United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Wednesday, February 5, 1969*

The House met at 12 o'clock noon.

Rev. Russell R. Lester, the United Presbyterian Church, Bement, Ill., offered the following prayer:

Eternal God, our Father, Creator of heaven and earth, Prompter of man's inward spirit, Judge of all man's action, we humbly wait upon You this day.

We recognize the gifts of reason, patient thought, and sound action bestowed upon us. Grant pardon if we have misused these blessings; forgive if, by our indiscriminate use, we have offended and hurt others. Grant to us a deeper understanding of man's responsibility to one another; man's equal opportunity to serve both You and his native land.

O Lord, fulfill in the lives of these who are the chosen leaders of government, Your will as it is reflected in attitudes expressed and actions taken as they seriously, honestly, and faithfully discharge their duties.

In Your holy name 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 a bill of the following title, in which the concurrence of the House is requested:

S. 769. An act to name the bridge to be constructed across the Mississippi River linking the States of Tennessee and Missouri in honor of a former Member of the House, Robert A. "Fats" Everett.

RESIGNATION FROM COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER laid before the House the following resignation from a committee:

FEBRUARY, 5, 1969.

Hon. JOHN MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: My resignation from the House Committee on Un-American Activities is hereby submitted with the request that it be recorded as effective immediately.

Respectfully,

DEL CLAWSON.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

DESIGNATION AS MEMBERS OF JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

The SPEAKER laid before the House the following communication:

JANUARY 29, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: Pursuant to section 8002 of the Internal Revenue Code of 1954, the following Members of the Committee on Ways and Means have been designated as members of the Joint Committee on Internal Revenue Taxation: Hon. WILBUR D. MILLS, Hon. HALE BOGGS, Hon. JOHN C. WATTS, Hon. JOHN W. BYRNES, Hon. JAMES B. UTT.

Sincerely yours,

WILBUR D. MILLS,
Chairman.

COMMUNICATION RECOMMENDING MEMBERS FOR JOINT COMMITTEE ON DEFENSE PRODUCTION

The SPEAKER laid before the House the following communication:

FEBRUARY 5, 1969.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: As you know, pursuant to section 712(a)(2) of the Defense Production Act of 1950 (title 50, Appendix, United States Code, section 2162(a)(2)) it is the duty of the chairman of the Committee on Banking and Currency to suggest five members of the committee to be members of the Joint Committee on Defense Production.

I sincerely hope that the following members meet with your approval: WRIGHT PATMAN, WILLIAM A. BARRETT, LEONOR K. SULLIVAN, WILLIAM B. WIDNALL, W. E. (BILL) BROCK.

With kindest regards and best wishes, I am,

Sincerely,

WRIGHT PATMAN,
Chairman.

CONGRESSIONAL SALARY

(Mr. PRICE of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a telegram.)

Mr. PRICE of Illinois. Mr. Speaker, the proposal for raising the salaries of Members of the Congress has generated much debate and discussion.

Today, I received a telegram which expresses a most important consideration on this topic.

The telegram comes from Louis M. Loeb, chairman of a special committee on congressional ethics of the Association of the Bar of the City of New York. This committee, with a grant from the Ford Foundation, is engaged in a 2-year study of "Ethical Standards and Conflict of Interest" in the Congress.

I insert the telegram in the RECORD at this point:

NEW YORK, N.Y.,
February 4, 1969.

Hon. MELVIN PRICE,
House Office Building,
Washington, D.C.:

As part of this committee's study of ethical aspects of congressional service, we have examined the congressional salary and allowance structure. We believe that an increase in salaries would reduce Members' dependence on outside income and thereby reduce their exposure to conflicts of interest. We therefore strongly urge you to support the proposed congressional salary increase.

LOUIS M. LOEB,
Chairman, Special Commission on Congressional Ethics, Association of the Bar of the City of New York.

COMMITTEE ON UN-AMERICAN ACTIVITIES

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

Mr. ICHORD. Mr. Speaker, today's Washington Post on page 2, published an account of yesterday's proceedings before the Rules Committee during which I and other Members testified on House Resolution 89, my resolution to change the name and mandate of the Committee on Un-American Activities.

The Post account reported that in my appearance before the Rules Committee yesterday I, in referring to the Committee on Un-American Activities said: "What we are concerned about is political action."

