in the Communist Party is protected by the First Amendment," were considered and differentiated in *Communist Party*. (See page 96f, 101–103).

Indeed, the argument accepted by the Court of Appeals in *Boorda, et al.* had been previously advanced by the Party and was rejected in *Communist Party*. In that case it had been urged "that under the compulsion of the First Amendment the Act must be read as reaching only organizations whose purpose to overthrow existing government is expressed in illegal action or incitement to illegal action." Mr. Justice Frankfurter, speaking for the Court said, "We think that an organization may be found to operate to advance objectives so defined, although it does not incite the present use of force. Nor does the First Amendment compel any other construction. The Subversive Activities Control Act is a regulatory, not a prohibitory statute. It does not make unlawful pursuit of the objectives which section 2 defines. In this context, the Party misapplies *Yates* v. *United States*, 354 U.S. 298, and *Dennis* v. *United States*, 341 U.S. 494 on which it relies." (Pages 55f.) The same reply must be made to the Court of Appeals which seeks to apply *Scales* and *Noto*. These cases, like *Yates* and *Dennis*, involved prosecutions under the Smith Act.

The Supreme Court emphasized that in a number of situations "in which secrecy or the concealment of association has been regarded as a threat to public safety and to the effective, free functioning of our national institutions," Congress has met the threat by requiring registration or disclosure even among groups concerned exclusively with political processes irrespective of any purpose or intent to effect illegal action, citing the Federal Corrupt Practices Act, upheld

in *Burroughs* v. *U.S.*, 290 U.S. 534, the Federal Regulation of Lobbying Act, upheld in *U.S.* v. *Harriss*, 347 U.S. 612, and the Foreign Agents Registration Act, considered in *Viereck* v. *U.S.*, 318 U.S. 236. (Pages 97–102.)

It is thus clear that the registration requirement compelling disclosure of membership was upheld by the Supreme Court on the ground of the organization's foreign control and because of the harmful impact of its organizational activities on our society, without regard to whether or not its members shared its ultimate purposes or entertained any specific intent to effect illegal action. Finally, while recognizing that congressional power in this sphere, as in all spheres, is limited by the First Amendment, the Court admonished that "when existing government is menaced by a world-wide integrated movement which employs every combination of possible means, peaceful and violent, domestic and foreign, overt and clandestine, to destroy the government itself—the legislative judgment as to how that threat may best be met consistently with the safeguarding of personal freedom is not to be set aside merely because the judgment of judges would, in the first instance, have chosen other methods. Especially where Congress, in seeking to reconcile competing and urgently demanding values within our social institutions, legislates not to prohibit individuals from organizing for the effectuation of ends found to be menacing to the very existence of those institutions, but only to prescribe the conditions under which such organization is permitted, the legislative determination must be respected." (Pages 96–97.) This admonition was ignored by the Court of Appeals.

I would greatly appreciate knowing what conclusion your Department reaches on my request.

With kind personal regards, I am

Sincerely yours,

RICHARD H. ICHORD,
Chairman.

RESEARCH PROJECTS

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

Mr. DADDARIO. Mr. Speaker, the act authorizing fiscal year 1970 military research and development has been recently signed into law by the President. That legislation contains language which may affect in a fundamental way our mechanisms for allocating Federal resources for the support of scientific research and development activities. I refer to section 203, which states:

None of the funds authorized by this Act may be used to carry out any research project or study unless such project or study has a direct and apparent relationship to a specific military function.

This provision was adopted without discussion of its implications for the future of American science, which must have thoughtful and imaginative implementation if it is not to be severely injured. Section 203 has also triggered a crisis which our Subcommittee on Science, Research, and Development has been developing and with which it has been intimately concerned since the early 1960's.

That crisis stems to a considerable extent from undue dependence of the scientific community upon military support.

I fear that there exists today a very real danger that research in the universities and elsewhere, now funded from defense appropriations and which should be continued in the national interest, will be fatally disrupted by a mechanistic and legalistic application of the strictures of section 203.

We must not lose sight of the fact that basic research is good for the country, not just for the Department of Defense. We must further see to it that support for basic research is divorced from partisan and passionate argument such as that with which it is presently involved so that basic research activity remains sufficient to meet the needs of the precarious times we face.

Congress must give urgent and immediate thought to arrangements that will identify and provide for the orderly, uninterrupted transfer and continuation of any research adversely affected by section 203, which should still be carried on in the national interest.

We have long been concerned that the mission-oriented agencies, under financial pressure, would be forced to give up much of their research. Recognizing this problem, we restructured the National Science Foundation in 1968 so it would be able to fill the gap. Specifically, we made arrangements whereby the Secretary of Defense and the Secretary of State, for example, may request the Foundation to do certain basic but unclassified research.

It was our purpose in this restructuring to allow transfers to be effected gradually over a number of years. Section 203 has the purpose of accelerating that process dramatically. Without careful, well-planned, and immediate action, however, it can cause major disruption.

Whatever basic research the Department of Defense does, it must in some way decide for itself. Research it is doing beyond that, and which, because of its nature, the country needs, ought to be carefully reviewed and handled in a special way.

Most importantly, we must be very careful that, in making program transfers, our most talented young people are not adversely affected. It would be especially unfortunate if competition between the recognized high-quality transfer projects and the new projects of our younger investigators resulted in alienation of these new young talents. We can ill afford a lost generation of science skills.

SUBCOMMITTEE'S INVOLVEMENT

Long before the distinguished Senate majority leader spoke out against Defense Department research, our subcommittee had been examining the question of scientific research and its relationship to the goals, objectives and functions of Federal agencies. We have made numerous recommendations to this body. It has been the subject of the distinguished report done for the Committee on Science and Astronautics by the National Academy of Sciences in 1965, entitled "Basic Research and National Goals." It has been the topic of discussion at two of our formal annual meetings of the Committee's Panel on Science and Technology, in 1966 and 1967.

The conclusions drawn from all of these efforts have shown a basic consensus that mission-oriented agencies have a responsibility—an obligation—to conduct a certain amount of basic research so as to be able to innovate in the applied area and to insure the capability to meet future needs.

DEFINITIONS

By basic research I mean research which at present may only vaguely seem as presenting prospects for direct application. Nonetheless, such basic research is a vital investment in our national future. It is directed not at solving the problems of today but at providing the knowledge for meeting unforeseen problems of tomorrow. It is a means of insuring that we have what Churchill called the tools to do the job.

Let me elaborate. We have an obligation today to the future, particularly when we are in competition with an economic system and an ideology which emphasizes the benefits of long-range planning. I do not have to remind this body of the fact that three of the most significant scientific and technological developments of the century—nuclear fission, radar and jet propulsion—were all based upon fundamental work done mainly from abroad. It is true that since then, we have done well. Nonetheless, until the massive mobilization of American science during World War II, we routinely looked to Western Europe for the scientific ground breaking needed by our technologies. And since that time, much of the finest fundamental research—including Charles Townes' laser—has been supported with funds from mission-oriented agencies with no firm goals in mind.

It is axiomatic that no modern American corporation would dare to cut itself off from future-oriented research. It is this research, often not related to products and services of the day, that so often will determine the profit-and-loss statement and the industrial standing of the company 10 years later. Similarly, the future of this Nation cannot rest upon an accidental, ad hoc science policy. We have to plan and make provisions for the future. This is the raison d'etre for our faith in and support of basic research.

OUR DECENTRALIZED SYSTEM

Since World War II we have successfully relied upon the principle that each department and agency which needs science and technology shall both carry on the short-term research and development to resolve immediate problems and also sponsor and conduct the exploratory research which can well shape its future. We have always thought it more healthy for our agencies and for the health of American science that each agency fund a certain amount of high-quality future-oriented research without regard for an immediate connection with present problems. Our own investigation shows that such involvement is necessary and vital. Our agency heads are responsible not only for meeting the issues of the day, but for preparing to meet the issues of tomorrow. For this, they have to look and work ahead.

Dr. Lee DuBridge, the President's Science Adviser, testified recently before my subcommittee:

We encourage every agency which has major technological enterprises under way to spend a portion of its funds to support fundamental science. Such agencies select those areas of fundamental science which appear to be most relevant to their agency missions, although the term "relevance" needs to be interpreted broadly since the results of science are always in part unforseeable.

The pluralistic system of supporting science has served us well. That system has in many ways provided an open market place where ideas could compete for attention. We do not claim that it is free from fault. But it does have many years of success behind it. So far, no other system suggested to replace it has received tangible support.

It would be a national tragedy were other Federal agencies to adopt the theme of section 203 and find their research limited to short-term, well-defined, highly visible needs. This was the fate of the buggy whip makers and the wagon craftsmen who kept on working to improve their whips and wagons long after the internal combustion engine had arrived. Our departments must continue to sponsor and carry on future-oriented research that can and will respond to the new discoveries and progress in science.

RESPONSIBILTIY FOR RELEVANCE

If "relevance" is to be emphasized, an appropriate question is: who should have the responsibility for determining the degree of relevance of research to the goals, objectives and functions of our Federal agencies?

I believe this is the first responsibility of the mission-oriented agencies themselves. It is they who must continue to assume the primary responsibility for demonstrating the functional relevance of the research they support. This point was emphasized by Mr. Elmer Staats, the Comptroller General, in his recent testimony before Congress—

I believe that the determination on individual research projects, after these guidelines have been established, has to be made pretty much within the Defense Department. We may want to test some of these . . . but it is somewhat a subjective kind of judgment in many cases.

While I agree that outside advice may be needed for questioned projects, I doubt if it is a proper role of the National Academy of Sciences to place itself in an adjudicating position with regard to relevance—an idea that has been suggested by the distinguished Senate majority leader. Perhaps the Secretary of Defense should request, as an alternative, that the Academy make a review in collaboration with the already constituted Defense Science Board, which does have extensive knowledge of defense needs. Or, for that matter, the President could decide to convene a special study panel from among the members of his President's Science Advisory Committee to undertake such a review. And this Congress should most certainly be involved in the determination—having made the recommendation to which we have referred.

The point is, however, that as we go about apportioning our national resources for scientific research, we must continue to realize that "relevance" itself needs to be interpreted broadly. And I repeat again—it is the primary responsibility of the individual mission-oriented agency to make the judgment, according to its own view as to its future needs and potential problems. This does not mean improvement should not be fostered. The hearings of our subcommittee into the way in which our science resources are administered and organized is, in fact, aimed in this very direction.

A TIME OF TRANSITION

Today, our mission-oriented agencies account for some 80 to 85 percent of the total Federal support for basic research. This is, in itself, largely the result of historical circumstance.

The National Science Foundation, when it was established in 1950, was conceived as the principal agent for the support of fundamental research in the Federal Government. However, from its earliest days, the Foundation never received funds to carry out this role adequately. Instead, while the NSF was being formed and, afterwards, as it grew, basic research being performed in mission-oriented agencies was jealously guarded. Much of this work would have been done in the NSF had it been formed earlier. But it was not, and thus our philosophy of decentralized science support took form, with the Defense agencies becoming a major source of funds.

Now we are in a period of transition. Many of the mission-oriented agencies are beginning to retrench in their support for basic research. This retrenchment is caused not so much out of belief that basic research is no longer relevant to their functions or missions, but is the result of severe budgetary stringency. In this process, much good has come, and, as anticipated, the National Science Foundation is playing a key role.

Already the National Science Foundation has been asked to take responsibility for $19 million in research projects, largely from the Department of Defense. In addition, and estimated $20 to $30 million in projects is also being considered for transfer to the Foundation because of mission agency budget cutbacks. It is apparent that the total could easily reach $200 to $300 million in the near future.

Section 203 not only compounds this problem, but presents two very serious potential dangers.

First, it is clear that American science is already in an unhealthy situation. It is rapidly being backed into a situation whereby no "new starts" will be possible. Because of the present decline in funding for research, Section 203 has the potential of encouraging not only the Department of Defense, but other mission-oriented agencies, to cut back their support for university research more heavily than they might otherwise under the same circumstances. As a result: improvements in the quality of our college and university science departments and curricula must be terminated or delayed indefinitely; scientifically excellent projects are continued at the expense of new and innovative projects; and our most promising and talented young students are discouraged from entering the scientific profession. These are things the Nation can ill afford to let happen.

Second, there is the dangerous effect of creating an even more intense polarization between the Defense Department and the university community. The Senate majority leader has pointed out that the intention of section 203 is not to "ban the Defense Department from sponsoring research in universities." Nonetheless, the seed has been sown. And such a polarization would work to the detriment of both the Defense Department and the universities.

We must recognize that much current criticism is against military participation in research. At the same time, many of these programs are necessary to the country, and our research effort should not suffer simply because a military label has been attached. There must be a gradual adjustment here in the best interests of the country—as we on the Science Committee have stressed time and time again.

The interaction between the Department of Defense and the university-based research community is of profound significance and importance to the Nation and its future defense position. The unique resources of scientific excellence in the university community are of critical importance if we are to meet effectively the increasing complexity of our national security problems.

It is obvious that if this relationship is not continued the Department of Defense will necessarily move elsewhere to fill the need. In turn, this will have the effect of removing the academic community from its critical role of informally monitoring such activities and through which it has provided balance and judgment in the past.

Similarly, the universities themselves have a unique opportunity through interaction with the Defense Department to make important inputs into the shaping of our future national security policies.

The level and degree of this interaction is a most delicate problem. Having had the opportunity of testifying before the Pounds Panel in its deliberations on the future of MIT's two off-campus research laboratories, I am keenly aware of the great sensitivities of this issue. There is no question in my mind about the pressing needs to begin to apply our great scientific and technological expertise to the many civilian problems that confront this Nation. However, we must be ever mindful of the need to balance these efforts with those necessary to maintain the national security.

TRANSITION MECHANISMS

Mr. Speaker, there may be some areas of work which have been or are being supported by the Department of Defense that could be more properly supported by the National Science Foundation. Scientific research is a dynamic process subject to continual change. Similarly, agency mission requirements are also subject to change. Our guidelines and criteria for support of research in the mission agencies should, therefore, re-

flect the dynamic nature of these changing requirements.

Nonetheless, given the present fiscal stringency and the reductions in agency budgets, it is clear that some of the highest quality research will have to be either terminated or transferred. Of course, it is one thing to talk generally about arrangements to effect a smooth and orderly transfer, and another to see that such arrangements actually materialize. One thing required, beyond coordination between the agencies involved, is close collaboration between them and the committees of Congress. We all have an obligation to see that programs worthy of support are transferred and that such transfers are, indeed, planned and not just accidental. Such arrangements should also provide for transfer of projects as on-going entities, complete with funds, equipment and facilities.

For the Defense research affected by section 203 which should be continued in the national interest, and for which the National Science Foundation or other agencies do not have funds in their fiscal year 1970 budgets to take over, it becomes important that the Defense appropriations provide some funds for transfer. Then, adjustments can be made in the various fiscal year 1971 budgets which will be presented to the Congress next month in the President's budget message.

Such arrangements should be possible. Consider, for example, the National Science Foundation. The present statutory authority of the National Science Foundation provides for exactly this eventuality. Section 3(b) of this statutory authority states:

> The Foundation is authorized to initiate and support specific scientific activities in connection with matters relating to international cooperation or national security by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of scientific activities. Such activities when initiated or supported pursuant to requests made by the Secretary of State or the Secretary of Defense shall be financed solely from funds transferred to the Foundation by the requesting Secretary as provided in section 15(g), and any such activities shall be unclassified and shall be identified by the Foundation as being undertaken at the request of the appropriate Secretary.

Should such a funding procedure be followed on a large scale by the mission-oriented agencies, new statutory authority would probably be desirable. But this does illustrate that there is a feasible procedure for funding mission-oriented research through the National Science Foundation, and that the Congress has favorably considered the issue in the past.

Nonetheless, we should not focus solely upon the question of transferring projects from the Department of Defense to the National Science Foundation. Other agencies, such as the Departments of Housing and Urban Development, Transportation, and Commerce need to expand their own research and development efforts.

SUMMARY

No matter how much we may be concerned about the effects of section 203, it is now a matter of law. How it is administered by the Defense Department and how the Congress and the General Accounting Office will oversee its implementation are the matters now before us.

It is critical that any transfers be effected in an orderly, time-phased manner. When necessary, these should extend over a number of years.

Fiscal year 1970 is virtually half gone and the Defense appropriations are not yet made. Even were the bill signed into law this afternoon, the Bureau of the Budget and the departments would still need time to allocate the funds to the research administrators. By the time this is done, we will be well into the third quarter of the fiscal year.

I further propose as a matter of policy that the Congress relate section 203 to the fiscal year 1971 budget, which is even now being prepared, rather than to expect it be given full effect in the remaining quarter of this fiscal year.

The problem we are faced with is far too serious and far too long range to be dealt with summarily. This is especially so since budget cuts already made have caused intensive review of science programs, and further action should be carefully accomplished with long-range objectives in mind.

BLACK PANTHERS—THE RED CANNON FODDER

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

Mr. RARICK. Mr. Speaker, within the past few days we have heard from all the spokesmen and bleeding hearts of the left, both new and old, in support of a sinister organized crime gang—the so-called Black Panthers.

These criminals, bent on guerrilla revolution in the cities in support of the larger scale Communist plan to take over the United States from within, have suddenly been lofted into the role of folk heroes of the revolution.

One of the national television networks chimed in this morning with the frank admission that the failure of the diversionary tactics of the so-called peace movement would lead in 1970 to a student and "intellectual" attack on the practice of apartheid in the Republic of South Africa and on civilized government in the Republic of Rhodesia.

It is plain that the Black Panthers are being used—for the benefit of the very leftists whom they should most fear—in an effort to set up a diversionary attack intended to tie down the local police and occupy the attention of the people of the Nation, while the more nefarious operations of the left resume.

Testifying before an Appropriations Committee of the House this spring, J. Edgar Hoover called the Black Panthers one of the most active of the black extremist groups. Unite this revolutionary group with such organizations as the theoretical Republic of New Africa and the Black Muslims; and then supply the internationally indoctrinated leadership, which such groups have never been able to produce internally, and there is a real and significant threat to the internal security of the Nation. I don't care what the news media may say to explain away this violent threat to our people.

It is paradoxical that some who denounce Arabs as Communists would rush to the defense of Black Panthers—an identified Communist front.

This is the reason for the sudden interest of the left in the Panthers, in open warfare against our police, and in the further destruction of the few remaining sections of the Internal Security Act.

Americans would do well to pay attention.

I include in my remarks several current and pertinent news clippings:

[From the Washington (D.C.) Post, Dec. 16, 1969]

PANTHER SLAYINGS: "CURFEW" AND PROBE—CITIZENS ACT

(By William Grieder)

An extraordinary citizens' "commission of inquiry" to investigate the violent clashes between police and Black Panthers was announced yesterday by 28 prominent civil rights leaders, legal figures and church officials, including former Attorney General Ramsey Clark and former Supreme Court Justice Arthur J. Goldberg.

The citizens' group intends to direct "a searching inquiry" into incidents in Chicago, Los Angeles, New York, Detroit and other cities where local police and the militant black organization have battled in recent months.

Goldberg and Roy Wilkins, executive director of the NAACP, told a New York press conference that the 28 "conveners" of the inquiry "are profoundly disturbed" by the events. The most recent clashes in Chicago and Los Angeles, their statement said, "have raised grave questions over the whole range of civil rights and civil liberties as applied to the Black Panthers."

The Black Panthers contend that 28 of their leaders have been slain in what they charge is a systematic series of raids on Panther headquarters in various cities staged by local police with help from federal officials.

The Justice Department has denied any role in the shootouts and has initiated a preliminary investigation under its Civil Rights Division. The local police departments involved have all contended that the Black Panthers started the shooting during legal searches of the Panther quarters.

As a citizens' group, the "commission of inquiry" will have no legal standing and no power of subpoena to gather evidence on the cases, but it will be supported by funds from civil rights organizations and the services of some prominent lawyers.

Jack Greenberg, director-counsel of the NAACP Legal Defense and Education Fund, said the group will meet Saturday to decide on its procedures.

The probe may include public hearings and field investigations. Norman Amaker, first assistant counsel of the Defense Fund, will serve as staff director. All 28 signers are available to serve on the commission, but a smaller number will probably be chosen, Greenberg said.

In addition to Goldberg, Wilkins, Clark and Greenberg, the signers include Clifford Alexander, former chairman of the U.S. Equal Employment Opportunity Commission; Richard G. Hatcher, mayor of Gary, Ind.; Louis Pollak, law dean at Yale University; Cynthia Wedel, president of the National Council of Churches; Sam Brown, coordinator of the Vietnam Moratorium Committee; Phillip Hoffman, president of the American Jewish Committee; Georgia State Rep. Julian Bond;

A. Philip Randolph, vice president of the AFL–CIO; John Pemberton, executive director of the American Civil Liberties Union, and Whitney Young, Jr., executive director of the Urban League.

Both Greenberg and Goldberg avoided any suggestion that the inquiry has been initiated out of a fear that the federal authorities or local law enforcement officials would not make a thorough investigation.

"There is room for a citizens' inquiry to satisfy everybody that there isn't any question that the rules of law are being observed," Goldberg said in a telephone interview. "This would be a reassurance to people on all sides."

Alexander, now an attorney in Washington, said the Justice Department has had the Black Panther organization under surveillance and "they're looking at it from a different viewpoint obviously than this group might."

[From the Washington (D.C.) Evening Star, Dec. 16, 1969]

UNITY IN ADVERSITY: PANTHERS WIN SYMPATHY

(By Mary McGrory)

In adversity, the Black Panthers, a sort of underworld in the civil rights movement, is accomplishing something that no other group has been able to do. They have united the black community in outrage and white liberals in concern.

A citizens' committee of inquiry announced yesterday in New York shows that the outcasts have acquired, perhaps too late, possible friends of the most impeccable respectability.

Arthur Goldberg and Roy Wilkins are co-chairmen of the committee. Neither could be accused of militancy or even previous sympathy for the least beguiling of the extreme black organizations.

REGULARLY REVILED

Others on the committee have been regularly reviled by young black militants who rather admire the ranting, gun-toting Panthers.

Sociologist Kenneth Clark is a member. So is A. Philip Randolph, who mourned before a Senate committee a summer ago that he could not go into the ghetto and talk to the young blacks.

The American Jewish Committee and the American Jewish Congress are also represented, perhaps signalizing a moratorium on black-Jewish hostility recently chronicled in New York. Former Atty Gen. Ramsey Clark; Louis Polak, dean of the Yale Law School, and George Lindsay, brother of New York's mayor, are others on the 26-man panel who could not be suspected of fostering lawlessness.

All accepted with alacrity the invitation to investigate the predawn shootouts in two American cities on the theory that the Panthers, whatever their views and habits, have constitutional rights like other citizens.

NEW RESONANCE

The "genocide" charges that figure so largely in extremist rhetoric have acquired a new resonance in the ghetto. The fear is that the black community, which has been quiescent and divided since the riots following the death of the Rev. Martin Luther King Jr., can be radicalized by incidents in two cities with enthusiastic advocates of law and order, Mayors Sam Yorty of Los Angeles and Richard J. Daley of Chicago.

The Nixon administration, which has announced a breakthrough welfare program, has not addressed itself otherwise to the black citizenry. Its recent moves to delay school integration and dilute voting rights have not been particularly reassuring.

Julian Bond, the young member of the Georgia State Legislature, who is a member of the inquiry committee, put the worst black suspicions about the Black Panther raids to a group of students at George Washington University yesterday:

"The Black Panthers are being decimated by political assassination arranged by the federal police apparatus." He said later that the police, who are known as "pigs" to the Panthers, were carrying FBI warrants to search for guns.

A Washington lawyer active in civil rights said, "when the police move against a group, injustices to individuals almost always result."

ONE OF FIRST TASKS

One of the first things the committee will have to do is to find out the size of the Panther organization. Accounts vary from a maximum of 5,000 with 35 chapters to 1,500 with probably 10 chapters. The leader, Bobby Seale, is in jail.

The top spokesman, Eldridge Cleaver, is in exile in Algiers.

FBI Director J. Edgar Hoover once described the group as "the greatest threat to the internal security of the country" among civil rights groups.

There are facts available, some of them in a staff report issued by the National Commission on the Causes and Prevention of Violence, headed by Milton Eisenhower. That report stated:

"The Panthers were founded in Oakland, Calif., in 1966 as the 'Black Panther party for Self-Defense.' They advocate armed patrols. They despise authority, especially the police, and one of their demands is for U.N. observers in the ghetto to observe the actions of police. They have a history of violent confrontation with the police, having been attacked by off-duty officers in Oakland and Brooklyn last year."

The report quoted Oakland Panther leader Huey P. Newton, who was convicted of shooting a white policeman, as saying, "The Panther never attacks first, but when he is backed into a corner, he will fight back viciously."

ROMANTIC APPEAL

Newton also told staff interviewers that the Panthers had their gentler side.

They have been serving ghetto breakfasts, and they have a romantic appeal to angry young blacks.

Newton described a street school for the Panther Youth Corps, for boys from 10 to 13. They were not taken into the headquarters because of the prevalence of guns and other weapons, but were instructed outside in black history or mathematics, and to maintain membership had to show good report cards.

The report credits the Panthers with helping keep Oakland cool after the King assassination "not from any desire to suppress black protest—rather it stemmed from a sense that the police are waiting for a chance to shoot down the blacks."

Now with fears mounting that the Panthers seem about to be exterminated, they have aroused a rather wide range of black and white citizens to demands that they be allowed to exist.

"When," asked a successful, moderate black, "did the government ever move this way against the Mafia?"

[From the Washington (D.C.) Evening Star, Dec. 16, 1969]

CHICAGO BLACKS SET "CURFEW" BARRING WHITES

CHICAGO.—Spokesmen for a coalition of black groups in Chicago have proclaimed an unofficial curfew barring whites from Negro areas of the city from 6 p.m. to 6 a.m., but several black leaders have denounced the move.

The curfew announced yesterday, is part of the reaction to the deaths Dec. 4 of two Illinois Black Panther party leaders, Fred Hampton, 21, and Mark Clark, 22, who were shot during a raid by police searching for illegal weapons.

And in New York yesterday, an unofficial commission to investigate allegations of a national extermination plot against the Black Panthers was announced by former Supreme Court Justice Arthur J. Goldberg and Roy Wilkins.

RECENT CLASHES CITED

Citing recent clashes between Black Panther militants and police in Chicago and Los Angeles, Wilkins, executive director of the National Association for the Advancement of Colored People, said:

"If the Panthers are at fault, our investigation will bring it out. If the police are at fault, the investigation will bring it out."

Goldberg, former ambassador to the United Nations and onetime U.S. Supreme Court Justice, said he hoped for cooperation from Panthers and law enforcement agencies, although the commission would have no official government sanction. He promised an "orderly, dispassionate inquiry."

JUSTICE ORDERS PROBE

The Justice Department has ordered an investigation into the Chicago shootings.

Both the Justice Department and the FBI have denied a Panther charge that there is a national conspiracy of law enforcement against the party.

The Rev. C. T. Vivian and Earl Doty declared the Chicago curfew in the name of the newly created United Front of Black Community Organizations, which claims 100 member groups.

Vivian said, "No whites will be permitted to enter the black community during these hours and those who are in the black community will be expected to leave by the 6 p.m. deadline."

He said the new front includes the group he leads, the Coalition for United Community Action, composed of some 60 organizations which last fall shut down construction sites to press demands for more black jobs in the building trades unions.

Police said no incidents connected with the curfew were reported last night.

[From the Washington (D.C.) Sunday Star, Dec. 14, 1969]

CLEAVER SEEKS ENTRY TO UNITED STATES TO ASSUME PANTHERS ROLE

Self-exiled Black Panther Eldridge Cleaver is trying to arrange his return to the United States where his armed revolutionary party—reeling under police pressure—is hurting for leadership.

Twenty-four hours after two Panthers were slain in a shoot-out with Chicago police, sources said Cleaver contacted U.S. diplomatic officials in Algiers and asked for a passport to return to the United States where he is wanted on a fugitive warrant.

Cleaver didn't get the passport, the sources added, but in later discussions was told he could get a certificate of identity that would allow him to travel to the United States.

As Cleaver was making the inquiries in Algiers, there were signs that the Panthers are revolutionaries on the ropes.

LEADERS JAILED

A police raid on Panther headquarters in Los Angeles Monday resulted in a four-hour gun battle that left three policemen and three Panthers wounded. A score of Panthers were arrested.

Two Panther leaders—Huey P. Newton and Bobby Seale—already were in jail. Stokeley Carmichael quit the party last summer and Dave Hilliard, Panther chief of staff, faces trial on a charge of threatening the life of President Nixon.

If Cleaver returns to California, he faces imprisonment as a parole violator and for

jumping bail on charges of assault with intent to kill and assault with a deadly weapon. But the deepening Panther-police crisis presumably has increased pressure on him to give up his self-proclaimed exile.

NEED FOR LEADER CITED

Black leaders say the police raids have brought an upsurge in sympathy for the group, yet the Panthers are without the widely known leaders needed to take full advantage of it.

"No matter what kind of following you've got, if you can't keep a leadership, you can't keep an organization together," said radical lawyer Terence "Kayo" Hallinan of San Francisco. "It just keeps flying apart."

[From testimony of John Edgar Hoover, Director, Federal Bureau of Investigation, before the House Subcommittee on Appropriations, on April 17, 1969]

BLACK PANTHER PARTY

Mr. HOOVER. One of the most active black extremist groups is the Black Panther Party. It originated in Oakland, Calif., in 1966 and now has extended its activities to numerous cities throughout the United States.

Its members gained notoriety initially because of their practice of carrying rifles and pistols in plain view on the streets of Oakland while on "defense patrols" to prevent alleged police brutality.

On May 2, 1967, a group of Black Panther Party members armed with rifles, shotguns, and handguns invaded the chamber of the California State Assembly, while that body was in session, to protest pending gun legislation.

More recently its "minister of defense," Huey Newton, is appealing his conviction on Sept. 8, 1968, for having shot and killed an Oakland police officer who had stopped him in connection with a motor vehicle violation in October 1967.

On still another occasion, eight other members of this black extremist organization were arrested for complicity in a gun battle with Oakland police on April 6, 1968, during which one Black Panther Party member was killed. Thirteen rifles, four handguns, and four shotguns were confiscated from the participants.

Leroy Eldridge Cleaver, minister of information of the Black Panther Party, achieved notoriety rivaling that of Stokely Carmichael during 1968. A parolee who was freed in December 1966 after serving 9 years in California prisons, Cleaver was returned to prison in April 1968 due to his involvement in a gun battle with Oakland, Calif., police. He was again released after 2 months following a court ruling that his parole had been improperly revoked for political activity. This decision was overruled by higher California courts and Cleaver was scheduled to return to prison on November 27, 1968. He failed to appear and on December 10, 1968, a Federal fugitive warrant was issued charging him with unlawful flight to avoid confinement.

Cleaver ran as presidential candidate of the Peace and Freedom Party and in this capacity made a series of speeches on college campuses. These received widespread publicity because of their extreme obscenity and calls for revolutionary action by black people.

Another active Black Panther Party leader is George Mason Murray, minister of education. He is also a member of the Central Committee of the San Francisco State College Black Student Union. The latter organization has been deeply involved in the campus agitation which has plagued that college during the current school year.

The political philosophy of the Black Panther Party is based in part on the writings of Mao Tse-tung of Communist China. It advocates that its members study the teachings of Mao Tse-tung. Instructions have been given to members on the making and the use of Molotov cocktails. Members have also been instructed in guerrilla warfare tactics in preparation for a showdown with established authority. It is reported that in the near future scheduled training sessions in California will teach guerrilla warfare tactics to selected members from all parts of the United States.

PRESIDENT TO BE LET DOWN BY AIDES

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

Mr. BROYHILL of Virginia. Mr. Speaker, the President of the United States is about to be let down by some of the people he employs to advise him. So are the American people. A group of his aides plan to meet this weekend on our national goals—a research study he established shortly after taking his oath of office. Their houseguests will curl your hair.

Our Nation's future depends, Mr. Speaker, on the vision of those who peer into it and who, in turn, give the President the benefit of their 20–20 foresight. I cannot believe he will get a true picture of this Nation's needs, Mr. Speaker, from a group of bleary-eyed malcontents invited to the White House to represent the District of Columbia, all of whom have uttered various dissertations on public affairs which range from sabotage to revolution.

I refer, Mr. Speaker, to the likes of Julius Hobson, an avowed Marxist-Leninist; Marion Barry, a SNCC graduate now under investigation by a grand jury; and Mrs. Willie Hardy, whose latest venture in establishing our national goals was a trip to Canada to confer with our enemy from Hanoi. These three, and perhaps others of like ilk have been invited by Presidential aides to confer this weekend on White House grounds about our future well-being.

Not only is the President being sabotaged, Mr. Speaker, but the American people as well, when a group of his aides find it necessary or convenient to turn to the likes of a Hobson, a Barry, or a Hardy for advice and consent on what lies ahead for the American people. This trio of malcontents, Mr. Speaker, is disruptive, disdainful, and destructive to the common good. And I consider it a public service to inform the President of the political puerility of his staff aides who have invited them to the White House.

THE 1969 FEDERAL ASSISTANCE PROGRAM CATALOG

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

Mr. ROTH. Mr. Speaker, as you know, I have again developed in my office up-to-date information on Federal assistance programs. This catalog, which is far more complete than the one we prepared last year, will be delivered next week to the office of each Congressman.

As I state in the foreward, I believe this 1969 listing is the most comprehensive compendium of Federal assistance programs ever compiled. I found by our definition that there are 1,315 programs, 225 more than I reported to the House last year.

All the agencies, especially the Department of Health, Education, and Welfare, were most cooperative this year in supplying the data for this catalog, as were the vast majority of them last year. The principal difference is that we were able to get full information on HEW's 392 programs.

My reason for collating this information has been threefold. First, I wanted to gather data that would be of assistance to my State and local officials. In fact, as an illustration of the critical need for better information on Federal programs, I understand there has been a great demand for these catalogs in the executive branch itself: HEW has ordered 1,800 copies of the listing, and the Department of Housing and Urban Development has ordered 2,000 copies; the Department of the Interior has ordered 100 copies, and the Department of Transportation has ordered 250 copies. If the principal agencies have placed such substantial orders, it seems clear to me that there is not even an adequate flow of information within the Federal Government itself.

The second reason I have assembled this information is to prove that such data could be prepared rather easily. I have, of course, introduced the Program Information Act, H.R. 338 and S. 60 in the other body, which would require the executive branch to publish this catalog yearly with periodic updating. If one congressional office can complete the task, it seems to me such an undertaking should not prove too burdensome to the Federal Government.

I hope that next year we can succeed in getting action in committee on the Program Information Act so that it can be brought to a House vote. More than 180 Congressmen and 14 Senators have already cosponsored this legislation.

Finally, and most important, I think anyone who will take the time to examine the 1,315 programs in the catalog will see there is a serious need for consolidation and restructuring of much of our Federal aid. The taxpayer's dollar is not being used effectively, and it is up to us in the Congress to correct this situation.

I would like to thank my distinguished colleagues for unanimously authorizing the printing of House Document 91–177, the "1969 Listing of Operating Federal Assistance Programs." I am particularly grateful to the Honorable JOHN H. DENT, who introduced legislation to order the printing of this information; to the Honorable JERRY L. PETTIS, who worked actively for its passage; to the House Administration Committee, chaired by the Honorable SAMUEL N. FRIEDEL, and the Senate Committee on Rules and Administration, chaired by Senator B. EVERETT JORDAN.

CONGRESSIONAL STAFF REPORTS SAVE MONEY

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. GREEN of Oregon. Mr. Speaker, I will take only half a minute. I want to pay my respects to the gentleman from Delaware (Mr. ROTH) for the report that he has made on all of the Federal programs—the great proliferation of programs. I do this because there was a similar report that was paid for by the Office of Economic Opportunity that cost the American taxpayers over $1 million. I honestly believe that if we compare the report assembled by the congressional staff of Mr. ROTH, it will compare very, very favorably to the report that has cost over $1 million when the contract was leased out to some outside firm. I just suggest that the Members of Congress might look at all of the contracts that are given and realize that within our own offices we have the capability, we have the dedication and the integrity and the honesty to do reports that would be valuable to this House as we make decisions. It might also allow us to keep track of the proliferation and keep it in some kind of check.

THE PERIL TO THE SHORELINE OF THE GREAT LAKES

(Mr. SCHADEBERG asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHADEBERG. Mr. Speaker, many of us in Congress have expressed concern for the rapidly eroding shorelines of this Nation. As sponsors of H.R. 12712 and other similar bills, we recognize that the conditions caused by this erosion is injurious to the purity of the water, to the health of the people, to the recreational benefits of the communities. And to the tax basis of the local government.

The Wall Street Journal of yesterday, in a lead article, brought attention to the particular problems we are facing in the Great Lakes. It is a very comprehensive article and one that fully explains the need for consideration of the bill designed for the protection of the shoreline.

RISING WATERS: LEVEL OF GREAT LAKES MOVES SHARPLY HIGHER, PERILING THE SHORELINE—EROSION RUINS SOME HOMES; BEACHES DISAPPEAR FAST; PROTECTION OFTEN COSTLY—BUT EXTRA DEPTH AIDS SHIPS

(By Lewis M. Phelps)

SOUTH HAVEN, MICH.—The view of Lake Michigan from the living room of Michael Blake's two-bedroom house on a bluff here is about the most panoramic that any homeowner along the eastern shore can boast.

Trouble is, the view is not through a window but through the wall and part of the floor. The west half of Mr. Blake's living room crumbled off the bluff into the lake this fall, and there's every likelihood that more pieces of the house will take the plunge in coming months.

Mr. Blake is just one of a growing number of losers in a battle against rising water on the Great Lakes. Homes, highways and beaches have been flooded or nibbled away, causing property damages that experts say are already much higher than the $62 million loss in 1952, the last time the lakes went on a high-water rampage.

The Great Lakes' water levels fluctuate unpredictably from year to year, depending on precipitation and evaporation rates. Surveys by the U.S. Army Corps of Engineers show variations of four to six feet in lake levels. This year rain-swollen Lake Erie rose a record 4.05 feet above the level officially regarded as "normal," and Lakes Michigan and Huron, now three feet above normal, are at near-record levels.

What's worse, Army engineers say, the water in these lakes probably will rise even higher next spring and summer. (Lakes Superior and Ontario have locks that help control the water level, so they aren't causing any problems.)

ERODING THE SHORELINE

Last spring Lake Erie flooded several hundred homes in Eastlake, Ohio, three times. In July, Lake Michigan surged up the mouth of the St. Joseph River at Benton Harbor, Mich., and destroyed a 100-ship marina; it is costing the owners $100,000 to rebuild.

But the biggest problem is erosion, since most of the shoreline around the Great Lakes consists of sandy beaches and soft clay bluffs. As lake waters rise, they cover offshore sand bars that normally impede waves and thereby offer some protection to the shore. When storms come up, as they do with particular ferocity in the fall and early winter, the highwater waves now crash directly ashore, gnawing the ground out from under whatever is built there.

That's what happened to Mr. Blake's house. He bought the place in July 1968, assured that the 90-feet-high bluff on which it stood hadn't eroded at all in the last 18 years. No sooner had he finished a $6,000 remodeling job late this summer than the 30 feet of land between his house and the edge of the bluff peeled away, along with his west wall.

Mr. Blake, a 50-year-old engineer, didn't even have a chance to move into his new home from the modest white-board cottage he owns in South Haven. "I'd like to sell that lake property," he says, "but that half a house out there is a symbol of doom."

Some beaches are disappearing with startling rapidity. Chicago beaches shrink 25 feet for every foot that Lake Michigan rises, says a park engineer. The Rev. Gordon L. Ingram, a Presbyterian minister in a Chicago suburb, wistfully recalls sunning himself just six months ago on a 150-foot beach in front of his summer home in Winthrop Harbor, Ill., near the Wisconsin border. Today the beach is gone and the lake is wirling ominously around the foundation of his A-frame cottage.

BREAKWATERS ARE COSTLY

One cure for shoreline erosion is a concrete and rock breakwater, if it's made big enough. But construction costs can be staggering. The Michigan Highway Department will soon let bids for a seawall to protect one mile of Interstate 94 near St. Joseph; the estimated cost is more than $2 million.

Homeowners are trying less expensive solutions. In the resort community of Palisades Park, Mich., Emerson Welles recently paid $8,500 for a structural steel seawall to backstop an inadequate concrete retaining wall that he built several decades ago to keep his summer cottage from falling into the lake. Solid as the steel wall may seem, storm-powered waves have ripped away its top section twice since Labor Day.

Other lakefront residents are trying different tactics. Carl Kuyat of St. Joseph, Mich., bought 600 truckloads of rubble at $10 each from an old county courthouse that was being razed and spread the stuff over the bluff in front of his home in hopes of slowing erosion. Two of his neighbors have covered their bluffs from top to bottom with junked cars and trucks, stirring complaints from more fastidious but equally vulnerable nearby residents.

Another St. Joseph resident, a music teacher named Mrs. Genevieve Rae Hahne, is spending $10,000 to move a duplex apartment building she owns away from the bluff edge. She now is worrying about losing her $50,000 combination home and music studio on an adjacent lot. She shows a visitor one corner of her home that now has just one inch between it and the drop of the bluff; a year ago there was 75 feet of ground between them.

Homeowners in Kenosha, Wis., Willowick, Ohio, and other Great Lakes communities have built jetties extending into the water to deflect the currents and allow sand beaches to build up in the still water. But the jetties collect the sand only on one side, leaving the shore on the other side more barren and susceptible to erosion than normal. Other defensive measures, such as offshore construction of elaborate louvered steel walls that are supposed to keep beach sand from washing away or the planting of deep-rooted trees by the shore, also have proven inadequate.

Homeowners are on their own in fighting high water. Insurance companies "won't touch" flooding or erosion coverage, agents say, and the Great Lakes area isn't under consideration for inclusion in the Federal flood insurance program now being developed.

The Corps of Engineers will offer only advice, unless public property is threatened by the lakes. Only Ohio among the eight Great Lakes states offers financial help—one-third of the cost of private protective projects and two-thirds the cost of public undertakings. Local governments in troubled areas plead lack of funds for assistance, though some cities occasionally lend heavy equipment to homeowners shoring up their beaches.

Nor is there much comfort for imperiled shore dwellers in a long-range proposal to control the levels of all the Great Lakes. A Federal study that originally was supposed to be finished in 1973 is a year behind because of financing problems, says Leonard J. Goodsell, executive director of the Great Lakes Commission, an eight-state organization that studies Great Lakes problems. Interim reports indicate that controlling high water on Lakes Michigan, Huron and Erie would cost $20 billion. Mr. Goodsell says he doesn't expect construction of control systems could start before 1985.

Not everyone is unhappy with the sudden rise in water levels. Steamship operators, in fact, are delighted. They can load about 125 extra tons of cargo on a typical ship for every inch the lake rises and still not run aground along the most shallow parts of their routes.

Inland Steel Co. has been loading its ore carriers to full capacity since spring, says Riley P. O'Brien, fleet manager. Five years ago, when lake levels were low, his ships were running at 20% below capacity and he had to charter extra vessels to make up the difference, he says.

THE REGIONAL DEVELOPMENT INCENTIVE ACT OF 1970

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

Mr. RUPPE. Mr. Speaker, today, I am introducing the Regional Development Incentive Act of 1970. The goal of this act is to take a major step forward to revitalize rural America, and at the same time, relieve the population pressures on our urban areas. This legislation provides a 20-percent tax credit on certain new investment in plant and equipment to encourage industry to expand into the depressed and lagging regions of America. The tax credits will provide plant location decisionmakers with the possibility of a direct, immediately realized

financial incentive to expand into areas that have been substantially ignored in the past. I am convinced corporate managers will take advantage of the opportunity for substantial tax savings. This, in turn, will provide a stimulus to the local economic base of the poorer regions of this Nation, and indeed could have a massive impact on the economy of rural America.

The need for a program of this nature is great. The massive migration from countryside America to urban America has created a demographic and economic imbalance. Our rural areas have been depleted of economic and human resources. Our cities, on the other hand, are jammed with people and have become increasingly unable to cope with the growing violence and social decay.

As the Congressman from a rural Michigan district, I have witnessed firsthand the plight of many countryside towns. The young and well-educated move away; and the average age of the population becomes ever older. For those who remain, job opportunities are few and often limited in potential. The skills of the work force become obsolete, and the welfare rolls grow ever larger. The tax base for these communities erodes to the point where it is difficult to provide even basic community services.