The quotation is incorrect. What I actually said was that what the committee was concerned with was group action to overthrow the Government by force, violence and various other criminal and unlawful means as distinguished from efforts to change institutions of government through the democratic process.

I would also like to mention another inaccuracy in the Post account which would be immediately apparent to all Members of the House, but not to the public. The Post reporter stated that I had indicated that the Committee on Un-American Activities could probably operate this year with a budget of $375 million, the same as it did last year. Obviously, the Post account should have said $375,000.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

U.S. ARMY BRIEFING ON CHEMICAL AND BIOLOGICAL WARFARE PROGRAM

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

Mr. McCARTHY. Mr. Speaker, at the suggestion of my fellow New Yorkers (Mr. PIKE and Mr. STRATTON), both members of the Armed Services Committee, I am today requesting the Army to provide a briefing for New York Members of the House and any other interested Members about the Army's chemical and biological warfare program.

I would hope that the briefing would satisfy my questions about, first of all, the basic reasons and the necessity for the program; and, second, what the safeguards are—it would seem from NBC news that adequate safeguards have not been provided, in particular in one case recently in Utah; and, third, to what extent do they use nonmilitary organizations as "fronts." NBC news alleges that the Smithsonian Institution was used as a front and that certain universities were subverted into participating in this program without the full knowledge of the administration of these universities.

Finally, I would hope they could provide some enlightenment on the defoliation project in Vietnam. It seems to me this is chipping away at the basic policy of this Government, as enunciated by President Franklin Roosevelt, that we would not initiate gas warfare. If this policy should be eroded, then, indeed, we would be in a dangerous position in that these weapons might possibly be used against us. One does not require a terribly fertile imagination to conjure up the ghastly possibilities that could result from large-scale use of chemical and biological agents.

NEWSPAPER PRESERVATION ACT

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

Mr. PELLY. Mr. Speaker, today I am cosponsoring the Newspaper Preservation Act. This legislation was introduced in the 90th Congress, and the Senate made some changes that should be carefully considered by the House for adoption.

But, Mr. Speaker, the importance of this legislation is underscored by the fact that during the past 50 years we have witnessed the disappearance—through suspension of publication or merger—of a vast number of American newspapers, most of which were published in or about our urban centers. The primary reason for this trend is entirely attributable to economics; lack of enough advertising and circulation to keep pace with competition.

In an endeavor to survive, some 44 newspapers in 22 cities entered into agency or joint newspaper operating arrangements.

However, in 1965, the Justice Department filed antitrust action against one of these joint arrangements; a case which has been appealed to the U.S. Supreme Court.

It is obvious that if the Department of Justice should be successful in its attempt to break up these joint ventures, then at least one newspaper in each of these joint operating cities will revert to its former perilous financial condition and ultimately either will be forced to suspend publication or sell to its competitor.

I urge swift action on this bill, Mr. Speaker, for there is far more at stake in this issue than the success of some of the Nation's newspapers. The people's right to a free press is at issue, and early action on this legislation is vital. We must protect the press so they can protect the public.

THOUGHTS ABOUT THE SALARY INCREASE

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

Mr. CARTER. Mr. Speaker, it seems that the horrendous salary increase which so many of us have strongly opposed will be enacted into law. I am reminded of an old Kentuckian who thought he was crossing into the great beyond, and as the sun sank slowly into the west, casting its benign rays over the horizon, he motioned to his wife to come over to his bedside.

"Mary," he whispered, "you remember that old trunk in the basement?"

"Yes, John," she answered tearfully, "I believe there is an old trunk down there."

"Well, Mary," he whispered, "there is a quart of bourbon, fine old bourbon in it. Go down and get it."

"Yes, John," she said. "What then?"

John gave her specific instructions. He told her to fill his glass with finely crushed ice, to bruise some mint, and to stir it up in the glass, with just a pinch of sugar. Then he told her to pour the bourbon liberally over the concoction and to decorate it with sprigs of mint, then to set it aside until frost formed on the outside of the glass. "And, then, Mary," gasped the old man, his voice now all but extinct, "bring it up here to me and when you bring it in here, Mary, no matter what I do or say, make me take it."

So many of us who have fought so valiantly, after this iniquitous bill is passed and the tumult and the shouting dies, will say, "No matter what I say or do, Mary, make me take it."