While retarding our rural economy, the population shift has congested our urban areas to the point of crisis. City air and water are becoming polluted from uncontrolled filth, crime, turmoil, and racial strife are on the upswing. Highways are jammed, inner city transportation is breaking down, land use is inefficient, and social services are inadequate.

To some extent, the U.S. Government has contributed to this country's population imbalance. U.S. fiscal policy has failed to recognize that there are substantial economic variations between the regions of this Nation. Too often many Government economists seem to view the economy as a monolith, and positive actions to stimulate the economy are applied to the whole Nation, rather than directed to lagging sectors. The 7 percent tax credit for example, was a nationwide program simply to encourage investment—it did little to aid the economically ill regions of America. In fact, it may have worked to make the strong regions even stronger with little impact on the weaker regions. Furthermore, Government activity may attract private capital to areas that have less need for artificial stimulus. One economist noted that "through a system of subsidies to mass transit, thruways, slum clearance, housing and the like, Government has actually fostered private investment where it may not have belonged."

Actions to slow the economy, such as restricting the money supply or raising the interest rates, have a severe impact on depressed regions. In this fashion, again, U.S. fiscal policy serves to widen the economic gap between rural and urban areas, and fosters increased migration to the cities.

In recent years the Government has taken some cognizance of the fact that a geographic economic imbalance does exist. The results, however, have not been impressive. The first major attempt to redress this imbalance was undoubtedly the Federal effort to maintain an agricultural economy in many of these rural areas. Crop price supports, soil bank and all manner of schemes and programs proved incapable of meeting the challenge. Under President John Kennedy the area redevelopment adminstration came into being which recognized the need to look beyond a farm economy to bolster some lagging areas of the Nation. Under President Johnson we saw the ARA change to the economic development administration. In addition, the Farmers Home Administration, the Rural Electrification Administration, and other Government agencies have attempted to prop up sagging rural economies.

Perhaps the greatest contribution of the Federal Government toward recognizing that some regions of our Nation lag behind other regions came in 1965. That was the year Congress passed both the Appalachian Regional Development Act and the Historic Public Works and Economic Development Act which established the so-called title V regional commissions. For the first time a framework was created whereby the Federal Government and State governments would work together in a joint effort to stimulate sluggish economies across multistate areas. While, inadequate financing, has limited the regional commissions, I firmly believe that these 1965 acts may yet provide a direction to revitalizing rural America.

The result of all of the Federal Government's direct spending programs has, however, been minimal. It is true that in some areas of the Nation the direct infusion of these Federal dollars has made possible in infrastructure in which industries can—and sometimes do—develop. However, there is no guarantee that such expenditures by themselves will lead to increased industrial employment. The only guarantee is that many hours will be spent in bureaucratic paper passing and general Government redtape. Add to this the hard fact that the Federal expenditure gap and monolithic fiscal policies discriminate against rural America and one comes to the realization that the net result of Federal activity is to abet the unhealthy national process of rural to urban migration.

Our Government programs to aid rural areas have not, then, been sufficient to break, or even slow, the dynamics of excessive centralization of population, social services, public and private economic activity. Yet, clearly as a matter of economy and equity, we must promote growth in our lagging rural regions to provide the opportunities that will permit these regions to share in the national prosperity and, at the same time, to make a greater contribution to overall national growth. The time has come for a new national commitment and a new program to trigger dynamic new growth in rural America. This is precisely what the Regional Development Incentive Act proposes to do.

Utilizing tax policy to assist specific regions of the Nation is a revolutionary concept which runs counter to the direct Federal expenditures philosophy of the past several decades. It was thus greatly satisfying to note that earlier this month the U.S. Senate voted favorably on an amendment offered by Senator STEVENS to keep the 7-percent investment credit for poorer regions of the Nation. While I felt the language of the Stevens amendment to be somewhat imprecise and the amount insufficient to do the job required, the principle is precisely that of the Regional Development Incentives Act. I want to make it clear that I am not being critical of Senator STEVENS, but congratulate him for his important contribution. Indeed, his amendment which has been incorporated in the Senate Tax Reform Act is similar to legislation I introduced earlier this year to exempt depressed areas from repeal of the 7-percent investment tax credit. That earlier legislation is the forerunner of the Regional Development Incentives Act which I am introducing today.

The underdeveloped areas covered by my bill include the Appalachia region, the Four Corners region, the Coastal Plains region, the New England region, the Ozarks region, and the Upper Great Lakes region. Other economically depressed counties are also included.

Summarizing, the bill provides a 20-percent tax credit incentive for business and industry which chooses to make future expansions in the designated regions. The credit will apply both to new industries and to industrial expansions, the bill incorporates proper restrictions to prevent a raid on the Treasury. For example, metropolitan areas in excess of 300,000 are excluded since their problems require a different approach. The investment credits are limited to growth-generating industries. Credit will not be extended to industries which simply relocate their facilities from one region to another.

All of us have learned this session just how complicated and troublesome tax legislation can be. By contrast, this act is purposely designed to be short and readily understood. In combination with existing Federal programs it will have a significant impact on rural America, making it possible for these vast and vital regions to share more fully in future national growth. Previous efforts using direct Federal funds have been helpful in building infrastructure in which industry can develop, but it has not always led to significant industrial growth. Using the industrial expansion tax credit, the Government can, for the first time, guarantee that implementation of this act, while temporarily reducing tax revenues, will lead directly to more industry and more jobs. This is a guaranteed no-waste Federal program.

There is ample evidence that such a tax incentive can pay for itself in a very few years. The increased economic activity generated by the tax incentives will, in time, more than cover the loss in tax revenues.

Above all, the act will enlist the ingenuity, technology and resources of private enterprise in the mission to restore a better distribution of economic opportunity for the American people and a better balance to the American economy.

I include the text of my bill in the RECORD at this point:

H.R. 15327

A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for investments in certain economically depressed regions

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) Subpart I of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by redesignating section 40 as 41 and by inserting after section 39 the following new section:

"SEC. 40. CREDITS FOR INVESTMENT IN CERTAIN ECONOMICALLY DEPRESSED REGIONS.

"(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter, the amount determined under the succeeding subsections of this section.

"(b) DETERMINATION OF AMOUNT.—

"(1) GENERAL RULE.—The amount of the credit allowed by subsection (a) for the taxable year shall be equal to the lesser of—

"(A) 20 percent of the qualified investment (as defined in subsection (c)), or

"(B) $5,000,000.

"(2) LIMITATION BASED ON AMOUNT OF TAX.—Notwithstanding paragraph (1), the credit allowed by section 38 for the taxable year shall not exceed 50 percent of the liability for tax for the taxable year.

"(3) LIABILITY FOR TAX.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax-exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

"(4) CARRYBACK AND CARRYOVER OF UNUSED CREDITS.—

"(A) ALLOWANCE OF CREDIT.—If the amount of the credit determined under subsection (b)(1) for any taxable year exceeds the limitation provided by subsection (b)(2) for such taxable year (hereinafter in this subsection referred to as 'unused credit year'), such excess shall be—

"(i) a section 40 credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(ii) a section 40 credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by subsection (a) for such years, except that such excess may be a carryback only to a taxable year beginning after December 31, 1969. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of clauses (i) and (ii) such credit may be carried, and then to each of the other 9 taxable years to the extent that, because of the limitation contained in subparagraph (B), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(B) LIMITATION.—The amount of the unused credit which may be added under subparagraph (A) for any preceding or succeeding taxable year shall not exceed the amount by which the smaller of the limitations provided by subsections (b)(1)(B) or (b)(2) for such taxable year exceeds the sum of—

"(i) the credit allowable under subsection (b) for such taxable year, and

"(ii) the amounts which, by reason of this paragraph, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"(c) QUALIFIED INVESTMENT.—For purposes of this section, the term 'qualified investment' means, with respect to any taxable year, the aggregate amount of the basis (as certified under subsection (f)(2)) of each certified development property (as defined in subsection (e)(1)) placed in service by the taxpayer during such taxable year.

"(d) EARLY DISPOSITION, ETC., OF CERTIFIED DEVELOPMENT PROPERTY.—If during the taxable year any property which was certified development property placed in service during the preceding taxable year or the second preceding taxable year is disposed of (or otherwise ceases to be development property with respect to the taxpayer), then the tax under this chapter for the taxable year shall be increased by an amount equal to the aggregate decrease in the credits allowed under subsection (a) for such preceding taxable year which would have resulted solely from treating such property as property which is not certified development property. For purposes of carrying out this subsection, the Secretary or his delegate shall prescribe regulations which shall include rules similar to the rules contained in sections 46(c)(4) and 47(a)(3) and (4), 47(b), and 47(c).

"(e) DEFINITIONS.—For purposes of this section.—

"(1) CERTIFIED DEVELOPMENT PROPERTY.—The term 'certified development property' means development property (as defined in paragraph (2)) which is certified for purposes of this section by the Secretary of Commerce under subsection (f).

"(2) DEVELOPMENT PROPERTY.—The term 'development property' means tangible property—

"(A) which is located in a development area (as defined in paragraph (3)),

"(B) which consists of (i) a plant or structure, or (ii) machinery or equipment relating to and located at a plant or structure,

"(C) the original use of which began with the taxpayer and which was placed in service in a taxable year beginning after December 31, 1969 and before January 1, 1975,

"(D) with respect to which depreciation is allowable under section 167,

"(E) which has a useful life (determined at the time such property is certified under subsection (f)) of three years or more; and

"(F) which is used predominately in a development business (as defined in paragraph (4)).

"(3) DEVELOPMENT AREA.—The term 'development area' means an area (A) outside any standard metropolitan statistical area the population of which exceeds 300,000 but (B) within—

"(i) the Appalachian region (as defined by section 403 of the Appalachian Regional Development Act of 1965),

"(ii) an economic development region designated under section 501(a) of the Public Works and Economic Development Act of 1965,

"(iii) a redevelopment area designated under section 401 of such Act, or

"(iv) an area designated under the authority of section 102 of such Act.

Any determination for purposes of this paragraph shall be made as of the time of certification under subsection (f) on the basis of the most recent data available at such time.

"(4) DEVELOPMENT BUSINESS.—The term 'development business' means a trade or business consisting of—

"(A) manufacturing,

"(B) providing goods and services for recreational purposes or to tourists or vacationers,

"(C) mineral processing (including oil refining but excluding extraction of minerals, oil, or gas), or

"(D) pulp and paper processing (excluding wood harvest operations),

except that such term does not include any trade or business described in section 7701(a)(33) (defining regulated public utility).

"(f) CERTIFICATION.—

"(1) GENERAL RULE.—Upon application made by a taxpayer, the Secretary of Commerce may certify property for purposes of this section in such manner, at such time, and subject to such conditions as the Secretary of Commerce and the Secretary of the Treasury (or his delegate) may jointly prescribe by regulations. The Secretary of Commerce may not certify any property under this subsection unless he determines—

"(A) that such property is development property,

"(B) that there is a market condition with sufficient national or regional demand to meet additional expansion,

"(C) that the property to be certified will not be placed in service in connection with the relocation of an existing plant or facility, and

"(D) that such property when placed in service, and any industrial process to be conducted at such property will be in compliance with Federal, State and local laws respecting air, water, and noise pollution.

Such certification shall state the amount of the basis of the property which may be taken into account for purposes of subsection (c).

"(2) BASIS LIMITATIONS.—In the case of any property, only that portion of the basis attributable to construction, reconstruction, erection, or acquisition by the taxpayer after December 31, 1969 may be certified under paragraph (1). In the case of property which consists of an addition, expansion, or reconstruction of property which had been placed in service prior to the certification (referred to in this sentence as 'existing property'), the amount of basis certified under the preceding sentence shall be reduced by the amount of depreciation allowed under section 167 (for the latest taxable year ending before certification) with respect to such existing property.

"(g) REGULATION.—The Secretary shall prescribe such regulations as may be necessary to carry out this section. Such regulations shall provide for rules similar to the rules contained in the last sentence of section 46(a)(3), and in sections 46(a)(4) and (5), 46(d), and 48(e) and (f)."

(2) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"SEC. 40. Credit for investment in certain economically depressed regions

"SEC. 41. Overpayments of tax."

(b) The amendments made by subsection (a) of this section shall apply with respect to taxable years beginning after December 31, 1969.

SEC. 2. The Secretary of Commerce shall submit 2 years after the date of the Act and thereafter a report annually to the Senate and House of Representatives with respect to the carrying out of this Act, including the amount of credits against income tax allowed by reason of the amendments made by the first section of this Act, the economic effects of such credits, and the cost to the Federal Government by reason of such credits.

ARTHUR BURNS STATEMENT URGENTLY NEEDED TO SLOW DOWN TAX SELLING

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

Mr. PUCINSKI. Mr. Speaker, I was very pleased to see Dr. Arthur Burns, the soon-to-be new Chairman of the Federal Reserve Board, today announce that when he formally takes over after the first of the year he is going to move toward trying to ease credit to reduce skyrocketing interest rates. His statement earlier today had an electrifying effect. The stock market went up 13 points.

I am very pleased to see the administration is trying to do something to stem the tide of "tax selling" that has been anticipated in the last 3 weeks of December.

I made a statement on the floor the other day that if the high rate of "tax selling" continues the administration could conceivably lose as much as $20 billion in anticipated revenues in 1969, thus creating a substantial deficit and creating new inflationary pressures next year.

I am pleased to see that apparently somebody reads the CONGRESSIONAL RECORD in the White House.

The administration could not have moved any sooner to slow down tax selling.

It is most interesting to see that a statement about interest rates would have his kind of effect and impact on the stock market.

Those who continue to argue that there is no correlation, no relationship between skyrocketing interest rates and inflation ought to look at the demonstration in the stock market today. The minute an official statement was made that an effort will be made to reduce interest rates the entire economy rebounded.

I congratulate Dr. Burns for initiating this action. I hope the stock market will continue to rise in the next 3 weeks so that we can see a substantial discouragement of tax selling. Tax selling is, of course, at this point the most critical threat to the Nation's economy. I would be most pleased to have been wrong in my prediction that tax selling can deny the Government of revenue it expected from taxes. Nothing would please me more to see us wind up 1969 with a surplus instead of a deficit.

TRIBUTE TO DR. ANDREW STEVENSON

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia (Mr. STAGGERS), is recognized for 60 minutes.

Mr. STAGGERS. Mr. Speaker and Members of the House, today we would like to take a few minutes to pay respectful tribute to a man who has served this Nation and its elected representatives with honor and with distinction and with unfailing devotion. That man is Dr. Andrew Stevenson, recently retired from the professional staff of the Committee on Interstate and Foreign Commerce of the House of Representatives.

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

Mr. STAGGERS. I am happy to yield to the gentleman.

Mr. ADAMS. I thank the chairman for yielding to me.

I want to join in the chairman's remarks in paying tribute to Andy Stevenson who served on this committee so well. I want to give my personal best wishes to him for his future activities and my gratitude to him for the help he has given to me personally on this committee, and what I have seen him do for other members of the committee during his tenure while I have been there. I know we are going to miss him, and I want to wish him and his family well.

I thank the chairman for yielding to me.

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

Mr. STAGGERS. I am glad to yield to the gentleman from Minnesota.

Mr. NELSEN. I thank the gentleman for yielding.

I think all of us realize that part of our success as Congressmen is certainly due to the competent staff that we may have. And, likewise, any one of our committees is effective only if effective and able staff persons work with us on committee business.

Dr. Stevenson has conducted himself with dignity and competence over a period of many years and has been a most valuable supportive member of our committee. He has given complete bipartisan help in every instance that I can recall.

Mr. Speaker, I certainly want to join with our chairman in wishing him well in his retirement. Further, I thank the chairman for his thoughtfulness in bringing this matter to the attention of the Members of the House so that we might pay tribute to a servant that deserves our most sincere thanks.

Mr. STAGGERS. I thank the gentleman from Minnesota for his remarks.

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

Mr. STAGGERS. I yield to the gentleman from Massachusetts, a member of the committee.

Mr. KEITH. Mr. Speaker, I appreciate the chairman of the Committee on Interstate and Foreign Commerce yielding to me at this time.

Mr. Speaker, in my 11 years as a member of the Committee on Interstate and Foreign Commerce I have learned, together with other members of the committee, to like, respect, and, in fact, love Andy Stevenson.

Most of us in the Congress rely on the expertise of such professional staffers as we deal with the most difficult problems of conducting our Nation's business. Andy Stevenson has served us—and the country—extraordinarily well in this capacity.

His knowledge and willingness to help has been invaluable to the committee as it discharges its responsibility of overseeing the regulatory agencies. More than any other man whom I have met in my 11 years in Washington, Andy Stevenson has been able to comprehend the intricate nature of the relationships between government and the private sector. He has worked diligently to preserve the balance which is necessary if our free enterprise system is to function effectively. I have been privileged to have had the benefit of his counsel and advice all of these years. It has been one of the real joys of my experience here as a Member of Congress.

So, it is with a great deal of pleasure and satisfaction that I join with the chairman of the committee and other members of the committee in paying tribute to Andy Stevenson. It is my hope that he has in his retirement years, further time and good health to enable him to continue his study of public policy issues and to enjoy the rest he has earned. It is also my earnest hope that from time to time he will keep in touch with those of us who are still in the harness so that we might have the benefit of his views and counsel.

Mr. STAGGERS. I thank the gentleman from Massachusetts for his kind remarks.

Mr. MACDONALD of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Massachusetts a member of the committee.

Mr. MACDONALD of Massachusetts. Mr. Speaker, I thank the chairman for yielding to me at this time.

Mr. Speaker, I rise to join the chairman of our committee and all the other Members who are here this evening to pay tribute to a man whom I think stands as an example to all those people who like to serve the public interest of the United States and who do not want to go the route of running for and holding an elective office. I can think of no man who exemplifies in a better way, self-sacrifice and the ability to help those of us who have to deal not just in the legislative field, but in other fields, as well. A person who has given all of his time to help the committee that he chose to serve on to become what it is, the most outstanding committee in this Congress, than Dr. Stevenson.

My experience with Dr. Stevenson—or Andy Stevenson as he is better known—goes back some 15 years. I must confess that when I first came to Congress I had held no prior elective office, and I was certainly not very wise in the ways of legislation, and the legislative process. There was no one man whom I leaned on more and who helped me more than any other individual, that individual was Dr. Stevenson.

Mr. Speaker, I think that I have a unique relationship with Dr. Stevenson, as we are among those of the very few remaining veterans of the people who served on the Committee on Interstate and Foreign Commerce, who took a very adventurous and inspiring trip during which we crossed both Poles—the North Pole, and then landed down at the South Pole. And even in those extremities of our world Andy's always wise guidance and counsel was invaluable.

To Andy Stevenson and his beloved wife, Betty, I can only wish the best in the years to come. I will not echo what has been said, that Andy Stevenson is going into retirement, because I certainly hope that the wisdom and the knowledge and the desire to serve that Dr. Stevenson has shown throughout his entire career will not be lost to the public interest—certainly not to the members of the Committee on Interstate and Foreign Commerce who have leaned on his knowledge and ability for so long.

I certainly hope that his great fount of knowledge will not be lost to us, and that from time to time, when the occasion arises, we can call on his great fund of knowledge and experience, and that he will be available to us. I certainly feel sure that because of his devotion, both to the Congress and, more especially, perhaps, to our committee and to the Members on both sides of the aisle, that he will respond to our call for assistance.

So, Mr. Speaker, to Dr. Stevenson I do not say "hail and farewell," I merely say "hail."

Again, I thank the gentleman for yielding.

Mr. STAGGERS. I thank the gentleman from Massachusetts for his comments.

I will now yield to the gentleman from Ohio (Mr. BROWN) Mr. Speaker.

Mr. BROWN of Ohio. Mr. Speaker, the late Speaker of the House, Sam Rayburn, who served at one time on the Committee on Interstate and Foreign Commerce—and certainly he was one of the great Members to serve in this, the greatest deliberative body in the world—suggested that the Committee on Interstate and Foreign Commerce was the greatest committee of substantive legislative jurisdiction in Congress. As a member of that committee I believe those words are surely true.

Like the gentleman from Florida (Mr. ROGERS) I am proud to be a second-generation member of that great committee, because of my father, when he first came to Congress 30 years ago also served on the Committee on Interstate and Foreign Commerce. And also like the gentleman from Florida, I had heard from my predecessor of the work of Dr. Stevenson. I have since learned this firsthand, and have been impressed and awed frequently by his knowledge and his bipartisan service to that committee.

Mr. Speaker, I think perhaps the greatest compliment that could be paid to Dr. Stevenson is that in the heat of legislative battle and discussion, when the issues are joined and philosophies contend in the art of compromise between the members of the committee who feel strongly one way and the other on the decision we are in the process of making, Dr. Stevenson always stood above the storm in a nonpartisan way, because good parliamentary procedure facts and careful legislative draftsmanship know no partisanship.

It was his responsibility to give us the depth and the breadth of his experience and his limitless knowledge of the facts on which we made our judgments in the committee. He always served us well in that regard during the time I served on the committee, and I am sure in the many, many years that he served on that committee preceding my service there.

I wish that the opportunity existed for those of us who are in the Congress, and particularly for those of us who are junior Members, to be injected with the knowledge of our seniors and predecessors—both those who are Members of Congress, and those who serve as staff members of the committee. Certainly if we could be thus infused with knowledge and ability all of us would be glad to have a transfusion from Andy.

The people who serve as the staff of the legislative committees and the staffs in the offices of Members of Congress are the anonymous people, who sometimes I believe, really run this country of ours; because they are the people on whom we rely for experience and information as elections change the membership of this body. They continue on sometimes, little known to the public, and frequently even little known to an aware press.

In Dr. Stevenson, our committee is losing its most distinguished staff member of this most important committee in this most outstanding assembly. I think all of the very capable staff members on that committee would concede that point at this moment—although they may have some feelings as to who is the most distinguished staff member next week. But, in any event, we have lost the services not only to the committee but to this Congress of a very fine and a very greatly talented gentleman.

While I regret to see him go, he certainly has earned the opportunity for retirement and I know we all join in wishing him well.

Mr. STAGGERS. I thank the gentleman from Ohio.

Mr. Speaker, I yield to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, I appreciate the chairman yielding and I am delighted to be able to say a few words in behalf of my good friend, Dr. Andy Stevenson.

Andy is a real pro. He is respected throughout the city of Washington by those who have had any association with him. He has great ability and he probably can recall more facts and more figures and more background information than anyone on our committee, and perhaps in the Government.

When you couple that with 20 to 30 years of experience, you have a valuable man—and that is what Andy is—he is just an extremely valuable and good public servant.

I have been thinking about some of the things that come to my mind, when you realize that he has left our committee and that this very able man is not around to call up and ask for information. What are some of the things you remember?

I believe the first thing I recall would be that he was a real gentleman. He has great poise. He simply would not get excited. He would not take sides. He would not become involved in individual controversies but he would always conduct himself as a gentleman and as a great scholar, and as an objective adviser in legal and legislative matters.

Time after time, and again and again in committee when we would become ensnarled in some kind of problem, they would turn to him invariably and say to Andy, "How say you, counselor?" The doctor would straighten us out.

The second thing I recall about him is that he was in that rather unique position that invariably regulatory agencies wanted to know on any given matter how did Andy feel about it. I have had commissioners and board members and those connected with other agencies invariably ask me when we had a problem before us, they would say, "What does Andy think; what does he feel about it?" Because he knew and they knew that we would also always go back and say, What is your judgment on that? Do we have our facts rights?

I think the fact that he has this great respect of these agencies, that is an indication in itself that he is a very accomplished gentleman.

That same capability extended to industry. Those who came to testify naturally would testify for their particular industry or business. That was to be expected. But they also knew if they got off into left field or if they were making charges that could not be substantiated, they would always know that he, Andy, knew differently and would always get somebody by calling their hand or raising a proper question.

The third factor is that Andy always encouraged new Members. I have been privileged to go with him to lunch or to have conferences in his offices, to meet him in off-hours, or talk about a particular item of legislation. Invariably he would want you, not only as a new Member, but as a regular member of the committee, to inquire why you could not make a change. He would encourage you to challenge. He would want you to raise questions, to know why you could do it, why we would have to accept these statements, either by the agencies or the industry itself. That would give a man encouragement that he ought to participate in the legislative process.

Andy would pull you out. He would not say, "You do it," but he would give you that kind of encouragement.

Lastly, I think he had the acceptance and respect of everybody—agencies, industry, and his own extremely able staff. He did operate in the public good. He just would not take sides. He would not try to become involved personally. But he always thought in terms of what is in the public interest. It is because of that basic outlook he was such an extremely valuable member.

So, we have said farewell to him in a sense. I understand the chairman today said he hopes he might be back with us on a limited or special basis. I hope he is back with us a lot because he is a great, good and valuable person. We need more men like him in government.

Mr. STAGGERS. I made the statement that I would like to have him back as a consultant to our committee. He would render invaluable service. He has told us that he will, and I am hopeful he will come back so that we may have the benefit of his great knowledge and experience.

Mr. PICKLE. I thank the chairman. And I thank Dr. Stevenson for a life of dedicated service to the public good.

Mr. VAN DEERLIN. Mr. Speaker, will the gentleman yield?

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

Mr. VAN DEERLIN. Mr. Speaker and Mr. Chairman, the recollections of the gentleman from Texas have prompted me to recall my own earliest memory of Dr. Stevenson's value to our committee. When I was fortunate enough to win a place on the Committee on Interstate and Foreign Commerce 7 years ago, I was assigned, not by choice, to the Subcommittee on Commerce and Finance. During the first few months I was on that subcommittee we were given purview over the first improvement on the reform of the stock market that had been contained in the Securities and Exchange Commission Act of 1935. Some of my fellow members of the committee may give me an argument on this, but I should imagine that on the subject of the stock market I acted from a greater wellspring of ignorance than on any other subject that comes before our committee. I am getting some assistance from my colleagues nearby, suggesting other areas that might compete, I suppose, with this claim.

I do recall that Dr. Stevenson, by his kindness and his knowledge, first of all saved me from betraying my ignorance too much. But beyond that he saved me from becoming a victim of my ignorance. The legislation that came from that committee, the subcommittee and the full committee, was, as usual, marked by the strong hand and the guidance of Andy Stevenson.

I would just like to extend a welcome to him. I know he is a longtime resident of Washington, D.C. He will find he will get no younger in retirement. He may feel younger for a few months, but if and when the rigors and discomforts of advancing years begin to overtake him, I hope that he will remember there is a happier climate out in Southern California to which he can repair, and he will find the warmest welcome possible from this old colleague of his.

Mr. STAGGERS. I thank the gentleman from California. I yield to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I wish to commend our distinguished chairman and my good friend for having taken this special order to pay tribute to a distinguished American and to a good friend of all of us who serve on the great Committee on Interstate and Foreign Commerce.

I am sure my colleagues here know this is the committee in which Sam Rayburn took vast pride. All of us who have had the privilege of serving on that committee regard it as the greatest of the many great committees that exist in this House. We recognize the enormous breadth of legislative responsibility of this committee and the great responsibilities it has under the rules and the very broad duties it carries under the rules of this body. Indeed, it is interesting to note in the history of this body the Committee on Interstate and Foreign Commerce is the oldest and first of the committees of the Congress which was established when this body was created many long years ago.

Like my friend and colleague, the gentleman from Florida, Mr. PAUL ROGERS, and the gentleman from Ohio (Mr. BROWN), the son of another Member who served in this body for many years, and like many others of my colleagues, I not only learned of this institution but learned about the people who served here, and I remember this committee has given many distinguished leaders to this body. The great Sam Rayburn was one among others. Our colleague, Mr. BROWN of Ohio and our colleague, Mr. ROGERS of Florida served on this great committee. I know they as I learned the traditions and glories of this great body and the great committee on which we served.

Mr. Speaker, one of the greatest strengths of that committee has always been the outstandingly able and dedicated staff we have had working for us in the public interest. I remember well when I came to the Congress that one of the earliest acquaintances I made was Dr. Andrew Stevenson. I have had the benefit of his counsel for many years while serving on this committee. His counsel was wise and given well. One of the greatest compliments I can give him is that he was always careful of the interest of the country.

I have enjoyed his friendship and I have enjoyed his presence, and like most of my other colleagues, I will miss him in retirement. It is my hope that Dr. Stevenson will have a happy and enjoyable retirement and a long one. It is also my hope that he will come back and visit his old friends on the Interstate and Foreign Commerce Committee from time to time. If there are difficult and hard issues with which he is so thoroughly familiar which arise from time to time, I hope he will give us his counsel from time to time on that committee.

I commend my friend, the distinguished chairman of the Committee on Interstate and Foreign Commerce for taking this time. He is standing before this body and he is truly an outstanding and worthy successor of the other great chairman. I am proud today that he does this not only for his friend, but also for my friend.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman from Michigan (Mr. DINGELL).

Mr. Speaker, I yield now to the gentleman from Rhode Island (Mr. TIERNAN).

Mr. TIERNAN. Mr. Speaker, I thank the gentleman for yielding to me at this time.

I join, Mr. Speaker, as a new member of the committee in the expression of deep appreciation and affection for Dr. Stevenson. I think this demonstration of esteem by the committee members today is a fitting tribute to the man, Dr. Stevenson, who is held in great respect and admiration by the members of the committee.

I am sorry I will not have the benefit of many years of serving with him that the others have had over the years, but as the chairman has indicated today, we may be able to call on Dr. Stevenson for assistance in some matters in the years ahead.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman from Rhode Island and all who took part in this hour.

Mr. Speaker, I shall summarize my remarks and insert the remainder in the RECORD. The hour is late, but I would like to continue briefly.

Mr. Speaker, I have asked for this time in order to discuss with the House the recent retirement on October 31 of Dr. Andrew Stevenson, a member of the professional staff of the Committee on Interstate and Foreign Commerce for 22 years. It seems to me that Dr. Stevenson's retirement should give occasion to the House and its Members, to consider the proper role and functions of a professional staff of a committee of the House.

In 1946, the Congress adopted the Legislative Reorganization Act, an act designed to streamline and improve procedures of the Congress. One of the reforms adopted as a result of that act was the granting of authority to each standing committee of the House and of the Senate to employ four professional staff members who would be selected without regard to partisan considerations and solely on the basis of fitness to perform their responsibilities. The law prohibited any work other than committee work being assigned to the professional staff members, and also stated that they may not engage in any other employment while so serving.

Dr. Andrew Stevenson was a true professional's professional. His knowledge and competence and experience in the fields in which he served as an adviser to the committee is outstanding. He always served with diligence, with integrity, and the only criterion by which he was guided was the public interest and carrying out the intent of the committee.

Dr. Stevenson was initially appointed to the staff of the committee on March 16, 1947. The appointment was made by the Honorable Charles Wolverton, a Republican chairman of the committee. The Congress has changed its political complexion several times since March 16, 1947, so that Dr. Stevenson served on the staff under a total of two Republicans and four Democratic chairmen. I do not know what Dr. Stevenson's politics are; I do not think any other Member of the House knows; I understand that he has never been asked in 22 years what his politics are, and I do not think that any member of the Interstate and Foreign Commerce Committee has ever cared. We have always known that Dr. Stevenson's advice to the committee was based entirely upon the criterion of the public interest, and the best manner of serving the interests of the committee.

Dr. Stevenson brought great experience to the committee. He was born in Chicago, Ill., on August 5, 1906, educated in the public schools of Lake Bluff, Ill., Skagway, Alaska, and Nichol Senn High School in Chicago from which he graduated in 1922. He was awarded a bachelor of arts degree in 1926 from the College of Wooster where he was a member of Phi Beta Kappa. He entered graduate school in Yale University in the field of transportation receiving a master's degree in 1928 and a Ph. D. in 1930.

He served as the Strathcona fellow in transportation and as an assistant in

transportation at the Yale University Graduate School from 1927 to 1929. He served as associate professor of economics and transportation in Kalamazoo College from 1929 to 1932 and thereafter served as lecturer on Government and business at Catholic University Graduate School from 1938 to 1941.

He had direct experience in the field of transportation, serving as assistant to the president of the Chicago, Springfield & St. Louis Railway, Jacksonville & Havana Railroad in 1925 and 1926. He served as a clerk in the president's office of the Atchison, Topeka & Santa Fe Railway in 1926 and 1927, and served as vice president of the Nevada-Manhattan Corp. from 1932 to 1935, working for the merger of six California and Nevada Shortline railroads into a proposed Mid-Pacific Railroad. It is of interest here that Dr. Stevenson's Ph. D. thesis dealt with the subject "The Shirtline Shippers' Interest in Railroad Consolidation" in 1930.

In March 1935, Dr. Stevenson began the first of over 34 years of service with the Federal Government as an economist on problems and statistics in the fields of transportation, utilities, and finance for the Central Statistical Board. During the summer of 1935 he was on loan to the Federal Power Commission to review and approve special electric rates and power studies.

In November 1935, he began 6 years of employment with the Securities and Exchange Commission, serving as chief securities analyst concerned with registration of new securities under the Truth-in-Securities Act of 1933. He served as a member of the joint Government-industry committee looking toward revised legislation in 1940 and 1941.

From February to July of 1941, he was on loan to the National Resources Board for a report on transportation in wartime, and served as a consultant on transportation, utilities, and finance in 1940 and 1941 to the National Defense Advisory Commission.

From September 1941, to January 1942, he served in the office of production management as the chief of the automotive, transportation and farm equipment branch in charge of programs, priorities, allocations, and controls for these industries.

From January 1942, to October 1943, he served as the director of the Transportation Equipment Division of the War Production Board in charge of production and allocation of new railroad and transit equipment and maintenance supplies for domestic carriers, and for the military services. From October 1943 to November 1945, he served as executive assistant to the operations' vice chairman and to the chief of operations of the War Production Board concerning transportation matters, studies on reconversion and the elimination of controls, and was in charge of operations controls and their elimination for all industries, including transportation. In November 1945, he was appointed as a member of the Price Adjustment Board of the Department of the Navy, and also served as a member of the War Department Price Adjustment Board, dealing with renegotiation of contracts and remained in that position until he was appointed to the staff of the Interstate and Foreign Commerce Committee.

During the period of his service on the professional staff of the committee. Dr. Stevenson served as an adviser on all matters relating to the Securities and Exchange Commission, and legislation relating thereto; on all matters relating to transportation by rail, bus, truck, barge, and pipeline; on legislation and reports dealing with newsprint and its availability; on the Weather Bureau; communications satellites; on legislation involving the Federal Power Act; on oil and gas; and on numerous other subjects. A review of the legislation on which he has worked for the committee would be such a long list as to be overwhelming. Suffice it to say that the Interstate and Foreign Commerce Committee is one of the busier committees of the House, and Dr. Stevenson has served as an adviser, as a consultant, and as a professional staff member on a substantial part of this legislation.

His work with the committee embraced many more subjects than just legislation, however. Each committee is charged with exercising legislative oversight over the agencies for which it is responsible, and Dr. Stevenson always kept abreast of all activities of the agencies having jurisdiction over the subjects he covered for the committee.

He did more than just keep abreast of the agencies, however. As I can personally attest, he kept the chairman and the committee abreast of developments. As an illustration, we all know that the United States retains a presence in Antarctica today. This fact arises from action taken by this committee at Dr. Stevenson's suggestion. During the International Geophysical Year, the United States engaged in scientific activities in Antarctica, which were planned to be dropped in 1958. Dr. Stevenson suggested that, in exercise of its responsibilities over civil aviation, communications, weather, and—at that time—scientific activities generally, a subcommittee conduct an on-the-spot study of scientific activities in the Arctic and Antarctic. After this study was completed, the subcommittee reported to the President its views concerning the scientific activities being conducted, and as a result the decision was made to continue them.

This merely serves as an illustration of the type of activities conducted by the professional staff members of our committees. In the case of Dr. Stevenson, a listing of similar accomplishments would be as overwhelming as a listing of legislation he has worked on.

On December 16, 1933, Dr. Stevenson married the former Elizabeth Otis. They have two sons, Andrew, a teacher of physics at Morgan State College in Baltimore, and James, a teacher of mathematics at Bucknell.

Dr. Stevenson resides at 9208 Jones Mill Road, Chevy Chase, Md.

Dr. Stevenson's career, as these few brief remarks have shown, has been a busy one, dedicated to the best interests of his country. He deserves a rest and relaxation, but I would be less than honest if I did not say in closing that he is one of the finest men I have ever known, and we would like to have him back with the committee in whatever capacity he is willing to serve with us.

Mr. Speaker, on December 18, 1969, the Committee on Interstate and Foreign Commerce met, and adopted a resolution of appreciation for Dr. Stevenson's dedicated public service. I will include in my remarks at this point in the RECORD the text of that resolution:

RESOLUTION OF APPRECIATION EXTENDED TO DR. ANDREW STEVENSON

Whereas Dr. Andrew Stevenson served as a member of the professional staff of the House Committee on Interstate and Foreign Commerce, from March 16, 1947, through October 31, 1969, with outstanding dedication, devotion, competence, and skill; and

Whereas, in that capacity, and as professional staff coordinator, he has rendered service to the committee and to his country with unselfish tirelessness, integrity, and ability; and

Whereas his retirement brings a sense of loss to the members of the committee and the committee staff, and a realization of the excellent quality of the service he has rendered: Now, therefore, be it

Resolved by the Committee on Interstate and Foreign Commerce, That an expression of esteem and good wishes for his future, and and an expression of deep regret at his retirement, be extended to Dr. Andrew Stevenson in the name of all the members of the Committee he has served with such unselfish devotion and integrity.

Dr. Stevenson is more than a high-class professional expert. We used to have a phrase that represented the highest tribute we would pay to a man. We used to say, of the one whom we delighted to honor, that "He is an officer and a gentleman."

As an officer of the Government Dr. Stevenson has represented the United States in innumerable complex and delicate situations. As a gentleman he has inspired all his numerous acquaintances with respect and love. That is how I feel about him myself. It has been an education in proper official conduct and in desirable human relations for those who know him.

I accept his retirement from official life with the deepest regret. Dr. Stevenson has earned retirement, however, and we do not wish for him anything less than long years of happy contemplation of the service he has rendered the Nation and the good life he has led. May all of us profit from his example. In the future may the United States enjoy the devoted services of other individuals whose lives are patterned on the model of Dr. Stevenson.

As I remarked to one of the gentleman who spoke, we have implored Dr. Stevenson to come back to our committee as a consultant. He and his gracious, charming and lovely wife have been friends of mine, as I know they have been of practically every member of this committee. For them to sever relations completely would be certainly hard for me to take, and certainly we would miss them. I am hopeful he will come back and join with us.

We have a saying back home which I believe sort of applies to Dr. Stevenson:

that he believes in gentlemanliness—honest, chivalrous, clean-minded, God-fearing manliness. He believes in man, the masterpiece of God's creation, the finest of all fine things in the world. He believes in God, the infinite architect of the universe and the compassionate ruler of destiny.

I believe he has always held before him the words of that saying in the poem in living his life. I will only give part of it:

I have to live with myself, and so
I want to be fit for myself to know.
I want to be able as the days go by
Always to look myself in the eye.
I don't want to stand with the setting sun
And hate myself for the things I have done.
I want to go out with my head erect.
I want to deserve every man's respect.

And may the Lord who is above us in the heavens watch over the goings in and goings out of Andy and Betty and his family from this day henceforth and, forevermore, protect them and be with them always.

Mr. Speaker, I would like to say at this time I have several remarks to put in the RECORD concerning Dr. Stevenson. One of them is by our beloved Speaker, Mr. MCCORMACK, which I will put in the RECORD as well as one by the minority leader on our committee, Mr. WILLIAM SPRINGER, and one by Mr. BROTZMAN, a member of the committee. I know several others have signified that they wish to put remarks in the RECORD on the subject of Dr. Andrew Stevenson.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

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

Mr. STAGGERS. I will be delighted to yield to the Speaker.

Mr. MCCORMACK. I thank the gentleman for yielding and I wish to associate myself wholeheartedly with his remarks about Dr. Stevenson. I have known him as long as he has been on the staff of the House, and Dr. Stevenson is one of the finest examples of a dedicated profesional staff member ever to serve with the House during my tenure in the House.

There have been numerous occasions when I have called on Dr. Stevenson for advice or information, and I have always found his advice and his recommendations to be fair, impartial, and objective. His background, his knowledge, and his experience are outstanding. His service to the Committee on Interstate and Foreign Commerce, to the House of Representatives, and to the American people, can best be characterized by the one word, superb.

I am pleased that the committee today adopted a resolution of appreciation for Dr. Stevenson's service, and I concur in the sentiments expressed therein.

His retirement brings to me a great sense of loss. I wish him well in his retirement, and hope he enjoys many happy and useful years with his lovely wife, Betty.

Mr. SPRINGER. Mr. Speaker, Dr. Stevenson, Andy to us, has been the backbone of this committee for more years than most of us who serve as members. He has since 1947 been completely devoted to his job and to every member of this committee, whoever they have been over the years. He has long been recognized as the most capable and dedicated staff professional on the Hill.

Committee members have always sought Andy's advice on anything touching the work of the committee. In doing so, they knew that what he would give them was the truth and the very best information available. They also knew that they could expect no pat answer, no colored information or answers designed to tell them what they might wish to hear. What we always got from Andy was the unvarnished facts whether pleasant or unpleasant, whether agreeable to our individual views or otherwise. You might say he has been the ever-present conscience of the Interstate and Foreign Commerce Committee and in large measure responsible for the continuing reputation of this committee for industry and integrity. To carry such a burden is a large order for any man. To Andy it came naturally. And like the star performer, he made it look easy. His colleagues on the staff and those of us who have been around for awhile know that the likes of him will not be easy to find. He is a one-of-a-kind man.

It is not that Andy's talents and his character were hid under a bushel. Far from it. Every lobbyist and every lawyer who represented segments of the industry affected by the actions of this committee knew Andy. He scared them stiff. They knew that he knew more about what they were supposed to know than they knew themselves. And they also knew that phony arguments and unsound positions would be burst like nickel balloons. And most of all they knew that there was no way in the world to influence Andy Stevenson.

Elsie and I have known both Andy and Betty socially for many of these years. We know them to be a devoted couple with a fine family of which they can be justly proud. We like them both and are glad to have had the chance to associate with them in other than profesional contacts.

I am sure that I speak for many of us when I say that we will sorely miss Andy. We are sorry he has retired because we will see less of him. On the other hand, it is nice to contemplate that the Stevensons can now travel at will. I know they enjoy it. And since nothing we say now can lure Andy back to the daily grind we can and do wish him every bit of luck his service to us and the country deserve. And that is a heap of luck. We also wish him pleasant skies and soft landings for many years to come.

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

Mr. OTTINGER. Mr. Speaker, I rise to pay tribute to one of the very fine staff members on the Committee on Interstate and Foreign Commerce, Andrew Stevenson, who is retiring this year. He has always been exceedingly helpful. He is an exceedingly able man and available to every member of the committee. It will be hard to see him go. I wish him well and good luck for the future.

Mr. BROTZMAN. Mr. Speaker, one of the most rewarding aspects of being a Member of the House of Representatives is to work with and know a person of the caliber and ability of Dr. Andrew Stevenson. Dr. Stevenson has served as a member of the professional staff of the House Committee on Interstate and Foreign Commerce from March 16, 1947, through October 31, 1969. I found him to be a dedicated, skillful public servant possessed of a pleasant, winning personality. While we, in the Congress, will miss Dr. Stevenson's able assistance, I want to join his multitude of friends and admirers in wishing him and his charming wife a fruitful and well-deserved retirement.

Mr. BROYHILL of North Carolina. Mr. Speaker, I am pleased to join with Chairman STAGGERS and other members of the Interstate and Foreign Commerce Committee in paying tribute on this occasion to Dr. Andrew Stevenson. I came to know Dr. Stevenson shortly after becoming a member of the committee in 1963 and through the years have found him to be unusually capable and cooperative in handling my questions and problems concerning committee legislative matters. Dr. Stevenson has made the personal decision to retire as an active member of the professional staff of the committee and I am sorry to see him go. I know that it will be difficult to replace him. He has a brilliant mind and a tremendous store of knowledge that has been useful to us all as we have considered complicated legislation in many fields. I want to wish him well and I certainly hope that we will be seeing more of him as he visits Capitol Hill on occasion.

THE FUTURE OF MICRONESIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 60 minutes.

Mr. BINGHAM. Mr. Speaker, last April I discussed at some length on the floor of the House the situation in Micronesia, that huge area of the Southwest Pacific with less than 100,000 inhabitants which the United States administers as a "strategic trust territory" under the U.N. Charter. I pointed out the growing dissatisfaction with the U.S. administration on the part of many Micronesians, and I urged that the United States take steps promptly to start moving toward allowing the islanders to determine their own political future as we are obligated to do under the terms of the trusteeship agreement we entered into.