INFLATION AND THE FEDERAL PAY INCREASE

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

Mr. RUTH. Mr. Speaker, one of the most important domestic problems facing our Nation is inflation. Pending before Congress at this time is a matter which will have a direct effect on this important matter—the proposal to increase congressional salaries. Perhaps as a freshman it is a bit soon for me to comment on matters affecting Members of the House who have been here and borne great responsibility for many years. However, it is apparent to me and to residents of my district that the Congress must take the lead in curtailing Federal spending to curb the cheapening of the dollar.

Congressional salaries have a decided influence on all Federal pay structures. In effect we, by our actions, will automatically increase Federal pay for officials in the executive and judicial branches of Government. While I am acutely aware that the present congressional pay does not purchase what it did when it was set, as a former member of the city council in my hometown, I am also aware that Federal pay at all levels compares most favorably with State, county, and city salaries. Although there are many who feel the increase can be justified, I must oppose the pay increase on the grounds that the present timing is ill advised. If we really want to attack inflation, a salary raise seems to me to be a peculiar beginning, a psychological error, and a quick way to remove the lid on the boiling pot.

Mr. Speaker, I strongly urge that Congress delay consideration of salary increases until settlement of the Vietnam war, balancing of the Federal budget, removal of the 10-percent surtax, and until a time when we are outside the jaws of inflation.

FEDERAL PAY INCREASE

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

Mr. DICKINSON. Mr. Speaker, the Federal Government is supposed to be doing everything possible to curb inflation. Yet, at this very moment we are considering raising the pay, and raising it quite substantially, of ourselves, our colleagues in the Senate Chamber, Cabinet officers, Supreme Court Justices, and Federal judges. How can we justly complain of the average of nearly a 7-percent wage increase for all people in nonfarm categories last year when we allow our salaries to be raised one and a half times that over a 5-year period?

Mr. Speaker, I supported the pay raise for the President. I thought it just and right that I do so. He is the Chief Executive of the most powerful nation in the world. Besides, the new scale is only slightly out of line with the $100,000 he received 20 years ago and the $75,000 before that. It takes a $100,000 raise nowadays, because of the inflationary trend and the tax bite, for us to be sure the President will realize $35,000 out of the raise.

This pay boost we are now considering affects about 2,200 people. It is estimated that its total cost to the taxpayer is between $23 and $25 million annually. I am, therefore, introducing a resolution to disapprove all of the recommendations of the President of the United States with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970.

I would like to add, though, since Mem-

bers of Congress do not have an expense allowance, I think that provisions for such an allowance which would take care of incidental expenses with the office and travel are needed. But I do not believe expense money should come through the medium of a salary increase.

ADJOURNMENT FROM FRIDAY, FEBRUARY 7, TO MONDAY, FEBRUARY 17

Mr. ALBERT. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 124), and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 124

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, February 7, 1969, they stand adjourned until 12 o'clock meridian, Monday, February 17, 1969.

Mr. ALBERT. Mr. Speaker, the Members will note that this resolution provides for adjournment on the 7th, although we had announced earlier in the House that we would adjourn on the 6th of February. The reason for this change is that the Senate will not be in session until the 7th of February.

However, there will be no legislative business on Friday, February 7. We will meet on that day only for the purpose of adjournment.

Mr. GROSS. Mr. Speaker, a resolution to provide an adjournment of Congress from February 7 to February 17 should not be adopted until the House of Representatives has given full consideration to and voted on the outrageous pay increases for the legislative, executive, and judicial branches of the Government.

Every Member of the House of Representatives is well aware that these increases will go into effect automatically next week during their vacation unless there is further action on the part of the House.

Any agreement here today to adjourn the House through next week means slamming the door on the last vestige of hope that the House will give this multimillion-dollar proposal the consideration it deserves and it will be an outright repudiation of the assurances previously given that Members of this body would have the opportunity to work their will on any such proposal as this.

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

Mr. HALL. Mr. Speaker, I greatly appreciate this opportunity to testify in favor of the House resolution that would reject the exorbitant congressional pay raises recommended by the Presidential Pay Commission.

The importance of the lack of favorable action by the Committee on Rules cannot be overemphasized. The Rules Committee action may be the last opportunity to express the will and opinion of the people in stopping the parliamentary and statutory shenanigans that have assisted this raid upon the Treasury. I do not believe the Congress should "recess" and leave its own pay raise unvoted. Our accomplishments to date hardly merit a recess.