Yesterday I was privileged to host a luncheon at which these same problems were discussed. Present at the luncheon were representatives of the executive branch charged with responsibilities concerning the trust territory and our relationship with the United Nations, Members of Congress from various committees concerned with different aspects of the matter, including the Interior and Insular Affairs Committee, the Appropriations Committee, the Foreign Affairs Committee, the Armed Services Committee, and representatives of the press.

Also attending the luncheon were Prof. Thomas Franck and Dr. Edward Weisband, director and associate director, respectively, of New York University's distinguished center for international studies, and the author of a "policy paper" released yesterday by the center, Prof. Stanley A. de Smith, of the London School of Economics and Political Science. The title of Professor de Smith's paper is "Options for Micronesia: A Potential Crisis for America's Pacific Trust Territory."

I append at this point the text of a press release concerning Professor de Smith's paper issued by the New York University Center for International Studies. The preliminary text of his paper will be inserted following my remarks under this special order.

The press release follows:

MICRONESIA'S RIGHT TO CHOOSE INDEPENDENCE

The people of Micronesia must be allowed a free choice between independence and continuing association with the United States, according to a British expert in international law.

Professor Stanley A. de Smith made his recommendations in a paper published December 17, 1969, by the Center for International Studies of New York University. The title of the paper is: "Options for Micronesia: A Potential Crisis for America's Pacific Trust Territory."

In reviewing the alternatives open to the United States, Professor de Smith concludes that "Given the general climate of opinion in the United Nations, it is essential that 1) Micronesia be given a genuine independence option and 2) the conduct of a referendum on the status issue be supervised or observed by United Nations' representatives."

Micronesia's future status should not be determined by its convenience as a substitute for United States military bases on Okinawa, according to Professor de Smith, nor should a choice be accompanied by an American threat to cut off economic aid if the Micronesians should choose independence.

"If these principles are applied without procrastination," Professor de Smith writes, "there is every possibility that the people of Micronesia will determine their future by opting for free association with the United States."

The Micronesians at this time seem to prefer to retain an association with the United States, Professor de Smith reports. Professor de Smith visited the Pacific Trust Territories recently while he was a Senior Fellow of the Center for International Studies of New York University, which sponsored his study.

Professor de Smith writes that a Commission appointed by the Congress of Micronesia recommended internal self-government in free association with the United States. If negotiations for such future political status should fail, the Commission recommended that Micronesia should seek full independence as a unified state.

Professor de Smith observes also that "America's self-image (as) that of a noncolonial, indeed anticolonial power . . . is no longer credible in much of the inaptly named 'third world' . . . In such a context, the United States must surely handle the problem of Micronesia with delicacy and finesse, unless, of course, it is prepared to thumb its nose at United Nations' opinion in defense of an issue inessential to national survival."

De Smith, who is Professor of Public Law at London School of Economics and Political Science, has had extensive experience as constitutional advisor to the British Government during its decolonization program. His paper was adapted from a larger work entitled "Microstates and Micronesia: Problems of America's Pacific Islands and Other Minute Territories." This work will be published in January, 1970 for the Center for International Studies by the New York University Press.

While I do not agree with all of Dr. de Smith's points, I believe his paper represents a serious study done by a recognized expert in the relatively new field of "decolonization" and deserves attention and study. Some might object and say: "This is an American problem; why should we have to have a Britisher tell us what to do?"

My own view is that in any case we should listen to advice from whatever quarter. In this particular case there is the added fact that the problem is not just an American one; it concerns the United Nations and, especially, the Government of the United Kingdom, which is a member of the Trusteeship Council and a permanent member of the Security Council and as such will be one of the governments that will pass judgment on whatever final arrangements the United States may propose for Micronesia under the terms of our Trusteeship Agreement. In addition, of course, the British—and Professor de Smith in particular—have had a lot of experience with the process of decolonization, both with respect to colonies and protectorates and with respect to trust territories.

I might add that I arranged for Professor de Smith to present his conclusions to a group on Capitol Hill at the request of the director of New York University's Center for International Studies, which I serve as a member of the center's President's Council. I felt that, by doing so, I would be helping to air a most difficult, and potentially dangerous problem, of which most Americans are not even aware.

I fully recognize that, for a number of years now, representatives of the executive branch, especially in the Interior and State Departments, and Members of Congress, especially in the Committees on Interior and Insular Affairs, and in the Appropriations Committees, have devoted a great deal of study and attention to the problem. Last year, for example, the Subcommittee on Territorial and Insular Affairs, headed by my able colleague, the gentleman from New York (Mr. CAREY), made a lengthy and arduous on-the-ground study of conditions in the trust territory. As a result of these activities, and also in response to the recommendations of the U.N. Trusteeship Council over the years, there have been extensive political developments in the islands, including the creation of an elected Congress of Micronesia, and much progress has been made in providing more adequate funds for the economic, educational, and social development of the trust territory.

However, I do not believe we have been moving fast enough, especially in the political arena. We have not, for example, responded to the request of the Micronesians, endorsed by the Johnson administration, that a Presidential commission should be established to explore the ways and means for ascertaining the wishes of the Micronesian people as to their political future.

I am very much afraid that, if we continue on our present deliberate course, concentrating mainly on improving the material conditions of the islanders, we will before long have a political crisis on our hands that may very well jeopardize our future in the whole area. That is why I believe we should pay serious attention to the views of a disinterested outsider such as Professor de Smith.

The text of the policy paper referred to follows:

OPTIONS FOR MICRONESIA: A POTENTIAL CRSIS IN AMERICA'S PACIFIC TRUST TERRITORY

(By Stanley A. de Smith)

I

For Micronesia, 1968 was a year of lopsided achievement. The number of Peace Corps volunteers rose to seven-hundred, a high proportion of them involved in teaching English and promoting community development. On the whole the Micronesians were very pleased to have them. Jet airline services, linking Saipan and Guam with Truk and Majuro, swept into the Territory. Before long aircraft would carry parties of Japanese and American tourists from district to district. High school enrollments were bounding forward, and more than three-hundred Micronesian students were going on to further education outside the Territory. But the base of the economy remained weak and the splendid development plans for district centers have yet to get off the ground. This was hardly surprising, inasmuch as the United States Congress had not in fact appropriated more than twenty million dollars for annual grants to the Territory till fiscal year 1968, and the cost of making good the years of neglect in these remote and scattered islands would be enormous. However, a higher annual ceiling of fifty million dollars was promised for fiscal years 1970 and 1971; if these sums were indeed to be appropriated and spent on worthwhile projects, this would mark a great leap forward.

1968 was also a year of ostensibly modest constitutional changes. One of these changes, the exclusion of government employees from membership of the Congress of Micronesia, made little difference in practice; but the fact that so many Congressmen were willing to surrender well-paid government jobs in order to remain in politics on a low salary showed clearly enough that Congress had come to stay. More significant, perhaps, was another feature of the Fourth Amendment to Secretarial Order No. 2882.[1] The salaries of Micronesian Congressmen were in the future to be paid out of funds appropriated by the United States Congress itself.[2] Obviously this gesture was not intended merely to make more funds available for the appropriation by the Congress of Micronesia. It indicated the direction in which thoughts were turning in Washington. Micronesian Congressmen accepted this change without enthusiasm. But then, many of them had drawn salaries as employees of the Territorial Government before this without being reduced to docility.

II

1968 saw the first fruits of serious local thinking about the ultimate political status of Micronesia. The story goes back to August 1966, when the Congress of Micronesia petitioned the President of the United States "to establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia." In 1967 the Congress of Micronesia provided for the establishment of its own Future Political Status Commission. About the same time, the President submitted to the United States Congress a proposal to set up a com-

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mission to examine the issues with a view to enabling "the people of the Trust Territory freely to express their wishes as soon as possible, and not later than June 30, 1972, on the future status of the Trust Territory."

The President's Status Commission would consist of a chairman and eight members appointed by the President, four members chosen by the President of the Senate, and four chosen by the Speaker of the House of Representatives; it would be required to submit its report and recommendations within eight months of the provision of appropriations.[3] Minor disagreements arose in Congress over the Commission's composition and the target date. A joint resolution to establish a Commission failed to pass in 1967, again in the election year of 1968 and yet again in 1969. But in January 1968 members of the Subcommittees on Territorial and Insular Affairs of both the House of Representatives and the Senate visited Micronesia and held discssions with the Micronesian Future Political Status Commmission.

These discussions were not published. It is understood, however, that the Micronesians found the American senators more flexible than the members of the House Subcommittee. The prevailing view on the House Subcommittee is said to have been that independence and statehood were equally unrealistic goals for Micronesia, that its best course would be to elect to become an unincorporated territory of the United States like Gaum. In the meantime Micronesia could not expect to be allowed either to appropriate federal grants in aid or to obtain free entry for its products into the United States.

Meanwhile the Future Political Status Commission had not been idle. At its first meeting, in November 1967, it elected as Chairman Representative (now Senator) Lazarus Salii of Palau, the prime mover in this local initiative. It met again in January and April 1968, the meetings lasting some six days each. In May 1968 Representative Salii and Senator Bailey Olter visited the United Nations, Puerto Rico and the United States Virgin Islands in company with a State Department official. At the end of June 1968 the Commission produced its first Interim Report, a document of one-hundred-twenty-five pages.

The Commission, under the terms of the joint resolution authorizing its appointment, consisted of a Congressman from each administrative district. Its terms of reference were (a) to develop and recommend methods of political education, (b) to present the alternative options open to Micronesians, (c) to recommend procedures to determine the wishes of the people, (d) "to undertake a comparative analysis and to select areas of study of the manners and procedures whereby the Commonwealth of Puerto Rico, Western Samoa, and Cook Islands, and other territories and developing nations have achieved their self-government, independence, or other status", and (e) to perform any necessary ancillary functions. The mention of "independence" in the terms of reference and also in the preambular recitals to the joint resolution, and the omission of any express reference to American unincorporated territories, were no doubt carefully calculated.

The Interim Report was inconclusive but unusually interesting. The Commission had not yet held public hearings; nor examined all the issues. It asked the regular session of Congress for renewal of its mandate. This was quickly granted without dissent; Congress appropriated the relatively large sum of seventy thousand dollars for the purpose, to enable the Commission to travel farther afield. Clearly the Interim Report had made a favorable impression.

The Report concentrated on identifying alternative constitutional destinations open to Micronesia. In an appendix it summarized the recent political history of the Commonwealth of Puerto Rico, Western Samoa, the Cook Islands, the Philippines, and Guam, in that order. Analyzing these particular cases, the report pointed out that the territories, upon determination of their present status, had not been economically self-sufficient and that determination of status had not significantly encouraged investment or economic growth. Each of them, neglected by the metropolitan government, had looked to local agitation for a change of status and for constitutional reform. In some of them external factors such as United Nations attitudes, or indirect pressures exerted within the metropolitan power structure by the dependent territory throughout the cultivation of influential friends, had been important. This analysis was cautiously objective, but its gist was not understood to appraise independence as a panacea for Micronesia's ills. However, there was no detailed examination of the circumstances in which an option for independence might be to Micronesia's advantage.

In other appendices, the Commission set out its recommendations for a review of Secretarial Order No. 2882, and its comments on a bill for an Organic Act for the Trust Territory, which Representative Patsy Mink of Hawaii had introduced into the United States Congress (the bill was not passed into law). These recommendations and comments probably influenced to some degree the Fourth Amendment to the Secretarial Order, issued three months later. The Commission also concluded that although it should cooperate with the Presidential Status Commission were it formed, Micronesians should not sit as members of the Presidential Commission.

The Commission recognized the importance of the question of political education, for Micronesians generally lacked adequate understanding of the present institutions of government and were not in a position to make an informed choice of their future status. But is was pointless to put forward detailed recommendations on the matter at that time, if only because the Commission itself was still in the process of evaluating the merits of various alternative types of status. One notes that in January 1969 a special committee on Government Organization was constituted by the Congress of Micronesia to examine ways of improving the efficiency of the Trust Territory Government. The committee heard testimony from officials and others, and decided to travel to all districts in March. It would be in a position to promote the diffusion of information and perhaps to indicate how best to prepare the people for subsequent self-determination.

The Interim Report gave preliminary consideration to nine possibilities. Three were concerned with the Territory's future geographical limits, six with the ultimate political status of the Territory, assuming retention of existing boundaries; there was some overlap between the several options.

On the question of geographical limits, the courses considered were the expansion of Micronesia to include island areas not yet within its boundaries; the division of Micronesia (perhaps uniting part of the Territory with another political entity); and the maintenance of present Micronesian boundaries.

The expansion of Micronesia to include other areas (e.g. Guam, Nauru, American Samoa, the Cook Islands, the Gilbert and Ellice Islands) presupposed a willingness to unite on the part of the others. Nothing in any of these territories except Guam evidenced any wish to create such a union, or that union would bring with it economic advantages. The question of union with Guam would, however, require further investigation.

My own impression was that no body of opinion in Micronesia except that represented by the Popular Party in the Marianas—now, for the time being, a minority party in its own district—wanted union with Guam. The Popular Party wanted the Marianas detached from the rest of Micronesia for this purpose; in Guam itself, opinion seemed more favorable to merger with the Marianas than with the Trust Territory as a whole.[4] It is of some interest that neither in this context nor elsewhere in the Interim Report was any express reference made to the possibility of union with Hawaii, despite the fact that Governor Burns of Hawaii[5] and other influential figures in that state[6] were known to favor the incorporation of Micronesia within Hawaii. The emphasis in this section of the Interim Report was on the expansion rather than the absorption of Micronesia. By implication, the Commission was unwilling to see Micronesia lose its identity by subordination to another entity.

The Commission felt that, on the whole, a division of the Territory offered little; moreover, fragmentation was opposed both by the United States and by the United Nations. But the decision to proceed on the assumption that the Territory would be preserved as an entity was "a begrudging and tentative conclusion."[7]

The wording reveals differences of opinion within the Commission. This is not surprising. Not only did the Commission include a separationist from the Marianas, but nationalist sentiment in other parts of Micronesia is weak and, as the Commission put it, "embryonic". Were a plebiscite conducted there and then, offering each district the option of separate independence, this option would probably have attracted a very large vote. Local particularism is a potent force in Micronesia. People are more aware of what divides them from their neighbors in other districts than of what unites them. These sentiments are not confined to the apolitical majority; they are shared in some degree by the more sophisticated. Among resolutions passed by the Congress of Micronesia in 1968 was one congratulating the diminutive but wealthy Republic of Nauru on the attainment of independence. A number of prominent Micronesians hanker after the same goal for their own districts. But they are practical enough to be pessimistic, especially as such miniscule and impoverished entities could hardly maintain a viable independence without offering strategic facilities to a foreign country hostile to the United States. One has only to state the problem to see that it would be almost impossible to resolve. Moreover, if each district decided to go its own way, and the United States and the United Nations were to concur, it is quite certain that some of the new microstates would be left to moulder in stagnation. And if strategic potential is to be used as a bargaining counter in negotiations about ultimate status, there is at present (quite apart from the attitude of the Administering Authority) a sufficient number of Micronesians with an interest in maintaining the Territory's geographical integrity to quash any serious separatist agitation. If a district has a valuable asset, pressure will be for an auction on behalf of the people of the whole Territory.

On the provisional assumption that the Territory would remain one, the Commission set out four main alternative destinations: independence; the status of a freely associated state or protectorate; integration with a sovereign state; and (perhaps surprisingly) continuance as a trust territory. The Commission made comments on these several possibilities but offered no recommendations.

The Commission briefly stated the implications of independence, but in so delicate a manner as to give no direct offense to the Administering Authority. It went on to observe that lack of money and manpower, and general economic underdevelopment, pre-

Footnotes at end of article.

sented serious obstacles to independence in the near future, unless one form of economic and political dependence were exchanged for another. The Commission concluded with the cryptic observation that "in considering an independent Micronesia . . . some thought must be given to the continuing strategic interest of the United States in Micronesia." [8] One could assume that these words were not composed in a spirit of altruism. Micronesians would not voluntarily eschew independence merely in order to safeguard the interests of the United States. The passage implied that American presence in Micronesia might well be worth a great deal of money to the United States, especially if the Ryuku Islands (including Okinawa) were to be evacuated soon; that an option for independence would not inevitably prove an economic catastrophe, despite serious risks (of which the present unpopularity of foreign aid in the United States Congress, and the unpredictability of future strategic appreciations are the most obvious); and that nobody could be sure of American reactions to a vote in favor of independence. One can at least be sure—and the Micronesians are aware of this—that the United States Government would prefer Micronesia *not* to opt for independence; and that it can be persuaded to invest a good deal of money in developing Micronesian resources in the hope of influencing the outcome.

The Commission dwelt even less expansively on the status of what it called a "free associated state", which it equated with a protectorate. It had not studied, at that time, arrangements for the British associated states in the Caribbean. One of the appendices described rather sketchily the constitutional and economic position of the Cook Islands.

The next group of possible destinations were forms of integration with a major power. "The logical choice for integration", in the words of the Report, "is with the United States." Such a choice would practically guarantee continued support for development programs and for the supply of skilled personnel not available in Micronesia. Three forms of "integration" were mentioned: Commonwealth status after the style of Puerto Rico; integration as an unincorporated territory; and integration as an incorporated territory. The Report did not deal with the possibility of separate statehood for Micronesia (except in passing, when it referred to the status of an incorporated territory as the "highest next to statehood" within the American system) nor, as we have pointed out, did it mention the question of union with Hawaii.

The present writer's own impression is that most of the members of the Commission were attracted to the idea of Commonwealth status but not to territorial status. They did not wish to be latter-day Guamanians or appendages of Hawaii; nor, for that matter, did they appear to be enamored of the concept of American citizenship or liability to the draft, which the Puerto Ricans enjoy. But Puerto Rico's wide measure of internal autonomy coupled with a de facto right of self-determination, viewed against a background of impressive economic development and participation in a range of American social welfare programs, had much to commend it. Why the Commission distinguished Commonwealth status so sharply from free association according to the Cook Islands model was not clear. The Cook Islanders have retained New Zealand citizenship and free access to New Zealand; the economy is heavily subsidized by New Zealand; and the Islands have an explicit constitutional right to opt for independence. It is true that the Cook Islands do not enjoy high living standards, and they do not share fully in the social benefits of New Zealand, but then the islands are very remote and poor in resources, and New Zealand is a fairly small and not particularly rich country. Moreover, it is open to the Cook Islands Legislature to enact measures for reasonable protective discrimination in favor of the indigenous inhabitants.

Finally, there was the possibility of remaining a trust territory indefinitely. Such a decision might expedite economic development by leaving United States exposed to pressure; if the status issue were resolved, there is a danger that Micronesia would be allowed to fall back into oblivion.

This last suggestion would be unattractive to the United States Government, to international opinion and to a growing number of educated Micronesians.[9] If such a state of affairs were to come to pass, it would be a by-product either of disagreement with the United States or within Micronesia on the status issue, or of failure to persuade the United Nations that the trusteeship agreement should be terminated—for example, because the Micronesians had opted for a status less than sovereign independence.

III

In July 1969 the Micronesian Future Political Status Commission issued its final Report. It came down in favor of an internally self-governing state in free association with the United States. If negotiations for free association were to fail, the Commission recommended that Micronesia ultimately opt for independence as a unified state.[10]

During the preceding few months there had been several developments. First, the Commission had engaged Professor James W. Davidson of the Australian National University, Canberra, as its constitutional consultant. Davidson, a New Zealander, was entirely independent of the Territorial Administration. He had been one of the architects of the Cook Islands free association scheme and Western Samoa's independence constitution. In 1967 he had advised Hammer de Roburt in Nauru during the difficult but successful negotiations for independence. His appointment to advise the Micronesian Commission was an astute and significant move.

Second, the Fourth Amendment to the Secretariat Order which had originally constituted the Micronesian Congress provided for a number of significant changes in the legislature. Government officers and employees and members of district legislatures were now disqualified from membership in Congress (they had previously been permitted to serve because of a dearth of suitably qualified candidates); a salary of three thousand five hundred dollars per annum was provided for each member of Congress [11] (compensation of members had previously been fixed at sixteen dollars per day plus travelling allowances); and the length of regular legislative sessions was increased from thirty to forty-five days per year, with provision for an additional regular session of up to fifteen days in alternate years. The fact that, in the future, salaries would be paid out of American congressional appropriations underlined the difficulties implicit in an option for independence. However, with the Congress of Micronesia now a body of salaried members and with the length of its usual sessions for 1969 now doubled, the status of Micronesian Congressmen had been enhanced rather than diminished in their own eyes and the eyes of the electorate. As professional legislators, they became more, not less, self-assertive.

Third, the Status Commission had broadened its horizons by talking to the political leaders of Nauru and the Cook Islands, and visiting American Samoa, Western Samoa, Fiji, and Australian New Guinea.

Fourth, it conducted public hearings in each of the six districts in order to sound local opinion and further political education.

Fifth, the election results in the Marianas (the Popular Party's candidate had been narrowly, but surprisingly, defeated) had probably reduced the future dimensions of the problem created by the separatist movement in that district. (However, see footnote 4 for evidence that in November 1969 this problem still remained).

Sixth, in April 1969 the Commission issued a Statement of Intent, virtually a synopsis of the conclusions contained in its Report three months later.

Seventh, in May 1969 the new Secretary of the Interior, the new Director of the Office of Territories,[12] and high-ranking defense officials visited Micronesia. The ball was already in their court, and they were in a position to assess the nature of America's problems.

Eighth, it was becoming increasingly likely that the United States would (i) relinquish its political status in Okinawa, where it had massive bases, and (ii) phase out its commitment in Viet Nam, during the next few years. The net result would probably be an increase in the strategic "denial" value of Micronesia to the United States. But it was impossible to predict how the change of government in Washington and the introduction of new faces among those responsible for the Territory's affairs [13] would affect the Administration's policies.

IV

The 1969 Report of the Future Status Commission was far more decisive and explicit than the Interim Report. It summarily dismissed integration with Japan as being neither advantageous nor practicable. It rejected the idea of integration with the United States,[14] while recognizing the economic benefits that incorporation with the American constitutional system would bring. The disadvantages, paramount in the eyes of the Commission, were five: other United States citizens would have equal rights to acquire land [15] and conduct business in Micronesia; Micronesia would lack control of its own affairs; Micronesians would be subject to United States taxes; they would have fewer opportunities to hold key positions in the government; there would be intensified Americanization, which would diminish the prospect of preserving Micronesian cultures. The Report failed to make clear, however, that some of these consequences would flow only from complete integration—e.g. as part of the State of Hawaii. Guam, an unincorporated territory of the United States, has a large measure of internal self-government; Guamanians hold most of the key positions in the Administration; the tax system is not the same as on the mainland. But to the Micronesians (except in the Marianas) America is no more than a generous and helpful friend. Most Micronesians, unlike Guamanians, do not *want* to be incorporated into the great American family; they do not feel that they are or ought to be Americans. Nor do they wish to have their hands tied by the Pentagon. Their aversion to territorial status rests to a large extent on a distaste for the situation in Guam, which they see as inimical to self-respect. To the members of the Status Commission, a merger with Guam imposed by the United States while Micronesia was still a trust territory would be unacceptable.

Nevertheless, the Commission took note of sentiment in the Marianas District in favor of an immediate merger with Guam,[16] and of interest shown at its public hearings in all districts in relationships with Guam. It dealt judiciously with the separatist movement on the Marianas, and went so far as to declare that it "would not oppose a political union which reflects the freely-expressed desire of a majority of the residents of the district." [17] But it also commented that it was ultimately for the United States and the United Nations to resolve this question, and expressed the hope that separation would not be embarked upon till all possibilities for partnership had been explored.

Footnotes at end of article.

The Commission foresaw a growth in cooperation between Guam and the Trust Territory, and thought it "not impossible" that Guam and Micronesia might one day comprise a single political unit.[18] But first the Trust Territory had to become a self-governing state in free association with the United States. If the people of Guam were to join the people of the Trust Territory in a movement towards full internal self-government, the question of a future union could be carefully discussed.[19] This part of the Commission's Report was cautiously and somewhat vaguely worded, perhaps for the purpose of securing unanimity on a contentious issue. Union between a self-governing Micronesia and Guam may indeed not be "impossible," but there would have to be big changes of attitude in both territories before it could be seriously contemplated.

On the central issues, the Commission shed the reticence it had shown in 1968. Micronesia had to become fully self-governing "because the continuation of a quasi-colonial status would prove degrading to Micronesia and unworthy of America." [20] But America had strategic interests in the area. For this purpose it needed to use the Micronesians' most precious asset, their land; and it should be prepared to pay an appropriate price, freely negotiated with Micronesians, for such facilities. The price would entail the provision of material and human aid to the Micronesian Government, and the representation and protection of Micronesia in international affairs. In return, Micronesia would accept some relinquishment of land for American military purposes, the social consequences of the presence of American military personnel, and the prospect of being a target in a future war.

The Commission envisaged the following procedure. First, a formal request by the Congress of Micronesia to the United States Congress for the passage of an enabling Act similar to the Act under which Puerto Rico's Commonwealth (or free association) constitution was adopted by the people; second, negotiations by Micronesian representatives with the Federal Government in Washington; [21] third, the adoption of an extensive program of political education in Micronesia, inspired by the initiative of individual members of the Congress of Micronesia; fourth, the election of a Constitutional Convention in Micronesia to determine the future constitution; fifth, submission of both the constitution prepared by the Convention and the question of political status accompanying it to a referendum of the people. If the proposals were rejected by the people, trusteeship would have to be prolonged till a satisfactory solution was reached. If the proposals were rejected by the voters of a single district, the Congress of Micronesia "should take this into careful consideration and attempt to resolve it." [22] The Commission was clear that the constitution could not be one handed down by the Administering Authority, and that close consultation with the United Nations should be maintained.

The Commission did not offer detailed suggestions for the future structure of internal self-government, but noted a consensus that the interests of each district ought to be taken into account; that no district or group of districts be allowed a dominating position by reason of numerical superiority; and that unity must be compatible with decentralization and the recognition of diversity. It might be desirable to vest executive power in a council representing all districts instead of concentrating that power in one individual.

Perhaps the best section of the Report was the succinct appraisal of the advantages and and disadvantages of independence.[23] An independent Micronesia would need to have close ties with a major power, presumably the United States, and would depend on that power for grants in aid and rental for leased strategic bases. An attempt by that power to exert undue pressure on an independent Micronesia would be more difficult than if Micronesia were its associated state. Its authority in an independent Micronesia would be defined by treaty. As an independent state Micronesia could, if it wished, take part directly in the affairs of international organizations; it would have more freedom of manoeuvre. The Commission also thought that a decision to opt for independence would assist the growth of national pride and a sense of Micronesian identity. Independence, moreover, would be an outcome acceptable to the United Nations.

On the other hand, the absence of a formal constitutional link with the United States would leave Micronesia in a perilous economic position as one among many claimants for foreign aid.

Even if the American Government felt a sense of obligation, their sympathy might not be shared by Congress. As an independent state, Micronesia could not expect duty-free entry for its exports to the United States or so ready a supply of American expert advisers, though it would be free to seek assistance elsewhere. However, independence would probably mean a fall in Micronesia's already low living standards. Given the "grim realities" of Micronesian conditions, the Commission recommended independence "only as a second alternative to be considered if self-government in free association with the United States should not be possible." Earlier in the Report the Commission had stressed that failure in the negotiations with the United States should not lead to "an abrupt and immediate plunge into the hardships and uncertainties of independence", but to a lengthy prolongation of the Trusteeship Agreement while the the basis for viable Micronesian independence was being established.[24]

In two respects the Commission seems to have been unrealistic. First, independence would be more likely to lead to insular fragmentation than to national unity, except possibly in the very short term. One clear advantage of association with the United States would be that America could be expected to apply coercion to a secessionist island group. It might be more reluctant to do so at the invitation of an independent Micronesian Government. Second, it is hard to believe that the United Nations would recognize the validity of an act of self-determination which did not offer the Micronesians the *option* of voting for independence.

The Report is markedly vague on the type of association arrangement the Commission had in mind. From its omissions one may perhaps infer that the Commission favored a relationship with the United States less close than that of Puerto Rico but not quite as loose as that between New Zealand and the Cook Islands. Nothing in the Report suggests that the association arrangements should include a provision (which exists in the Cook Islands and the British associated states) for termination at the instance of either party. Presumably this omission reflects the fear that Micronesia might one day be cast adrift to fend for itself. But the independence option cannot be dismissed so easily. Again, the Report seems to assume that Micronesians (unlike Puerto Ricans) would not be American citizens, but should enjoy free access to the United States and the American market, whereas American citizens would not enjoy corresponding rights of access to Micronesia; and that the United States Government and Congress would lack paramount authority in Micronesia (as New Zealand lacks paramount authority in the Cook Islands) except in relation to external defense and international relations. However, it is understandable that the Micronesians should seek the best of all available worlds. It is also understandable that, whatever the Report may say, continued association with the United States would be, for many Micronesians, a second best, a sacrifice of their emotional preference for independence.

v

America's self-image has been and still is that of a noncolonial, indeed anticolonial, power. For a number of reasons this image is no longer credible in much of the inaptly named "third world." [25] American interests have demanded support for a western alliance with colonial powers; military intervention in small countries menaced or thought to be menaced by Communist subversion or take-overs; the maintenance of foreign bases; and the adoption of positions in the Middle East and Southern Africa too moderate to satisfy inflamed passions. In addition, the United States remains subject to the hostile scrutiny of the Committee of Twenty-Four because of its "colonial" stance in Guam, the Virgin Islands, American Samoa and Micronesia. It has the disadvantage of being wealthy in a world of poor nations; it is accused of neo-colonialism. It houses the United Nations in New York, where delegates can observe for themselves a wide gulf between riches and squalor, surges of black revolutionary sentiment, and violent manifestations of social disorder.

The international image of the United States may improve; it may deteriorate. In any event, the influence wielded by the United States at the United Nations and in the world at large is more impressive than America's popularity. Its success (for what it is worth) in securing the exclusion of Communist China from the Chinese seat at the United Nations for so many years bears testimony to this fact. But in such a context the United States must surely handle the problem of Micronesia with delicacy and finesse, unless, of course, it is prepared to thumb its nose at United Nations opinion in defense of an interest inessential to national survival.

Relations between the United States and the Trusteeship Council have been amicable. The comments of the 1967 Visiting Mission to Micronesia were far from being uniformly uncomplimentary. At the conclusion of the debate on Micronesia in the Trusteeship Council in June 1968 the Senior American representative, a newcomer to these proceedings, was moved to observe that he had "never met a group of members of any [United Nations] body who could surpass, or even match in courtesy, cooperation and diligence, the members of this Council." [26] The Trusteeship Council is now a waning force.

Its proceedings attract little attention. At the Council's second meeting on Micronesia in May 1968 none of the sixty-six seats in the press gallery was occupied. Attendance in the public gallery—admittedly on a wet morning—varied from one to four. One spectator fell asleep. However, the Trusteeship Council, provided that it survives, may play an important role in the process of self-determination for Micronesia, if only because among the organs of the United Nations it is the least unsympathetic to American viewpoints and by far the best informed about the problems of the area. A Visiting Mission from the Trusteeship Council is going to Micronesia early in 1970. It may well be the last. America's interests dictate that the Visiting Mission's Report be generally favorable. That Report is unlikely to be favorable to the Administering Authority unless there are clear signs that (i) preparations for an act of self-determination are on their way and (ii) Micronesians will be left to choose their own ultimate status and not have that status thrust upon them.

It does not follow that America must totally endorse the recommendations of the Micronesian Future Political Status Commission or offer a blank cheque to Micronesia.

Footnotes at end of article.

Given the general climate of opinion in the United Nations, it is essential that (1) Micronesia be offered a genuine independence option and (2) the conduct of a referendum on the status issue be supervised or observed by United Nations representatives. There is no precedent for a trust territory opting for a status other than independence in its own right or as part of a contiguous independent state.

If Micronesia is not going to opt for independence, moderate anti-colonial opinion at the United Nations must at least be satisfied that the Micronesians really do not want independence. This cannot be demonstrated unless the Micronesians are offered the option, even if they would prefer not to be offered it. And the offer (which could be post-dated) should not be accompanied by threats of cessation of all economic aid if the Micronesians were to vote for independence; otherwise the people's choice of an association arrangement might be justly criticized as having been made under duress. It must be borne in mind too that, since the Anguillan episode, free association is widely regarded as colonialism masquerading under a thin disguise.

Termination of the Trusteeship Agreement must be approved not only by the United States Government (see Agreement, Art. 15) and Congress, but also by the Security Council. The General Assembly has no *locus standi*, since Micronesia is a strategic trust territory. If the Administering Authority purported to terminate the Agreement unilaterally, this would be ineffective in international law.[27] The United Nations Charter is strangely silent on the procedure to be adopted; but we can assume that (1) any resolution to terminate the Agreement must be passed by the Security Council and (2) each permanent member of the Security Council would have a right of veto. In addition, the matter would probably be construed as sufficiently important to require an affirmative vote of nine of the fifteen members of the Security Council, including the concurring votes of the permanent member.[28] The onus of satisfying an anti-colonial majority of the Security Council will not easily be discharged.

Perhaps the United States will be able to come to an understanding with the Soviet Union. If, however, Peking has occupied the Chinese seat by the time the issue comes before the Security Council, the prospects of a veto will be very real. For this reason alone the United States will be well advised to treat the question of ultimate status as urgent. If, moreover, things go wrong at the United Nations, if a referendum cannot be conducted with the blessing of the United Nations, or if its outcome is unacceptable to the Security Council, the United States will remain saddled with a trust territory for which it is no longer prepared to be internationally accountable. This state of affairs, leaving the United States barraged by international criticism and harried by ungrateful wards, ought to be avoided if possible.

The United States should therefore be accommodating to the Micronesians. It should, however, make clear that any association arrangement submitted to the people for approval must include provision for unilateral termination of the arrangement, enabling the Micronesians subsequently to proceed to independence if they so wished. Preferably that option for unilateral termination should extend to the Micronesians alone. But it would be asking a good deal of the United States not to insist on a reciprocal right to terminate the association.

The Micronesians ought not to be offered the choice of fragmentation. There is no dearth of particularist sentiment, and to legitimize it would be to encourage it, to the detriment of the Territory as a whole. To afford the Marianas the option of seceding to join Guam would be very badly received at the United Nations. Possibly the least unsatisfactory solution to this problem would be for the Constitution of Micronesia to provide that within a prescribed period *after* Micronesia had attained associated status (or independence) a referendum be held on the issue in the Marianas District.

From all this it follows that the United States should be prepared to risk its own interests in Micronesia in order not to thwart Micronesia's desire for autonomy and thereby antagonize the great bulk of international opinion. Temptation to palm Micronesia off with territorial status, either as a new unincorporated territory or as part of Guam, must be firmly resisted. Micronesians outside the Marianas do not want such a status. The annexation of a trust territory by a Western Administering Authority is without precedent and the status of an unincorporated territory is regarded by the United Nations as more "colonial" than that of a trust territory. True, America's defense interests could be better protected by the annexation of Micronesia than by any other constitutional arrangement. The embarrassment of seeing "immature" Micronesia leapfrog the Virgin Islands, Guam and American Samoa by achieving full internal self-government in a sudden bound would also be avoided. Again, there is a lot of ocean within the boundaries of Micronesia, which might yield wealth to be exploited one day, and the economic future of the Micronesians would become less uncertain. But the international image of the United States would be gravely damaged by such an imposition.

The general guide-lines for the United States to follow have been indicated by the Report of the Future Political Status Commission. An outsider would be presumptuous to prescribe the manner in which a scheme for association should be negotiated. Clearly, United States congressional leaders must be brought into the picture at an early stage; enabling legislation will be required, and it must not be allowed to suffer the fate of the joint resolutions on the Presidential Status Commission[29] or the dismal delays in implementing proposals for constitutional change in the Virgin Islands.

Meanwhile, development aid to Micronesia must somehow produce tangible results. This will at least help to dispel the pervasive sense of pessimism in Micronesia. Rome cannot, and yet it must, be built in a day and a half; and it must be built in the hearts and minds of Micronesians. Above all, Micronesians who are in politics must feel that they have a meaningful voice in shaping their country's destiny. Leading members of the Congress of Micronesia must be brought into closer association with the Territorial Government, participating directly in the formation and implementation of local policy decisions.

Their views on the question of Micronesia's future status—views which, by modern international standards, are distinctly moderate—must be listened to with the greatest respect in Washington. And within an agreed framework, the elected representatives of the Micronesians must then be allowed to evolve, in a Constitutional Convention, their own form of government, free from external constraint. If these principles are applied without procrastination, there is every possibility that the people of Micronesia will determine their future by opting for free association with the United States.

FOOTNOTES

[1] Secretarial Order No. 2882 is the instrument whereby the Congress of Micronesia had originally been constituted in 1964.

[2] Travel and subsistence allowances were to be met out of local funds appropriated by the Congress of Micronesia. At the same time, the salary of the Legislative Counsel to the Congress became payable out of the funds appropriated by the Congress of Micronesia instead of the High Commissioner's budget.

[3] See CONGRESSIONAL RECORD, vol. 113, pt. 18, pp. 23809–23810.

[4] An unofficial plebiscite taken in Guam in November 1969 has shown, however, that there is substantial opposition in that island to merger with the Marianas. Nonetheless another unofficial plebiscite taken in the Marianas a few days after the poll in Guam indicated that merger with Guam was still the preferred course for the district, despite the opposition of Guam.

[5] The Governor's views are reported in the *Guam Daily News*, July 5, 1968, p. 4.

[6] See *Reports on Pacific Affairs 1965:* Hearings before the Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs, House of Representatives, 89th Congress, 1st Session (August 5–11, and September 7, 1965) (Serial No. 16–54–164, Washington, D.C.).

[7] Interim Report, p. 17.

[8] Interim Report, p. 21.

[9] Though many persons to whom the members of the Trusteeship Council's Visiting Mission of 1967 spoke had asked them: "Why is the United Nations rushing us? What is the hurry?" (Report, T/1658, S. 317).

[10] In July 1968 I had intimated to certain members of the Commission that if I had been asked to advise them, my own provisional inclination would have been to advise them broadly along such lines. I have no reason to suppose, however, that this informal and tentative expression of opinion carried any real weight.

[11] The Speaker of the House and President of the Senate were to receive an extra five hundred dollars per year.

[12] After the inauguration of the Nixon Administration, Mrs. Elizabeth P. Farrington replaced Mrs. Ruth G. Van Cleve.

[13] High Commissioner William R. Norwood, a conscientious and respected public servant, was replaced in 1969 by Edward E. Johnson, a businessman and chairman of the Hawaii State Republican Party. Initial reactions in Micronesia were cool. Peter Coleman, the well-liked district administrator for the Marianas, and former Governor of American Samoa—he is a part-Samoan—was appointed to the new post of Deputy High Commissioner for the Territory.

[14] Report, 48–49.

[15] The possibility of an American Samoan solution was not considered in the Report, perhaps because the constitutionality of protective discrimination in favor of the Samoans was questionable.

[16] In the Marianas Islands District (and particularly in Saipan, the most populous island in the District), desire for union with Guam is based partly on ethnic, linguistic, cultural and religious affinity; partly on the hope of sharing the economic benefits (in particular, the high minimum wage rates) accruing to Guam as an unincorporated territory and defense bastion of the United States; and partly on dissatisfaction with the relative anonymity of the Marianas in the new constitutional order. There is resentment at the material diminution of the status and resources of the Saipan municipality and the Marianas' contribution to the Territory's revenue exceeds the funds granted them by the Congress of Micronesia (a situation which may be aggravated when a territorial income tax is imposed). On Saipanese separatism see generally Reports of the United Nations Visiting Missions for 1961 (T/1582, 55–69), 1964 (T/1628, 245–248, 284–291) and 1967 (T/1658, 321–324).

[17] Report, 37.

[18] *Ibid.*, 38.

[19] *Ibid.*, 39–40.

[20] *Ibid.* 8 (Statement of Intent.)

[21] Preliminary discussions were taking place in the fall of 1969.

[22] Report, 43.

[23] *Ibid.*, 45–48.

[24] *Ibid.*, 25.

[25] See, on these matters, two penetrating articles by Kenneth Twitchett, "The Ameri-

can National Interest and the Anti-Colonial Crusade," 3 *International Relations* (David Davies Memorial Institute of International Studies, London) (1967), 273–295, "The United States and *le Tiers Monde*," *ibid.* (1968), 328–354.

[26] United Nations Document T/PV.1341 (June 19, 1968), 62.

[27] See *Advisory Opinion on the International Status of Southwest Africa* (1950) I.C.J. Reports 128.

[28] See Charter, Article 27 (3) as amended; Geoffrey Marston, "Termination of Trusteeship" 18 *International and Comparative Law Quarterly* 1–40 (1969), 13.

[29] Three days after the presentation of the Future Political Status Commission's Report, the Congress of Micronesia adopted a joint resolution "urgently" requesting the President and Congress of the United States ". . . to give serious consideration to the future political status of Micronesia and the ways in which this status should be finally resolved . . ." This Joint Resolution was laid before the United States Congress as a petition. See Congressional Record—Senate, p. 20963 (July 28, 1969).

Mr. Speaker, on several occasions I have discussed on this floor the situation in Micronesia, the Trust Territory of the Pacific Islands. I have taken this time primarily to call the attention of the Members and others who read the CONGRESSIONAL RECORD to a report prepared under the auspices of the Center for International Studies of New York University.

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

Mr. BINGHAM. I am glad to yield at this time to my colleague from New York (Mr. CAREY).

Mr. CAREY. Mr. Speaker, I understand the gentleman's purpose today to be to call the attention of the Members to a report to which he refers which was prepared by a scholar, evidently, Prof. Stanley de Smith, of Cambridge University, who I understand is the constitutional adviser to the British Government. I appreciate the gentleman's effort to assist us in gathering information which will assist the committee of which I am chairman, the Territories Subcommittee, in our deliberations with regard to the Trust Territory of Micronesia and other areas under the U.S. flag. I also appreciate as a former member of the subcommittee of the Committee on Interior that the gentleman maintained an active interest in this area and the wide periphery of his interest in the Congress so as to include the affairs of our Government in the trust territories as well as the other foreign relations of our Government. We are fortunate to have his valuable experience as our former representative to the trusteeship Council of the United Nations where he served with great distinction in that body. I merely state that I do not question Dr. de Smith's competence in this field. I might add as a citizen of the United States that we can always look to a citizen of a constitutional monarchy like Great Britain, our ally in the world, for advice on many of our foreign deliberations. I might say, while not trying to be facetious but observing pertinently, that I would observe Dr. de Smith would know a great deal about colonization and decolonization, since the country of his origin practiced so much of it over the centuries, and we owe our existence to the fact that we were able to decolonize ourselves through a revolution.

Mr. Speaker, I will not take any more of the gentleman's time now because I will be following his special order with a special order during which I will take an hour to give my own comments on Dr. de Smith's report and also say that as we go on we will be leaning on many more authorities to help us steer what we hope will be a true course. Since we have heard from Dr. de Smith on the matter of colonization as a British subject, I might invoke my prerogatives as chairman to invite to testify before the subcommittee another constituted authority who is a Member of the British Parliament by the name of Bernadette Devlin, who may be able to advise us as to what Great Britain might do in terms of decolonization of the six counties of Northern Ireland.

I thank the gentleman for yielding.

Mr. BINGHAM. I thank the gentleman for his contribution and for his comments.

I would just like to say that I certainly agree with him in his remarks about the sad record that we have witnessed as far as the Government of the United Kingdom is concerned toward the six counties of Northern Ireland.

On the other hand, I think in many areas of the world the Government of the United Kingdom has established in recent years since World War II particularly a quite remarkable record of granting independence and granting help to many of the territories previously under its administration, territories that included colonies, protectorates, and several trust territories under the United Nations trusteeship system.

As I pointed out in my prepared comments, I think it is appropriate that a representative of the British Government comment upon this subject.

We have in Micronesia an international obligation as the gentleman very well knows and any arrangements that we may ultimately submit for approval to the United Nations with regard to the disposition of our trusteeship in Micronesia will have to be approved by the Government of the United Kingdom, both as a member of the trusteeship council and as a member of the Security Council.

So, I think it is appropriate that we pay attention to comments from outsiders. As the gentleman from New York knows at the present time the primary obligation of administering the trust territories is in the hands of the United States. As I have also pointed out in my remarks, I think it is pertinent to say at this time that the great Committee on Interior and Insular Affairs, and particularly the gentleman's subcommittee of which he is the distinguished chairman, has the responsibility for legislation affecting the trust territory, as it does with reference to other territories.

There are implications to the total problem of Micronesia that I think are of great interest to other committees, including the Committee on Foreign Affairs of which I am a member, especially insofar as its relationship with the United Nations is concerned, and also the Committee on Armed Services, since the islands in question occupy certainly a very strategic part of the Pacific Ocean.

Mr. UDALL. Mr. Speaker, most Americans would be surprised to know that the United States has held in trust since 1947 scores of widely scattered Pacific islands making up the little-known nation of Micronesia. These islands were originally placed under Japanese mandate in 1919, with the exception of Guam, Wake, Nauru, and the Gilbert Islands, which Japan later invaded and held during the early part of World War II. They were retaken by American forces in 1942–43, and we have stayed there ever since.

Micronesia has prospered and matured politically for 23 years under our care. Now, many believe, is the time to offer the citizens of this quickly emerging nation the chance to be self-governing. This call for independence leads me to believe that the United States has carried out its trustee duties well, that we have succeeded, in line with the United Nations Charter, to encourage political economic, social, and educational advancement leading to independent government.

As a member of the Interior Committee, and as one who has taken an interest in our territories, I urge the administration and the Congress to consider seriously the recommendations of the Micronesian Future Political Status Commission. In its recent report, the commission suggests that the time for self-government of this once piecemeal colony is rapidly approaching and that a Micronesian national referendum be held to determine its future political ties with the United States.

There are many urgent reasons for following this general plan of action. But perhaps the most important is to demonstrate to the world community once again that even in this crucial period in Asian history, we desire no colonial possessions for economic, political or military advantage.

Once again, I urge my colleagues to give serious consideration to the Micronesia question.

GENERAL LEAVE

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from New York?

There was no objection.

U.S. ADMINISTRATION OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from New York (Mr. CAREY) is recognized for 15 minutes.

Mr. CAREY. Mr. Speaker, I rise in response to the remarks of the gentleman from New York (Mr. BINGHAM) concerning the U.S. administration of the Trust Territory of the Pacific Islands.

While I have not had occasion to study

the "Policy Paper on Options for Micronesia: A Potential Crisis in America's Pacific Trust Territory" prepared by Prof. Stanley de Smith of Cambridge University and constitutional adviser to the British Government on its decolonization program, released to the press yesterday, I am aware of its critical import. Perhaps, upon further study of this policy paper, I shall, at some future time express further comment thereon.

At this time, however, it is most important I believe to allay any fear or alarm my colleagues may sense by the remarks of the gentleman from New York (Mr. BINGHAM) and the "Potential Crisis" as referred to in the paper of Professor de Smith. There is no crisis developing in the U.S. administration of the Trust Territory of the Pacific Islands. The only crisis, whether it be potential or developing, in the Trust Territory of the Pacific Islands is in the views and expressions of those who wish to see it as a crisis.

Suffice it to say that in all history the cause-and-effect relationship between people and their actions have always constituted a "potential crisis." This poor choice of words results in an inaccurate implication.

The remarks of the gentleman from New York and the expressions of Professor de Smith trouble me to the extent that they imply an unresponsive or irresponsible attitude upon the House Committee on Interior and Insular Affairs and its Subcommittee on Territorial and Insular Affairs of which I happen to be the chairman. I am more troubled by the gentleman's support of Professor de Smith's statements, which I am advised attempt to characterize the United States as a colonial power and impugn the international relations of this great Nation.

For these reasons, Mr. Speaker, I would like to first briefly tell this body and all the world of the record of the United States, and in particular the Congress of the United States, in the evolution of our territorial responsibilities.

In 1787, the fathers of this Nation ordained in the Constitution of the United States that the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property of the United States.

Since that time the sovereignty of the United States has been extended over noncontiguous areas not by the exercise of colonial power, but through negotiation and treaties of purchase or cession. In 1867 the United States acquired Alaska. Between 1900 and 1904, the islands of American Samoa were ceded to the United States. In 1917, the Virgin Islands were purchased from Denmark, and in 1947 the United States became the administering authority of the Trust Territory of the Pacific Islands. The trust territory is not a territory of the United States, and in that sense is different from those areas which I have mentioned, which are, or have at some time been, territories of the United States.

In 1946 the Republic of the Philippine Islands achieved its sovereign independence. In 1952, the territory of Puerto Rico attained commonwealth status. In 1959, the territories of Hawaii and Alaska achieved statehood.

It is worth pausing for the moment to reflect on the fact that this is an exemplary record and the United States, and in particular the Congress, should be commended for having displayed the creativity and flexibility so necessary in dealing with the people, their culture, and the desired political status of these areas. There has been no preordained path for each to follow. The course has been simply what the majority of the residents of each of these areas chose to follow—and that chosen course has been what the United States has extended them the privilege of following.

The result has been that this Nation, the Congress, and more specifically, the House Committee on Interior and Insular Affairs, has experienced and successfully dealt with the political status of noncontiguous areas ranging from sovereign independence, in the case of the Philippines, through commonwealth status to statehood.

As I have previously mentioned the situation in the Trust Territory is uniquely different in that it is not a territory of the United States. This area is administered by the United States under a trusteeship agreement with the Security Council of the United Nations. Under this agreement as administering authority the United States has undertaken to promote the economic, educational, social, and political advancement of the people of the Trust Territory of the Pacific Islands.

The area of the trust territory approximates the size of the continental United States, involving 2,141 islands and atolls in the Western Pacific Ocean of which 97 are inhabited, having a population of approximately 92,000 people.

Upon execution of the Trusteeship Agreement the civil administration of this area was entrusted to the Secretary of the Navy and remained so until 1962, when by Executive order, the responsibility for administering the trust territory was vested in the Secretary of the Interior. During this period, Congress has provided for the continuance of the civil government in the trust territory by increasing the appropriation authorization from a level of $4,271,000 in 1952 to $50,000,000 in fiscal year 1970 and 1971.

Since 1965 with the establishment of the Congress of Micronesia, a bicameral legislative body of popularly elected Micronesians and with the substantial increase in authorized appropriations for continuance of the civil government in the trust territory in 1967, there has been significant progress in the educational, social, and political advancement of the people of the trust territory. The progress in these areas has been remarkable considering the level of appropriation. And, with this progress came the age of enlightenment to the Micronesian people. The result has been an awakening and awareness on behalf of the Micronesian people to the complex problems of providing adequate public works, buildings, and facilities throughout the trust territory, of establishing and changing the economic structure from a barter to a money economy throughout the trust territory. And, in this growing awareness has come the political desire for more self-government.

The primary responsibility for administering the trust territory has been and remains today, an executive branch responsibility. Congress has continually and since 1962, the Subcommittee on Territorial and Insular Affairs, has kept abreast of the economic, educational, social, and political advancement of the Trust Territory of the Pacific Islands. My subcommittee has constantly sought greater performance from the executive branch in its administration of these islands, particularly in the areas of public works and economic development. At the same time, the subcommittee has been acutely aware of the growing political expressions in the trust territory and has continually sought the executive branch position on the question of political status for the trust territory.

Let me make it abundantly clear that the executive branch has not as yet come forth with its position on the political status question. And, it should also be clearly understood that the executive branch has been unable to coordinate such a position among the executive departments involved.

The House Committee on Interior and Insular Affairs has consistently taken the posture that the executive departments involved, State, Interior, and Defense, should present a unified position on the question of political status to the Congress in order that Congress through the House Committee on Interior and Insular Affairs can take that position or alternatives to the people of the trust territory.

Because the executive departments were not able to agree on such a position or the alternatives, they fostered an executive communication during the 89th and 90th Congresses which was introduced by the gentleman from New York (Mr. BINGHAM) to establish a Commission on the Future Political Status of the Trust Territory of the Pacific Islands. To those of us who have been closely involved with the administration of the trust territory, it is clear that this executive communication was and is requesting the Congress to take the responsibility for making a decision which is properly the function of the executive branch of Government. In this instance the executive branch chose not to rely on the axiom of the executive proposes and the legislature disposes. The Status Commission proposal is merely a ruse for the executive departments to avoid their responsibility.

Since January, the Nixon administration has constantly been made aware of our committee's willingness and desire to deal with the political status question concerning the Trust Territory of the Pacific Islands. We have asked that legislation on this question be sent to the Congress. We are aware of the work being done to formulate this legislation both here in Washington and in the Trust Territory of the Pacific Islands. We are not aware from the reports to our committee or from members of the committee who have been to the trust territory this year or from the Department of the Interior of any "potential crisis."

On the contrary, the reports to our committee show that the report of the Micronesian Future Political Status

Commission has not been adopted by the Congress of Micronesia or the people of the trust territory. Reports to our committee also indicate that the members of the Micronesian Future Political Status Commission are not unanimous in their decision regarding the future political status of Micronesia. Moreover, the reports to our committee concerning the most recent discussions with the members of the Micronesian Future Political Status Commission, here in Washington, D.C., concerning their future political status, is that the discussions were recessed by the Micronesians in order to return home and further discuss the question before a decision is made.

From these reports, and the constant surveillance and experience of the members of the House Committee on Interior and Insular Affairs in this question, I see no reason for alarm or fear of a potential crisis for this Nation in its administration of the Trust Territory of the Pacific Islands.

Mr. Speaker, I rise also to respond in part to the valuable contribution which has been made by my colleague, the gentleman from New York (Mr. BINGHAM) with reference to this problem. However, I would like to add this addendum to what I have previously covered. That is, I would not like my colleagues in reading the RECORD to be totally convinced that in our deliberations in regard to the Trust Territory of the Pacific Islands that we will have to in a sense get approval or have at all times and in any event the understanding and guidance of other nations with regard to our actions there. The unique document which gives us the strategic Trust Territory of Micronesia permits this wide latitude in our operations in this area. It was wisely drawn to have that effect. It is a fact that if we desire to do so we could hold a referendum there and suggest various forms of associations, or the people could suggest various forms of associations with us. We could work out a form of association on the part of Micronesia and, in fact, one of our colleagues, the gentleman from Washington (Mr. MEEDS), has a bill which, if enacted, would do this.

But just to complete the record, and make it entirely accurate, I would like to make it perfectly clear at this time that with regard to the document under which we hold the strategic trust we can follow a number of options with regard to the eventual disposition of this area in the interest of its inhabitants and in our national interest, and we should not have to have the approval or any kind of understanding with any other nation to effectuate that possible development.

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

QUESTIONING MIDDLE EAST FOREIGN POLICY

The SPEAKER pro tempore (Mr. PRICE of Illinois). Under a previous order of the House, the gentleman from New York (Mr. FISH) is recognized for 20 minutes.

Mr. FISH. Mr. Speaker, last Sunday, December 14, I had an opportunity to speak before the B'nai B'rith of the city of Poughkeepsie, in my district, to give in effect a wrap-up of the first session of the 91st Congress, dealing with changes in direction both in domestic and foreign policies. With regard to the foreign policy portion of my remarks, I said:

In Foreign Affairs too there is a change. President Nixon in his Inaugural Address stated that we were moving from a period of confrontation to one of negotiation. The start of the long delayed S.A.L.T. (Strategic Arms Limitation Talk) talks is one indication of this new move. Vietnam is another. President Nixon has instituted two major changes in the policy which has dominated activity in that part of the world for over 10 years. He is conducting a phased troop withdrawal, not dependent upon what happens at the Paris Peace Talks, and had de-escalated from a policy of maximum military pressure to one of protective reaction to enemy attack. I have been among the backers of this policy.

One reason I have favored the President's position is because of the realization that our foreign policy is largely of a piece. A retrenchment and realignment in Vietnam is essential, and even if gradual will cause major adjustments elsewhere. Precipitous flight could, I believe, lead to a total deterioration of the credibility of our position in every area of contention. Even now, in spite of the Administration's policy of gradual but steady withdrawal, I believe signs of change—deterioration if you will—can already be observed.

In a speech last Tuesday night before the 1969 Galaxy Conference on Adult Education, Secretary of State William Rogers spelled out this country's position on the Middle East—a position which I confess I find perplexing.

At the start of the four power talks—which broke down and gave way to the bi-lateral talks between the Soviet Union and the United States—there was a clear pledge by the Administration that Israel's vital interests would be preserved—and that the four power talks would not lead to a sell-out of Israel. In May it was the position of our Administration that withdrawal of Israeli-occupied Arab lands must occur only with mutual consent of the parties directly involved, based upon a face-to-face settlement involving recognized, definable and just boundaries. These were our stated objectives in May.

Following the first announcement by the U.S. of what appeared to be a softening of the U.S. position on the Middle East, America was strongly denounced by Nasser. The December 9 speech by Secretary Rogers, proposed as a base for negotiations a pull back by Israel to its pre-1967 boundaries, plus joint Israeli-Jordan control of Jerusalem. Following this the Soviet Union stated that they too wished peace—although there was no indication of any Arab concession such as recognizing the right of Israel to exist—but added they were continuing their program of arming the Arab countries.

The Rogers' policy statement is too new to be fully clear, but as one who joined a Sense of Congress resolution in January of 1969, opposing the one-sided condemnation of Israel by the United Nations; as one who joined with a clear majority of the Congress on the occasion of Israel's 21st birthday, in which the Congress reaffirmed its conviction that peace could come only through direct Arab-Israel negotiations, I must view the recent statement by our Secretary of State with a great deal of concern.

Mr. Speaker, I must confess that I do not know why our Secretary of State chose in the first place to make a public statement such as his December 9 speech. It was obvious that the conditions set forth would be shot down not only by the Arabs and Israelis, but by the Soviet Union as well. Unfortunately the political realities of such a pronouncement and the reactions to it are to harden the positions of the respective parties and make it almost impossible for them to move in the direction of the concept proposed.

Aside from this, Mr. Speaker, I think it would be well for us to recall the language of the declaration signed by a clear majority of both the House and the Senate, which stated: "The United States should oppose all pressures upon Israel to withdraw prematurely and unconditionally from any of the territories which Israel now administers." Clearly, this declaration by the Congress is at odds with the recently stated policy of our State Department.

Mr. Speaker, the realities of the Middle East today involve matters that are not easy for U.S. policy to resolve. They include Arab intransigence, and adherence to a myth that Israel does not exist. They include the open support and sanctuary by Arab States of terrorist bands whose strength and influence has grown alarmingly. They include the fact that the Soviet Union stands to gain from the subjugation of the State of Israel the century-old dream of the Czarist regimes of a sphere of influence in North Africa, the Middle East and the gateway to the Indian Ocean. More important, Mr. Speaker, is the fact that the vital interests of the United States are at stake in this region. It is in the interests of our national security that an independent, viable, secure Israel exist in the Middle East.

In the light of these realities, it seems to me only prudent and consistent that the United States, while working toward direct negotiations between Israel and the Arabs of their disputes, should assist militarily and with economic assistance our friends in the Middle East. We have this opportunity now to respond affirmatively to the requests by Israel Prime Minister Golda Meir. These are: A further commitment to sell Phantom jets and other aircraft to counter the continuing Soviet buildup of Arab strength and, secondly, the request for financial assistance in the form of long-term loans to finance defense purchases.

MAINTENANCE OF U.S. SOVEREIGNTY AND JURISDICTION OVER PANAMA CANAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Texas. Mr. Speaker, in recent months certain elements in the Republic of Panama have renewed their attack on the jurisdiction of the United States over the Panama Canal and the Canal Zone. I believe the Congress has the clear responsibility to take whatever legislative action it deems necessary to insure that the United States retains its rightful sovereignty over both the canal and the Canal Zone.

In my view, the interest of the House of Representatives on this issue should

be clearly registered and forcefully stated by the adoption of a resolution expressing the American people's desire that the United States maintain its sovereign jurisdiction over the canal and the Canal Zone. To facilitate matters, I am today introducing a resolution which spells out what I think is the continuing interest, and the position of this country and the American people on this issue.

Our involvement in the Panama Canal has deep historical roots. In 1903, the United States and the Republic of Panama entered into a treaty to insure the construction across the isthmus of a ship canal of Panama, which would connect the Atlantic and the Pacific Oceans. Under the terms of that treaty, the Republic of Panama granted for all time to the United States, the full use, occupation, and control of a zone of land in the Isthmus of Panama and certain underwater land for the construction, maintenance, operation, and protection of the Panama Canal. The Republic of Panama also granted to the United States exclusive jurisdiction over the canal area and the Canal Zone. In return, the United States gave Panama what has amounted to almost $12 million; plus, we have invested almost $5 billion in the canal and the Canal Zone.

Through the years, the Panama Canal has grown in importance to the United States. It provides our shipping industry a vital commercial link to world markets. It opens foreign trade doors for our Nation. Approximately 70 percent of all canal traffic originates or terminates in U.S. ports. In this connection, canal operations net us more than $40 million annually, a substantial bonus for U.S. balance of payments.

The Panama Canal also constitutes a vital strategic asset for both national and hemispheric defense. Without free access to and full use of the canal, the flexibility and responsiveness of our water-based military forces would be dealt a severe blow. In addition, any disruption in canal operations would reduce the flow of foreign strategic materials that are normally supplied to the United States by way of the isthmus passage.

Mr. Speaker, in spite of the economic and strategic importance of the Panama Canal, representatives of the United States acting under the auspices of previous Democrat administrations have negotiated with Panamanian representatives three new treaties concerning U.S. rights in Panama. If these three treaties are ratified, certain changes will be made that will be clearly contrary to our national interest. Chief among them are:

First. Our original treaty with the Republic of Panama would be nullified. This would invalidate the rights, power, and authority that the United States has in Panama.

Second. A weak and perhaps inefficient form of international administration would be substituted for present U.S. control over the Canal Zone.

Third. U.S. ability to defend the canal in times of crisis, or to otherwise insure its security would be severely compromised.

Fourth. The United States would be forced to abandon both the $5 billion in capital investment it presently has in the Canal Zone; plus, we would lose the $40 million balance-of-payments bonus we receive each year from canal operations.

Fifth. The United States would be forced to renounce its sovereign jurisdiction over the canal and give exclusive rights to the canal to the Republic on or before the last day of this century.

Sixth. The United States would be entitled to construct, at its own expense, a second "sea-level" canal across the isthmus. Within 60 years after the opening of such a canal, all ownership rights would have to accrue without charge to the Republic of Panama.

Mr. Speaker, I believe that these changes would strike a mortal blow to our national interest in the Panama Canal and the Canal Zone. I believe further that my views are shared by a majority of my colleagues and the American people. The resolution I am introducing today will provide us all with an opportunity to formally, forcefully, and directly register our views on this vital matter.

I request permission to have the resolution printed in the RECORD at this point.

The resolution follows:

RESOLUTION

Whereas it is the policy of the House of Representatives and the desire of the people of the United States that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; and

Whereas under the Hay-Pauncefote Treaty of 1901 between Great Britain and the United States, the United States adopted the principles of the Convention of Constantinople of 1888 as the rules for the operation, regulation, and management of said canal; and

Whereas by the terms of the Ha-Bunau-Varilla Treaty of 1903, between the Republic of Panama and the United States, under the authority of the perpetuity of use, occupation, control, construction, maintenance, operation, sanitation and protection for said canal was granted to the United States; and

Whereas the United States has paid the Republic of Panama almost $50,000,000 in the form of a gratuity; and

Whereas the United States has made an aggregate investment in said canal in an amount of over $5,000,000,000; and

Whereas said investment or any part thereof could never be recovered in the event of Panamanian seizure or United States abandonment; and

Whereas under Article IV, Section 3, Clause 2 of the United States Constitution, the power to dispose of territory or other property of the United States is specifically vested in the Congress; and

Whereas 70 per centum of the Canal Zone traffic either originates or terminates in United States ports; and

Whereas said canal is of vital strategic importance and imperative to the hemispheric defense and to the security of the United States; and

Whereas, during the preceding administration, the United States conducted negotiations with the Republic of Panama which resulted in a proposed treaty under the terms of which the United States would shortly relinquish its control over the Canal; and

Whereas there is reason to believe that the present dictatorship in control of the Government of Panama seeks to renew negotiations with the United States looking toward a similar treaty; and

Whereas the present study being conducted by the Atlantic-Pacific Interoceanic Canal Study Commission may result in a decision to utilize the present canal as a part of a new sea level canal; and

Whereas any action looking toward an agreement with the Government of Panama which would affect the interest of the United States in the Canal would be premature prior to the submission of the report of the Commission in any event;

Resolved by the House of Representatives, that it is the sense of the House of Representatives that the Government of the United States maintain and protect its sovereign rights and jurisdiction over said canal and that the United States Government in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other sovereign nation or to any international organization.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, in 1967 civil aviation miles flown in the United States totaled 1,833,598,000—well over one-half of the world figure of 3,287,200,000.

NINETY-FIRST CONGRESS, FIRST SESSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 10 minutes.

Mr. WILLIAMS. Mr. Speaker, the first session of the 91st Congress moved toward adjournment in a flurry of activity inspired by the Democratic congressional leadership's efforts to take the sting out of President Nixon's charges that they had dragged their feet on many of his more meaningful legislative proposals, particularly in the domestic area.

My participation in this session was as active as in the previous sessions in which I have been privileged to represent the people of the Seventh District of Pennsylania. As this is written, my attendance record was 95.46 percent. I responded to 315 quorum and record votes out of 330. My prime effort, at all times, is to serve, conscientiously and diligently, the people of this district in an effort to solve all problems encountered at the Federal level. To do this effectively, I return to Delaware County almost every weekend and see constituents.

Letters are the best way in which to contact me when you have a problem, inquiry, request, or criticism. Letters give me a written record for my files and help to avoid errors.

VIETNAM DEESCALATION

President Nixon's determination to systematically reduce U.S. troop participation and to turn the military responsibility for the war over to the South Vietnamese continues despite substantially increased North Vietnamese infiltration.

Five months after his decision to withdraw the first 25,000 troops, and 3 months after his decision to withdraw another 35,000 by December 15, Mr. Nixon, that day, announced that he would withdraw another 50,000 by April 15, 1970. That meant that, by April 15, he shall have

withdrawn a total of more than 110,000 men.

This meant, further, that during his first 11 months in office, Mr. Nixon had dramatically reversed the tide of military acceleration which he inherited by reducing authorized U.S. troop strength from 549,000 on his inauguration day to 489,000 by December 15, with the promise of reducing that to less than 439,000 by next April 15.

There is no doubt that President Nixon is accomplishing that which all Americans desire; namely, the disengagement of U.S. troops from the Vietnam war. Some may disagree with his timetable, but none can disagree with the fact that he is successfully achieving his objective.

As the President put it on December 15:

> This reduction in our forces is another orderly step in our plan for peace in Vietnam . . . I shall not be satisfied until we achieve the goal we all want—an end to the war on a just and lasting basis.

SOCIAL SECURITY BENEFITS

On December 15, the House passed, with my support, a bill providing a 15-percent increase in social security benefits.

Earlier, President Nixon, who had proposed a 10-percent increase in social security benefits, had indicated that he would not veto a 15-percent increase if it reached his desk as legislation separate from tax reform. And Senate leaders had indicated that they were amenable to that proposition.

This 15-percent increase means that the approximate 25 million people benefiting from social security payments can enjoy a more adequate standard of living. These include such people as our senior citizens, widows with minor children and disabled workers.

FOREIGN AID

After World War II, the United States started a foreign aid program to help those nations ravished by war. To date, this program has cost us over $182 billion. This program has been a major factor in running our national debt up to over $360 billion with an annual interest payment of $16.7 billion. This means that our national debt is now over $57 billion more than the combined debt of all other nations. These huge expenditures for foreign aid have created a deficit in our balance of payments and have been a major cause of inflation.

It is long past the time when the money we are devoting to foreign aid should be used right here at home. This is why I voted against the Foreign Aid bill which, on December 9, squeaked through the House by the slim margin of 200 to 195. The new budget requests in the first 6 months of this calendar year totaled more than $10 billion for foreign assistance in the form of loans, grants and credits. I believe the original purpose of foreign aid has been more than fulfilled.

ANTIPOVERTY PROGRAM

There is much evidence that the so-called antipoverty program is a gigantic failure. Billions of dollars have been spent on this program. Much of this money has been spent for large salaries in top-heavy administration. The job training and educational programs have been inefficient and have not produced results. Under this program the impoverished people have received little actual assistance.

I have voted for many Federal expenditures that actually helped people. I have voted for increased expenditures for food stamps, low cost housing, job training under the Department of Labor, better education at all levels, improved health services, and other worthy programs.

Due to the ineffectiveness of the antipoverty program, on December 12 I voted against the bill to extend the life of the Office of Economic Opportunity which conducts this program.

DISTRICT OF COLUMBIA CRIME BILLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 60 minutes.

Mr. HOGAN. Mr. Speaker, I doubt if there is any Member of the House who is not intensely concerned about the crime situation in the Nation's Capital. The overwhelming vote today to augment the law-enforcement forces in the Capital City indicates this concern. To our increasing alarm we have noted a steadily increased rate of crime here.

The FBI's Uniform Crime Report released December 12 showing crimes in the District of Columbia for the first 9 months of 1969 compared with the first 9 months of 1968 highlight the problem:

	Murder, non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary, breaking or entering	Larceny $50 and over	Auto theft
Washington, D.C.:							
1968	128	183	5,633	2,316	13,350	5,503	8,219
1969	200	259	8,656	2,687	16,367	8,345	8,115

President Nixon, on January 31, 1969, made the Washington crime problem the subject of one of his very first messages to Congress. Later the Attorney General offered for our consideration various legislative proposals responding to the District of Columbia crime problem. I was very pleased to cosponsor these bills. These and other anticrime bills are pending before subcommittees of the House District of Columbia Committee under the chairmanship of the gentleman from Mississippi (Mr. ABERNETHY) and the gentleman from Texas (Mr. DOWDY).

I am highly pleased to have the opportunity to be serving on these two subcommittees.

As a freshman member of the District Committee, it has been deeply gratifying to me that the distinguished chairman of the committee, the gentleman from South Carolina (Mr. MCMILLAN) and the distinguished minority leader of the committee, the gentleman from Minnesota (Mr. NELSEN), have allowed me to participate actively in the crime bills before the committee.

On October 3, I summarized some of these bills and I will not repeat the arguments made at that time in support of these bills. I will, however, briefly describe them.

These bills deal with court reorganization, bail reform, strengthening the bail agency, a public defender system, and creation of a new code of juvenile procedure for the District of Columbia.

I was pleased to cosponsor with the gentleman from Maryland (Mr. GUDE) and the gentleman from Virginia (Mr. BROYHILL) a bill to create an interstate compact on juveniles. This bill has been approved by the House and is pending in the other body.

Today, I have introduced six additional crime bills and I have asked for this opportunity to explain these proposals and why I feel their enactment is important.

H.R. 15339 would amend the law to cover imitations of guns as well as actual guns for premium punishment when committing a crime when armed.

On December 27, 1967, Congress amended the District of Columbia Code, section 22–3202, to provide that a person who commits a "crime of violence when armed with or having readily available, any pistol or other firearm, or other dangerous or deadly weapon" may, in the discretion of the sentencing judge, receive an additional term of imprisonment "up to life." The statute as amended reads as follows:

> If any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may in addition to the punishment provided for the crime be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearms, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence.

The statute was designed to deter the increasing number of armed crimes in the District of Columbia by providing the sentencing judge with discretion to impose life sentences for those who frightened their victims with a weapon. In applying this statute, however, one significant problem has arisen in cases where the gun used in a crime of violence is not recovered. A majority of the robbery cases in the District of Columbia involve defendants who are arrested at least several days subsequent to the crime on an arrest warrant obtained after a photographic identification is made. Generally, in these cases, the gun used in the robbery is not recovered. The prob-

lem then arises whether the defendant can be charged and convicted of armed robbery under the District of Columbia Code, section 22–3202. In most of these cases, the Government can produce the victim who will testify that the robber had a weapon that looked like a pistol; however, the Government will be unable to show that the pistol was real, operable, and loaded—not an imitation or blank pistol. The statute is silent on these types of cases.

There is a substantial question whether the District of Columbia Code, section 23–3202 covers cases where the Government cannot show that the unrecovered gun was real, operable and loaded. Of course, the Government can argue first, that if the unrecovered gun looked like a pistol to the victim and was used as an aid to the robber in perpetrating the robbery, then a prima facie case is made out and the issue of whether the unrecovered pistol is a "pistol" under the statute should be submitted to the jury, and second, that the unrecovered pistol is an "other dangerous or deadly weapon" because it could be used to "pistol whip" a victim much like a blackjack, a billy or metal knuckles which are specifically enumerated in the statute. However, the problem still remains in interpreting the statute with respect to unrecovered guns.

Since the majority of robbery cases in the District involve unrecovered guns, the significance of the problem is maximum. If the District of Columbia is to get the full benefits of the District of Columbia Code, section 22–3202, it is necessary for Congress to clarify the statute to alleviate the problem discussed herein.

It makes little difference to the victim of a rape or robbery that subsequent to the crime it is determined that the weapon used was an imitation or blank pistol. At the time of the rape or robbery, the victim feared being shot or beaten with the weapon. That fear is not diminished by what is subsequently learned. In order to give the citizens of the District the protection they deserve, the proposed amendment to the District of Columbia Code, section 22–3202 is necessary.

The existing District of Columbia Code, section 22–3213 provides:

> This chapter shall not apply to toy or antique pistols unsuitable for use as firearms.

The proposed amendment to District of Columbia Code, section 22–3202, in my bill H.R. 15339 would modify section 22–3213 in its application to section 22–3202.

One of these bills, H.R. 15340, would allow evidence of prior convictions to be introduced to impeach the credibility of a witness.

The Luck doctrine of the U.S. Court of Appeals for the District of Columbia circuit provides that trial judges have discretion to limit or ban impeachment of a witness's credibility through introduction of prior convictions where, as the court said:

> The cause of truth would be helped more by letting the jury hear the defendant's story than by the defendant's forgoing that opportunity because of the fear of prejudice founded upon a prior conviction.

My bill would allow the prosecution to introduce prior convictions to impeach a witness' credibility. In other words, it would undo the obstacle which the Luck doctrine places in the way of the prosecution.

Convictions which carry a penalty of 1 year or more would be admissible as would any conviction relating to dishonesty or false statement, regardless of the term of imprisonment.

To give an advantage to rehabilitated individuals, however, evidence of a conviction would be inadmissible if a period of more than 10 years has elapsed since the expiration of the term of punishment.

Another of these bills, H.R. 15341, would amend certain provisions of the criminal law in the District of Columbia relating to rape. It would allow a judge to sentence a person convicted of rape to any term of years or for life. For so-called statutory rape, the sentence would be up to 30 years.

Presently, the District of Columbia Code provides that—

> Whoever has carnal knowledge of a female forcibly and against her will, or carnally knows and abuses a female child under sixteen years of age, shall be imprisoned for not more than thirty years: *Provided*, That in any case of rape the jury may add to their verdict, if it be guilty, the words "with the death penalty," in which case the punishment shall be death by electrocution: *Provided further*, That if the jury fail to agree as to the punishment the verdict of guilty shall be received and the punishment shall be imprisonment as provided in this section.

On April 8, 1968, the U.S. Supreme Court in *United States* v. *Jackson*, 390 U.S. 570, ruled that a substantially identical death penalty provision in the Federal Kidnaping Act, 18 United States Code, section 1201(a), was unconstitutional since it placed an impermissible burden—the threat of the death penalty—on the exercise of a defendant's right to a jury trial and tended to coerce a defendant to either plead guilty or be tried without a jury. The United States has conceded that under Jackson the death penalty proviso of the District of Columbia Code, section 22–2801, is invalid—see Government's opposition to petition for extraordinary writ to restrain prosecution under the District of Columbia Code, section 22–2801, at 2, *Hill* v. *United States*, No. 21, 747, D.C. Cir., May 3, 1968. Thus, the maximum penalty that now can be imposed in the District of Columbia for rape is 30 years. In light of the fact that prior to Jackson the maximum sentence that could be imposed under the District of Columbia Code, section 22–2801, was death. I feel that the statute should be amended to allow the imposition of a life sentence in forcible rape cases.

H.R. 15342 would make it unlawful for a person to use force to resist an arrest by an individual he has reason to believe is a police officer whether or not such arrest is lawful.

Although there is no decision in the District of Columbia that squarely holds that a person may use force to resist an unlawful arrest, it is commonly thought that the early English rule which permitted a person to use force to resist an unlawful arrest prevails in the District of Columbia.

The modern rule has been recently succinctly articulated by the Superior Court of New Jersey:

> (A) private citizen may not use force to resist arrest by one he knows or has good reason to believe is an authorized police officer engaged in the performance of his duties, whether or not the arrest is illegal under the circumstances obtaining. *State* v. *Koonce*, 89 N.J. Super. 169, 184, 214 A. 2d 428, 436 (1965).

Both the Uniform Arrest Act and the Model Penal Code have also recognized the modern view of the law. Section 5 of the Uniform Arrest Act provides:

> If a person has reasonable ground to believe that he is being arrested by a peace officer, it is his duty to refrain from using force or any weapon in resisting arrest regardless of whether or not there is a legal basis for the arrest.

Section 3.04 of the Model Penal Code (official draft 1962) provides in pertinent part:

> (a) The use of force is not justifiable under this Section:
> (1) To resist an arrest which the actor knows is being made by a peace officer, although the arrest is unlawful; . . .

The modern rule that a person may not use force to resist an unlawful arrest is required by sound public policy:

> (A)n appropriate accommodation of society's interests in securing the right of individual liberty, maintenance of law enforcement, and prevention of death or serious injury not only of the participants in an arrest fracas but of innocent third persons, precludes tolerance of any formulation which validates an arrestee's resistance of a police officer with force merely because the arrest is ultimately adjudged to have been illegal. Force begets force, and escalation into bloodshed is a frequent probability. The right or wrong of an arrest is often a matter of close debate as to which even lawyers and judges may differ. In this era of constantly expanding legal protections of the rights of the accused in criminal proceedings, one deeming himself illegally arrested can reasonably be asked to submit peaceably to arrest by a police officer, and to take recourse in his legal remedies for regaining his liberty and defending the ensuing prosecution against him. At the same time, police officers attempting in good faith, although mistakenly, to perform their duties in effecting an arrest should be relieved of the threat of physical harm at the hands of the arrestee.
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> The concept of self-help is in decline. It is anti-social in an urbanized society. It is potentially dangerous to all involved. It is no longer necessary because of the legal remedies available. *State* v. *Koonce*, 89 N.J. Super. 169, 183–84, 214 A.2d 428, 435–436 (1965).

In today's urbanized society, there is no valid reason for a rule allowing the use of force to resist an unlawful arrest:

First. Today, one arrested and accused of a crime is taken immediately, after being processed by the police, before a commissioner or judge. Fed. R. Crim. P. 5(a). The person arrested is assured of a hearing with the advice of counsel. Fed. R. Crim. P. 5 (b) and (c). And the person arrested is entitled under the Bail Reform Act of 1966 to be released either on his own personal recognizance or subject to certain conditions to assure his court appearance—18 United States Code, section 3146.

Today, a person arrested need not fear the hardships that one might have endured during early English times when most arrests were made by private citizens. Then, long imprisonment could follow an illegal arrest because "bail for felonies was usually unattainable, and years might pass before the royal judges arrived for a jail delivery. Further, conditions in the English jails were then such that a prisoner had an excellent chance of dying of disease, or physical torture before trial"—Warner, the Uniform Arrest Act, 28 Va. L. Rev. 315, 330 (1942). Self-help was essential for the individual in days of yore because the processes of law were inadequate to protect him. Today, of course, this is no longer true.

Second. Today, because of modern firearms and other dangerous weapons, the possibility of serious injury to both the arresting police officer and the resister is great. "Today, every peace officer is armed with a pistol and has orders not to desist from making an arrest though there is forceful resistance"—Warner, supra, 28 Va. L. Rev. at 330. Accordingly, the resister will most likely not succeed in his attempt to escape and may suffer serious injury as a result. Successful resistance is usually only possible by shooting the officer or inflicting serious bodily harm on him. Usually, the result of an individual forcibly resisting arrest will be his failure to escape arrest and injuries to both him and the police officer.

Third. To permit the individual to forcibly resist an arrest on the basis of his judgment as to its legality is to permit him to act in folly. The individual is in no position to make an intelligent decision as to the legality of the arrest for "he cannot know what information, correct or incorrect, the officers may be acting upon." *United States* v. *Di Re*, 332 U.S. 581, 594 (1947). In those rare instances where resistance is actually being offered in the belief that the arrest is illegal, the resister is invariably only acting on the belief that he is innocent of the crime. But it is the difficult question of probable cause, not innocence or guilt, which determines the legality of an arrest. As District Judge Hart remarked in a recent case:

(T)he idea that every time a person is arrested, he can determine in his own mind whether there was probable cause for his arrest, a matter that the courts in this country, including the Supreme Court, spend months and months and months arguing about in given cases . . . and use all force arguing to resist the arrest is . . . perfectly absurd, and I don't believe it is the law. *United States* v. *Montgomery*, Cr. No. 1191–66, Tr. 50.

Fourth. Society's interest in protecting the entire community from the threat of physical harm also demands that an individual peacefully submits to an arrest, regardless of its legality. It is the street altercation between the police officer who is attempting to perform his duties and the individual who forcibly resists that, in our urban society, has increasingly become the springboard to general rioting. The report of the National Advisory Commission on Civil Disorders is sprinkled with examples of riots being ignited by individuals forcibly resisting arrest and assaulting police officers. See report of the National Advisory Commission on Civil Disorders, Chapter 1, "Profiles of Disorder," 1968:

The former rule [of allowing forcible resistance to illegal arrests] . . . [has] led to riots and violence by fostering a belief on the part of many people that they were the sole judges as to whether their arrest was or was not proper. (*People* v. *Burns*, 18 Cal. Rptr. 921, 922 (Super. Ct. App. Dept. 1962)).

We know of no valid reason for the antiquated doctrine allowing the use of force to resist an illegal arrest. As the late Judge Learned Hand stated:

The idea that you may resist peaceful arrest . . . because you are in debate about whether it is lawful or not, instead of going to the authorities which can determine, . . . [is] not a blow for liberty, but, on the contrary, a blow for attempted anarchy. 1958 Proceedings, American Law Institute, p. 254. Cited in *United States* v. *Heliczer*, 373 F. 2d 241, 246 n. 3 (2d Cir.), *cert. denied*, 388 U.S. 917 (1967).

Another of the bills I have introduced today, H.R. 15343, would amend the District of Columbia Code's burglary provisions to include parking meters, coin telephones, vending machine, money changer or other device which is designed to receive currency.

The loss from professionals who pilfer all types of coin-operated machines is enormous. National figures steadily rising amount to one-half percent of the gross sales from such machines.

Being professionals, they take just enough so that if they are caught, they will come under a petty larceny charge. These thieves are well-organized and some work this racket nationally with even keymaking machines in their vehicles.

My bills would make these offenses felonies.

One of these bills, H.R. 15350, would provide a presumption that sentences would run consecutively unless the judge specifies that they should run concurrently.

Under present law, in the absence of a specification of consecutiveness, multiple sentences operate concurrently, even if they are imposed at different times, at different places, for entirely unrelated criminal offenses. *Borum* v. *United States*, 409 F. 2d 433 (D.C. Cir. 1967), certiorari denied, 395 U.S. 916 (1969). Thus, if a judge imposing sentence for rape upon a defendant who has previously been sentenced for an unrelated housebreaking fails to state explicitly that the sentences are to run consecutively, either because of inadvertence or because he simply was unaware at the time of the prior conviction, the sentence for rape runs concurrently with the sentence previously imposed, the intention of the sentencing judge to the contrary notwithstanding. This has happened.

In Borum against United States, supra, the defendant, who had been recently convicted of two separate housebreakings and a robbery, was convicted of pistol whipping an 80-year-old occupant of a house and raping a visiting female neighbor. In imposing sentence, however, the judge by oversight failed to specify that it was to run consecutively to the sentences previously imposed, nor did he state that the sentence was to run concurrently. To clarify the record, he recalled the defendant only 5 days later, and explained that he had intended that the sentence he imposed should run consecutively to those the defendant was already serving and filed a commitment order to that effect. This order was reversed on appeal because the judge had failed to use the magic word "consecutively" when sentence was pronounced, and his silence on the issue required the sentences to run concurrently.

My bill is designed to prevent the reoccurrence of such an undesirable result by providing that a sentence for one offense is deemed to run consecutively to a sentence previously imposed for an unrelated offense unless the judge provides to the contrary. This proposal, moreover, is consistent with what should be the general rule. Concurrent sentences for unrelated criminal offenses have no deterrent effect whatsoever. This is particularly true for defendants who are arrested on strong evidence and released prior to trial under the Bail Reform Act of 1966. Aware that they will be convicted and imprisoned, but also aware of the current practice against imposing consecutive sentences should they again be arrested and convicted, there is absolutely no deterrent to their going on a spree of criminal activity, so as to be able to "eat, drink, and be merry" before imprisonment.

There may, of course, be instances in which a judge concludes that concurrent sentences would be in the best interest of society and the individual. My proposal would permit such a sentence. It only requires the judge to specify that the sentence run concurrently. Should he fail to do so, by oversight, this can be corrected because under present law a defendant can seek a reduction of sentence. It is only the prosecution which cannot seek an increase.

For offenses arising out of the same act or transaction, whether or not consecutive sentences may be imposed depends on the intent of Congress. Since Congress in enacting legislation rarely specifies its intent on this matter, the courts have long adhered to the rule that Congress did intend to permit consecutive sentences for offenses arising out of the same transaction when each offense "requires proof of a fact which the other does not"—*Blockburger* v. *United States*, 284 U.S. 299, 304 (1932); *Gore* v. *United States*, 357 U.S. 386 (1958); *Morgan* v. *Devine*, 237 U.S. 632 (1915).

Recent decisions by the U.S. Court of Appeals for the District of Columbia have retreated from this settled principle of law, however, by prohibiting consecutive sentences for offenses arising out of the same transaction in the absence of some plain indication of congressional intent. Since, as already explained, Congress rarely manifests its intent, the result is that the power of trial judges to impose consecutive sentences has been seriously circumscribed, even in cases involving brutal, serious offenses—see, for example, Smith against United States, decided on May 7, 1969 (D.C. Cir.), in which, though the defendants

assaulted their female victim with a curling iron and hammer and then threw her down a flight of stairs, the court refused to allow consecutive sentences to be imposed for convictions, under separate, independent provisions of law for assault with a dangerous weapon and assault with intent to kill. In other cases in which congressional intent was found not clear despite the offenses being defined in separate provisions, the court applied a so-called rule of lenity to resolve all ambiguities in favor of defendants and thereby prohibit consecutive sentences. *Ingram* v. *United States*, 353 F. 2d 872 (D.C. Cir. 1965); *Davenport* v. *United States*, 353 F. 2d 882 (D.C. Cir. 1965).

To obviate the need for the courts to flounder around searching for a legislative intent which is hardly ever expressed, my bill would clarify the legislative intent by codifying the long-established Supreme Court case law principle and permit a court, for offenses arising out of the same transaction, to impose consecutive sentences in its discretion when each offense requires proof of a fact which the other does not.

I hope these bills will receive expeditious attention and will be enacted into law.

This week, the House and Senate, in approving appropriations for the District of Columbia, included $150,000 to finance the Commission To Revise the District of Columbia Criminal Code. I am honored to have been appointed to this Commission, along with the distinguished gentleman from Texas (Mr. DOWDY), by the Speaker (Mr. MCCORMACK). I look forward to participating in the important work of this Commission now that it has at last been funded.

It is imperative that the Congress move with all deliberate speed in all areas of anticrime legislation.

I am optimistic that the House District of Columbia Committee, which has been laboring diligently for many months on anticrime legislation will bring to the floor early in the next session a broad spectrum omnibus crime bill to give added impetus to the war on crime in the Nation's Capital.

I hope that my colleagues in the House will give this legislation prompt and enthusiastic support.

ACCURATE PRESS COVERAGE ON THE NECESSITY FOR INVESTIGATION OF MYLAI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SIKES) is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, some American newspapers, and particularly some of the local press, have reached a new level of irresponsibility in their reporting of the Mylai tragedy and in their reporting of the actions of the Armed Services Committee of the House in trying to find the truth of that tragedy. Previously I have not spoken out on this issue. I have not taken and probably will not take any part in the investigation. But I must speak out when I see the press slandering a great committee and its chairman by alleging that the Armed Services Committee is going to cover up the Mylai case and that Chairman RIVERS has been pressured into burying the investigation.

The Washington Star on Saturday, December 13, in a front page story said that the Army had prevailed upon the House Armed Services Committee to call off its investigation of the Mylai massacre. The appointment of a special subcommittee under Representative F. EDWARD HÉBERT was described in another paper as "a graceful burial of the whole Mylai investigation."