The other body, yesterday, did possess the courage to have a rollcall vote. I must admit that I am not pleased with the results of that vote, but the other body does not represent the people, it represents the States.

Mr. Speaker, it is very easy to "rationalize" this pay increase. Congress has already—and over my vote—delegated its power to a Commission, and we only need keep saying to ourselves that it is the Commission that is making the recommendations. The Congress need not take affirmative action. If we disapprove, all we need do is exercise a veto. Yet, under the "reverse veto," a clever little mechanism that was written into the salary commission bill, the taxpayer is confronted by the old "shell game," when he tries to fix responsibility for this raid on the Treasury. We may try to assist the bewildered taxpayer and point our finger to the Presidential Pay Commission since they made the recommendations. We can also point to former President Johnson, who with minor changes, formally submitted the changes. This is the easy way out. But, it is our responsibility in this House. If Congress is to remain a coequal branch of Government we learn to say this is our responsibility and is our constitutional decision. Nothing could be more true than the case at hand. We gave the Commission its power and authority.

But again former President Johnson no longer holds an elective office and is resting on the banks of the Pedernales. Again, the responsibility is ours.

Mr. Speaker, inflation is running rampant in this country. It is probably the biggest single threat to our country. We have heard that over 2 percent, and said that an annual 5-percent increase of the cost of living will be disastrous. What, therefore, does a 41-percent increase in congressional salaries represent? How can we increase our salaries by this amount and other top governmental salaries by 40, 50, or 72 percent, and keep our fiscal house in order? Are we so blind? We will surely have to increase civil service and military pay by at least 10 or 12 percent. This then would represent an annual cost of $4 to $5 billion, or about one-half of the revenue to be derived from the 1-year extension of the 10-percent surcharge. What then of wage scales in private industry? We have said that the wage-line should be held to 4 or 5 percent. We have said in turn that prices should also be held in line. Will labor and management believe us and assist us? The answer is quite obvious when congressional pay is increased a hyper-inflationary and ridiculous 41 percent. Will we then move on to fix jobs. If so, are we not socialized in fact?

Mr. Speaker, the House of Representatives must not shirk its responsibilities. The people are not being fooled by what is going on. They demand a rollcall vote. They want their elected representatives to face their responsibilities. They also want inflation stopped. They look to us to set the pattern and example. Personally, I object to both the strategy, the handling, and the timing of this evasion of responsibility by subterfuge.

Therefore, I respectfully request that this distinguished body give its approval to the resolution that would allow the people's will to be done.

The SPEAKER. The question is on the concurrent resolution.

The question was taken, and the Speaker 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. 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 240, nays 125, not voting 66, as follows:

[Roll No. 14]

YEAS—240

Adair	Donohue	McCloskey
Adams	Dorn	McCulloch
Addabbo	Downing	McDonald, Mich.
Albert	Dulski	McEwen
Anderson, Calif.	Eckhardt	McFall
Anderson, Ill.	Edmondson	McMillan
Anderson, Tenn.	Edwards, Ala.	Madden
Andrews, N. Dak.	Edwards, Calif.	Martin
Annunzio	Edwards, La.	Mathias
Arends	Eilberg	Matsunaga
Ashley	Erlenborn	Meeds
Aspinall	Eshleman	Meskill
Ayres	Evans, Colo.	Michel
Baring	Evins, Tenn.	Mikva
Barrett	Fallon	Miller, Calif.
Battin	Farbstein	Minish
Belcher	Fascell	Mollohan
Berry	Feighan	Monagan
Biaggi	Flood	Murphy, Ill.
Biester	Ford, Gerald R.	Myers
Bingham	Ford, William D.	Nedzi
Blanton	Fountain	O'Hara
Blatnik	Fraser	Olsen
Boland	Friedel	Patman
Bow	Fulton, Pa.	Patten
Brademas	Fuqua	Pepper
Brasco	Galifianakis	Philbin
Brock	Garmatz	Pike
Brooks	Gilbert	Podell
Broomfield	Gonzalez	Preyer, N.C.
Brotzman	Goodling	Price, Ill.
Brown, Calif.	Gray	Pucinski
Brown, Mich.	Griffin	Purcell
Broyhill, N.C.	Griffiths	Quie
Broyhill, Va.	Grover	Railsback
Buchanan	Gubser	Rees
Burke, Mass.	Halpern	Reid, Ill.
Burleson, Tex.	Hamilton	Reid, N.Y.
Burlison, Mo.	Hanley	Reifel
Burton, Calif.	Hanna	Reuss
Burton, Utah	Harvey	Rhodes
Button	Hawkins	Rivers
Byrne, Pa.	Hays	Roberts
Byrnes, Wis.	Hébert	Rodino
Cabell	Hechler, W. Va.	Rogers, Colo.
Cahill	Heckler, Mass.	Rooney, N.Y.
Camp	Helstoski	Rooney, Pa.
Carey	Hicks	Rosenthal
Carter	Holifield	Rostenkowski
Casey	Horton	Roybal
Cederberg	Hosmer	Ruth
Celler	Howard	Ryan
Chamberlain	Hungate	Sandman
Chisholm	Ichord	Schneebeli
Clausen, Don H.	Jacobs	Shipley
Clawson, Del	Jarman	Sisk
Cleveland	Joelson	Slack
Conte	Johnson, Calif.	Smith, Calif.
Corman	Johnson, Pa.	Smith, Iowa
Coughlin	Jonas	Stafford
Cowger	Jones, N.C.	Stanton
Culver	Kastenmeier	Steed
Daddario	Kazen	Steiger, Ariz.
Daniels, N.J.	Kee	Stephens
Davis, Wis.	Keith	Stokes
Dawson	King	Stratton
de la Garza	Kleppe	Sullivan
Delaney	Kluczynski	Symington
Dellenback	Koch	Taft
Derwinski	Kuykendall	Talcott
Diggs	Kyros	Taylor
Dingell	Leggett	Thompson, N.J.
	Lennon	Tiernan
	Lipscomb	Tunney
	Long, Md.	Udall

Ullman	Whalen	Wolff
Utt	Widnall	Wright
Van Deerlin	Wiggins	Wyatt
Vander Jagt	Williams	Young
Waggonner	Wilson, Bob	Zablocki
Waldie	Wilson, Charles H.	
Watts		

NAYS—125

Abernethy	Haley	Price, Tex.
Alexander	Hall	Pryor, Ark.
Andrews, Ala.	Hammer-schmidt	Randall
Beall, Md.	Hansen, Idaho	Rarick
Bell, Calif.	Hastings	Riegle
Bennett	Henderson	Robison
Betts	Hogan	Rogers, Fla.
Bevill	Hull	Roth
Blackburn	Hunt	Roudebush
Bray	Hutchinson	Satterfield
Brinkley	Kyl	Saylor
Brown, Ohio	Landgrebe	Schadeberg
Burke, Fla.	Langen	Scherle
Bush	Latta	Schwengel
Caffery	Lloyd	Scott
Chappell	Lujan	Sebelius
Clancy	McClory	Shriver
Collier	McClure	Sikes
Collins	McKneally	Skubitz
Colmer	MacGregor	Smith, N.Y.
Conable	Mahon	Snyder
Cramer	Mann	Stubblefield
Daniel, Va.	Marsh	Stuckey
Denney	May	Teague, Calif.
Dennis	Mayne	Thompson, Ga.
Devine	Miller, Ohio	Thomson, Wis.
Dickinson	Minshall	Vigorito
Dowdy	Mize	Wampler
Duncan	Montgomery	Watkins
Dwyer	Moss	Watson
Esch	Natcher	Weicker
Fish	Nelsen	Whalley
Fisher	Nichols	White
Flowers	Passman	Whitehurst
Flynt	Pelly	Whitten
Foreman	Perkins	Winn
Frey	Pickle	Wold
Gaydos	Pirnie	Wylie
Gettys	Poage	Wyman
Gross	Poff	Yatron
Gude	Pollock	Zion
Hagan		Zwach

NOT VOTING—66

Abbitt	Harsha	Nix
Ashbrook	Hathaway	O'Konski
Bates	Jones, Ala.	O'Neal, Ga.
Boggs	Karth	O'Neill, Mass.
Bolling	Kirwan	Ottinger
Clark	Landrum	Pettis
Clay	Long, La.	Powell
Cohelan	Lowenstein	Quillen
Conyers	Lukens	Ronan
Corbett	McCarthy	Rumsfeld
Cunningham	McDade	Ruppe
Davis, Ga.	Macdonald, Mass.	St Germain
Dent	Mailliard	St. Onge
Findley	Mills	Scheuer
Foley	Mink	Springer
Frelinghuysen	Mizell	Staggers
Fulton, Tenn.	Moorhead	Steiger, Wis.
Gallagher	Morgan	Teague, Tex.
Giaimo	Morse	Vanik
Gibbons	Morton	Wydler
Green, Oreg.	Mosher	Yates
Green, Pa.	Murphy, N.Y.	
Hansen, Wash.		