The very unfair implication has been repeated that the Armed Services Committee is interested only in protecting the military and is attempting to cover up or whitewash the facts.

This is a grossly unjust attack on the reputation of this great committee.

The idea that the committee will cover up the Mylai story is a curious editorial conclusion, indeed, since it was only earlier this month the press disclosed that the Mylai matter was first brought to light by the actions of Chairman RIVERS of the Armed Services Committee. At that time, the papers quoted Representative UDALL, of Arizona, as saying that the Rivers intercession helped bring the case into public view.

Mr. HÉBERT has assured me that he will conduct a complete and thorough investigation of the Mylai incident and its implications as to the Army's command structure, and anyone who knows his great record as an investigator in the House can hardly doubt that he will succeed. There is not enough firepower in the whole U.S. Army to pressure F. EDWARD HÉBERT into burying a hearing or covering up the truth, and Chairman RIVERS knew that when he appointed Mr. HÉBERT to head this subcommittee.

It also requires a special pair of blinders to recent history to say that the Armed Services Committee under Chairman RIVERS is interested only in protecting the military leadership or covering up the facts.

Was it a coverup when the Armed Services Committee brilliantly exposed the shabby Army performance in the procurement of the M–16 rifle?

Was it a whitewash when the Armed Services Investigating Subcommittee conducted a searching probe and issued a searing report on the Army's "snafu" with the Sheridan tank?

Was it burying the facts when the committee exposed the Navy's errors in the sinking of the submarine *Guitarro?*

I could name many other cases where the Armed Services Committee through vigorous and forthright investigation has brought the services and the Department of Defense to task, bringing the truth to light and saving the taxpayers millions of dollars in the process. From its investigation of the *Pueblo* through its exposure of the fallacies in the Defense Department's cost reduction program and irregularities in the LOH helicopter program, the committee has established an unexcelled reputation for investigative excellence, and I cannot stand by and see that record besmirched or remain silent when grossly unfair charges are made against Chairman RIVERS, under whose leadership the record was made.

That distinguished record will be enhanced by the present investigation if the press will strive equally for accuracy and fairness. The confusion in some of the papers and the conflicting stories about this situation have been almost beyond belief.

I would point out to the Members of the House that the investigation by the Armed Services Committee is to date the only investigation of the Mylai situation not being conducted by an agency of the U.S. Army. There are many things that have been evaluated—including the Army's own capacity to investigate itself. It is right and proper for the Armed Services Committee of this House to conduct an inquiry. That investigation is only beginning. It will be a full and thorough investigation. It will be a long and detailed and arduous piece of work. And I think the American press owes it to the people and to those whose constitutional rights may be involved to avoid trying to make a three-ring circus of this investigation and to allow it to proceed with the dignity that so serious a problem deserves.

I think I can properly point to the fact that new information is beginning to reach the news columns which indicate the charges of a massacre at Mylai by American forces may have been grossly overexaggerated. The matter is now under detailed investigation and eventually the facts will be brought out. The case was first presented piecemeal and through random charges by individuals who are no longer in the service and it appears that some of them may have been prejudiced.

The essential facts are that Mylai has been a Communist center for years and that Vietcong living in and around the village have been a thorn in the side of American forces. It was decided to eliminate the village in order to get rid of the problem. There is no evidence that orders were ever issued to kill noncombatants. However, during the ensuing battle it appears that many noncombatants, including women and children, were killed. This, unfortunately, is a frequent occurrence in warfare in heavily populated areas, and it is not confined to Vietnam. Some of the Vietnamese probably were killed by ground forces as the village was overrun, but they were not necessarily killed intentionally. The majority may have been killed by bombs and artillery fire before the assault was begun by ground forces, although the attacks were timed to avoid such deaths. The incident is an extremely unfortunate one, and whatever part of it is true reflects no credit on American forces. However, it now appears there are two sides to the story. It is significant that such charges against U.S. forces are extremely rare. On the contrary, massacres are a usual procedure in Communist tactics but this unhappy situation does not seem to capture U.S. headlines. It is encouraging to note that friends of the U.S. armed services are fighting back and are attempting to insure that all of the facts are made known.

DEATH OF JOHN T. REARDON, OF WATERTOWN, CONN.

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. MONAGAN. Mr. Speaker, I am sorry to note the death of one of the outstanding citizens of the Waterbury metropolitan area and a warm personal friend of mine for many years, John T. Reardon of Watertown, Conn.

John Reardon lived a life of service. He gave himself completely and enthusiastically to his job as a teacher and to his voluntary work on behalf of the community of Watertown, the Waterbury area, and the State of Connecticut.

As head of the Taft School history department for 37 years, he was an inspiring and brilliant teacher through the years when the school had a preeminent place in secondary education in the Nation. As an active member of the Democratic Party, he was always willing to serve the community in important posts and his life of public service was eloquent proof of his belief that our democratic system requires active participation for its successful operation.

An active athlete when young, he played baseball with the late Joseph P. Kennedy, and it is interesting to note that the death of these two teammates at Boston Latin School came so close together.

In these days when our problems require the best efforts of our best men, Jack Reardon will be sorely missed. I grieve the loss of a true and constant friend.

The summary of Mr. Reardon's career, which appeared in the Hartford Courant of December 16, 1969, follows:

JOHN T. REARDON DIES; SERVED TAFT SCHOOL LONG

WATERTOWN.—John T. Reardon, 79, of 99 Nova Scotia Hill, retired head of the history department at Taft School from 1917 until 1954, died Sunday at Waterbury Hospital.

Mr. Reardon had long service on the Democratic Town Committee and for 15 years was a member of the Board of Education. He was president of the Watertown Golf Club and until Friday had been supervising plans for the club's expansion.

Three times Democratic candidate for the State Senate from the 32nd District, Mr. Reardon had been active in educational matters since his retirement from Taft.

He formed the Secondary School Society for International Cooperation and the Society for Educational Public Service.

He was a founder of the Connecticut Historical Association and was chairman of the Watertown Foundation scholarship committee and the Connecticut State Golf Association scholarship committee which has assisted 44 young men to attend college since 1954.

Born in Dorchester, Mass., Mr. Reardon lived 52 years in Watertown. He was graduated from Boston Latin School where he played baseball with the late Joseph P. Kennedy, and Dartmouth College, where he won the Tuck Fellowship for foreign study. After a year of graduate study at Yale, he took his masters at American Academy, Rome, Italy, where he won the Grand Prix de Rome.

He leaves his wife, Louise Brower Reardon of Watertown and a sister, Mrs. John Kenilley of Quincy, Mass.

The funeral will be today at St John's Church at 11 a.m. The Hickox Funeral Home, 195 Main St., is in charge of arrangements.

There will be no calling hours. Memorial contributions may be made to the Litchfield County University Club Scholarship fund.

GENERAL LEAVE TO EXTEND

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks after my own on the subject on which I have spoken, and to include extraneous matter.

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

There was no objection.

ADMINISTRATION MAKES SERIOUS ERROR IN ATTEMPTING TO DISMISS MORGENTHAU

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, yesterday the White House announced that it planned to dismiss Robert Morgenthau as U.S. attorney for the southern district of New York.

Mr. Speaker, I am greatly distressed by this announcement. It is ill-timed and there is simply no reason for this action against such a great American and such an outstanding public official.

Mr. Speaker, today I issued a release criticizing the administration's action, particularly as it relates to our hearings on the secret foreign bank accounts.

Mr. Speaker, I place in the RECORD a copy of this release:

WASHINGTON, D.C., December 18.—Chairman Wright Patman today charged that President Nixon's attempted dismissal of United States Attorney Robert Morgenthau is a serious blow to the House Banking and Currency Committee's efforts to control the use of secret foreign bank accounts by criminal elements in this country.

"At the time of the White House's announcement, the Administration was surely aware that the Banking and Currency Committee is working closely with Mr. Morgenthau on hearings on legislation involving the secret accounts in foreign financial institutions," Mr. Patman said. It is incredible that the Administration would seek to dismiss Mr. Morgenthau under these circumstances."

Mr. Patman said that the move against Mr. Morgenthau "casts great doubt on the Administration's determination to fight organized crime."

"Mr. Morgenthau's record as a prosecutor and an investigator is unparalleled in the history of law enforcement and it is indeed sad that the Administration is seeking to remove such an outstanding public servant," the Texas Democrat said. "His work has been invaluable to the Banking and Currency Committee in its investigation of the secret numbered accounts."

Mr. Patman said that the Administration, after initially cooperating with the Banking and Currency Committee, has apparently turned its back on the problems of the secret foreign accounts. He said the Committee staff had consulted with Administration officials at all levels in an attempt to reach agreement on a legislative package which would control the use of secret foreign bank accounts by United States citizens for illegal purposes.

"Now the Administration has gone so far as to attempt to silence the U.S. Attorney most responsible for uncovering these illegal activities," Mr. Patman said.

Mr. Patman noted that the Treasury Department has reversed its previous assurances of support for the legislation and that the comments of other agencies of the Executive Branch have been suppressed and censored.

VIOLENCE, EXTORTION, AND BRIBERY—LIBERALS CANNOT WHITEWASH THEIR MISTAKES

(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 apologists for the incompetents in our society continue to blame all of the ills of poverty on the citizens who are supporting their families, all of the evils of crime and violence on the law-abiding and decent people of the country, and while loudly proclaiming their doctrine of absolute equality, just as loudly insist that a Negro child cannot learn if his schoolmate is another Negro, but only if he is seated next to a white child.

The Americans who are paying the bills for all of this kind of foolishness are awakening to the facts of life, and recognize that a number of the pitiful poverty-stricken are poverty-stricken simply because they feel they are too good to work, and would far rather spend the money given to them for wine than for food and clothing.

Americans are tired of the same sorry excuse that there is crime because of "conditions"—and that to relieve the crime waves, we should amend the criminal laws to make them more "relevant" to the times. For example, it is actually urged that the increase in the crime—I repeat, crime—of possession and use of marihuana, can be solved simply by repealing the criminal laws on the subject. This is tantamount to solving the terrible problem of crimes of violence in the District of Columbia by a quick repeal of the laws against armed robbery, kidnaping, and rape, or to solve the population explosion by just quit counting.

Taxpayers are sick and tired of contributing their own hard-earned money to feather the nests of the unproductive—let alone the destructive—portion of our population. The grant of more than $28 million of the taxes paid by honest Americans for the repair and reconstruction of the areas of the Nation's Capital burnt out in 1968 by the criminal element, the welfare hangers-on, and the looters and rioters, who go totally unpunished, is something that the people of my district are thoroughly disgusted about.

The necessity to triple the White House Police force for the protection of foreign embassies here in our Nation's Capital is a national disgrace in itself and points out that the present approach to crime has but encouraged more of the same.

The serious consideration of winter daylight saving time for Washington, because it is unsafe for female employees to return to their homes once the sun has set, would be unbelievable only a few years ago.

But the truth of the matter is that enforced equality always levels down, not up. And a further truth is that when blackmail and extortion are found to be profitable, criminals will continue to pursue that path rather than work.

Finally, in a related vein, the leftists and so-called liberals who have destroyed the Nation's Capital in less than 20 years, by making it a subsidized sanctuary for the unfit and the criminals—driving decent citizens to the suburbs—are now promoting the same thing for all of our cities, and to the balance of the countryside as well.

All the violence commissions and Kerner reports in the world—prepared by the liberals to confuse most Americans—will not prevent parents from doing what they know is necessary to safeguard the health and welfare of their children.

A case in point, and one for which the people of this country will no longer stand, is the murder of a 14-year-old Chicago schoolgirl, resisting an assault by Negroes on a moving bus.

The liberal-left are finding that verbose reports can no longer explain away their failures. When are they going to admit to their responsibility for the violence and lawlessness rampant in our country?

I include the following pertinent newsclippings in my remarks:

[From the Washington (D.C. Post, Dec. 14, 1969]

$28.1 MILLION GRANTED FOR AREAS IN RIOT

(By Anne Hebald)

Washington will receive an additional $28.1 million from the federal government to rebuild three of the city's corridors damaged in the April, 1968, riots.

Secretary of the Department of Housing and Urban Development George W. Romney announced the grant yesterday at groundbreaking ceremonies for the city's first apartment project that relies on a federal subsidy of mortgage interest rates to reduce rents.

The 108-unit building, on 7th Street NW between R and S Streets, will be the first low and moderate income housing to be built in any of the capital's riot-damaged corridors.

The $28.1 million grant, which Romney said was approved Friday, brings to a total of $57.8 million the amount allocated to Washington for urban redevelopment this year.

Earlier this year, HUD approved $29.7 million for the rebuilding of downtown Washington and the Shaw area.

The announcement took the crowd by surprise. After a moment of stunned shock, smiles broke out throughout the gathering.

Mayor Walter E. Washington was asked, after the ceremony, how he felt about the news of the additional $28.1 million. He beamed and said, "It's great, it's just great."

The estimated damages to real property in April 1968 were $4,257,216 in Shaw, $1,799,326 in the H Street NE. corridor and $6,647,119 on 14th Street NW.

Romney told an enthusiastic crowd of about 200 community residents that the new grant would be divided between the Shaw, H Street and 14th Street NE. corridors:

$4.2 million in Shaw.

$9.8 million in H Street.

$14.1 in 14th Street.

In Shaw, the approved plans for renewal cover 650 acres on which 15 sites have been chosen for new buildings. About 900 residential units are planned, as well as a new junior high school and public library.

Eight city blocks, which had been damaged but not demolished, are marked for rehabilitation. These blocks contain an estimated 850 dwelling units.

On H Street, about 280 acres will be included in the redevelopment area. Five new sites will be used for slightly more than 500 residential units.

The new construction is planned on lots now vacant and to replace buildings damaged in 1968. Two blocks containing about 200 existing but rundown residential units will be improved.

In the 14th Street N.W. corridor, the area most seriously damaged by the riots, which followed the assassination of Dr. Martin Luther King Jr., about 340 acres will be affected by renewal projects.

Bounded by Florida Avenue on the south, Spring Road on the north, 11th Street on the east and 15th and 16th Streets on the west, the first proposals call for building on 16 sites that would create between 800 and 1,000 new dwelling units.

COMMERCIAL SITES

In the 14th Street corridor, five commercial sites are envisioned: three near the intersection of 14th Street and Park Road, where a major community center has been proposed, and two at 14th and Belmont Road.

Four blocks in this corridor are marked for rehabilitation of existing buildings. These include about 850 residential units.

The three corridor rehabilitation plans are currently at three different stages of planning. The Shaw plan, which includes the site of yesterday's groundbreaking, has been formally approved by HUD.

The H Street plan will receive final HUD approval within the next week to ten days, Romney announced yesterday.

The 14th Street plan, however, has not yet been approved by the city. But it is assured of federal support once the District government submits a formal application, Romney said. A special meeting of the City Council is scheduled for Wednesday and adoption of the 14th Street plan is on the agenda.

As he stood bare-headed in the cold noontime sun, Romney said in his address, "Ordinarily it takes two years to go from RLA (the Redevelopment Land Agency) to groundbreaking. In this (Shaw) project," he said, "it's taken nine months and that's pretty good bureaucratic speed."

Romney recalled the day, last Jan. 31, when President Nixon, Mayor Washington and he visited damaged parts of 7th Street N.W. Following his tour of the riot-torn Shaw neighborhood, the President ordered, on April 8, a "new priority on rebuilding the riot-scarred neighborhood of America's major cities."

Two hundred million dollars was then promised for rebuilding the nation's cities.

[From the Evening Star, Dec. 13, 1969]

PRESIDENT ASKS FUNDS FOR EMBASSY POLICE UNIT

President Nixon has asked Congress to provide a $4.75 million supplemental appropriation for the 1970 fiscal year to finance an adequate federal police force for protection of foreign diplomatic missions.

The appropriation would be contingent upon the passage of a bill authorizing the Executive Protective Service, which would be essentially an expansion of the White House police force.

The augmented force would protect foreign diplomatic missions as well as the White House.

The protection of foreign diplomatic missions will be under the direction of former Metropolitan Police Department Chief John B. Layton. The 33-year veteran of the police force resigned in May to accept a job as special assistant to the U.S. chief of protocol.

In a letter yesterday to the Senate, Nixon said such legislation is necessary because of "the inordinate number of complaints relating to crimes and disturbances directed against foreign missions and their personnel."

He said the responsibility for protecting foreign diplomatic missions—"a recognized obligation of a host government"—rightly belongs to the federal government.

In an accompanying letter, Budget Director Robert P. Mayo said the Metropolitan Police Department now provides protection for foreign diplomatic missions in Washington on an "actual need" basis. But he added that the local police department, "because of the many other demands being placed upon it, is finding itself unable to provide fully the protection required."

The new executive protective service would have as its nucleus the 274 members of the White House police. The proposed supplemental appropriation would finance the addition of 300 police officers during the remainder of this fiscal year and 95 Secret Service personnel.

For the 1971 fiscal year starting next July 1, the administration plan calls for an additional 214 police officers—making a total of 514 more than the present White House police force.

Statistics released yesterday by the Federal Bureau of Investigation point up the crime problem in the District. They show that crime in the District during the first nine months of this year increased more than 25 percent over the corresponding period last year.

Homicides in the District jumped 56 percent, according to the FBI figures, which also show an increase in forcible rapes, robberies, aggravated assaults, burglaries, and larcenies involving $50 or more.

[From the Evening Star, Dec. 17, 1969]

IMPACT ON CRIME DEBATED—DAYLIGHT SAVING IN WINTER?

(By William Delaney)

On a darkened downtown sidewalk at 5:20 p.m., Mary Green anxiously scans the 12th Street traffic, hoping to see her husband's car.

"I just don't like going home in the dark," she says, shaking her head. "I think it's quite dangerous for most females."

Mrs. Green, a collector for Central Charge Service, is glad she had a direct ride home from work. If she took the bus, she'd have to walk three blocks from a 14th Street stop to her home on Missouri Avenue NW—past an area where she says a rape occurred in the early evening darkness last winter.

But, like most office workers in America's crime plagued cities, Mrs. Green has no choice but to go home in the dark during these midwinter evenings, when the sun sets before 5 p.m.

She hopes America will adopt daylight saving time in the winter, too.

She would "feel better," she says, if tonight's sunset came an hour later, at 5:48, with twilight lingering 15 or 20 minutes longer.

Mary Green's hope seems to be shared by a big majority of downtown Washington pedestrians,both women and men, according to a random survey conducted during a recent evening rush hour.

DISCUSSED AT WORK

"They all talk about it," said Dorothy Page, referring to her colleagues at the Food and Drug Administration.

Miss Page, an FDA science aide whose home on Luzon Street NW is two blocks from her bus stop, is a firm advocate of winter daylight time. "As long as I have to walk those two blocks in the darkness," she said, "I'd rather do it in the morning."

The reason such a proposal hasn't surfaced as a major public topic is understandable to District Police Chief Jerry V. Wilson.

Outside the nation's urban areas Wilson notes, "daylight time is politically unpopular" with many Americans, even on the April-to-October basis prescribed by the Uniform Time Act of 1966.

Farmers and other outdoor workers generally don't like it, because it keeps them at their jobs until late in the summer evenings.

WOULD "FEEL SAFER"

Most of the Washington area residents questioned by The Star based their support of winter daylight time on the reason cited by Mrs. Green. People would "feel safer," they said, if they didn't have to be on the streets after dark.

But some offered other reasons for favoring the change.

C. C. Segors of Hyattsville, a Post Office Department worker, argued that "it would speed up traffic" in the evenings, when the rush-hour flow seems less staggered than in the mornings.

A few of those polled, like Chesapeake & Potomac Telephone employee Nancy Stacy of Arlington, simply want to see an end to the confusion about which way to turn the clocks each spring and fall.

For these reasons, and to smooth the time difference with Continental Europe, Great Britain is now in the second winter of a three-year experiment with year-round daylight time.

A LITTLE MORE SUN

Interestingly, this gives Londoners a few more minutes of evening sun than Washingtonians now have, though London is 782 miles closer to the arctic and thus has an hour and a half less of winter daylight.

In Congress, the House Interstate and Foreign Commerce Committee has a handful of time-change bills, most of them from Midwestern congressmen who want to whittle down the present half year of daylight time to only the midsummer months.

One bill—H.R. 7587—proposes year-round daylight time. Introduced in February by Republican Craig Hosmer in behalf of his sun-loving California constituents, it is a poor bet to make it out of committee.

POLICE SKEPTICAL

Several top District police officials say they doubt whether pushing daylight an hour later would have any significant effect on either crime or traffic problems. Some, however, wouldn't mind seeing the idea tried, if only to make citizens feel a little more secure.

Chief Wilson, who says he can't recall hearing any discussion of the proposal, points out that winter daylight time might simply transfer the problems of darkness to the morning rush hour.

Capt. Ralph Stines, head of the Robbery Squad, thinks it's worth a try.

"The thieves just wait for the dark," he says, and police statistics tend to bear him out.

Last December, for example, robberies rose from a level of 90 an hour at 5 p.m. to a daily peak of 166 by 6 p.m.

In July, the evening surge started at 8 o'clock and peaked by 10, while in October the graph goes up between 7 and 8.

"DOUBLE DAYLIGHT"

William Katzenstein, who heads the police department's Operational Planning Division, thinks one benefit of pushing back the darkness might be to make police saturation patrols easier, by concentrating robberies in a shorter period.

"Personally," he says, "My ideal would be daylight saving time in the summer and an additional hour—double daylight—in the winter."

OBJECTIONS DISCOUNTED

The British experiment with year-round daylight time has been blamed for some loss of productivity in the construction industry, according to a spokesman for the British Embassy here. But over-all, he says, the objections to the changeover "weren't as great as had been anticipated."

The questions of it and when America will ever make such a changeover were perhaps best answered by Sandra Hagen of the D.C. Congress of Parents and Teachers, who said her organization would probably favor year-round daylight time if the idea ever came up for formal discussion.

"I think the reason people don't discuss it," she said, "is that they feel uneasy tampering with time."

[From the Washington Daily News, Dec. 18, 1969]

THE NIGHTMARE OF D.C. SCHOOLS

(By Richard Starnes)

Enter the dirty, tombstone-colored building and you walk into a nightmare world where an aura of diffuse terror falls into step beside you.

There is a sound in the air that bespeaks Kafka's madhouse, a subdued keening, a wordless language that murmurs violence, despair, savagery and dread. The sound is an overture to hysteria, an obbligato written for the destruction of a society.

There are warders wherever you look, but it isn't a prison. There is the unmistakable stink of lunacy on the place, but it is not an asylum. Where you are is a public school. It might be any one of a hundred in Washington (or, perhaps, in any other American ghetto, circa 1969).

It may be unfair to single out one school, for its most awful crime is that it is fairly typical. This one happens to be Shaw Junior High, and it is a monument to an unprecedented epoch of murder, rape, extortion and fear that has all but destroyed the public school system in the nation's capital.

IN RIOT AREA

Shaw sits in the middle of Washington's "charcoal alley"—the central ghetto that was burned and pillaged in the riots of April, 1968. Because it is so typical of the disaster that has overtaken the public schools here it is worth a closer look. But it is a look that should be taken within this perspective:

The District of Columbia school system, in the words of its acting superintendent, has been "seriously crippled" by vandalism and thefts, security of children has reached "a horrible point," classroom intruders have posed a "severe" threat to education.

At Cardozo High School, 13th and Clifton streets nw, two to three purse snatchings occur in the school cafeteria every day, despite the fact that a policeman is on duty during school hours. Last winter at Cardozo an assistant principal was shot and killed by youths who robbed the school bank.

At Hart Junior High, 601 Mississippi-av se, the score since school opened in September is two burglaries, one safe cracking, 20 assaults, an equal number of cases of extortion, more than a score of lockers looted, and an undetermined amount of teaching equipment stolen or vandalized.

An epidemic of robbery, beating and extortion has created a reign of terror for children attending public schools in the area of Bolling Air Force Base and the U.S. Naval Station in southeast Washington. Mrs. Gladys Ford, president of the Military Parents Association, told authorities that career service men were quitting the military rather than expose their children to the jungle atmosphere. "Our children are being robbed and beaten every day," she said.

On the first day of school a Paul Junior High teacher was knocked unconscious. It was the third such episode in less than a year, and teachers threatened a march on the Capitol to demand protection.

In the Anacostia (far southeast) area of the city one girl was put on tranquilizers after young thugs tore off her shirtwaist and bra during a robbery.

Early this week at Anacostia High School (scene of a shootout with .45s last year) a pupil was shot and critically wounded in a washroom.

A class at Monroe Elementary School (725 Columbia road nw) was held at gunpoint just after the start of the current school year and a teacher's purse was looted of the $2 it contained.

A teacher at McFarland Junior High School (Iowa-av and Webster-st nw) told a Congressional inquiry two months ago that he spent most of his time as a jailer, cop and disciplinarian. Three weeks after school started this fall he was beaten up by five drunken youths who invaded his classroom and began over-turning desks. A policeman advised him to ". . . get yourself a club" if it happened again.

Since much of the violence comes from dropouts and truants most school officials try to restrict access to the school to pupils who are actually attending classes. This has led to the chaining and padlocking of all but one or two exits in a number of schools, a clear violation of the law that has alarmed Fire Department officials. Altho fire marshals have made representations to principals of the schools involved the practice has not stopped.

BLACKBOARD JUNGLE

A durable—almost heroic—first witness to this nightmare is Percy Ellis, principal of Shaw Junior High, a Negro who goes everywhere in his seedy old school at a dead run, who takes cheerless pride in telling it like it is, and who might make a fruitful source for some latter-day Gibbon recording the decline and fall of the American civilization. Mr. Ellis has a round, smooth face that mirrors tragedy, elation, moody reflection and ominous forboding with the quick fluency of a performer schooled in Chinese drama.

With the quick hands of a welterweight, Mr. Ellis intercepts a skinny black child who is sidling along a corridor.

"What are you doing with those rubber bands on your wrist?" he demands. "Take them off. Throw them in the waste basket."

With the expertise of an old cop he frisks the child, and then tells him to return to his home room. When the child is gone Mr. Ellis answers a question posed by a visitor naive in the ways of the blackboard jungle.

HALLWALKER

"Why did I take the rubber bands? Because I have two good eyes and I want to keep them. These hallwalkers use rubber bands as slingshots, and their ammunition is staples. We haven't had any eyes put out yet, and I'd like to keep it that way."

Another question elicits the information that a "hallwalker" is a youth—truant or dropout—who invades the school but does not attend classes.

In Mr. Ellis' office a tray of untouched lunch, a wilted sandwich and a sagging piece of cherry pie, bears additional witness that the principal of a District of Columbia public school has no more time for lunch than the master of a burning passenger vessel would.

But all this is prologue. The real message of archetypal Shaw is the ominous shadow of the future that it casts.

"Something happened six months ago," Mr. Ellis tells his visitor. "It became different, much more difficult, almost unmanagable." Three veteran women teachers have come to the principal's office now—women like those for whom the word "dedicated" first was coined—and in deference to them Mr. Ellis takes rare recourse to euphemism. "Since school started I've been called s.o.b. and m.f. more times than in all my 21 years in the schools before. They stop you in the halls and want to fight you. And it is going to get worse. Something is happening."

VOLATILE

One of the teachers, bright, articulate and (curiously, like so many others in the front line of Washington's school system) a chain smoker, takes up the dreadful hard kernel of the story.

"There is something unusually volatile about Shaw," she muses. "So often we have been the first wave of whatever is going to happen. Ten years ago it was gangs, and every boy wore the uniform jacket of his gang or club. Then, long before it began to happen elsewhere, the gangs disappeared at Shaw. After that, say two years ago, we began having fires . . ." The sentence hangs unfinished in the air, while everyone in the room is reminded that 20-odd months ago the riot fires consumed a great deal of the ghetto area around Shaw. "And now . . ." Again she lets her listeners complete the sentence themselves.

* * * be more than 25 per cent. Almost everyone agrees that one cause is a creaking, time-encrusted bureaucracy that is unable to deal with the explosive problems that confront it. While Congress, the city's perennial scapegoat, is not wholly blameless, a good case can be made that the bulk of the blame lies elsewhere.

Sen. William Proxmire, D-Wis., a member of the Appropriations Committee considering the school system's $185 million annual budget, recently offered figures to show that Washington was "right on top" in per capita expenditure per pupil. At $982 per year, according to Sen. Proxmire, the nation's capital compares favorably with Cleveland's $800, Boston's $885 and Atlanta's $772.

"HISTORY OF NEGLECT"

Benjamin J. Henley, the city's acting superintendent of schools (another worn-out chain smoker) is quick to admit the manifest ailments that afflict the schools, and cities "a long history of neglect" to explain them.

"We have urgent needs in employment, housing, education and health," he told a recent visitor to his top floor office in one of Washington's newest high rise buildings. "In the far southeast overcrowding is almost unbelievable. We need staff development—all of us need re-training."

Why the terribly physical toll on school buildings? Why more than $200,000 worth of broken windows in the schools every year?

"The schools represent the power structure," Mr. Henley replies slowly. "The schools are an agency to which people turned with hope, and it has not done what was hoped for. If we could handle the materials that are needed quickly enough, if we had a mechanism that really made teachers think that their feelings were being taken into account, if we could respond quickly to critical situations, morale could be helped measurably."

Now Shaw is a place of aimless violence, where hallwalkers sow terror, where burly assistant principals stand guard at doors and stairways, where little children are drilled in the safest method of reacting to extortion.

EXHAUSTION

Like chain smoking, exhaustion is another hallmark of the people who are trying to keep Washington's public schools from slipping the last inch into the inferno. At 5 p.m. it is dark outside, and the lurking shadows in the hallways contain a malignant promise that is enough to raise the hair on a veteran of Vietnam, Watts and other way-stations in our hard hat society. But Percy Ellis is still at it, explaining, preaching, like some despairing ancient mariner unwilling to miss an opportunity to tell a man from the other side what is happening here, where it is at.

"The (Teachers') union is responsible for a lot of this," he says. "This isn't a 9 to 5 job here. It takes dedication. Like those three great ladies who were here earlier. But we aren't getting that kind any more, we're getting a new breed. They won't take hall duty, which is the only thing that keeps us alive here. They won't offer that extra effort that is a minimum requirement here.

"We are trying to hold back disaster, and with them everything is a grievance. Two or three a week. Children in Shaw need self-respect, for example, and we know that a child's opinion of himself, his morale, is conditioned by his appearance. Until two or three months ago we had a necktie rule here; it was difficult to enforce, yes, but it was a valuable thing. But they made a grievance out of it, and we got orders from the superintendent's office to stop it. Things have gotten worse since."

RACIAL IMBALANCE

Not everyone who was interviewed during a week-long survey of the beleaguered Washington schools agreed that the Washington Teachers Union (WTU) was a major factor in the coming collapse of the system. But most agreed with Mr. Ellis about a number of other elements in the gathering disaster.

From a number of different vantage points, everyone alludes to the fact that integration has been a failure in Washington. The schools here are between 93 and 94 per cent black. Even busing, which is done to a limited extent, cannot redress the imbalance. Some experts (among them the voluble Percy Ellis) vow that no improvement can be expected until whites are somehow encouraged to return to the city. Others insist the problem is not one of race, but of poverty, and point to an unemployment rate among ghetto youths.

IMPROVE READING

Mr. Henley sighs ponderously and lights another cigaret. "If I could have one wish I would have every teacher given the skills needed to improve reading in our schools. We would reduce dropouts. We would convince the community that we are doing what we are supposed to be doing."

In spite of the bubbling of the volcano beneath him, Henley says he is convinced things are getting a little better. "Student unrest is lessening," he insists. "We've been thru two moratoriums this fall with no problems. We have had a championship football game without incident."

Not unexpectedly the Washington Teachers Union takes a somewhat different attitude toward the convulsion that has beset the school system. WTU President William Simons cautiously concedes "Yes, there is a problem. But nevertheless a learning program is going on for many children. The problem that does exist is a shortage of classroom facilities, too-large classes. The average is 35, it should be 25, and 20 for the very early grades."

(But again Shaw's tough-minded Percy Ellis: "Teacher-student ratios are meaningless. We have 1,300 enrolled in Shaw, and on an average day 20 per cent will be absent. Some classes might show as many as 45 on the books, but you visit the room and you'll find eight or 10 actually attending.")

DISCIPLINE

WTU defends its intervention in the great necktie dispute, calling a dress code "absolutely unnecessary." But it turns out that during contract negotiations for Washington's 8,000 teachers (of whom about half belong to WTU) the union opposed a dress code for teachers. "We could hardly oppose it for teachers and accept it for the children," a union spokesman said.

The next witness, is the Proxmire committee. "Whatever the problems of the District school system," a recent committee paper said, "the committee suggests that they are perhaps not wholly related to the present level of resources being committed to it.

"The children of the District of Columbia are entitled to better educational advantages than they are receiving. The schools have both the personnel and financial means to mold a system of public education second to none."

And at the locked and guarded door of Shaw, a final word from Principal Ellis:

"Discipline has vanished from the homes and from the schools. It is in fact now impossible to fire or transfer a teacher. And nothing can be accomplished without discipline. Above all else, we need discipline, discipline, discipline."

[From the Chicago Tribune, Dec. 6, 1969]

GIRL PUSHED TO DEATH FROM A MOVING BUS

Linda Cicero, 14, a sophomore at Siena High school, was pushed to her death from a moving bus at 3737 Chicago av. yesterday, apparently when two girls tried to rob her.

Witnesses said Linda, who lived at 3811 Division st., was shoved out of the exit door toward the rear of the Chicago transit authority bus. They said she was struggling with two Negro girls who had demanded that she give them money.

Maxwell street homicide detectives were questioning witnesses.

The driver of the bus, Alvin E. Johnsey, 28, of 737 N. Central av., said he saw in his rear view mirror as Linda fell out and the rear wheels of the bus ran over her. He pulled the bus to the curb immediately. The two Negro girls fled when the bus stopped.

The exit door had been opened by someone who pulled the emergency knob.

[From the Washington Daily News, Dec. 17, 1969]

VIOLENCE COMMISSION RAPPED

(By Samuel J. Taranto)

So who elected the ultra-liberals who make up the so called "Violence Commission." They have recently made the ridiculous request that Americans spend billions and billions of dollars to solve domestic problems after the Vietnam War because, for some reason, that is supposed to solve our problems and "allegedly" keep people from committing violent acts.

This reminds me of another ultra-liberal Commission known as the "Kerner Commission" which claimed the reason for urban riots was white racism.

It is an established fact that poor people are not committing the violent crimes in America, or anywhere for that matter. This old cliche is worn out and won't work anymore because we're not going to be fooled by this leftist propaganda.

You couldn't consider the assassins of the Kennedy brothers in a state of poverty. You couldn't consider the aircraft hijackers a bunch of "poverty stricken" people. Those hard-core militants who started urban riots are not from poor black families.

And observe the chaotic conditions on university campuses. Those are "white" revolutionaries from upper class families. In fact, most of the radical revolutionaries from the far left are from the high class and wealthy families. Many are sons and daughters of millionaires.

While President Nixon rode in the inaugural parade last January, "violent" type revolutionaries threw things at the President's car, obviously aiming to injure the President. Certainly they were not from poor families. They were, in fact, mostly students.

We accept the fact that the Mafia and the Cosa Nostra are violent organizations. Does the "Violence Commission" feel we should spend billions on the Mafia, so that they will allegedly "mellow?"

You can't expect to solve crime and violence by "bribing" and paying off criminals and crackpots. That is what the Violence Commission practically advocates. As a man from a "poor" background, I totally disagree with much of the philosophical thinking of

the Violence Commission. Let them come out here among the average people and see exactly what causes violence. They won't find the answer in their cozy offices. Besides all that, they are elected.

[From the Sunday Star, Dec. 14, 1969]

THE VIOLENCE REPORT: A DARK CONCLUSION

(By William Delaney)

"Tonight, our nation faces, once again, the consequences of lawlessness, hatred and unreason in its midst . . ."

Lyndon Johnson looked into the television cameras at the White House and spoke as a man who had seen too much.

At that moment, Robert Kennedy lay dying in Los Angeles, dying the same violent death that had thrust Johnson into the presidency five years earlier in Dallas.

Johnson had seen that first Kennedy assassination, seen the pictures of the later Oswald and King assassinations, seen his own capital engulfed like scores of other American cities in defiant, race-proud flames of hate, consumed daily by a smoldering, colorless fear of armed bandits in the night. This was the civilization that he presided over, that sent him more than 1,000 death-threat letters a month, that dared him to set foot in the citadels of academic freedom, that kept him from announcing his visits to other than military bases.

And so that night before the cameras, sickened, angered and deeply perplexed, the beseiged President did the only thing he could do: he appealed for calm and reason.

Then he went one step further. He told the people he was forming yet another presidential study commission—this time, "to learn why we inflict such suffering on ourselves and, I hope and pray, how to stop it."

Thus was born the National Commission on the Causes and Prevention of Violence.

* * * * *

Last Wednesday evening, as sheets of rain washed the streets of Richard Nixon's capital, Lyndon Johnson's 13 sages officially ceased their $1.6-million probe into the darker side of American life.

And what they found, this generally moderate-to-conservative group of legislators and leading professionals, is very dark indeed.

So dark that the commission, in its 338-page final report to Nixon, proclaimed the current lack of domestic peace and justice a "graver" threat to the nation's survival than any external threats, serious as those may be.

In a conclusion reminiscent of those of the 1965 presidential Crime Commission and the 1967 Kerner Commission on racial disorders, the Violence Commission called for a reordering of national priorities to combat the internal threat, with a $20-billion-a-year increase in "general welfare" spending when the Vietnam war is over.

Drawing on some 10,000 pages of published research by its seven task forces and five investigatory study teams, the commission specifically said:

America has always been a relatively violent nation. "Considering the tumultous historical forces that have shaped the United States, it would be astonishing were it otherwise."

Today America clearly leads the world's advanced nations in both violent crimes and group violence, ranks among the highest in actual and attempted assassinations.

The nation is more vulnerable to violence today than ever before, largely because of haphazard urbanization, racial discrimination and a "dislocation of human identity created by an affluent society."

To combat violence, a twin approach is needed: redress of legitimate social ills and grievances, and vast reforms in America's underfinanced, uncoordinated police courts-corrections system.

One commission member summed it up succinctly: "It's comforting to reach the moon, but it's more comforting to be able to shop around the corner without a police escort."

And with that, the Violence Commission rested its case with the people.

* * * * *

What the commission said, and how it said it, was largely the doing of two men.

The first, of course, was Johnson, who assembled what he felt was a cross-section of thoughtful Americans to serve on the panel, and charged them with a task that "may be beyond the frontiers of human knowledge."

The second was the man Johnson picked as chairman, Dr. Milton S. Eisenhower, president emeritus of Johns Hopkins University.

Blessed with his brother's famous, guileless smile, a political centrist of unquestionable personal and intellectual character, he proved to be the key arbiter and tone-setter during the commission's 50 meetings, according to knowledgeable sources.

The choice of Eisenhower also was fortuitous in an ironic way.

With Nixon's election, the Eisenhower commission was assured of respectful attention from Johnson's successor, at the very least.

As for the commission membership, it appeared to be on the moderate-to-conservative side, hardly the sort of group an outsider would expect to recommend, as it did unanimously, a post-war reversal of the defense-domestic spending ration and reduced penalties for marijuana possession.

"When we were appointed," a key commission figure recalls, "the liberal reaction was at best unfriendly. It was expected that we would serve as a whitewash."

As the commission began probing the many-facets of violence, five members generally emerged as a conservative bloc: longshoreman-philosopher Eric Hoffer, Sen. Roman Hruska, R-Neb., Rep. Hale Boggs, D-La., Chief Judge Ernest W. McFarland of the Arizona Supreme Court, and Houston lawyer Leon Jaworski.

The liberal core consisted of Sen. (blank); Dr. W. Walter Menninger of Kansas, a psychiatrist at the famous Menninger clinic; U.S. District Judge A. Leon Higginbotham of Philadelphia, vice chairman of the commission, and lawyer Patricia Roberts Harris, Johnson's former ambassador to Luxembourg. Higginbotham and Mrs. Harris were the panel's two Negro members.

The others, according to insiders, were less predictable: Terrence Cardinal Cooke, Catholic archbishop of New York; Chicago lawyer Albert F. Jenner Jr. and Rep. (blank), the latter a Kerner Commission veteran.

* * * * *

The whole labor initially was given a legal lifespan of one year, but Johnson, naturally, preferred to see the final commission report on his desk before he left the White House last Jan. 20.

Under this pressure to dissect a topic of almost boundless limits, the commission an its executive director, Washington attorney Lloyd Cutler, began whittling "violence" int seven task force topics—its history in A- ica, its role in protests, its relationship to firearms, etc. A scholarly expert was assigned to direct each.

The same plan was followed with later special investigative reports into specific turbulent events, the most celebrated being the Walker Report on the 1968 Democratic National Convention disorders in Chicago.

"It was decided," said a commission spokesman, "that whatever they wrote, we would publish, making only consentual changes. This way, the scholars' work wouldn't end up on a shelf the way a lot of the Kerner Commission material did."

It also was decided that all these research studies, as well as the commission's own conclusions on various aspects of violence, would be made public as soon as they were completed.

"If we presented it all at once," the spokesman explained, "it would be a one-day sensation, like the Kerner report. Too much for the press and the public to digest."

* * * * *

By fall of last year, the commission was in high gear in its starkly modern Federal Office Building No. 7 headquarters behind Blair House.

As the 50 staff members and task force leaders pressed more than 500 consultants for reports, commission members themselves staged public hearings two days a week for nine weeks, taking testimony from FBI director J. Edgar Hoover, SDS founder Tom Hayden, Yale president Kingman Brewster Jr., Black Panther founder Huey Newton (via tape recorder) and some 150 others ranging from network presidents to criminologists.

* * * * *

It was the eye-opening impact of those hearings, in addition to Eisenhower's leadership, that contributed most to the commission's judiciously open approach to later policy statements, according to an informed source.

On only two statements were the commissioners less than unanimous.

A bare 7–6 majority opposed non-violent civil disobedience as a tactic of dissent, fearing that it may lead to anarchy.

And four of the conservatives dissented mildly, backing state controls only, when the panel urged a federal system of handgun licensing designed to remove more than 90 percent of the privately held handguns in the nation.

Along with the Walker Report and its "police riot" key phrase, the gun recommendation generated by far the commission's heaviest feedback from citizens. Eisenhower called the gun letters "the most vitriolic" he'd ever received.

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Two of the staff reports—Walker's and the Skolnick report on "The Politics of Protest"—also tested the commission's aim not to tamper with the scholars' research products. But both reports, including Skolnick's "myth of peaceful progress" theory, were released without comment.

Still, mused one source half-jokingly, "After the Walker Report, I think Johnson may have come to regret the commission."

* * * * *

Hard as the commission pushed the reports, Johnson left office with only a preliminary sketch of the commission's work.

Even with a six-month extension granted by Nixon last spring, after Eisenhower's illness during his brother's funeral here, the panel's full-steam drive to complete its work went down to the wire last week.

And there are still three reports to be published in the next two months.

* * * * *

What, then, of the commission's legacy? What will result from its work?

In a gloomy statement last week, vice chairman Higginbotham called for a "national moratorium" on presidential study commissions in such fields as race, crime, poverty and the urban crisis. The landscape, he said is "littered with the unimplemented recommendations of so many previous commissions."

Regardless of whether its recommendations are followed, a commission staff leader is confident that it has already had an impact on American life.

First, it is providing massive new resource data in such fields as firearms use, worldwide assassinations, and violence in American history.

Second, "We've literally launched hun-

dreds of people doing papers and books" in a previously barren academic field. "That may be the most important thing we do."

Finally, he credits commission recommendations with blocking a bill last summer to punish students in campus disorders, with contributing to more subdued police handling of radical crowds this year (in reaction to the Walker Report), and with toning down the level of violence in this fall's network television programming.

"I don't think you can judge for another five years the value of what we've done," he added. "The value of the Crime Commission report is still rising, and that's been several years.

"We have provided a consensus for change."

As for whether the commission's 81 recommendations will actually result in change, Eisenhower notes Nixon's promise "to study with concern every part of this report."

"It does take strong action from the President to get results on a study of this sort," Eisenhower added.

His view, in contrast to Higginbotham's, is doggedly optimistic, as one would expect.

But Eisenhower added tht if the bulk of recommendations haven't begun to put into effect five years from now, "I will be one of the most disappointed men in America."

[From the Washington Post, Dec. 14, 1969]

IT'S TIME TO ATTACK ROOTS OF VIOLENCE

(By James J. Kilpatrick)

The week of the Black Panther shootouts happened also to be the week in which the National Commission On the Causes and Prevention of Violence wound up its work. In the midst of a season of peace on earth, good will towards men, we are asked to ponder once again the why of violence in American life.

The problem is real; and the problem is growing. Last year 588,000 violent crimes were reported to police across the country. Authorities believe at least that many more were never reported at all. The commission's "fair guess" is that perhaps 2.4 million offenders were involved in these crimes. It is a guess that numbs the mind.

No such conditions obtain elsewhere. Our homicide rate, as the commission noted, is more than twice that of second-ranking Finland, and from four to 12 times higher than the rates in a dozen other advanced countries, including Japan, Canada, England, and Norway. We lead the civilized world in rape, robbery, and assault. The past decade has seen a 200 percent increase in arrest rates of boys, 10 to 14, on robbery charges.

What has produced this appalling picture of America today? The commission's principal answer lies in its study of race and poverty in the central cities. Violent crime is largely an urban phenomenon; and within the major cities it is largely the work of young black males. What drives them to robbery, assault, murder, rape? What virus infects the Panther group?

If I read the commission correctly, a combination of environmental factors is responsible. In the span of a couple of generations, at least five stabilizing influences have disintegrated: Home, family, neighborhood, school and employment. The typical child of the black slums is reared with little loving attention from his parents. The father is "sometimes or frequently absent, intoxicated, or replaced by another man." He is often unemployed, unfair in his discipline, or treated without respect by others. No wonder, the commission remarks, that a slum child grows up with resentment of such authority figures as police officers and teachers.

The chaos of a slum household might be relieved by tranquility in the schools or by stable employment opportunities. It seldom happens. Good teachers rarely remain long in the ghettoes; fearful for their personal safety, or discouraged by the intellectual poverty around them they tend to depart. The swift efficiencies of automation eliminate jobs for unskilled labor. Some slum children escape by luck, industry, and exceptional character. Others find themselves on an escalator down. And they turn to crime.

In times past, as the commission acknowledges, other racial and ethnic groups have encountered inner-city poverty and risen above their environment—the Irish, Chinese, Jews, Europeans. But their upward movement came in a simpler day, when cities were smaller and religion loomed larger. They were victims of discrimination, true, but not the enduring, pervasive discrimination that has affected the American Negro.

Other causes play a part. The U.S. has "the highest gun-to-population ratio in the world." Television, motion pictures, the mass media, tend to glorify violent themes. Our prison system, starting with juvenile detention homes, fails to exert a rehabilitative influence; in any given year, half of all offenders are repeaters. Clogged courts grind out their verdicts slowly. Overburdened police cannot keep pace with demands upon them.

Add to all this the erosion of law that results from massive civil disobedience. Consider the influence of pornography, eating away at the social and moral fabric. Give account to the temptations that stem from affluence. Perhaps we should marvel, the commission remarks that the situation is not worse.

The situation is intolerable. "Order is indispensable to society," the commission observes, and "law is indispensable to order." No greater responsibility lies upon government at every level, and upon the people in every community, than the responsibility of attacking the causes of violence and reversing the dark tides that swirl across our cities.

REMARKS BY ASSISTANT SECRETARY OF AGRICULTURE PALMBY BEFORE THE ANNUAL CORN AND SORGHUM RESEARCH CONFERENCE OF THE AMERICAN SEED TRADE ASSOCIATION

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

Mr. MIZE. Mr. Speaker, I think all of us see the strong temptations for this and other nations to place protective barriers in the way of a freer trade among nations. World trade policy and domestic agricultural policies of various countries, including the United States, are at a critical point.

The increasing involvement by governments in pricing of exports encourages a tendency to set export prices on the basis of destination. The relationship of the export price to the domestic price and the cost of production is obscured when this happens.

World trade could go either toward more protectionism or toward greater liberalism. The Nixon administration is committed to a freer trade concept, but to achieve this as a nation we will need help from all who can help.

I commend the recent remarks of Assistant Secretary of Agriculture Clarence D. Palmby before the Annual Corn and Sorghum Research Conference of the American Seed Trade Association. He speaks to this topic frankly and with knowledge. I include Mr. Palmby's remarks at this point in the RECORD:

It is easy to forget that as recently as 1940 the U.S. average yield of corn was still below 30 bushels per acre. This year, farmers are harvesting an acre yield of 81 bushels.

It is easy to forget that as recently as a decade ago the U.S. average yield of grain sorghum was around 35 bushels. In 10 years, sorghum yields have gone up some 20 bushels.

Many elements have contributed to the spectacular efficiency of America's corn and sorghum industries. *But first the seed.*

I congratulate the American seed trade for its outstanding contributions to agriculture. Without the rise in grain yields that you have done so much to generate, we would have a vastly different agriculture today—a vastly poorer America in terms of the we eat—the quality of diet available even to people of modest means.

Once again, I am pleased to have a place on the program of your annual Corn Sorghum Research Conference. I have looked forward to being here. I want to talk with you about something that has been on my mind for some time.

Since returning to Government service a little less than a year ago, I have found myself more and more impressed by the fact that the world agricultural community is standing at *a point of decision* in terms of its future development. The decision is this:

We have the opportunity—our Nation and others—to move rather rapidly now to a commercial world agriculture. Parts of the world are now emerging from a subsistence economy. Other areas have the opportunity to move away from an agriculture administered by Government. Modern industrial complexes are offering job opportunities to more people.

The opportunity is present—to develop a world agricultural economy based on economic comparative advantage. This would imply less Government interference in trade and in pricing. It would mean a truly international trading economy that could do a great deal for the growth of national economies around the world.

On the other hand, the world may miss this golden opportunity. It may move further into protectionism—and this would be a disaster.

The Nixon Administration is dedicated to a freer trade concept—based on economic comparative advantage. We are pursuing this objective in a number of ways—and it is certainly true that a variety of approaches is needed, by the U.S. and by other countries.

For example, the United States supports the Organization for Economic Cooperation and Development (OECD), headquartered in Paris, and The General Agreement on Tariffs and Trade (GATT), officed in Geneva. This is good, but supporting or belonging to international forums does not in itself contribute to a lessening of trade problems and impediments. New initiatives are needed. We need a constructive examination of internal agriculture policies within industrially developed countries, with a goal of improving and increasing the international climate for trade. We need a full appreciation of the fact that trade is trade regardless of whether we are talking about agricultural commodities or industrial products. They go hand in hand.

We are eager, therefore, to discuss trade problems in international forums—or, in instances, on a bilateral basis.

The fact is that there is increasing government interference in agriculture and trade, around the world. There is more involvement by governments in the pricing of exports. There is a growing tendency to set prices on the basis of destination—which means that there may be little relationship between the export price, the domestic price, and the cost of production.

In the short run at least, this will continue. At the same time, we are not reconciled to it. We will continue to do everything we can to persuade other trading nations to liberalize and rationalize their trade policies. Meanwhile, we hope to administer our own domestic policies in such a way as to permit our farm products to compete in the world.

Because of our historic involvement in the European market, we have been watching with acute interest the possibility that the United Kingdom and other nations may be admitted to the Common Market. The U.S. and other members of the so-called "outer seven"—the European Free Trade Area—are possibilities for future membership; and the outcome of these negotiations could be critical to our trade with those nations.

If those countries do enter the community, the terms of their admission will of course be crucial as far as we are concerned. If the Community is expanded to a dozen or more members, will this mean that present restrictive agricultural policies will be extended to these additional areas? Or would it mean that the broadening of membership might cause the Community's trading policies to be tempered or even recast?

These are timely questions. They are critical questions as far as we are concerned. They are the reasons why we are watching with such intense interest the negotiations between EEC and its possible new members.

Our European friends have often said that we should not be concerned about our corn and sorghum exports. They point out that their imports of U.S. corn and soybeans have trended upward quite rapidly during the 1960's. Even since the "harmonization" of EEC grain policies in the middle 60's, imports of these commodities from the U.S. have increased. Therefore, they say, we in the U.S. have nothing to worry about.

The rightful answer is that our grain and soybean exports to Europe *should* expand and any time they do not expand we should be concerned. We have a true economic comparative advantage in producing soybeans, corn, and milo. In order for the U.S. to continue to increase our over-all trade with Europe, Japan, and other countries, we must continue to expand our sales of those commodities in which we do enjoy a comparative advantage. Otherwise they in turn cannot expect to expand or even to maintain their sales of industrial items to the United States.

The European Community has made heavy sales of feed wheat to central European countries at prices that have no relationship to world corn prices. Also, the EEC has been feeding wheat at record levels internally. Couple these facts, and they add up to a matter of considerable concern to farm and trade interests in this country.

As I look at it, there is a growing body of thought among U.S. opinion-makers—including many in Congress—that we should definitely expect a growth in our exports of corn and soybeans. This means that European actions to produce and use more of their grain for feed, with the announced goal of lessening the need for U.S. corn, would be looked upon unfavorably by many Americans. Such actions, without downward price adjustments in Europe, would likely lead to a demand for import restrictions on many items imported into the U.S.

The mood here, as I read it, is that growth in the market for imported industrial items into this country simply cannot continue unless normal growth is allowed for our export products to Europe, Japan, and other industrially developed countries. This feeling, it seems to me, is growing. I find it sad that trends abroad should encourage this type of protectionist reaction in a Nation that has traditionally supported a liberal trade policy.

To summarize the export situation very briefly, our exports of corn and sorghums in the past marketing year, which ended September 30, were disappointing. But exports in the current marketing year are brighter—particularly for corn.

A major problem for corn and sorghum exports has been, of course, the large increase in world stocks of wheat available for export. The demand for milling wheat from the world market declined. There has been, as a result of these pressures, a deterioration in world wheat prices. There has been increased feeding of wheat—not only in the EEC, as I mentioned, but also in Spain and the United Kingdom.

Even in the United States, use of wheat for feed is growing. In 1966 and 1967, we were feeding less than 100 million bushels of wheat a year. In the current marketing year, we will feed an estimated 225 million bushels.

To summarize: U.S. corn exports were off about 15 percent last year, and sorghum exports were off 36 percent.

Looking ahead: Export prospects in the new marketing year seem considerably brighter for corn. We are not likely to increase exports of sorghum, but the opportunity for future growth in sorghum exports is certainly great. This depends primarily on our product being available the year-round at prices that are acceptable in relation to corn or grain from other countries.

In the current marketing year, world trade in feed grains should run somewhat above last year. Meanwhile, the present corn loan level in the U.S. is allowing corn to move into use at unprecedented levels. And—supplies are shorter than usual in the other principal exporting countries, Argentina and South Africa.

The upshot is that corn exports in 1969–70 will be an estimated 600 million bushels or more.

Japan continues to be a major factor in the U.S. outlook. Import demand for feed grains in that country will expand this marketing year, as it has in recent years. Japanese imports of grain for feed from all sources are expected to increase at the rate of 25 to 30 million bushels per year.

Now, if I may introduce a change of subject—I would like to talk with you about something we have discussed several times before. It is not unrelated to export policy; in fact, there is a great deal of relationship between our market development efforts and the condition of the commodity that we export.

Much has been said in recent years about the condition of U.S. corn arrivals in Great Britain and other importing countries. Consistent with this problem, let me quote a few lines to you from a U.S. Department of Agriculture report:

"For several years an increasingly large number of more or less forcible and persistent representations were made to the Secretary of Agriculture and other officers of the Federal Government, to the effect that much of the grain, and especially the corn, that was being exported from the United States was not being delivered abroad in a satisfactory condition, that it was not of the quality represented by the inspection certificates accompanying the shipments, and that material injury was in consequence being done to the export grain trade of the United States."

When do you think that report was submitted? In 1969? In 1968? The paragraph I just read is from a USDA circular entitled "American Export Corn (Maize) in Europe" and *dated February 8, 1910!*

The report also included the following paragraph:

"Several shipments or parcels, amounting in all to 79,847 bushels of badly discolored heat-damaged corn, sometimes known as 'mahogany,' which had been artificially dried before shipping, were also examined in Europe. These shipments bore certificates as 'rejected corn' 'dried'. . . . The moisture content of this corn varied from 13.2 to 17.4 percent. Such corn is used almost entirely for distilling purposes on the continent of Europe."

Finally, under "Observations and Recommendations", the Report said:

"There are two means by which the moisture content in any part or the whole of a ship's corn cargo may be increased during transit: (1) the transfer of moisture by air currents caused by changes in temperature; and (2) by chemical changes within the corn kernel."

What all this proves is that, although things change, they sometimes remain the same. It is apparent that, despite all our progress in shipping and handling, we still have problems in corn quality—after 60 years!

I think it is fair to say that these problems, if and as they exist, are caused more often than not by our rapidly changing technology. I am thinking particularly of the great increase in the amount of field shelling and kiln drying.

It is quite evident that we cannot ship to other countries corn that has higher quality than it possessed at the time it was sold by the farmer to the first receiver. Of necessity, following receipt of corn after the first exchange of hands, the needs for blending may result in the incorporation of wider ranges of moisture levels than may be desirable. This may add to our problem.

I have discussed this problem with you many times, along with other aspects of production and handling of grains. The problem is large enough that each segment can participate in trying to improve the condition of our corn so it can be handled and shipped without undue depreciation. All of us can help.

I know that you are concerned about one situation that has been present the past few years. This is the fact that the competition for maximum yields sometimes leads to high levels of moisture in corn in normal harvesting periods. To the extent that varieties may lead to poor quality under farm conditions, the seed trade shares a responsibility.

There does seem to be some progress in developing corn for good handling qualities as well as for good yields and feeding quality. There may be promise in some of this work.

The problem for the United States in supplying corn of almost any quality and condition is a most difficult one. It is difficult because the price for corn traded in the entire world market is established at Chicago. Other suppliers price their corn in relation to U.S. prices. Need I say more?

In closing, let me reiterate that world trade policy and the domestic agricultural policies of various countries are at a critical point in their history. The world's nations could go either way—toward more protectionism or to more liberalism in their trade policies. This is a key question, not only in terms of world trade, but also in relation to future economic development of countries that need to trade in order to develop.

So we need all the help we can muster to move the world toward more liberal trade policies. Also, we need to gear our own agriculture—in production, marketing, pricing, and merchandising—to meet the requirements of the world market in the 1970's.

The U.S. is maturing as an export nation. But we will never be really mature as an exporter until we are able to look at overseas outlets as being as important to us as are the commercial poultry producer and the commercial corn processor in this country.

We have not yet attained that degree of sophistication.

THE U.S. GOVERNMENT'S HISTORICAL PROGRAMS

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, recently it was my privilege to attend the national meeting of the Southern Historical Association and convention, in Washington, D.C. During that time, Dr. Walter Rundell, Jr., of the Department of History at Iowa State University, presented a paper entitled "The U.S. Government's Historical Programs" Because this paper is obviously the result of some very thorough research, evaluations and is abundant with historical activities that are little known and has special recommendations for Members of Congress, I include it in the CONGRESSIONAL RECORD for perusal, study, and consideration by my colleagues and others who may chance to read this very important and worthwhile dissertation:

THE U.S. GOVERNMENT'S HISTORICAL PROGRAMS

(By Walter Rundell, Jr., Department of History, Iowa State University) *

The involvement of the United States government in historical publication dates back almost to the beginning of the republic. While this paper focuses mainly on the government's current programs for writing history, it is important to understand something of the initial efforts in publishing historical sources. As early as 1799 the government printed the journals of the Continental Congress, and then in 1818 came the journal of the Constitutional Convention. Two years later the secret journals of the Continental Congress followed. The State Department published *Diplomatic Correspondence* in 1832, and supplemental volumes appeared in 1888. In 1833 the government contracted with Matthew St. Clair Clarke and Peter Force to publish *The Documentary History of The American Revolution,* which became popularly known as Peter Force's *American Archives.* This nine-volume set appeared between 1837 and 1853.[1]

Almost concurrent with Peter Force's *American Archives* was the issuance of *American State Papers* by Gales and Seaton, publisher of the *Annals of Congress.* Between 1832 and 1861, under government contract Gales and Seaton put out thirty-eight volumes of *American State Papers,* covering some topics from 1789 to 1823 and others to 1838. The documents are classified under these rubrics: Foreign Relations, Indian Affairs, Finance, Commerce and Navigation, Military Affairs, Naval Affairs, Post Office Department, Public Lands, Claims, and Miscellaneous.

Shortly after the *American State Papers* were inaugurated, the government realized its obligation to print the papers of some distinguished statesmen. The first of these projects was the Madison papers in 1840. In the next decade came the Adams, Jefferson, and Hamilton papers. Then in 1865, a second series of Madison's writings appeared.[2] Judged by modern standards of documentary editing, the aforementioned publications were crudely edited.

The Department of State undertook the publication of its major documentary series, *Foreign Relations,* in 1861. From the first volume through those for 1913, the series was uneven and unsystematic in the coverage of diplomatic affairs, for there were no scholarly standards for editing. Yet the inauguration of such an annual series was unique, for it indicated a desire for open diplomacy and quick publication of the diplomatic record. Scholarly standards were imposed in 1921, which meant that the volumes for 1914 on were appreciably better.[3] In 1888 Secretary of State F. Bayard proposed the publication of his department's historical manuscript collection. President Cleveland's approval and support of the project notwithstanding, Congress refused to appropriate the necessary funds. Unable to fulfill this first objective, the Department of State undertook a helpful expedient. In 1893 the Department's Bureau of Rolls and Library began publishing a series of calendars, indexes, catalogs, and other finding aids for its holdings.[4]

During the last third of the nineteenth century the government was involved in planning and publishing this country's greatest documentary monument, *The Official Records of the War of the Rebellion.* As early as 1879 radical defects in the plan of compilation were detected.

Nonetheless, publication of the original edition continued a decade, with a total of seventy-nine volumes. Soon after the deficiencies in the original became apparent, a revised edition was planned, and its first volume appeared in 1881. For eight years, then, there was concurrent publication of the revised and discredited editions. No reason was ever given for the continuation of the first edition beyond 1881. An Army officer later commented: "Why the first edition, thus condemned to abandonment for its imperfections, was not forsaken at this time instead of being permitted to continue its superfluous career for eight years longer, is one of those inscrutable mysteries of departmental life which baffle alike the speculations of the philosopher, the investigations of the historian, and the imprecations of the soldier." The 128 volumes, plus atlas, of the revised edition were completed by 1901. Cost of the entire project was $2,858,514.67, not including salaries of Army officers assigned to the project.[5] After this publication of the records of the Union and Confederate Armies was well under way, the government realized that a companion set for the naval forces was necessary. *The Official Records of the Union and Confederate Navies in the War of the Rebellion* were printed in thirty volumes between 1894 and 1927.[6]

At the end of the nineteenth century Congress published James D. Richardson's compilation of *Messages and Papers of the Presidents* in ten volumes. The set covered the period 1789 to 1897. Unfortunately, it omitted some important messages as well as all the working papers, which often were more important than the formal documents. Through some hazy arrangements, a commercial publisher also brought out the set and added supplements through the Coolidge administration. This 1789 to 1929 edition consisted of twenty-five volumes.[7]

Another highly important documentary series inauguarated by the Department of State in 1931 was the *Territorial Papers of the United States.* Clarence E. Carter edited the twenty-six volumes which appeared between 1934 and 1962. In 1950 the National Archives assumed responsibility for the series, which so far has dealt with territories east of the Mississippi River, Louisiana, Arkansas, and Missouri. The first of two Wisconin Territory volumes, prepared by the current editor, John Porter Bloom, will appear shortly.

To commemorate the bicentennial of George Washington's birth, a federal commission selected John C. Fitzpatrick to compile and edit Washington's out-going correspondence. While his edition improved upon the work of Jared Sparks and Worthington C. Ford, it suffered from an inadequate budget that obviously limited the scope of the project. The thirty-nine volumes, published between 1931 and 1944, omitted incoming letters and thereby left the work only partially done. We have great expectations for an authoritative edition of the Washington papers from Donald Jackson, now on the staff of the University of Virginia.[8]

Our expectations for this forthcoming edition of the Washington papers stem from the editor's proven competence,[9] and the fact that he will follow the editorial trail blazed by the big five—the Jefferson, Adams, Franklin, Madison, and Hamilton papers. The projects have proceeded with guidance and financial assistance from the National Historical Publications Commission.[10] Since its revitalization in 1950, the National Historical Publications Commission has been an important force in establishing and promulgating the modern scholarly canons of documentary editing.[11] For the last twenty years, it has been associated with virtually all the important editorial monuments to famous Americans.[12] Since 1965 the National Historical Publication Commission and geographically diverse repositories have co-sponsored the microfilming of research collections of national significance. Approximately seventy-five are now available. Like the Library of Congress' microfilms of presidential papers, these may be borrowed on inter-library loan.[13]

The willingness of the federal government to publish documents related to its own history is entirely understandable. From the beginning of our government, and indeed from the inception of revolutionary thought, the shapers of our history have been invested with a sense of their moral rectitude. They felt that they were acting according to the highest principles of self-government and therefore the published records of their activities could constitute a noble lesson for other nations and a wholesome reminder to American citizens of their heritage of freedom. Hence, there seemed to be little danger involved in sponsoring documentary history.

To move from a program of reproducing records to one of interpreting them required more courage and entailed somewhat more risk. It was one thing to print the manuscript records of the past, even allowing for subjective editorial decisions, for citizens then could read the actual documents and draw their own conclusions. But for the federal government to sponsor historical programs that would result in secondary, interpretive works was another matter. Those who envisioned the latter program must have realized they faced two potential—and often very real—types of critics. First would be Congressmen who would appropriate funds for the program. They might fear that historical scholars on the federal payroll would present the past in a partisan light, perhaps discrediting some current political theory or effort. Or Congressmen with some longevity might also be uneasy about investigation of episodes in which they took a hand.[14] Beyond the Congressional barrier lay the scholarly community, with inbred prejudices about official histories. "How could an investigation be pure and disinterested," academic critics would ask, "when the historian gets paid by the organization whose history he is writing?" Not only were such considerations faced at the outset; they have kept vigil over most, if not all, the historical activities in the federal government.

These programs for producing interpretive histories of governmental operations emanate from the executive branch, and most relate to departmental operations. The only exception is the Supreme Court history now being written under the supervision of the Library of Congress. This project is supported by funds from the Oliver Wendell Holmes Devise. Of the twelve executive departments, the following have some type of historical program: Defense, Interior, State, Agriculture, Labor, Transportation, and Health, Education, and Welfare. Some independent executive agencies, such as the Atomic

Footnotes at end of article.

Energy Commission, National Aeronautics and Space Administration, and USIA, likewise have historical offices. By far the most extensive program is that of the Department of Defense. Within this vast enterprise, each service, including the Marines, has its historical program, as does the Office of the Secretary of Defense and Joint Chiefs of Staff. Unlike most government historians, those with the Joint Chiefs of Staff expect no public recognition for their work, since they realize from the outset that all their research and writing must be for the files. Their highly classified products are available only to those with the requisite security clearances within the military establishment. Hence these historians must possess what Leon Blum once termed the requisite for an ideal civil servant, a passion for anonymity.[15] This quality, I hardly need add, is one not ordinarily associated with historians.

Easily the largest and most active historical program within the Department of Defense is that of the Army. The Army's historical consciousness was amply documented by the monumental *Official Records of the War of the Rebellion*. After this project was completed, the Army proposed a publication of Revolutionary War documents. Although the government had spent around $3,000,000 on the Civil War Army records, in 1913 Congress appropriated only $32,000 for the collection and publication of Revolutionary documents.[16] The Army's historical concern with World War I was primarily documentary, since Secretary of War Newton D. Baker opposed official interpretive history.[17] Between the wars, the Historical Section of the Army War College edited records of the American Expeditionary Forces, whose seventeen volumes were published in 1948 as the *United States Army in the World War, 1917–1919*.

Impetus for significant historical coverage of the second World War came from President Roosevelt. On March 4, 1942 he directed the Bureau of the Budget to name a committee on records of war administration to preserve "an accurate and objective account of our present experience." [18] The Army responded in mid-summer by assigning historical officers for the Services of Supply (John D. Millett), Army Ground Forces (Kent Roberts Greenfield), and Army Air Forces (Clarence B. Lober).[19] Then in August 1943 the Army consolidated the program by establishing the Historical Branch within G–2, the staff office responsible for intelligence. This consolidation enabled the Army to extend its historical coverage to overseas theaters.[20] A search went out for professional historians already in uniform to man the section. With the headquarters unit established, the War Department provided historical units for overseas theaters. These combat historians recorded their own observations, interviewed key figures, and collected other important documentary data. The War Department had also prescribed periodic historical reports prepared by various military units. From these reports, the observations and writings of field historians, and the gigantic volume of records produced and preserved during the war, the Army produced the magisterial series entitled *United States Army in World War II*. Supervising the series was the Office of the Chief of Military History, an outgrowth of the G–2 historical branch. Since the beginning of this Office, the Chief has been a general whose duties have been administrative, as have those of most of the other military personnel in the Office. The actual historical research and writing has been under the direction of the chief historian, a civilian. The three chief historians have been Walter L. Wright, Jr., Kent Roberts Greenfield, and Stetson Conn. The professional staff working under them have been civilian historians, cartographers, edtiors, and librarians. Most of the historians have had military experience, usually in the theaters they have written about. To recruit qualified professionals for the World War II series, the Army considered authorship credit indispensable.

While the Office of the Chief of Military History has coordinated and directed the Army's history of World War II, until 1962 it did not have sole responsibility for the program. Before the reorganization of that year, the chiefs of the Army's administrative and technical services maintained their own historical offices and were responsible for the histories of their components in World War II. Between 1945 and 1962, the Surgeon General, Chief Signal Officer, Chief of Engineers, Chief of Transportation, Chief of Ordnance, Quartermaster General, Chief of Finance, and Chief Chemical Officer had historians on their staffs, and most of these services are represented in the official series.[21] Moreover, some have published histories for periods other than World War II, notably the Quartermaster and Surgeon Generals. Offices lacking a historical program for World War II were those of the Adjutant General, Chief of Chaplains, Provost Marshal, and Judge Advocate General.[22]

From the scholarly standpoint, what has been the result of the Army's tremendous effort to record its World War II history? The series includes studies on strategic planning, logistics, defense of the Western hemisphere, manpower, training, combat in all theaters, and the technical and administrative services. In any undertaking of this scope, there are obvious differences in approach and quality. The combat volumes contain more built-in plot and excitement than do those dealing with field laundries or spare parts for tanks. It is manifestly easier to maintain reader interest when dealing with General Patton's daring armored tactics than with methods of loading cargo ships. For all the innate differences in the seventy-odd volumes, they represent a high level of historical scholarship. Based as they are on the original sources, they form the foundation for any subsequent investigation of this subject. Because of the books' workmanlike quality, future historians will not have to undertake this level of investigation again. Through its critical evaluations, notably in the *American Historical Review*, the profession has generally recognized the solid contributions these volumes made. One would wish, however, that the *Mississippi Valley Historical Review* had seen fit to assess the books with standard reviews rather than mere mention in "Book Notes." Whether intentional or not, the *Mississippi Valley Historical Review* evaluated the series along with such contributions as *My Mother Used to Say: A Natchez Belle of the Sixties* [23] and *Great Train Robberies of the West*.[24] In 1967 the *Journal of American History* reversed this policy with signed reviews.

With the reorganization of the Army's historical activities in 1962, the Office of the Chief of Military History was charged with winding up the World II history, supervising historical offices in major commands, as well as with maintaining several other important activities. It has published two monographs on the Korean War, four in a miscellaneous Army Historical Series, and is preparing volumes on the Army's role in the Vietnamese conflict.[25] In addition, it has written studies concerning the Army's involvement in civil disturbances, such as the use of federal troops during the integration of Central High School in Little Rock and the University of Mississippi.[26]

Of current interest is the Office of the Chief of Military History project on the history of integration in the armed forces. Its significance lies in the fact that it is the first historical study undertaken on a Departmental basis and that the Army got the assignment. Similar studies concerning matters common to the entire Department of Defense should follow.

The Navy's historical program originated in the Navy Department library in 1882 when the librarian began the collection and publication of the *Official Records of the Union and Confederate Navies*. Later known as the Office of Naval Records and Library, the unit is now the Naval History Division. The Navy published seven monographs on World War I, including the *History of the Bureau of Engineering* (1922, 176 pp.) and *The American Naval Planning Section, London* (1923, 537 pp.). Between the wars the Office prepared two significant documentary publications, *Naval Documents Related to the Quasi-War Between the United States and France* (1935–38, 7 vols) and *Naval Documents Related to the United States Wars with the Barbary Powers* (1939–45, 7 vols.)

When considering the Navy's history in World War II, we naturally think first of Samuel Eliot Morison's monumental fifteen-volume *History of United States Naval Operations in World War II*.[27] Although this history, based on primary sources, was supported by the Navy Department, it was published commercially.[28] The Naval History Division, directed since 1956 by retired Rear Admiral Ernest M. Eller, is responsible for many specialized volumes on World War II dealing with such topics as operations, logistics, administration, and chronology. Bureaus, such as those of Ordnance, Personnel, Medicine and Surgery, Ships, and Yards and Docks, published multi-volumed histories of their World War II activities. Moreover, the great number of historical studies published by the U.S. Naval Institute in Annapolis qualify as quasi-official history.[29] An example of the Navy's recent historical publications is William B. Clark's edition of *Naval Documents of the American Revolution*, of which four volumes have appeared. Perceptive reviewers criticized deficiencies in the first two volumes,[30] but the third met more enthusiastic response.[31]

While the Marine Corps' historical section began in 1919, its significant publications date only from World War II. Prior to and during the early years of that war, the historical office functioned chiefly as a reference service and was attached to different parts of the Corps headquarters.[32] The first fruits of its World War II historical program were fifteen monographs published between 1947 and 1955, dealing with individual campaigns, such as those of Tarawa, Bougainville and the Northern Solomons, Guadalcanal, Saipan, Tinian, New Britain, Iwo Jima, and Okinawa. Beginning in 1958, the office began publishing a projected five-volume *History of U.S. Marine Corps Operations in World War II*. These books treated the Pacific war chronologically and profited from being based on Japanese, as well as American sources.[33] Concurrent with its work on World War II, the Historical Branch began a series on Marine involvement in the Korean War. Of a projected five-volume *U.S. Marine Operations in Korea*, four had been published by 1962.[34]

The historical consciousness of the newest of the armed services, the Air Force, was nurtured by its parent, the Army. In fact, the Army Air Forces' historical program begun in 1942 remained intact through the establishment of the Air Force. Before the 1947 "unification" of the services into a single Department of Defense, which rather anomalously created the Air Force as a third and coequal branch along with the Army and Navy, the Army Air Force had begun work on its World War II history. Edited by Wesley Frank Craven and James Lea Cate, *The Army Air Forces in World War II* comprised seven volumes, published between 1948 and 1958. The first five volumes dealt largely with operations; the sixth was concerned with high-level organization (no pun intended), procurement of materiel, and personnel. Volume VII was something of a catch-all, covering the Air Transport Command, Weather Serv-

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ice, Airways Communications System, and demobilization. This series, written from official records and reflecting that viewpoint, was published by The University of Chicago Press. Futrell's study of the Air Force in the Korean War used the same approach.[35]

In 1949 the Air Force Historical Division moved to the Air University, Maxwell Air Force Base. Since then, it has published a long series of USAF Historical Studies dealing with World War II, the post-war period, the Korean conflict, and subsequent events. In administering the service's program, the Historical Division required each major command and numbered air force to maintain a historical office.

This extensive field program, manned by some 200 full-time civilian and military personnel, is far larger than that of the other services. These field offices have prepared semi-annual histories of their organizations. Among those involved, there has been some doubt about the effectiveness of these six-month reports. The reservations concern the length of the period under review and the consequent inability to deal with the major issues in sufficient perspective. Presently, the Air Force's historical program is undergoing a significant reorganization which may result in more sophisticated publications. The fact that a retired major general, R. A. Grussendorf, was recalled to active duty to establish the Office of Air Force History in Washington indicates increased emphasis on the program. Further indication of a change of direction is that command historians, once attached to information offices, now submit annual histories directly to their chiefs of staff.[36] This reorganization incorporates the principal suggestions made by an advisory committee on the Air Force historical program.[37] Some of the encouragement for the reorganization apparently has stemmed from the Department of History at the Air Force Academy, which is keenly conscious of the need for the Air Force to have a meaningful historical program attested to by serious publications, informative to the military, the community of scholars, and the public.

Combining its various components, the Department of Defense clearly maintains the largest federal historical operation. It is somewhat ironic that the government of this "peace loving" nation has devoted far more resources to its military history than to the study of its more pacific operations. This development no doubt reflects our imitation of the European governments that inaugurated official military history in the nineteenth century rather than any deliberate policy of slighting civil administrative history. Nonetheless, as the works of Leonard D. White demonstrated so eloquently, the latter field is rich for tillage and we are the poorer because of the traditional imbalance.

The second largest historical activity in terms of manpower and publications is the Department of State's.[38] Its Historical Office, directed by William M. Franklin, belongs to the Bureau of Public Affairs. The State Department began its documentary publications in 1861 with *Foreign Relations of the United States*, but as noted previously, the series did not bear the stamp of professional preparation until the 1914 volumes appeared. As an indication of the nation's major diplomatic concerns through the years, *Foreign Relations* constitutes a valuable asset to students of diplomatic history and to the profession generally. When Dean Dusk was Secretary of State, he agreed in principle to keep the publications within twenty years of the present, a goal proposed by the Department's advisory committee. As an injunction to those editing the volumes, a sizeable banner in the Historical Office once proclaimed: "Hold that 20-Year Line." The passage of years and the crumbling line may have resulted in the banner's removal. Concerned scholars have repeatedly urged the Department of State to support this publication program sufficiently to hold the twenty-year line,[39] but there is no real evidence that the leadership in the Department feels any urgency about the situation. By real evidence, I mean sufficient funding for the necessary staff to accomplish the job. The best intentions of the Historical Office—and I think they have been amply manifested—cannot accelerate publication of the annual volumes. It requires an adequate staff. The problem concerns not merely the volumes themselves, but access to State Department records in the National Archives. Until the annual volumes come out, researchers cannot examine records for that year. So the further *Foreign Relations* lags, the less access scholars have to needed information. The profession must keep pressure on the Department of State and Congress to provide sufficient support for this important documentary publication as well as for others that have languished because funds were withdrawn. Another challenge the series faces as it enters the post-World War II period is the greatly inflated volume of pertinent materials, not only within the State Department files, but also in those of other departments, agencies, and private individuals. It will require coping with greater amounts of complex documentation, as well as with materials from increasingly higher levels.[40]

As the *Foreign Relations* series indicates, the State Department's historical publications have been largely documentary. An important, continuing series of digests of international laws affecting the United States was launched in 1887.[41] Between 1931 and 1948, Hunter Miller's eight-volume edition of *Treaties and Other International Acts of the United States of America* appeared. Further work in this series, which comes only to 1863, was suspended for lack of funds. The Department has published numerous other compilations of treaties and conference proceedings. Unlike the military historians, the government's diplomatic historians have written few analytical, interpretive volumes. The most notable of these are by Carlton Savage,[42] Harley A. Notter, *et al.*,[43] and William M. Franklin.[44]

In the popular mind, the historical program of the Department of the Interior's National Park Service evokes images of articulate, uniformed park guides who seem to possess an encyclopedic knowledge of the events connected with their particular site. Sometimes this narrative flows forth by rote, and the professional historian is struck by the lack of an analytical or conceptual framework. Nonetheless, such information greatly benefits the numerous visitors to important historic sites.

On the scholarly level, the National Park Service's historical program centers in the Washington office, where Robert M. Utley is Chief Historian. This office has consolidated the work of the National Survey of Historic Sites and Buildings and the park historical research function. This includes the preservation, development, and interpretation of some 169 areas of national historical significance, such as famous battlegrounds and frontier military posts. The Division of History has designated 800 National Historic Landmarks, thereby recognizing their importance and encouraging their preservation. The Division's two types of publications have met with considerable popular approval.

Its Historical Handbook Series contains several dozen pamphlets on individual sites. Like all the Park Service's offerings, they are well-illustrated with photographs and maps. The National Survey has published volumes dealing with historic places within different regions, such as *Soldier and Brave: Indian and Military Affairs in the Trans-Mississippi West*[45] and *Colonials and Patriots: Historic Places Commemorating Our Forebears, 1700–1783*.[46] Each contains historical narrative that lends meaning to the discussion of sites. Since the National Park Service's historical program applies only to its own functions, it provides no coverage for other important operations of the Department of the Interior. With our growing sensitivity to the needs of American Indians in the areas of conservation and reclamation, it is regretable that the Department has provided no historical treatment of these concerns.

For several decades the Department of Agriculture has maintained a historical program, but only recently has it been identified as such. Until the USDA allowed historians to sail under their own colors, Mrs. Clio of the cabbage patch—or should we say Clio of cabbages and cotton—was treated as a function of agricultural economics. Notwithstanding whatever limitation this placement may have been, the USDA historians have played an important role in the development of agricultural history as a specialty within the discipline. A name early associated with agricultural history was that of Everett E. Edwards, who was in charge of the USDA historical program from the 1920s until his death in 1952.

In 1930 the USDA published his *Bibliography of the History of Agriculture in the United States*, a definite work for its time. A decade later the Yearbook of Agriculture contained his perceptive "American Agriculture—*the First 300 Years*." After Edwards' death, Wayne D. Rasmussen took charge of the program and was responsible for the centennial history entitled *Century of Service: The First 100 Years of the United States Department of Agriculture*.[47] Authors of the book were Gladys Baker, Rasmussen, Vivian Wiser, and Jane M. Porter. Some Congressmen denounced the volume, questioning the ability of government historians to write objectively. The critics' allegation was that this scholarly account of the USDA's operations was a partisan tool.[48] Fortunately, their attempts to enjoin distribution of the book were foiled by the Department's leadership. Besides the publication of books, articles, and bulletins, the office prepares staff studies for the Secretary that present historical background for current policy decisions. Several other Departments have studied this unusual function.[49] In a different dimension, this office has for many years served as a secretariat for the Agricultural Historical Society.

Among the newer departmental historical programs are those in Health, Education, and Welfare; Labor; and Transportation. Within Health, Education, and Welfare, the Department has historical offices in the Social Security Administration, National Library of Medicine, and National Institutes of Health. Since its inception in 1963, the Social Security Office has been headed by Abe Bortz. Like the Labor Department's program, it has not yet produced any major publication. Soon, however, it will publish a 100-page guide to social security records. Its oral history project, consisting of more than 150 interviews, also nears completion.[50] Jonathan Grossman launched the Labor Department's historical efforts in 1963. He serves as a consultant to the Secretary and maintains a bibliography on the history of labor in America. The Department of Transportation's historical program began in 1967, although that of its component, the Federal Aviation Administration, predates it seven years.

Two independent agencies, the Atomic Energy Commission and the National Aeronautics and Space Administration, have developed substantial historical activities during their comparatively brief existence. The first, and highly acclaimed, product of the AEC historical office was *The New World, 1939/1946*, Volume I of the official history of the AEC. The second volume, *Atomic Shield, 1947–1952*, has just appeared.[51] Richard G. Hewlett, Chief Historian of the AEC and co-author of these works, is now preparing a book on Rickover and the nuclear navy.[52]

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NASA's historical program began in 1959 under the leadership of Eugene M. Emme. Two years later Emme launched the official publications with his *Aeronautics and Astronautics: An American Chronology of Science and Technology in the Exploration of Space, 1915–1960*.[53] This has been followed by similar annual chronologies and chronologies devoted to the Mercury, Gemini, and Apollo projects.[54] Since 1966 the office has published several monographs, some written under contract by private scholars, rather than being undertaken by the permanent staff. A good example is *This New Ocean: A History of Project Mercury*, by Swenson, Grimwood, and Alexander.[55]

The only approach to a formal history of the legislative branch began in 1962 with the founding of the United States Capitol Historical Society. This organization, whose sole president has been Representative Fred Schwengel (R.-Iowa), bears no official relation to the government and receives no appropriated funds. It has emphasized a historical awareness of the Capitol as a building. To accomplish this end, it has published the highly successful guidebook, *We, the People*. With funds from the sale of over two million copies, the Society has undertaken the compilation of a comprehensive, scholarly bibliography on the Capitol, which will bear the imprint of the University of Oklahoma Press. Several members of the Board of Trustees, myself included, hope to persuade the Society to broaden its scope to include the study of legislative history. By making fellowships available for such investigations, both on the pre- and post-doctoral level, the Society could make a great contribution to American historiography.

In considering the federal government's historical programs, attention must not be restricted to those agencies which publish their own histories. Without the facilities of the government's great repositories, the National Archives and the Library of Congress, little official history could be written. And without the use of these repositories, unofficial history of many aspects of the American experience is likely to be deficient. In their support of all serious investigation into the nation's past, these agencies constitute a vital part of the government's historical program. Probably the most concrete contribution these agencies make to historical study, besides the obvious fact of collecting and maintaining original sources, is in their preparation of finding aids. Within the National Archives system, which includes the presidential libraries and Federal Records Centers,[56] finding aids range from preliminary inventories to elaborate guides to special categories of records, such as the Kenneth W. Munden and Henry P. Beers *Guide to Federal Archives Relating to the Civil War*.[57] This *Guide*, like Beers' more recent one dealing with Confederate records,[58] cites secondary publications based on the sources, thus performing a valuable bibliographical service.

Although the compilation of *Writings on American History*, Volume II of the American Historical Association's *Annual Report* is not directly related to the work of the National Archives and its National Historical Publications Commission, the NHPC in 1951 assumed responsibility for this publication. It should be noted that both volumes of the AHA *Annual Report* (*Proceedings* and *Writings*) have always been published by a government agency. The fact that the most recent volume of *Writings* is for 1958 indicates the pressing need for this discipline to apply computer techniques to its bibliographical apparatus.[59]

In addition to the previously mentioned documentary publication of the National Archives, and those sponsored by the National Historical Publications Commission, some of the presidential libraries have undertaken their own publication programs. The Roosevelt Library has published two volumes on *Franklin D. Roosevelt and Conservation*[60] and three volumes on *Franklin D. Roosevelt and Foreign Affairs*.[61] The Harry S. Truman Library Institute has initiated a series of research projects supported by private funds. Donald R. McCoy, Director of Studies for the Institute, gave first priority to civil rights during the Truman administration.

With the assistance of Richard Ruetten, he has prepared a manuscript on this topic. The Eisenhower Library as yet has undertaken no monographic or documentary publications, but it has initiated an impressive series of conferences for historians. To popularize the Library as an educational and cultural institution, the staff held conferences in 1969 dealing with Western history and the twenty-fifth anniversary of D Day. In connection with the meetings, the Library assembled thematic art exhibits. These conferences may well have been inspired by the series the National Archives began in 1967. They have dealt with polar records, statistical records, captured German documents, and diplomatic history. A two-day conference on the history of the U.S. territories begins Monday, November 3, and another on urban history is scheduled for spring 1970. To keep the academic profession abreast of its programs and plans, the National Archives inaugurated *Prologue: The Journal of the National Archives* in the spring of 1969. Its articles will encompass the entire Archives establishment, including the presidential libraries and Federal Records Centers.

The newest of the presidential libraries, the Johnson Library in Austin, assured itself a vast quantity of documentation when the President required all executive agencies to prepare histories of their activities during his tenure. This rush project prevented any real analytical syntheses, but it did provide in one place much of the raw data, with some guides to its import, that future historians will use. Like other presidential libraries, the Johnson Library has an active oral history program.

For American historians engaged in original research, the Library of Congress' Manuscript Division offers a tremendous variety of Riches, ranging from presidential papers to the official files of the American Historical Association and the National Association for the Advancement of Colored People. In an effort to aid researchers locate needed information, the Library of Congress has prepared extensive finding aids to its own holdings, as well as to those of other institutions. In 1918 it issued the first guide that made a substantial effort to incorporate data on manuscripts throughout the country, the *Check List of Collections of Personal Papers in Historical Societies, University and Public Libraries, and Other Learned Institutions in the United States*. A popular revision came in 1924 entitled *Manuscripts in Public and Private Collections in the United States*. These guides were not nearly so comprehensive nor helpful as Philip M. Hamer's *A Guide to Archives and Manuscripts in the United States*,[62] prepared under the auspices of the National Historical Publications Commission, but they were important as pioneering efforts. Another significant biographical contribution was *A Guide to the Study of the United States of America* (1960). When the Library of Congress undertook compilation and publication of the *National Union Catalog of Manuscript Collections* (6 vols. 1962–68), it provided the vehicle for a complete reporting of manuscripts in the country. Unfortunately, the completeness depends on the cooperation of repositories, and the method of cumulating data and indices is antiquated, but the Library of Congress must be applauded for furnishing the opportunity for achieving bibliographical control over our vast array of primary sources. Among the Library of Congress' most important documentary publications have been the *Journals of the Continental Congress, 1774–1789*[63] and the *Records of the Virginia Company*.[64]

A comparatively recent venture of the Library of Congress, the Center for the Coordination of Foreign Manuscript Copying, promises—and indeed has already delivered—great help to historians. This center, headed by George O. Kent, serves as a clearinghouse for information on the availability of photocopied manuscripts in the United States. It seeks, moreover, to assist scholars in planning photocopying projects abroad so that duplication, with its attendant wastes to both repository and copier, may be avoided. Twice a year *News From the Center* apprises readers of copies of foreign manuscripts in this country and research conditions in foreign archives. Another publication important to historians is the *Quarterly Journal of the Library of Congress*. While its scope transcends our discipline, some of its most significant articles are historical.

In recent years the Smithsonian Institution has offered increased support for the study of history in the forms of postdoctoral visiting research associateships, predoctoral internships, and research assistantships. The collections of the Institution have long been available for research, but the inducement of financial aid to study specific collections has been a positive attraction for historians, especially those interested in American studies and the history of science and technology. Students of American history have too often ignored the kind of non-literary documentation offered by museums. Whatever attraction the Smithsonian may have for visiting researchers, its primary mission is to advance and diffuse knowledge through its corps of resident scholars. Researchers in several fields have long profited from the Smithsonian's specialized publications. Beginning in 1966 the Institution strove for a general audience through the *Smithsonian Journal of History*. Its erratic publication schedule proved a great disappointment, and in the summer of 1969 the Institution decided to kill the *Journal* and divert funds elsewhere.

The sheer size of the government's historical program is an impressive indication of its commitment to history. But governmental agencies do not necessarily construe this as a commitment to publication, nor even as a service to the taxpayers who support it. The military offices stress that their histories are primarily for internal consumption and secondarily for the public.[65] Perhaps the recent record should encourage official military historians to take less pride in our martial accomplishments and to seek to render a wider service to the citizens of the nation, who, after all, make their work possible. My argument is not that official historians have worshipped false gods, for the scholarly quality of their work has generally been sound. The time has come, it seems to me, for those directing the government's historical programs to put social utility ahead of any kind of parochial interest. This obviously is more easily said than done for civil servants, but unless it is done, I fear that the commonwealth will suffer.

One of the problems now besetting service histories is just this matter of parochialism. Military policy since World War II has been formed above the levels of individual services. The nation's political, military, and diplomatic decisions have often been shaped and determined by the National Security Council, the Central Intelligence Agency, and the Joint Chiefs of Staff. More often than not, official historians writing for publication do not have access to records from these agencies, so anything they write reflects a decidedly low level of operations. Even within the Department of Defense, there has been little coordination of the history of military activities since 1947, when the Department was created. The historical staff of the Office of the Secretary of Defense would be the logical agency to exercise leadership in

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writing a departmental history, but it has not done so. Even if such a history could not be published immediately because of security restrictions, preliminary research and writing should be under way. Inaction now means that the type of history that should be written may remain undone.

Aside from the scholarly activity that results in publication, almost all governmental historical offices maintain reference services, both for internal and public use. Many assemble reference files that enable the research which can later lead to publication. Several historical agencies administer museums, which can be an excellent means of communicating a sense of the past. These activities are manifestly important, but I submit that the prime responsibility of official historians in a democratic society should be to write and publish history that explains governmental operations to intelligent citizens. Otherwise, government history serves mainly itself and not the public that sustains it.

Because of their knowledge of agences' operations and records, government historians frequently are commandeered into nonhistorical duties. Career administrators usually have little appreciation for the historian's task and the fact that long periods of concentration are required to produce decent history. They find it easy to use historical talents in writing speeches, preparing reports, and the like. Unfortunately, some historians are willing to be diverted and use this as an excuse for not fulfilling their primary obligation. Since the government has a considerable investment in official history, the profession, through its various organizations, must maintain pressure on the government to insure that its official historians do not become burdened with other responsibilities.

The amount of the government's investment in official history is no real indication of its effectiveness nor of whether taxpayers get their money's worth. Those programs that can be judged by their serious publications have usually measured up to scholarly criteria.

While the finished products reflect objective scholarship, in the process of research and writing, government historians are sometimes subjected to pressures—subtle and not-so-subtle—to engage in special pleading, or at least to present the history of their particular employer in the best possible light.[66] It has been easy for hostile critics to label them "court historians." It is a credit to the integrity of the government historians that they can usually withstand these pressures, but subjection to them drains away creative energy and often delays the entire process.

One problem that accounts for many delays in writing official history is access to classified records. Since I have dealt with this elsewhere,[67] I shall not belabor it here. Suffice it to say that the government badly needs a coordinated, unified system of classifying and downgrading its records. Historians within the government should have easy access to all agencies' records, excepting only those obviously deserving security classifications. And the government should establish a central office to facilitate the access of both official and private historians to the necessary documents. This office could also bring much needed coordination to the entire federal historical effort. If Nixon and subsequent presidents follow Johnson's cue in requiring agencies to prepare their histories during a particular administration, this cannot help having a profound impact on the government's historical operations. Then there would be even greater need for such an office located high within the executive branch.

Finally, questions must be raised concerning the cost and utility of the government's historical programs. In comparison with other governmental expenditures, the cost is negligible and it would be easy to avoid raising the issue. But many wonder today if it is wise to assume that governmental expenditures are beyond the power of our analysis, if not comprehension. Certainly, the information presented by the government's historical programs is a positive contribution to scholarship and justifies their existence. But academic historians, as scholars and citizens, must concern themselves with the governmental aspect of the profession. They must be aware of the time and money necessary to produce official histories and of their intended audiences. The profession should strive to promote a comprehensive governmental historical program that would reflect accurately the role of the government in American life.

In view of these considerations, what recommendations may be made concerning those departments without historical programs? These include Treasury, Housing and Urban Development, Post Office, Commerce, Justice, as well as the legislative branch and the lower federal courts. As one vitally interested in the welfare of the profession and conscious of the need to apprise historians of non-teaching career opportunities, I could say that all major governmental agencies would be well advised to have historical programs. Some existing programs, however, have not established their worth through publications, and although the process of governmental history is admittedly slow, it is not unreasonable to expect from most official historians some token of scholarly publication after several years on the public payroll. Consequently, before any agencies establish new historical offices, they should enunciate their goals clearly, employ historians capable of achieving these goals, give them the requisite support and see that they produce. Lest this analysis of the government's historical programs seem too stringent, we must remember that these programs are possible only through public support. Therefore their entire operation, from the beginning of research to the published product, is a matter of public, as well as professional, concern.

FOOTNOTES

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[1] Worthington C. Ford, "Publication of Historical Material by the United States Government," *Report of the Librarian of Congress, 1904* (Washington: Government Printing Office, 1904), pp. 171–82.

[2] For full titles and bibliographical data, cf. *A National Program for the Publication of Historical Documents: A Report to the President by the National Historical Publications Commission* (Washington: [NHPC], 1954), pp. 100–02.

[3] Cf. William M. Franklin, "The Future of the *Foreign Relations* Series," paper delivered on June 16, 1969 at a National Archives conference on the documentation of foreign affairs; Richard W. Leopold, "The *Foreign Relations* Series: A Centennial Estimate," *Mississippi Valley Historical Review*, XLIX:4 (March, 1963), 595–612.

[4] Ford, *op. cit.*

[5] Hollis Chenery Clark, "Report on Publication of Revolutionary Military Records," *Annual Report of the American Historical Association, 1915* (Washington: Government Printing Office, 1917), p. 194.

[6] The government's Civil War Centennial Commission, presided over by Allan Nevins, launched important bibliographical and monographic series, the latter popularly known as the Impact Series.

[7] Laurence F. Schmeckebier and Roy B. Eastin, *Government Publications and Their Use* (rev. ed., Washington: Brookings Institution, 1961), pp. 309–313.

[8] For general information on printed historical sources, cf. L. H. Butterfield, "Archival and Editorial Enterprise in 1850 and 1950: Some Comparisons and Contrasts," *Proceedings of the American Philosophical Society*, XCVIII: 3 (June 1954), 159–70; *A National Program for the Publication of Historical Documents, op. cit.*; David D. Van Tassel *Recording America's Past* (Chicago: University of Chicago Press, 1960); L. H. Butterfield and Julian P. Boyd, *Historical Editing in the United States* (Worcester, Mass.: American Antiquarian Society, 1963); *A Report to the President Containing a Proposal by the National Historical Publications Commission* (Washington: [NHPC], (1963); Lester J. Cappon, "A Rationale for Historical Editing Past and Present," *William and Mary Quarterly*, 3rd Ser., XXIII: 1 (Jan. 1966), 56–75; L. H. Butterfield, "Editing American Historical Documents," *Proceedings of the Massachusetts Historical Society*, LXXVIII (1966), 81–104.

[9] Cf. Donald Jackson, ed., *Letters of the Lewis and Clark Expedition, With Related Documents, 1783–1854* (Urbana: University of Illinois Press, 1962) and *The Journals of Zebulon Montgomery Pike: With Letters and Related Documents* (Norman: University of Oklahoma Press, 1966).

[10] Cf. Adrienne Koch, "The Historian as Scholar," *Nation*, CXCV: 17 (Nov. 24, 1962), 357–61.

[11] Cf. Waldo G. Leland, "The Prehistory and Origins of the National Historical Publications Commission," *American Archivist*, XXVII: 2 (Apr. 1964), 187–94.

[12] Cf. Oliver W. Holmes, "Recent Writings Relevant to Documentary Publication Programs," *American Archivist*, XXVI: 1 (Jan. 1963), 137–42.

[13] One hundred thousand reels of microfilmed presidential papers are in forty-five states and four foreign countries. Letter, Elizabeth E. Hamer to author, Aug. 1, 1969. Cf. Wayne C. Grover, "Toward Equal Opportunities for Scholarship," *Journal of American History*, LII:4 (Mar. 1966), 715–24.

[14] Cf. U.S., Congress, House, Committee on Appropriations, *Hearings . . . Department of Agriculture Appropriations for 1964*, 88th Congress, 1st session, 1963, pp. 2379–84.

[15] For the attribution of this phrase, cf. Barry D. Karl, *Executive Reorganization and Reform in the New Deal* (Cambridge, Harvard University Press, 1963), p. 282, n. 20.

[16] Clark, *op. cit.*, p. 195.

[17] Elizabeth B. Drewry, *Historical Units of Agencies of the First World War*, Bulletins of the National Archives, No. 4, July 1942, p. 11.

[18] Quoted in Victor Gondos, Jr., "Army Historiography in the Second World War," *Military Affairs*, VII:1 (Spr. 1943), 60.

[19] *Ibid.*; Bell I. Wiley, "Historical Program of the U.S. Army, 1939 to Present," Office of the Chief of Military History manuscript file, n.d.

[20] Gondos, "Army Historiography: Retrospect and Prospect," *Military Affairs*, VII:3 (Fall 1943), 133–40; Wiley, *op. cit.*

[21] The Surgeon General and Chief of Engineers still maintain historical offices, despite the 1962 reorganization.

[22] For comments on problems involved in writing official military history, cf. Hugh M. Cole, "Writing Contemporary Military History," *Military Affairs*, XII:3 (Fall 1948), 162–67; Col. C. P. Stacey, "The American Forces in Action Series," *Military Affairs*,

XIII:1 (Spr. 1949), 47–49 [deals with the highly successful pamphlets for wounded soldiers]; "Guide to the Writings of American Military History," *Military Affairs*, XIV:1 (1950), 1–52, XIV:4 (Win. 1950), 201–28; Wayne C. Grover, "The National Archives and the Scholar," *Military Affairs*, XV:1 (Spr. 1951), 5–10; Kent Roberts Greenfield, "Accessibility of U.S. Army Records to Historical Research," *Military Affairs*, XV:1 (Spr. 1951), 10–15; Kent Roberts Greenfield, *The Historian and the Army* (New Brunswick, N.J.: Rutgers University Press, 1954); M. C. Helfers, "The United States Army's History of World War II," *Military Affairs*, XIX:1 (Spr. 1955), 32–36; Arthur A. Ekirch, Jr., "Military History: A Civilian Caveat," *Military Affairs*, XXI:2 (Sum. 1957), 49–54; Bell I. Wiley, "Kent Roberts Greenfield: An Appreciation," *Military Affairs*, XXII:4 (Win. 1958–59), 177–80; Louis Morton, "The Writing of Official History," *Army*, XI:10 (May 1961), 38–39; Benedict K. Zobrist, "The Ordnance Field Historian and Current Military History," *Military Affairs*, XXV:4 (Win. 1961–62), 203–06; Martin Blumenson, "Can Official History Be Honest History?" *Military Affairs*, XXVI:4 (Win. 1962–63), 153–61; Stetson Conn, "The Pursuit of Military History," *Military Affairs*, XXX:1 (Spr. 1966), 1–8; Charles B. MacDonald, "Official History and the War in Vietnam," *Military Affairs*, XXXII:1 (Spr. 1968), 2–11.

[23] XLVI:3, p. 556.

[24] XLVI:2, p. 351.

[25] Cf. Army Regulation 870–5, Military History—Responsibilities, Policies, and Procedures, Sept. 10, 1968.

[26] Robert W. Coakley, *Operation Arkansas* (Washington: Office of the Chief of Military History, 1967); Paul J. Scheips, *The Role of the Army in the Oxford, Mississippi Incident, 1962–1963* (Washington: Office of the Chief of Military History, 1965).

[27] Boston: Little Brown, 1947–65.

[28] Cf. Robert G. Albion, "The Navy's War History," *Military Affairs*, VII:4 (Win. 1943), 245–47; Albion, "Report of Progress on Historical Work in the Armed Services, *Military Affairs*, VIII:2 (Sum. 1944), 123–35.

[29] James M. Merrill, "Successors of Mahan: A Survey of Writings on American Naval History, 1914–1960," *Mississippi Valley Historical Review*, L:1 (June 1963), 79–99.

[30] George Athan Billias, review of Vol. I, *Journal of Southern History*, XXXI:4 (Nov. 1965), 450–52; Billias, review of Vol. II, *American Historical Review*, LXXXIII:1 (Oct. 1967), 216–17; D. Alan Williams, review of Vol. I, *Virginia Quarterly Review*, XLI:4 (Aut. 1965), 624–27; Ira D. Gruber, review of Vol. I, *William and Mary Quarterly*, 3rd Ser., XXII:4 (Oct. 1965), 660–62.

[31] Samuel E. Morison, review of Vol. III, *U.S. Naval Institute Proceedings*, XCV:7 (July 1969), 127–28; Neil R. Stout, review of Vol. III, *American Historical Review*, LXXIV:5 (June 1969), 1711–12. Vol. IV has not yet been reviewed.

[32] Henry I. Shaw, Jr., "The Historical Publications of the U.S. Marine Corps," July 1965 (processed).

[33] Lt. Col. Frank O. Hough, Maj. Verle E. Ludwing, and Henry I. Shaw, Jr., *Pearl Harbor to Guadalcanal* (Washington: Government Printing Office, 1958). Henry I. Shaw, Jr., and Douglas T. Kane, *Isolation of Rabaul* (Washington: Government Printing Office, 1963). Henry I. Shaw, Jr., *et al.*, *Central Pacific Drive* (Washington: Government Printing Office, 1966).

[34] Cf. Roy Appleman's critical review of IV, *American Historical Review*, LXVIII:4 (July 1963), 1164–65.

[35] Robert F. Futrell, *et al.*, *The United States Air Force in Korea* (New York: Duell, Sloan, and Pearce, 1961).

[36] Letter, Gen. J. P. McConnell, Chief of Staff, U.S. Air Force, to HEDCOM (Maj. Gen. Ohman), Mar. 15, 1969; Letter, Maj. Gen. R A. Grussendorf, Chief, Office of Air Force History, to Hq Comd USAF (COMDR), Apr. 14, 1969; AF Regulation 210–3, Apr. 8, 1969.

[37] [Report of] "Advisory Committee on the Air Force Historical Program," Dec. 16, 1968. Copies of cited Air Force documents were lent by C. R. Rowdybush, Historian, Seventh Air Force, APO San Francisco 96307.

[38] Cf. G. Bernard Noble, "The Department of State and the Scholar," *Military Affairs*, XV:1 (Spr. 1951), 1–5.

[39] William W. Bishop, Jr., Robert H. Ferrell, Philip E. Mosley, Robert E. Osgood, Robert B. Stewart, Robert R. Wilson, and Richard W. Leopold, "Report of Advisory Committee on 'Foreign Relations,' 1964," *The American Journal of International Law*, LIX:4 (Oct. 1965), 914–18; Walter Rundell, Jr., "Restricted Records: Suggestions from the Survey," *AHA Newsletter*, VII:5 (June 1969), 42.

[40] Cf. Stephen Ambrose, review of *Foreign Relations of the United States: Diplomatic Papers, 1945*. Volume IV, *Europe*, in *American Historical Review*, LXXIV:5 (June 1969), 1749–50.

[41] Francis Wharton, *A Digest of the International Law of the United States*, 3 vols. (2d ed., Washington: Government Printing Office, 1887).

[42] *Policy of the United States Toward Maritime Commerce in War*, Vol. I: 1776–1914, Vol. II: 1914–1918 (Washington: Government Printing Office, 1934, 1936).

[43] *Postwar Foreign Policy Preparation, 1939–1945* (Washington: Government Printing Office, 1950).

[44] *Protection of Foreign Interests: A Study in Diplomatic and Consular Practice* (Washington: Government Printing Office, 1947).

[45] New York: Harper and Row, 1963.

[46] Washington: Department of the Interior, 1964. Subseqeunt volumes in this series published by the Department include *Founders and Frontiersmen: Historic Places Commemorating Early Nationhood and the Westward Movement, 1783–1828* (1967); *Prospector, Cowhand and Sodbuster: Historic Places Associated with the Mining, Ranching, and Farming Frontiers in the Trans-Mississippi West* (1967); and *Explorers and Settlers: Historic Places Commemorating the Early Exploration and Settlement of the United States* (1968). Sales figures, as of July 15, 1969, are as follows: *Soldier . . .*, the entire trade printing of 3,500; now out of print. *Colonials . . .*, 27,910. *Prospector . . .*, 22,934. *Founders . . .*, 8,362. *Explorers . . .*, 11,165. Letter, Utley to author, July 31, 1969.

[47] Washington: USDA, 1963.

[48] U.S., Congress, House, Committee on Appropriations, *Hearings . . . Department of Agriculture Appropriations for 1964, op. cit.*

[49] Letter, Wayne D. Rasmussen to author, July 28, 1969.

[50] Letter, Abe Bortz to author, Aug. 12, 1969.

[51] Richard G. Hewlett and Oscar E. Anderson, Jr., *The New World* (University Park: Pennsylvania State University Press, 1962); Hewlett and Francis Duncan, *Atomic Shield* (University Park: Pennsylvania State Press, 1969).

[52] Letter, Hewlett to author, Aug. 2, 1969.

[53] Washington: NASA, 1961.

[54] James M. Grimwood, *Project Mercury: A Chronology* (Washington: NASA, 1969); Ivan D. Ertel and Mary Lou Morse, *The Apollo Spacecraft: A Chronology*, Vol. I, *Through November 7, 1962* (Washington: NASA, 1969.)

[55] Loyd S. Swenson, James M. Grimwood, and Charles C. Alexander, *The New Ocean: A History of Project Mercury* (Washington: NASA, 1966); Robert L. Rosholt, *An Administrative History of NASA, 1958–1963* (Washington: NASA, 1966); Alfred Rosenthal, *Venture into Space: Early Years of Goddard Space Flight Center* (Washington: NASA, 1968); Constance McL. Green and Milton Lomask, *Vanguard: A History* (Washington: NASA, 1969); Edwin P. Hartman, *Adventures in Research: A History of the Ames Research Center, 1940–1965* (Washington: NASA, 1970).

[56] Cf. Richard S. Kirkendall, "Presidential Libraries—One Researcher's Point of View," *American Archivist*, XX:4 (Oct. 1962), 441–48; Kirkendall, "A Second Look at Presidential Libraries," *American Archivist*, XXXIX: 3(July 1966), 371–86; Gerald T. White, "Government Archives Afield: The Federal Records Center and the Historian," *Journal of American History*, LV:4 (Mar. 1969), 833–42; H. G. Jones, *Records of a Nation* (New York: Atheneum, 1968); Philip C. Brooks, *Research in Archives* (Chicago: University of Chicago Press, 1969).

[57] Washington: National Archives, 1962.

[58] Beers, *Guide to the Archives of the Government of the Confederate States of America* (Washington: National Archives, 1968).

[59] Cf. Dagmar H. Perman, ed., *Bibliography and the Historian* (Santa Barbara: Clio Press, 1968).

[60] Hyde Park, New York: Franklin D. Roosevelt Library, 1957.

[61] Cambridge: Harvard University Press, 1969. Francis L. Loewenheim has charged that the Roosevelt Library deliberately withheld from him certain documents published in this series because of the impending publication by the Harvard University Press. As a result of his allegations, twenty leading historians have called upon Congress to investigate the presidential libraries. Cf. "20 Historians Assail Presidential Libraries," Washington *Post*, Sept. 2, 1969, p. A2.

[62] New Haven: Yale Univ. Press, 1961.

[63] Worthington C. Ford, *et al.*, eds., 34 vols., 1904–37.

[64] Susan Myra Kingsburg, ed., 4 vols., 1906–35.

[65] Cf. MacDonald, *op. cit.*

[66] Cf. Morton, *op. cit.*

[67] "Restricted Records: Suggestions from the Survey," *AHA Newsletter*, VII:5 (June 1969), 39–43.

THE LATE BELOVED EVERETT McKINLEY DIRKSEN

(Mr. ARENDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ARENDS. Mr. Speaker, it is no exaggeration to say that no man served in the Congress of the United States with greater distinction than our late beloved Senator Everett McKinley Dirksen. His contribution is almost beyond measure. Many people likened him to Abraham Lincoln, another son of Illinois, and in many respects he was the Lincoln of our day.

There should be a memorial to this truly great man. No more fitting memorial would be the naming of the new proposed Federal building and the existing Federal building and U.S. courthouse in Chicago after him. It was in the Federal building that Senator Dirksen had his office in Chicago. It was to this office that people from across the State would come for guidance and assistance. None were turned away. All were always given the best he had to offer for he was in the truest sense a man of and for the people.

I am today introducing a bill, on behalf of myself and other Members of Congress, to name these two buildings in Chicago after Senator Dirksen. Knowing the high regard which the American people of both political parties held for the late Senator, I am quite confident that all will join in supporting this proposal.

ON THE POSSIBILITIES OF TAX TREASON

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, yesterday the Attorney General requested the resignation of one of the greatest U.S. attorneys in recent times: Mr. Robert M. Morgenthau. This request comes with 2 years left to Mr. Morgenthau's term and while he is in the middle of major investigations of national importance, involving organized crime and public officials.

To quote this morning's Washington Post:

> The Nixon administration's attempt to fire Robert M. Morgenthau as U.S. attorney for the Southern District of New York is widely viewed here as the result of political pressure generated by the prosecutor's widespread investigations of white-collar crime and organized racketeering which could involve many prominent members of the business and political world.
>
> Recently, as Morgenthau's probes into financial dealings involving the use of foreign banks picked up steam, the reports of pressure from Washington have become more frequent.

I hope, Mr. Speaker, that everyone who is concerned about crime—not just the very serious and dangerous crime on the street, but the multibillion-dollar crimes of the rich and the syndicates—will support Attorney Morgenthau and the continuation of his probes.

I propose, Mr. Speaker, that the files which the U.S. attorney of the southern district of New York has accumulated on the use of Swiss banks by American citizens to evade U.S. tax laws be subpenaed by the House Ways and Means Committee to determine the extent of the use of international tax loopholes by Americans. It is incumbent upon Congress to utilize this evidence of tax abuse before it disappears.

The use of foreign secret bank accounts to avoid taxation is a form of tax treason which no American should tolerate.

I have today requested Chairman WILBUR MILLS, of the Ways and Means Committee, to initiate committee action on this critical matter.

HOBBY FARMING

(Mr. OBEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OBEY. Mr. Speaker, family farmers should not have to compete against someone who does not have to make a profit to stay in business. In an attempt to do something about that, I am introducing in the House of Representatives today legislation which would prohibit agricultural grants-in-aid or farm assistance payments for persons who farm only for tax purposes. Senator NELSON is today introducing companion legislation in the Senate. It is time that we eliminate the tax advantages which benefit the wealthy who use farms as tax shelters and milk the Federal Treasury for upward of $600 million per year. And it is time that we prohibit these tax dodge farmers from gaining the economic benefits of farm programs as well.

Last January I had the opportunity to attend a seminar on corporation farming in Des Moines, Iowa, where the main issues discussed were the invasion of corporate and nonfarm interests into the agricultural sector of our Nation. At the end of that conference a statement was issued which read in part:

> An alarming trend in our time is the massive invasion of agriculture by corporate and non-farm interests . . . made possible and abetted by the availability of virtually unlimited capital and credit in the hands of those corporate giants, and by the provisions of tax laws which make it possible for corporations and the investors who are not primarily engaged as farm operators to take advantage of tax-loss deductions on their farm operations against income produced from non-farm enterprises.
>
> The activity of corporate and non-farm interests in agriculture has resulted in commodity market price manipulation, unrealistically high prices for farm land, and the driving of farm families off the land.

Mr. Speaker, a number of us in Congress have introduced legislation which we believe would go far in dealing with this corporate invasion in agriculture, an ever increasing occurrence which we look upon with grave concern. In particular, this legislation included the Metcalf and Culver bills which would have limited tax-loss deductions as a writeoff against nonfarm income to $15,000, with a dollar reduction in the writeoff allowed for each dollar of nonfarm income over $15,000. I support the Metcalf-Culver bills, and included a provision of this sort in the tax reform legislation which I introduced shortly after my election to Congress last April.

The need for such legislation is, I think, obvious. There is a marked tendency for example, for farm losses to increase as adjusted gross income increases. In 1966, in fact, the average farm losses reported by 88 millionaires were in excess of $40,000, something one should not expect from those who are otherwise prudent and successful businessmen and investors.

On almost any day we can see advertisements in the Wall Street Journal telling how farm investment for wealthy people results in tax shelters that enable them to avoid millions of dollars in taxes.

To quote from the report of the Senate and House committees which studied the tax reform legislation:

> The utilization of these tax advantages by high-income taxpayers is not merely a theoretical possibility.

It is a real threat, Mr. Speaker, and one we attempted to deal with in the tax reform legislation which recently was debated in the House and Senate.

Among other provisions, the House-passed tax reform bill contained a provision establishing an excess deductions account. The EDA was established to prevent individuals from using farm losses to convert ordinary income, taxed on a graduated scale, into capital gains, which of course are taxed at much lower rates. However, under the tax bill passed by the House, only losses in excess of $25,000 would be added to the EDA and it would apply only if the person had a nonfarm income of $50,000 per year or more. This method would still leave the tax-dodge farmer free to use the full amount of his farming losses to reduce the taxes he would otherwise have to pay on his nonfarming income.

Unfortunately, the provision adopted by the Senate Finance Committee was little better. Under that bill, a taxpayer whose nonfarm income is less than $50,000 could deduct his farm losses in full, and one with more than $50,000 of nonfarm income would be allowed to deduct his losses in full up to $25,000, and one-half of everything over this.

Both the Senate and House tax reform bills generally agreed also on a "hobby farm" provision which included a rule under which a taxpayer could not deduct losses arising from an activity if it was carried on without an expectation of realizing a profit. Where the losses of such an activity—including farming—were more than $25,000 in 3 out of 5 consecutive years, then the activity is presumed to have been carried on without the expectation of a profit, unless the taxpayer can show to the contrary.

In his attempt to amend the Senate bill, Senator METCALF pointed out that the House EDA provisions would raise about $20 million and would affect about 3,000 persons. If approved as an amendment to the Senate tax reform legislation, his amendment would have raised about $205 million in revenue and would have affected about 14,000 persons.

Mr. Speaker, even this was no panacea and Senator METCALF pointed out himself that his amendment, while much better than the House proposal, would still have affected only 2 percent of the 770,000 taxpayers who claim farm losses on their income tax returns. The important point, however, is that it would not affect the legitimate farmers who claim legitimate losses.

When the tax reform bill was presented to the House in August, I said at that time that I considered the tax-loss farming provisions unsatisfactory. Senator METCALF'S amendment did not pass the Senate, and the bill which did pass the Senate a few days ago is also inadequate to deal with this matter.

It is for this reason that I am introducing today additional provisions to the coalition farm bill which I cosponsored several weeks ago. My amendment will simply assure us that tax-dodge and hobby farmers—both in farming to avoid taxes and not to make a profit—will not get the same farm program benefits as the legitimate farmers who actively work their fields and provide this Nation with an abundant supply of food and fiber.

Although there are not many statistics available on this matter, I have received information from the Internal Revenue Service indicating that in 1966, 264,000 farmers reporting losses on their operations had received $272 million in farm program payments.

Mr. Speaker, I have already pointed out that many persons with very high incomes, including some whose incomes reach $1 million or more, claim tax

losses for farming operations. Figures compiled by the USDA indicate that in 1968 over 56 percent of our farmers receive only 11 percent of all farm payments, and most of these receive between $200 and $499 per year. Now we know that a number, and I suspect a growing number, of hobby farmers are not only milking the Federal Treasury by claiming tax losses, they are at the same time accepting grants-in-aid or assistance payments for not farming when they had no intention of doing so in the first place. I think this practice ought to be stopped. It is unfair, and it is unfairly giving the whole farm program a bad name. To correct that, I am using a vehicle which has already been accepted in principle by the Senate and the House in the tax reform bills passed by the two houses—that persons who farm without an expectation of realizing a profit should be prohibited from using their "hobbies" to gain tax benefits.

If the addition to the coalition farm bill which I am introducing today were adopted, no person who has a loss of $10,000 or more in 3 years out of 5 could obtain the benefits of the various farm programs extended in this major farm legislation, unless he could prove that he is in business to make a profit. This includes the wool program, feed grains, cotton, wheat, rice, soybeans and flax.

I would like to point out, however, that my proposals would not prohibit any persons from receiving cropland adjustment payments—CAP. Under this cropland conservation program, farmers receive payments for diverting acres of land from crops to conservation uses. The concern over soil, water, and wildlife conservation makes it apparent, I think, that any attempts to conserve our land are necessary and ought to be encouraged. To qualify for CAP payments a person must be actively farming for a period of 3 years and he must have a history of crop production. If any person under this program has farm losses, but wants and can qualify to divert acres into conservation uses, I believe he ought to be allowed to do so.

Mr. Speaker, this legislation is not intended nor would it penalize the family farmer who may legitimately incur losses from sales. In fact, it is meant to protect him from unfair competition. It would affect the so-called "farmer" who loses at least $30,000 in a 5-year period, and who cannot show that he is in business with an expectation of making a profit.

This measure is not a cureall for the corporate invasion into agriculture whose tentacles seem to be extending each year, and I will continue to support the measures proposed by Senator METCALF and Representative CULVER. But I believe this measure is a first step. With its adoption we will be telling tax-dodge farmers and investors that farm assistance programs were not established for their benefit, but to help stabilize farm income and assure the consumer an adequate supply of quality agricultural products. Wealthy nonfarmers should not be allowed to use farming as either a tax dodge or as a means to obtain Federal assistance payments designed for totally different purposes.

Mr. Speaker, since I am already an author of the coalition farm bill (H.R. 14014) I am using that measure as a vehicle to introduce the legislation which I am proposing today. My proposal, which appears below, will appear as title XI of that legislation, and will affect titles II, wool; title III, corn and feed grains; title IV, cotton; title V, what; title VI, soybeans and flax seed; and title X, rice.

The new title follows:

TITLE XI—LIMITATION ON BENEFITS FOR HOBBY FARMERS

SEC. 1201. (a) If the net operating loss incurred by any person from farming operations exceeds $10,000 in each of any 3 years in any 5-year period, then unless the person establishes to the contrary that he was operating with an expectation of realizing a profit, that person shall be deemed to be carrying on farming operations in the last year of such 5-year period without an expectation of profit.

(b) No person who, pursuant to subsection (a) of this section, is deemed to be carrying on farming operations in any year without an expectation of profit may be provided any benefits the following year under any laws amended by titles II, III, IV, V, VI, or X of this Act.

MILITARY CONSTRUCTION APPROPRIATIONS—CONFERENCE REPORT

Mr. SIKES submitted the following conference report and statement on the bill (H.R. 14751) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91–770)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14751) "making appropriations for military construction for the Department of Defense 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 House recede from its disagreement to the amendments of the Senate numbered 5, 6, and 7; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$287,228,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$300,028,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$284,327,000"; and the Senate 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 "$33,915,000"; and the Senate agree to the same.

ROBERT L. F. SIKES,
JOHN J. MCFALL,
EDWARD J. PATTEN,
CLARENCE D. LONG,
GEORGE MAHON,
E. A. CEDERBERG,
CHARLES R. JONAS,
FRANK T. BOW,
Managers on the Part of the House.

MIKE MANSFIELD,
ALAN BIBLE,
WILLIAM PROXMIRE,
RALPH W. YARBOROUGH,
RICHARD B. RUSSELL,
STUART SYMINGTON,
J. CALEB BOGGS,
JAMES B. PEARSON,
HIRAM L. FONG,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14751) making appropriations for military construction for the Department of Defense 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:

Amendment No. 1, Military construction, Army: Appropriates $287,228,000 instead of $240,446,000 as proposed by the House and $297,597,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Fort Holabird, Md.: Building alteration (National Agency Check Center)	+$489,000
Fort Knox, Ky.: Armor and reconnaissance instruction facility	+2,830,000
Fort Rucker, Ala.: USAAVNS maintenance instruction facility	+3,636,000
Fort Bliss, Tex.: Guided missile maintenance buildings	+2,004,000
Fort Riley, Kans.: Road	+1,023,000
Aberdeen Proving Ground, Md.: Automotive instruction buildings	+1,966,000
Utilities and roads	+346,000
Atlanta Army Depot, Ga.: Storage modernization	+572,000
Letterkenny Army Depot, Pa.: Radiographic inspection facility	+1,049,000
Pueblo Army Depot, Colo.: Radiographic inspection facility	+1,026,000
U.S. Military Academy, West Point, N.Y.: Cadet activities center	+16,814,000
Brook Army Medical Center, Tex.: Administrative and classroom building	+9,891,000
Europe: Ammunition storage	+2,500,000
Reduction due to unobligated balances	+8,000,000
Fort Dix, N.J.: Elevated steam line, reception center	−75,000
Fort Polk, La.: Light vehicle driving range	−216,000
Army Map Service, Washington, D.C.: Alter building for computer	−134,000
Fort Lee, Va.: Post office	−284,000
Fort Bliss, Tex.: Main post office	−436,000

U.S. Army Military Academy, West Point, N.Y.: Hospital and utilities (deficiency) — −$3,399,000
Fort J. M. Wainwright, Alaska: Survival measures — −820,000

The conferees have approved a cadet activities center, in the amount of $16,814,000, at the United States Military Academy, with the proviso that before any contract for the construction of this center is awarded, the Army must make a full report to the Committees on Appropriations of the House of Representatives and the Senate. This report should set forth the extent of competition obtained in the bidding for this project and the measures taken by all concerned with this construction to ensure that fair value is obtained for the construction dollars spent. The Army should make every effort to construct this center within the amount allowed.

Amendment No. 2, Military Construction, Navy: Appropriates $300,028,000 instead of $271,605,000 as proposed by the House and $305,377,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Naval Underwater Weapons Research and Engineering Station, Newport, R.I.: Mark 48 weapons system test center	+$754,000
Naval Air Rework Facility, Quonset Point, R.I.: Engine parts coating shop	+1,063,000
Fleet Antiair Warfare Training Center, Dam Neck, Va.: Computer building addition	+493,000
Naval Air Rework Facility, Norfolk, Va.: Cleaning and corrosion treatment building	+1,254,000
Naval Training Center, Orlando, Fla.:	
Recruit barracks	+8,285,000
Mess hall	+2,023,000
Naval Shipyard, Charleston, S.C.: Waterfront services facilities	+200,000
Naval Air Station, Chase Field, Tex.: Transmitter and receiver building and land acquisition	+791,000
Naval Air Station, Kingsville, Tex.: Aircraft maintenance hangar	+2,681,000
Naval Air Station, Lemoore, Calif.: Aircraft systems training building	+956,000
Naval Air Station, North Island, Calif.: Helicopter overhaul and repair shop	+1,620,000
Naval Training Center, San Diego, Calif.: Service school barracks	+3,335,000
Naval Shipyard, Bremerton, Wash.: Woodworking shop	+4,000,000
Marine Corps Auxiliary Landing Field, Bogue, N.C.:	
Utilities	+352,000
Combat vehicle maintenance shop	+136,000
Marine Corps Base, Camp Lejeune, N.C.:	
Alterations for ADP installation	+103,000
Weapons maintenance shop	+425,000
Electronic maintenance shop	+506,000
Utilities and roads	+683,000
Marine Corps Air Station, Cherry Point, N.C.:	
Aerial gunnery range improvements	+1,631,000
Barracks	+352,000
Marine Corps Air Station, El Toro, Calif: Barracks	+3,554,000
Marine Corps Recruit Depot, San Diego, Calif.: Barracks	+5,601,000
Navy Public Works Center, Guantanamo, Cuba: Electric powerplant	+$2,898,000
Naval Construction Battalion Center, Gulfport, Miss.:	
Enlisted men's barracks	+4,430,000
Controlled humidity warehouse	+3,381,000
Stock receiving facility	+2,088,000
Fire station	+234,000
Supply operations facility	+545,000
Retail supply issue	+413,000
Utilities	+540,000
Telephone exchange/command center	+357,000
Reduction due to unobligated balances	+12,000,000
Naval Support Activity, New Orleans, La.: Reconstruction of wharf	+544,000
Navy Supply Corps School, Athens, Ga.: Training building	+2,920,000
Naval Construction Battalion Center, Davisville, R.I.: Regimental headquarters building	+621,000
Naval Station, Guantanamo Bay, Cuba: Enlisted men's club	+1,108,000
Marine Corps Base, Camp Lejeune, N.C.: Base post office	−536,000
Naval Hospital, Camp Pendleton, Calif.: Hospital	−19,805,000
Reindeer Station: (Classified)	−9,556,000
Naval Air Station, New York, N.Y.: Boiler fuel conversion	−228,000
Naval Supply Center, Norfolk, Va.: Fumigation building	−96,000
Naval Undersea Warfare Center, San Diego, Calif.: Launch and repair facility	−725,000
Naval Station, Adak, Alaska: Community center	−3,219,000
Marine Barracks, Washington, D.C.: Land acquisition	−459,000
Marine Corps Supply Center, Barstow, Calif.: Sanitary landfill	−64,000
Navy Public Works Center, Guam: Electric power plant and land acquisition	−9,396,000
Naval Air Facility, El Centro, Calif.: Photographic laboratory	−250,000
Naval Air Station, LaMoure, N.D.: Transmitter facility (OMEGA) price reduction	−120,000

Amendment No. 3, Military Construction, Air Force: Appropriates $284,327,000 instead of $253,505,000 as proposed by the House and $302,349,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Kirtland AFB, N. Mex.: Survivability/vulnerability test simulation facility	+$669,000
Keesler AFB, Miss.: Data processing plant	+342,000
Lackland AFB, Tex.: Composite recruit training and housing facility	+7,789,000
Sheppard AFB, Tex.: Data-processing plant	+155,000
Barksdale AFB, La.: Data processing plant	+237,000
Davis-Monthan AFB, Ariz.: Runway access taxiway	+609,000
Loring AFB, Me.: WAF dormitory	+545,000
George AFB, Calif.: Airman dormitory	+1,950,000
Luke AFB, Ariz.:	
Operational apron	+3,714,000
Airman dormitory	+1,206,000
Nellis AFB, Nev.:	
Addition to operational apron	+$1,203,000
Squadron operations	+1,318,000
Relocate utilities	+318,000
Addition to aerospace ground equipment shop	+128,000
Hahn AB, Germany: Maintenance hangar	+544,000
Lakenheath RAF, United Kingdom: Target intelligence training facility	+115,000
Mildenhall RAF, United Kingdom: War readiness material storage (POL)	+1,019,000
Upper Heyford, United Kingdom: War readiness material storage (POL)	+468,000
Dover AFB, Del.: Aircraft maintenance dock	+1,380,000
Elmendorf AFB, Alaska: Alter squadron operations	+100,000
Reduction due to unobligated balances	+15,000,000
Eglin AFB, Fla.: Officers open mess	+953,000
Keesler AFB, Miss.: Refueling vehicle depot	+135,000
McGuire AFB, N.J.: Officers open mess	+1,085,000
Offutt AFB, Nebr.: Extend runway	+1,743,000
Foreign leases	+753,000
Holloman AFB, N. Mex.: Addition to research data center	−295,000
Sheppard AFB, Tex.: Library	−338,000
Travis AFB, Calif.: Security fence	−137,000
Tinker AFB, Okla.: Alter avionics shop	−410,000
Tonopah AFS, Nev.: NCO open mess	−166,000
Wadena AFS, Minn.: Sewage treatment system	−56,000
Key West NAS, Fla.: Alert facility	−79,000
Perrin AFB, Tex.: Non-Destruct inspection laboratory	−122,000
McClellan AFB, Calif.: Alter heating plant	−151,000
Brooks AFB, Tex.: Human resources research facility	−197,000
Los Angeles AFS, Calif.: Base communications	−258,000
Western Test Range, Vandenberg AFB, Calif.: Power and environmental systems facility	−2,105,000
Satellite Control Facilities: Electric power plant—Kodiak, Alaska	−1,750,000
Elmendorf AFB, Alaska: Field training facility conversion	−100,000
Hickam AFB, Hawaii:	
Post office	−221,000
Walkway-bridge	−50,000
K.I. Sawyer AFB, Mich.: Civil engineering pavement and grounds facility	−342,000
March AFB, Calif.: Numbered AF HQ	−4,210,000
Offutt AFB, Neb: Utility supervisory control system	−376,000
Wurtsmith AFB, Mich.: Non-Destruct inspection laboratory	−156,000
Cambria AFS, Calif.: Sewage treatment and disposal system	−47,000
Empire AFS, Mich.: Sewage treatment and disposal system	−99,000
Yokota AB, Japan: Hazardous parking area	−435,000
Howard AFB, C.Z.: Covered aircraft corrosion control facility	−556,000

Amendment No. 4, Military Construction, Defense Agencies: Appropriates $33,915,000

instead of $28,720,000 as proposed by the House and $43,165,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Defense Atomic Support Agency: Sandia Base, N. Mex.: Plastics and special fabrication shop	+$121,000
Defense Supply Agency: Defense Depot, Ogden, Utah: Warehouse lighting	+575,000
Defense General Supply Center, Richmond, Va.: Warehouse lighting	+295,000
Various: Department of Defense emergency construction	+2,500,000
Reduction from unobligated balances	+1,750,000
Defense Atomic Support Agency: Sandia Base, N. Mex.: Install adequate fire protection, Building 2000	−46,000

Amendment No. 5, Family Housing, Defense: Appropriates $688,476,000 as proposed by the Senate instead of $689,801,000 as proposed by the House.

Amendment No. 6, Family Housing, Defense: Authorizes not to exceed $30,461,000 for the construction of Army family housing as proposed by the Senate instead of $31,061,000 as proposed by the House. The conferees are in agreement that 150 units of family housing contained in the House-passed bill should be deleted from Fort Leavenworth, Kansas and an additional 150 units included at Fort Carson, Colorado. This change was made in the Senate bill in order to reflect the authorization action taken by the Congress.

Amendment No. 7, Family Housing, Defense: Authorizes not to exceed $41,989,000 for construction of family housing for the Air Force as proposed by the Senate instead of $42,714,000 as proposed by the House.

ROBERT L. F. SIKES,
JOHN J. MCFALL,
EDWARD J. PATTEN,
CLARENCE D. LONG,
GEORGE MAHON,
E. A. CEDERBERG,
CHARLES R. JONAS,
FRANK T. BOW,
Managers on the Part of the House.

DEPARTMENT OF TRANSPORTATION—CONFERENCE REPORT

Mr. BOLAND submitted the following conference report and statement on the bill (H.R. 14794) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91–771)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14794) "making appropriations for the Department of Transportation and related agencies 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 5, 6, 10, and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 11, 12, 22, 24, and 26, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,600,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,000,000"; and the Senate 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 "$66,500,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,650,000"; 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 "$85,000,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$59,121,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,550,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,050,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,050,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,000,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$13,050,000"; 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 "$11,000,000"; 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 "$214,000,000"; 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 "$11,600,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,000,000"; and the Senate 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 "$66,500,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,650,000"; 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 "$85,000,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$59,121,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,550,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,050,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,050,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,000,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$13,050,000"; 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 "$11,000,000"; 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 "$214,000,000"; 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 "$5,050,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,127,000"; 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 "$70,000,000"; 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 amendment, as follows: In lieu of the sum proposed by said amendment insert "$18,000,000"; and the Senate agree to the same.

Amendment numbered 31: That the House receded from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,000,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: for any further construction of the Miami jetport or of any other air facility in the State of Florida lying south of the Okeechobee Waterway and in the drainage basins contributing water to the Everglades National Park; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 14, and 15.

EDWARD P. BOLAND,
JOHN J. MCFALL,
SIDNEY R. YATES (except) on numbers 8 and 9),
GEORGE MAHON,
WILLIAM E. MINSHALL,
SILVIO O. CONTE,
FRANK T. BOW,
Managers on the Part of the House.

JOHN STENNIS,
WARREN G. MAGNUSON,
JOHN O. PASTORE,
ALAN BIBLE,
CLIFFORD P. CASE,
MARGARET CHASE SMITH,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14794) making appropriations for the Department of Transportation and related agencies 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:

OFFICE OF THE SECRETARY

Amendment No. 1: Appropriates $11,600,000 for salaries and expenses instead of $11,500,000 as provided by the House and $11,750,000 as provided by the Senate. The increase is to provide ten positions for the Office of the Assistant Secretary for Environment and Urban Systems.

Amendment No. 2: Reported in disagreement.

Amendment No. 3: Appropriates $11,000,000 for Transportation Planning, Research, and Development instead of $8,000,000 as provided by the House and $14,000,000 as provided by the Senate.

COAST GUARD

Amendment No. 4: Appropriates $66,500,000 for Acquisition, Construction, and Improvements instead of $57,300,000 as provided by the House and $75,700,000 as provided by the Senate.

Amendment No. 5: Appropriates $25,900,000 for Reserve Training as proposed by the House.

Amendment No. 6: Provides limitation of 15,000 personnel for the Selected Reserve on June 30, 1970, as proposed by the House.

FEDERAL AVIATION ADMINISTRATION

Amendment No. 7: Appropriates $9,650,000 for Operation and Maintenance, National Capital Airports instead of $9,500,000 as provided by the House and $9,800,000 as provided by the Senate.

Amendment No. 8: Appropriates $50,000,000 for Grants-in-Aid for Airports as proposed by the Senate.

Amendment No. 9: Appropriates $85,000,000 for Civil Supersonic Aircraft Development instead of $95,958,000 as proposed by the House and $80,000,000 as proposed by the Senate.

FEDERAL HIGHWAY ADMINISTRATION

Amendment No. 10: Appropriates $1,650,000 for the Office of the Administrator, Salaries and Expenses, as proposed by the House instead of $1,687,000 as proposed by the Senate.

Amendment No. 11: Inserts language as proposed by the Senate.

Amendment No. 12: Provides transfer of $12,627,000 from the appropriation for "Federal-Aid Highways (Trust Fund)" as proposed by the Senate instead of $12,467,000 as proposed by the House.

Amendment No. 13: Provides $59,121,000 for the Bureau of Public Roads, Limitation on General Expenses, instead of $59,012,000 as proposed by the House and $59,230,000 as proposed by the Senate.

Amendments Nos. 14 and 15: Reported in disagreement.

Amendment No. 16: Appropriates $29,550,000 for Traffic and Highway Safety instead of $27,550,000 as proposed by the House and $37,550,000 as proposed by the Senate. The increase allowed over the House bill amount shall be allocated to the highest priority research projects.

Amendment No. 17: Provides transfer of $2,050,000 from the appropriation for "State and community highway safety (Liquidation of contract authorization)" instead of $2,000,000 as proposed by the House and $2,100,000 as proposed by the Senate. The increase allowed over the House bill amount includes provision for five additional positions.

Amendment No. 18: Deletes language inserted by the Senate.

Amendment No. 19: Provides for advance of $2,050,000 from State and Community Highway Safety (Liquidation of Contract Authorization) to the appropriation "traffic and highway safety" instead of $2,000,000 as proposed by the House and $2,100,000 as proposed by the Senate.

Amendments Nos. 20 and 21: Appropriate $25,000,000 for Forest Highways (Liquidation of Contract Authorization) instead of $18,000,000 as proposed by the House and $30,000,000 as proposed by the Senate.

FEDERAL RAILROAD ADMINISTRATION

Amendment No. 22: Appropriates $1,050,000 as proposed by the Senate instead of $1,000,000 as proposed by the House.

Amendment No. 23: Appropriates $11,000,000 for High-Speed Ground Transportation Research and Development instead of $10,000,000 as proposed by the House and $12,000,000 as proposed by the Senate. The conference agreement includes six positions in addition to those provided by the House.

Amendment No. 24: Inserts language providing $150,000 for a feasibility study of extending a transit line to Dulles International Airport as proposed by the Senate.

URBAN MASS TRANSPORTATION ADMINISTRATION

Amendment No. 25: Appropriates $214,000,000 instead of $220,000,000 as proposed by the House and $200,000,000 as proposed by the Senate. The increase over the Senate amount is for Capital facilities grants. This provides the full budget request of $176,000,000.

Amendment No. 26: Limits funds available for research, development, and demonstration grants to $20,000,000 as proposed by the Senate instead of $25,000,000 as proposed by the House.

TITLE II—RELATED AGENCIES

NATIONAL TRANSPORTATION SAFETY BOARD

Amendment No. 27: Appropriates $5,050,000 for salaries and expenses instead of $5,000,000 as proposed by the House, and $5,100,000 as proposed by the Senate. The funds will provide for all 11 new positions requested in the budget.

INTERSTATE COMMERCE COMMISSION

Amendment No. 28: Appropriates $25,127,000 for salaries and expenses instead of $25,000,000 as proposed by the House, and $25,254,000 as proposed by the Senate.

TITLE III—GENERAL PROVISIONS

Amendment No. 29: Limits obligations for "State and community highway safety" to $70,000,000 instead of $65,000,000 as proposed by the House and $75,000,000 as proposed by the Senate.

The conferees are in agreement that the National Highway Safety Bureau should require that, in the matching process, both Federal and State funds be applied to the cost of additional safety efforts and that the Bureau's practice of using expenditures for existing State activities for matching purposes be discontinued.

Amendment No. 30: Limits obligations for "Forest highways" to $18,000,000 instead of $12,000,000 as proposed by the House and $29,000,000 as proposed by the Senate.

Amendment No. 31: Limits obligations for "Public lands highways" to $8,000,000 instead of $3,000,000 as proposed by the House and $13,000,000 as proposed by the Senate.

Amendment No. 32: Provides amended language prohibiting any further construction of the Miami jetport or of any other air facility in the State of Florida lying south of the Okeechobee Waterway and in the drainage basins contributing water to Everglades National Park until it has been shown by an appropriate study made jointly by the Department of the Interior and the Department of Transportation that such an airport will not have an adverse environmental effect on the ecology of the Everglades.

EDWARD P. BOLAND,
JOHN J. MCFALL,
SIDNEY R. YATES,
(except on numbers 8 and 9)
GEORGE MAHON,
WILLIAM E. MINSHALL,
SILVIO O. CONTE,
FRANK T. BOW,
Managers on the Part of the House.

TO LOWER INTEREST RATES, FIGHT INFLATION, HELP SMALL BUSINESS, AND EXPAND THE MORTGAGE MARKET—CONFERENCE REPORT

Mr. PATMAN submitted the following conference report and statement on the bill (S. 2577) to provide additional mortgage credit, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 91-769)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2577) to provide additional mortgage credit, 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 disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

TITLE I—AMENDMENTS TO EXISTING ACTS

SECTION 1. Section 7 of the Act of September 21, 1966 (Public Law 89-587; 80 Stat. 823) is amended to read:

"SEC. 7. Effective March 22, 1971:

"(1) So much of section 19(j) of the Federal Reserve Act (12 U.S.C. 371(b)) as precedes the third sentence thereof is amended to read as it would without the amendment made by section 2(c) of this Act.

"(2) The second and third sentences of section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) are amended to read as they would without the amendment made by section 3 of this Act.

"(3) The last three sentences of section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) are repealed.

"(4) Section 5B of the Federal Home Loan Bank Act (12 U.S.C. 1425b) is repealed."

SEC. 2. (a) Section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended by adding at the end thereof the following new sentences: "The authority conferred by this subsection shall also apply to noninsured banks in any State if (1) the total amount of time and savings deposits held in all such banks in the State, plus the total amount of deposits, shares, and withdrawable accounts held in all building and loan, savings and loan, and homestead associations (including cooperative banks) in the State which are not members of a Federal home loan bank, is more than 20 per centum of the total amount of such deposits, shares, and withdrawable accounts held in all banks, and building and loan, savings and loan, and homestead associations (including cooperative banks) in the State, and (2) there does not exist under the laws of such State a bank supervisory agency with authority comparable to that conferred by this subsection, including specifically the authority to regulate the rates of interest and dividends paid by such noninsured banks on time and savings deposits, or if such agency exists it has not issued regulations in the exercise of that authority. Such authority shall only be exercised by the Board of Directors with respect to such noninsured banks prior to July 31, 1970, to limit the rates of interest or dividends which such banks may pay on time and savings deposits to maximum rates not lower than 5½ per centum per annum. Whenever it shall appear to the Board of Directors that any noninsured bank or any affiliate thereof is engaged or has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this subsection or of any regulations thereunder, the Board of Directors may, in its discretion, bring an action in the United States district court for the judicial district in which the principal office of the noninsured bank or affiliate thereof is located to enjoin such acts or practices, to enforce compliance with this subsection or any regulations thereunder, or for a combination of the foregoing, and such courts shall have jurisdiction of such actions, and, upon a proper showing, an injunction, restraining order, or other appropriate order may be granted without bond."

(b) Section 5B of the Federal Home Loan Bank Act (12 U.S.C. 1425b) is amended to read as follows:

"SEC. 5B. (a) The Board may from time to time, after consulting with the Board of Governors of the Federal Reserve System and the Board of Directors of the Federal Deposit Insurance Corporation, prescribe rules governing the payment and advertisement of interest or dividends on deposits, shares, or withdrawable accounts, including limitations on the rates of interest or dividends on deposits, shares, or withdrawable accounts that may be paid by members, other than those the deposits of which are insured in accordance with the provisions of the Federal Deposit Insurance Act, by institutions which are insured institutions as defined in section 401(a) of the National Housing Act, and by nonmember building and loan, savings and loan, and homestead associations, and cooperative banks. The Board may prescribe different rate limitations for different classes of deposits, shares, or withdrawable accounts, for deposits, shares, or withdrawable accounts of different amounts or with different maturities or subject to different conditions regarding withdrawal or repayment, according to the nature or location of such members, institutions, or nonmembers or their depositors, shareholders or withdrawable account holders, or according to such other reasonable bases as the Board may deem desirable in the public interest. The authority conferred by this subsection shall apply to nonmember building and loan, savings and loan, and homestead associations, and cooperative banks in any State if (1) the total amount of deposits, shares, and withdrawable accounts held in all such nonmember associations and banks in the State, plus the total amount of time and savings deposits held in all banks in the State which are not insured by the Federal Deposit Insurance Corporation, is more than 20 per centum of the total amount of such deposits, shares, and withdrawable accounts held in all banks, and building and loan, savings and loan, and homestead associations (including cooperative banks) in the State, and (2) there does not exist under the laws of such State a bank supervisory agency with authority comparable to that conferred by the first two sentences of this subsection, including specifically the authority to regulate the rates of interest and dividends paid by any such association or bank on deposits, shares, or withdrawable accounts, or if such agency exists it has not issued regulations in the exercise of that authority. Such authority shall only be exercised by the Board with respect to such nonmember associations and banks prior to July 31, 1970, to limit the rates of interest or dividends which such associations or banks may pay on deposits, shares, or withdrawable accounts to maximum rates not lower than 5½ per centum per annum.

"(b) In addition to any other penalty provided by this or any other law, any institution subject to this section which violates a rule promulgated pursuant to this section shall be subject to such civil penalties, which shall not exceed $100 for each violation, as may be prescribed by said Board by rule and such rule may provide with respect to any or all such violations that each day on which the violation continues shall constitute a separate violation. The Board may recover any such civil penalty for its own use, through action or otherwise, including recovery thereof in any other action or proceeding under this section. The Board may, at any time before collection of any such penalty, whether before or after the bringing of an action or other legal proceeding, the obtaining of any judgment or other recovery, or the issuance or levy of any execution or other legal process therefor, and with or without consideration, compromise, remit, or mitigate in whole or in part any such penalty or any such recovery.

"(c) Whenever it shall appear to the Board that any nonmember institution is engaged or has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this section or of any regulations thereunder, the Board may, in its discretion, bring an action in the United States district court for the judicial district in which the principal office of the institution is located to enjoin such acts or practices, to enforce compliance with this section or any regulations thereunder, or for a combination of the foregoing, and such courts shall have jurisdiction of such actions, and, upon a proper showing, an injunction, restraining order, or other appropriate order may be granted without bond.

"(d) All expenses of the Board under this section shall be considered as nonadministrative expenses."

SEC. 3. Section 11(i) of the Federal Home Loan Bank Act (12 U.S.C. 1431(i)) is amended—

(1) by striking out "$1,000,000,000" and inserting in lieu there of "$4,000,000,000";

(2) by striking out the last sentence thereof and inserting in lieu thereof the following: "Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon terms and conditions as shall be determined by the Secretary of the Treasury and shall bear such rate of interest as may be determined by the Secretary of the Treasury taking into consideration the current average market yield for the month preceding the month of such purchase on outstanding marketable obligations of the United States."; and

(3) by adding at the end thereof a new paragraph as follows:

"The authority provided in this subsection shall be used by the Secretary of the Treasury, when alternative means cannot effectively be employed, to permit members of the Home Loan Bank System to continue to supply reasonable amounts of funds to the mortgage market whenever the ability to supply such funds is substantially impaired during periods of monetary stringency and rapidly rising interest rates and that funds so borrowed shall be repaid by the Home Loan Bank Board at the earliest practicable date."

SEC. 4. (a) Section 19(a) of the Federal Reserve Act (12 U.S.C. 461) is amended by inserting after the word "interest," the following: "to determine what types of obligations, whether issued directly by a member bank or indirectly by an affiliate of a member bank or by other means, shall be deemed a deposit,".

(b)(1) The fourth sentence of section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended to read as follows: "The Board of Directors is authorized for the purposes of this subsection to define the terms 'time deposits' and 'savings deposits', to determine what shall be deemed a payment of interest, and to prescribe such regulations as it may deem necessary to effectuate the purposes of this subsection and to prevent evasions thereof."

(2) Section 18(g) of such Act is further amended by inserting after the fifth sentence the following: "The provisions of this subsection and of regulations issued thereunder shall also apply, in the discretion of the Board of Directors, to obligations other than deposits that are undertaken by insured nonmember banks or their affiliates for the purpose of obtaining funds to be used in the banking business. As used in this subsection, the term 'affiliate' has the same meaning as when used in section 2(b) of the Banking Act of 1933, as amended (12 U.S.C. 221a(b)), except that the term 'member bank', as used in such section 2(b), shall be deemed to refer to an insured nonmember bank."

(c) The first sentence of section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended by inserting "or dividends" after "interest".

SEC. 5. Section 19(b) of the Federal Reserve Act (12 U.S.C. 461) is amended by adding at the end thereof a new sentence as follows: "The Board may, however, prescribe any reserve ratio, not more than 22 per centum, with respect to any indebtedness of a member bank that arises out of a transaction in the ordinary course of its banking business with respect to either funds received or credit extended by such bank to a bank organized under the law of a foreign country or a dependency or insular possession of the United States."

SEC. 6. (a) Effective as of the close of December 31, 1969, section 404 of the National Housing Act is amended

(1) by striking out "plus any creditor obligations of such institution" in subsection (b)(1), and the amendment made by this subdivision (1) shall be applicable also to any then unexpired portion of any then current premium year under subsection (b)(1).

(2) by striking out "and creditor obligations" in subsection (b)(2).

(3) by striking out "and its creditor obligations" in subsection (c).

(4) by striking out "and creditor obligations" each place it appears in subsection (g). The condition in the first sentence of that subsection shall be deemed to be met as of the close of December 31, 1969. The words "such year" in that sentence shall be deemed to include also the year beginning January 1, 1970.

(b) The Federal Savings and Loan Insurance Corporation is authorized by regulation or otherwise

(1) to make such provisions as it may deem advisable with respect to the order in which and the extent to which the components of a pro rata share of its secondary reserve shall be applied or be deemed to have been applied in the case of a reduction of such share through a use under the second sentence of section 404(e) of the National Housing Act or the first sentence of section 404(g), a transfer of part of such share under the third sentence of section 404(e), or otherwise.

(2) to take such action, including without limitation such adjustments and refunds and such deferrals of premium payments and other payments, as it may determine to be necessary or appropriate for or in connection with the implementation of this section or other legislation amending or supplementing said section 404.

SEC. 7. (a) The following provisions of the Federal Deposit Insurance Act are amended by changing "$15,000", each place it appears therein, to read "$20,000":

(1) The first sentence of section 3(m) (12 U.S.C. 1813(m)).

(2) The first sentence of section 7(i) (12 U.S.C. 1817(i)).

(3) The last sentence of section 11(a) (12 U.S.C. 1821(a)).

(4) The fifth sentence of section 11(i) (12 U.S.C. 1821(i)).

(b) The amendments made by this section are not applicable to any claim arising out of the closing of a bank prior to the date of enactment of this Act.

SEC. 8. (a) The following provisions of title IV of the National Housing Act are amended by changing "$15,000", each place it appears therein, to read "$20,000":

(1) Section 401(b) (12 U.S.C. 1724(b)).

(2) Section 405(a) (12 U.S.C. 1728(a)).

(b) The amendments made by this section are not applicable to any claim arising out of a default, as defined in section 401(d) of the National Housing Act, where the appointment of a conservator, receiver, or other legal custodian as set forth in that section becomes effective prior to the date of enactment of this Act.

SEC. 9. (a) Section 708(b) of the Defense Production Act of 1950 (50 U.S.C. 2158(b)) is amended by striking out everything after "United States", the first time it appears, and inserting a period in lieu thereof.

(b) Section 708(f) of that Act (50 U.S.C. 2158(f)) is repealed.

TITLE II—AUTHORITY FOR CREDIT CONTROL

Sec. 201. Short title

This title may be cited as the Credit Control Act.

Sec. 202. Definitions and rules of construction

(a) The definitions and rules of construction set forth in this section apply to the provisions of this title.

(b) The term "Board" refers to the Board of Governors of the Federal Reserve System.

(c) The term "organization" means a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

(d) The term "person" means a natural person or an organization.

(e) The term "credit" means the right granted by a creditor to a debtor to defer payment of debt or to incur debt and defer its payment.

(f) The term "creditor" refers to any person who extends, or arranges for the extension of, credit, whether in connection with a loan, a sale of property or services, or otherwise.

(g) The term "credit sale" refers to any sale with respect to which credit is extended or arranged by the seller. The term includes any rental-purchase contract and any contract or arrangement for the bailing or leasing of property when used as a financing device.

(h) The terms "extension of credit" and "credit transaction" include loans, credit sales, the supplying of funds through the underwriting, distribution, or acquisition of securities, the making or assisting in the making of a direct placement, or otherwise participating in the offering, distribution, or acquisition of securities.

(i) The term "borrower" includes any person to whom credit is extended.

(j) The term "loan" includes any type of credit, including credit extended in connection with a credit sale.

(k) The term "State" refers to any State, the Commonwealth of Puerto Rico, the District of Columbia, and any territory or possession of the United States.

(l) Any reference to any requirement imposed under this title of any provision thereof includes reference to the regulations of the Board under this title or the provision thereof in question.

Sec. 203. Regulations

The Board shall prescribe regulations to carry out the purposes of this title. These regulations may contain such classifications, differentiations, or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the Board are necessary or proper to effectuate the purposes of this title, to prevent circumvention or revision thereof, or to facilitate compliance therewith.

Sec. 204. Determination of interest charge

Except as otherwise provided by the Board, the amount of the interest charge in connection with any credit transaction shall be determined under the regulations of the Board as the sum of all charges payable directly or indirectly to the person by whom the credit is extended in consideration of the extension of credit.

Sec. 205. Authority for institution of credit controls

(a) Whenever the President determines that such action is necessary or appropriate for the purpose of preventing or controlling inflation generated by the extension of credit in an excessive volume, the President may authorize the Board to regulate and control any or all extensions of credit.

(b) The Board may, in administering this Act, utilize the services of the Federal Reserve banks and any other agencies, Federal or State, which are available and appropriate.

Sec. 206. Extent of control

The Board, upon being authorized by the President under section 205 and for such period of time as he may determine, may by regulation

(1) require transactions or persons or classes of either to be registered or licensed.

(2) prescribe appropriate limitations, terms, and conditions for any such registration or license.

(3) provide for suspension of any such registration or license for violation of any provision thereof or of any regulation, rule, or order prescribed under this Act.

(4) prescribe appropriate requirements as to the keeping of records and as to the form, contents, or substantive provisions of contracts, liens, or any relevant documents.

(5) prohibit solicitations by creditors which would encourage evasion or avoidance of the requirements of any regulation, license, or registration under this Act.

(6) prescribe the maximum amount of credit which may be extended on, or in connection with, any loan, purchase, or other extension of credit.

(7) prescribe the maximum rate of interest, maximum maturity, minimum periodic payment, maximum period between payments, and any other specification or limitation of the terms and conditions of any extension of credit.

(8) prescribe the methods of determining purchase prices or market values or other bases for computing permissible extensions of credit or required downpayment.

(9) prescribe special or different terms, conditions, or exemptions with respect to new or used goods, minimum original cash payments, temporary credits which are merely incidental to cash purchases, payment or deposits usable to liquidate credits, and other adjustments or special situations.

(10) prescribe maximum ratios, applicable to any class of either creditors or borrowers or both, of loans of one or more types or of all types

(A) to deposits of one or more types or of all types.

(B) to assets of one or more types or of all types.

(11) prohibit or limit any extensions of credit under any circumstances the Board deems appropriate.

Reports concerning the kinds, amounts, and characteristics of any extensions of credit subject to this title, or concerning circumstances related to such extensions of credit, shall be filed on such forms, under oath or otherwise, at such times and from time to time, and by such persons, as the Board may prescribe by regulation or order as necessary or appropriate for enabling the Board to perform its functions under this title. The Board may require any person to furnish, under oath or otherwise, complete information relative to any transaction within the scope of this title including the production of any books of account, contracts, letters, or other papers, in connection therewith in the custody or control of such person.

Sec. 208. Injunctions

Whenever it appears to the Board that any person has engaged, is engaged, or is about to engage in any acts or practices constituting a violation of any regulation under this title, it may in its discretion bring an action, in the proper district court of the United States or the proper United States court of any territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. Upon application of the Board, any such court may also issue mandatory injunctions commanding any person to comply with any regulation of the Board under this title.

Sec. 209. Civil penalties

(a) For each willful violation of any regulation under this title, the Board may assess upon any person to which the regulation applies, and upon any partner, director, officer, or employee thereof who willfully participates in the violation, a civil penalty not exceeding $1,000.

(b) In the event of the failure of any person to pay any penalty assessed under this section, a civil action for the recovery thereof may, in the discretion of the Board, be brought in the name of the United States.

Sec. 210. Criminal penalty

Whoever willfully violates any regulation under this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

TITLE III—SMALL BUSINESS ADMINISTRATION ACTIVITY

SEC. 301. The Small Business Administration shall promptly increase the level of its financing functions utilizing the business loan and investment fund established under section 4(c)(1)(B) of the Small Business Act (15 U.S.C. 633(c)(1)(B)) by $70,000,000 above the level prevailing at the time of enactment of this Act. The Small Business Administration shall submit to Congress a monthly report of its implementation of this section.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to lower interest rates and fight inflation; to help housing, small business, and employment; to increase the availability of mortgage credit; and for other purposes."

And House agree to the same.

WRIGHT PATMAN,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
H. S. REUSS,
Managers on the Part of the House.
JOHN SPARKMAN,
WILLIAM PROXMIRE,
HARRISON A. WILLIAMS,
EDWARD W. BROOKE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2577) to provide additional mortgage credit, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate-passed bill proposed to extend Regulation Q authority to September 22, 1970, and provided for legislative authority for regulation of commercial paper borrowings by banks and bank holding companies. Further, the Senate-passed bill would have provided necessary authority to limit Eurodollar borrowing; would have reinstated Korean War-type voluntary credit restraint programs; and would have provided authority for the Secretary of the Treasury to make available to the Home Loan Bank Board an amount of up to $4 billion.

The House struck out all of the Senate bill after the enacting clause and substituted a new text and an amendment to the title. The committee of conference agreed to a substitute for the House amendment, and to a substitute for the amendment to the title.

Except for technical, clarifying, and con-

forming language, the analysis which follows explains the difference between the House amendment and the conference substitute.

EXTENSION OF REGULATION Q AUTHORITY

The managers on the part of the House insisted upon and prevailed in their position that Regulation Q authority should be extended to March 22, 1971, in place of the Senate provision which would have provided an extension of this authority to September 22, 1970.

EXTENSION OF FEDERAL DEPOSIT RATE CONTROL AUTHORITY TO NONFEDERALLY INSURED FINANCIAL INSTITUTIONS

The language contained in both the Senate and House bills was almost identical. The language provided for extension of Federal Deposit rate control authority to non-federally insured financial institutions where State officials lack comparable authority and non-insured savings deposits in the State exceed 20 percent of total savings deposits. This authority is temporary in nature, giving State Governments an opportunity to adopt comparable deposit rate control authority for state banking institutions not insured by a Federal agency. The provisions of the House and Senate bills were adopted without objection in both Houses on the recommendation of Members of both bodies from the State of Massachusetts. This provision has effect only in the State of Massachusetts. None of the provisions of this section apply to credit unions. The House accepted the Senate language.

SECONDARY MARKET AUTHORITY FOR THE FEDERAL HOME LOAN BANK SYSTEM

The managers on the part of the Senate insisted upon and prevailed in their position that while in concept this authority may be worthwhile, there are so many unknowns as to how the program would operate that this provision should not be enacted at this time and should be reserved for further study.

CHANGING INSURANCE PREMIUM ACCOUNTING FOR THE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

The managers on the part of the House insisted upon and prevailed in their position that this section contained in the House amendment would simplify the premium structure of the FSLIC and, more importantly, make additional funds available for housing without in any way jeopardizing the soundness of the FSLIC insurance fund.

LEGISLATIVE AUTHORITY FOR REGULATION OF COMMERCIAL PAPER BORROWING BY BANKS AND BANK HOLDING COMPANIES

The language regarding this authority was similar in both Senate and House bills, except that the House language provided not only authority for the Federal Reserve Board, under Regulation Q, to regulate the amount of interest which could be paid on the issuance of commercial paper by banks and bank holding companies, but also granted power for the Federal Reserve Board to apply reserve requirements on the issuance of such paper. The House language prevailed in conference.

LEGISLATIVE AUTHORITY TO LIMIT EURODOLLAR BORROWING

The Senate and House language in this instance was identical. This language would allow the Federal Reserve Board to establish reserve requirements on Eurodollar borrowing by commercial banks.

NATIONAL BANK MORTGAGE LOAN LIMITS

The House language provided that over the next fifteen months national banks would have the authority to make mortgage loans up to 90 percent of the appraised value of the property and to permit maturities of up to 30 years instead of the present limits of 80 percent for 25 years. There was no similar language in the Senate bill. The Senate prevailed in its position, due to the fact that there had been no indication whatsoever that national banks wanted, or would take advantage of this liberalized authority to provide funds for residential home mortgages.

INCREASE IN FDIC AND FSLIC INSURANCE

The House amendment provided for an increase in the maximum insurance protection under FDIC and FSLIC deposit insurance programs from the existing $15,000 to $25,000. The Senate had no comparable provision. The House prevailed in its desire to increase this insurance for both programs but accepted a Senate amendment limiting the increase to $20,000 rather than $25,000.

STANDBY AUTHORITY FOR SELECTIVE CREDIT CONTROL

The House amendment provided for Presidential standby authority to request the Federal Reserve to institute selective credit controls when necessary to curb inflation. The comparable Senate provision provided for the suspension of the antitrust laws to permit reinstatement of the Korean War-type of voluntary credit control agreements. The conferees decided that both provisions should be included in the legislation, based on the rationale that the President should have all necessary powers and discretion to fight inflation, including standby credit control authority and the right to encourage voluntary agreements to restrain credit. By providing both of the different types of authority found in the Senate and House versions of the legislation, it was felt that the President would be afforded the broadest possible spectrum of alternatives in fighting inflation, curbing unnecessary extensions of credit, and channeling credit into housing and other essential purposes.

SMALL BUSINESS ADMINISTRATION LENDING AUTHORITY

The House amendment provided authority for the use of $70 million of direct lending by the Small Business Administration in its small business investment company loan program and further directed that these monies be released from funds now available and appropriated for this purpose in the SBA business loan and investment revolving fund. The Senate bill contained no comparable language. The Senate conferees agreed to accept the House language with an amendment to eliminate any possible constitutional question that might be raised concerning the procedure for clearing appropriations within the Executive Branch. The conferees were insistent upon the principle contained in Title III of the House bill that $70 million of funds be made available immediately for the SBIC program out of the existing business loan and investment fund.

FEDERAL HOME LOAN BANK BOARD BORROWING AUTHORITY

The Senate bill substantially amended section 11(i) of the Federal Home Loan Bank Act. That section contains authority for purchase by the Secretary of the Treasury of obligations of the Federal Home Loan Banks. The Senate amendment increased the amount of this borrowing authority to $4 billion. Under existing law, the limit is $1 billion. The Senate also amended the provision of this section relating to the terms and conditions of such purchases. Existing law provides—

Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon such terms and conditions as to yield a return at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the making of such purchase.

The conference substitute, like the Senate amendment, provides—

Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon terms and conditions as shall be determined by the Secretary of the Treasury and shall bear such rate of interest as may be determined by the Secretary of the Treasury taking into consideration the current average market yield for the month preceding the month of such purchase on outstanding marketable obligations of the United States.

The House insisted upon the addition of a further amendment to section 11(i) to make sure that additional borrowing authority will be of some practical assistance to the housing industry. This amendment is in the form of a new paragraph, added at the end of section 11(i), which requires the Secretary of the Treasury to use the authority—when alternative means cannot effectively be employed, to permit members of the Home Loan Bank System to continue to supply reasonable amounts of funds to the mortgage market whenever the ability to supply such funds is substantially impaired during periods of monetary stringency and rapidly rising interest rates. . . .

The Senate amendment had contained a provision expressing the sense of Congress as the use of the new authority, but the managers on the part of the House prevailed in their insistence that the new authority not be granted unless it was modified by an express direction as to the circumstances of its utilization. The determination of whether and when these circumstances arise obviously involves the exercise of judgment, and the responsibility for this decision rests ultimately with the Secretary.

WRIGHT PATMAN,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
Managers on the Part of the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. POLLOCK (at the request of Mr. ARENDS), for today on account of official business as a member of the House Committee on Merchant Marine and Fisheries.

To Mr. PEPPER (at the request of Mr. SIKES), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LUJAN) and to revise and extend their remarks and include extraneous matter:)

Mr. FISH for 20 minutes, today.

Mr. PRICE of Texas, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. WILLIAMS, for 10 minutes, today.

Mr. HOGAN, for 1 hour, today.

Mr. CAREY, for 15 minutes, today.

Mr. GONZALEZ (at the request of Mr. BURLISON of Missouri), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BINGHAM during his special order and to include extraneous matter.

Mr. MADDEN in two instances.

Mr. CONTE to extend his remarks immediately prior to the vote on his motion to instruct conferees.

Mr. COHELAN to revise and extend remarks made in House this afternoon.

(The following Members (at the request of Mr. LUJAN) and to include extraneous matter:)

Mr. TALCOTT in five instances.
Mr. SNYDER in three instances.
Mr. BRAY in five instances.
Mr. ARENDS.
Mr. LANGEN in three instances.
Mr. SCHADEBERG.
Mr. LANDGREBE.
Mr. WYMAN in two instances.
Mr. THOMPSON of Georgia.
Mr. ESCH.
Mr. BROYHILL of Virginia in four instances.
Mr. CUNNINGHAM in three instances.
Mr. PRICE of Texas.
Mr. GUBSER.
Mr. MORSE.
Mr. FINDLEY.
Mr. MESKILL.
Mr. VANDER JAGT.
Mr. HOSMER.
Mr. MCCLORY.
Mr. BIESTER.
Mr. PETTIS.
Mr. SHRIVER in four instances.
Mr. HORTON.
Mr. NELSEN.
Mr. KEITH.

(The following Members (at the request of Mr. BURLISON of Missouri) and to include extraneous matter:)

Mr. GIAIMO in three instances.
Mr. CORMAN.
Mr. GONZALEZ in two instances.
Mr. RARICK in three instances.
Mr. JOHNSON of California in two instances.
Mr. STEPHENS.
Mr. ROYBAL in six instances.
Mr. DULSKI in six instances.
Mr. HOLIFIELD.
Mr. VANIK in two instances.
Mr. WOLFF.
Mr. OTTINGER.
Mr. BENNETT in two instances.
Mr. BIAGGI in two instances.
Mr. GALIFIANAKIS.
Mr. CHAPPELL.
Mr. BINGHAM in two instances.
Mr. SCHEUER.
Mr. DANIELS of New Jersey in 10 instances.
Mr. ROGERS of Florida in five instances.
Mr. MILLER of California in five instances.
Mr. HAGAN in two instances.

ENROLLED BILLS 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. 8449. An act to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

ADJOURNMENT

Mr. BURLISON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Friday, December 19, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1423. Under clause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a report on management of the logistics airlift system contracted for by the Air Force, was taken from the Speaker's table, referred to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee of conference. Conference report on H.R. 14580 (Rept. No. 91–767). Ordered to be printed.

Mr. HENDERSON: Committee on Post Office and Civil Service S. 2325. An act to amend title 5, United States Code, to provide for additional positions in grades GS–16, GS–17, and GS–18; with an amendment (Rept. No. 91–768). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee of Conference. Conference report on S. 2577 (Rept. No. 91–769). Ordered to be printed.

Mr. SIKES: Committee of conference. Conference report on H.R. 14751 (Rept. No. 91–770). Ordered to be printed.

Mr. BOLAND: Committee of conference. Conference report on H.R. 14794 (Rept. No. 91–771). 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. ARENDS (for himself, Mr. SPRINGER, Mr. COLLIER, Mr. MICHEL, Mr. DERWINSKI, Mr. ANDERSON of Illinois, Mr. FINDLEY, Mr. MCCLORY, Mrs. REID of Illinois, Mr. ERLENBORN, Mr. RAILSBACK, and Mr. CRANE):

H.R. 15317. A bill to provide that the Federal office building and U.S. courthouse in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building East" and that the Federal office building to be constructed in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building West" in memory of the late Everett McKinley Dirksen, a Member of Congress of the United States from the State of Illinois from 1933 to 1969; to the Committee on Public Works.

By Mr. BRAY:

H.R. 15318. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. COHELAN (for himself, Mr. KOCH, Mr. ADAMS, Mr. LEGGETT, Mr. WALDIE, Mr. MCCARTHY, Mr. BOLAND, Mr. DADDARIO, Mr. MOSS, Mr. CLAY, Mrs. MINK, Mr. FRASER, Mr. STOKES, Mr. KASTENMEIER, Mr. REES, Mr. HAWKINS, Mr. DIGGS, Mr. HOWARD, Mr. LOWENSTEIN, Mrs. CHISHOLM, Mr. BURTON of California, Mr. MIKVA, Mr. FARBSTEIN, Mr. RYAN, and Mr. BROWN of California):

H.R. 15319. A bill to establish a Commission to study and investigate incidents of alleged mistreatment or other misconduct directed against citizens of South Vietnam by U.S. troops operating in Mylai 4 hamlet, Quang Nai Province on or about March 1968; to the Committee on Armed Services.

By Mr. COHELAN (for himself, Mr. ROYBAL, Mr. ROSENTHAL, Mr. SCHEUER, Mr. ST. ONGE, Mr. HELSTOSKI, Mr. OTTINGER, Mr. MEEDS, and Mr. KYROS):

H.R. 15320. A bill to establish a commission to study and investigate incidents of alleged mistreatment or other misconduct directed against citizens of South Vietnam by U.S. troops operating in Mylai 4 Hamlet, Quang Nai Province on or about March 1968; to the Committee on Armed Services.

By Mr. CORMAN:

H.R. 15321. A bill to improve education by increasing the freedom of the Nation's teachers to change employment across State lines without substantial loss of retirement benefits through establishment of a Federal-State program; to the Committee on Education and Labor.

By Mr. FRASER:

H.R. 15322. A bill to provide for the exchange of governmental officials between the United States and the Union of Soviet Socialist Republics; to the Committee on Rules.

By Mr. HORTON (for himself, Mr. FULTON of Pennsylvania, Mr. HELSTOSKI, Mr. KYROS, Mr. OTTINGER, Mr. ROBISON, Mr. RODINO, Mr. WIDNALL, and Mr. WOLFF):

H.R. 15323. A bill to extend the fourth-class mail rate for books and educational materials to photographic prints mailed to and from amateur photographers and nonprofit photographic exhibitions, photographic societies, and photographic print study groups; to the Committee on Post Office and Civil Service.

By Mr. MCFALL:

H.R. 15324. A bill to authorize and foster joint rates for international transportation of property, to facilitate the transportation of such property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 15325. A bill to exclude from gross income the first $750 of interest received on deposits in thrift institutions; to the Committee on Ways and Means.

By Mr. OBEY:

H.R. 15326. A bill to improve farm income and insure adequate supplies for agricultural commodities by extending and improving certain commodity programs; to the Committee on Agriculture.

By Mr. RUPPE:

H.R. 15327. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for investments in certain economically lagging regions; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 15328. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHEUER:

H.R. 15329. A bill to assist State and local criminal justice systems in the rehabilitation of criminal and youth offenders, and the prevention of juvenile delinquency and criminal recidivism by providing for the development of specialized curriculums, the

training of educational personnel, and research and demonstration projects; to the Committee on Education and Labor.

By Mr. SEBELIUS:

H.R. 15330. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. SPRINGER:

H.R. 15331. A bill to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings; to the Committee on Education and Labor.

By Mr. STAFFORD (for himself, Messrs. CONTE, HARVEY, MORSE, MOSHER, ROBISON, and RIEGLE):

H.R. 15332. A bill to establish a Commission to study and investigate incidents of alleged mistreatment or other misconduct directed against citizens of South Vietnam by U.S. troops operating in Mylai, Quang Nai Province on or about March 1968; to the Committee on Armed Services.

By Mr. ULLMAN:

H.R. 15333. A bill to amend the Interstate Commerce Act in order to give the Interstate Commerce Commission additional authority to alleviate freight car shortages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDABBO:

H.R. 15334. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 15335. A bill to amend section 105 of the Clean Air Act to authorize increased grants to be made to certain air pollution control agencies not now eligible therefor; to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT (for himself, Mr. ADAIR, Mr. BARING, Mr. BEVILL, Mr. BROCK, Mr. BUCHANAN, Mr. BYRNE of Pennsylvania, Mr. CARTER, Mr. CORBETT, Mr. DANIEL of Virginia, Mr. DENT, Mr. DUNCAN, Mr. FISHER, Mr. FULTON of Pennsylvania, Mrs. GREEN of Oregon, Mr. KING, Mr. KUYKENDALL, Mr. LEGGETT, Mr. LUKENS, Mr. MADDEN, Mr. MATSUNAGA, Mr. RARICK, Mr. WHITEHURST, and Mr. YATRON):

H.R. 15336. A bill to provide Federal grants to assist elementary and secondary schools to carry on programs to teach moral and ethical principles; to the Committee on Education and Labor.

By Mr. CLARK:

H.R. 15337. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries; to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States; and to specify the exceptions applicable thereto; and to provide procedure under which Federal agencies may otherwise regulate the taking of fish and game on such lands; to the Committee on Merchant Marine and Fisheries.

By Mr. GALIFIANAKIS:

H.R. 15338. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 15339. A bill to amend certain provisions of criminal law applicable in the District of Columbia with respect to added punishment for committing a crime when armed; to the Committee on the District of Columbia.

H.R. 15340. A bill to amend title 14 of the District of Columbia Code with respect to competency of witnesses; to the Committee on the District of Columbia.

H.R. 15341. A bill to amend certain provisions of criminal law applicable in the District of Columbia with respect to rape; to the Committee on the District of Columbia.

H.R. 15342. A bill to amend certain provisions of criminal law applicable in the District of Columbia with respect to resisting arrest; to the Committee on the District of Columbia.

H.R. 15343. A bill to amend certain provisions of criminal law applicable in the District of Columbia with respect to burglary in the second degree; to the Committee on the District of Columbia.

By Mr. LONG of Louisiana:

H.R. 15344. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORHEAD:

H.R. 15345. A bill to create a Federal Insurance Guarantee Corporation to protect the American public against certain insurance company insolvencies; to the Committee on Banking and Currency.

By Mr. MURPHY of Illinois:

H.R. 15346. A bill to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950); to the Committee on Internal Security.

By Mr. O'KONSKI:

H.R. 15347. A bill to authorize the payment of legal fees for accused persons in connection with the events alleged to have occurred at Mylai 4, Republic of Vietnam, during March 1968; to the Committee on Armed Services.

By Mr. SCHEUER (for himself, Mr. BINGHAM, Mr. BOLAND, Mr. BROWN of Michigan, Mr. BURTON of California, Mr. BUTTON, Mrs. CHISHOLM, Mr. CLAY, Mr. EDWARDS of California, Mr. ESCH, Mr. HOWARD, Mr. KOCH, Mr. MATSUNAGA, Mr. MIKVA, Mr. OTTINGER, Mr. POWELL, Mr. THOMPSON of New Jersey, and Mr. TUNNEY):

H.R. 15348. A bill to amend the Education Professions Development Act to permit training of school board members; to the Committee on Education and Labor.

By Mr. STAGGERS:

H.R. 15349. A bill to amend the Railway Labor Act in order to change the number of carrier representatives and labor organization representatives on the National Railroad Adjustment Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGAN:

H.R. 15350. A bill to provide that certain sentences imposed for the conviction of crimes in the District of Columbia shall be deemed to be imposed to run consecutively; to the Committee on the District of Columbia.

By Mr. THOMPSON of New Jersey:

H.R. 15351. A bill to authorize additional funds for the operation of the Franklin Delano Roosevelt Memorial Commission; to the Committee on House Administration.

By Mr. WHITTEN:

H.J. Res. 1036. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H. Res. 760. Resolution relating to the maintenance of United States sovereignty and jurisdiction over Panama Canal; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of Pennsylvania:

H.R. 15352. A bill for the relief of Leopold Morse Tailoring Co.; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 15353. A bill for the relief of Ottorino Ferrini; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 15354. A bill for the relief of Anthony P. Miller, Inc.; to the Committee on the Judiciary.

SENATE—*Thursday, December 18, 1969*

(Legislative day of Tuesday, December 16, 1969)

(Legislative day of Tuesday, December 16, 1969)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou creator and restorer of life, we thank Thee for Thy mercies which are new every morning. We thank Thee for work to do and that it may be done for others in this place. Enable Thy servants here, upon whose judgment rest solemn responsibilities of public welfare, to keep ever before them the vision of Thy higher kingdom. Renew them in weariness, reinvigorate them in fatigue, and give them inner compensation for long, strenuous, and confining hours. Help them to bear the fret of care, the sting of criticism, and unapplauded toil. May the highest truth of Christmas illuminate every duty, and may they be given strength to follow the One who came to set men free.

In His name we pray. Amen.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Arizona is recognized for not to exceed 20 minutes.

Mr. MANSFIELD. Mr. President, will the Senator yield to me for 1 minute, without losing any time or his right to the floor?

Mr. GOLDWATER. I yield.

Mr. MANSFIELD. I thank the distinguished Senator from Arizona, and I assure him that if he needs a few more minutes, the time will be available.

Mr. GOLDWATER. I thank the Senator.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of