So the concurrent resolution was agreed to.

Mr. CAFFERY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT COMMISSIONS, BOARDS, AND COMMITTEES AUTHORIZED BY LAW OR BY THE HOUSE DURING THE ADJOURNMENT FROM FEBRUARY 7 TO FEBRUARY 17

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until February 17, 1969, the Speaker be authorized to appoint commissions, boards, and committees authorized by law or by the House.

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

There was no objection.

OBJECTION TO DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON FEBRUARY 19

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday, February 19, 1969, be dispensed with.

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

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

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

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have permission to sit while the House is in session during general debate today.

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

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. ANDERSON of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain priviledged reports.

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

There was no objection.

CREATING A SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATIONS OF THE PROBLEMS OF SMALL BUSINESS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 66 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 66

Resolved, That, effective January 3, 1969, there is hereby created a select committee to be composed of fifteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

SEC. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to (1) the factors which have impeded or may impede the normal operations, growth, and development of small business; (2) the administration of Federal laws relating specifically to small business to determine whether such laws and their administration adequately serve the needs of small business; (3) whether Government agencies adequately serve and give due consideration to the problems of small business; and (4) to study and investigate problems of small business enterprises generally, and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation: *Provided*, That the committee shall not invade any subject matter under active investigation by any standing committee of the House.

SEC. 3. The committee may from time to time submit to the House such reports as it deems advisable and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

SEC. 4. For the purpose of this resolution the committee or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

SEC. 5. The majority of the members of the committee shall constitute a quorum for the transaction of business, except two or more shall constitute a quorum for the purpose of taking of evidence including sworn testimony.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754(b) of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its Members or other Members or employees traveling abroad.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATIONS OF PROBLEMS OF SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 66, 91st Congress, the Chair appoints as members of the Select Committee To Conduct Studies and Investigations of the Problems of Small Business the following Members of the House: Mr. EVINS of Tennessee, chairman; Mr. PATMAN, Mr. STEED, Mr. KLUCZYNSKI, Mr. DINGELL, Mr. SMITH of Iowa, Mr. CORMAN, Mr. ADDABBO, Mr. HUNGATE, Mr. CONTE, Mr. BROYHILL of North Carolina, Mr. HORTON, Mr. BURTON of Utah, Mr. STANTON, and Mr. BUTTON.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO CONDUCT STUDIES AND INVESTIGATIONS RELATING TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee

on Rules, I call up House Resolution 93 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 93

Resolved, That, effective from January 3, 1969, the Committee on the Judiciary, acting as a whole or by subcommittee, is authorized to conduct full and complete investigations and studies relating to the following matters coming within the jurisdiction of the committee; namely—

(1) relating to the administration and operation of general immigration and nationality laws and the resettlement of refugees, including such activities of the Intergovernmental Committee for European Migration which affect immigration in the United States, or involving violation of the immigra- of private relief legislation;

(2) involving claims, both public and private, against the United States;

(3) involving the operation and administration of national penal institutions, in- tion laws of the United States through abuse cluding personnel and inmates therein;

(4) relating to judicial proceedings and the administration of Federal courts and personnel thereof, including local courts in territories and possessions;

(5) relating to the operation and administration of the antitrust laws, including the Sherman Act, the Clayton Act, and the Federal Trade Commission Act; and

(6) involving the operation and administration of Federal statutes, rules, and regulations relating to crime and criminal procedure; and

(7) involving the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Lands Act; and

(8) relating to State taxation of interstate commerce:

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other Members or employees traveling abroad.

The SPEAKER. The Clerk will report the committee amendments.

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that the amendments be considered as read. They are all practically the same as they have been in previous years.

The SPEAKER. Without objection, the committee amendments will be considered as read and printed in the RECORD at this point.

There was no objection.

The committee amendments are as follows:

On page 3, line 11, strike out "necessary." and insert: "necessary: *Provided,* That for the purpose of carrying out this resolution, with respect to paragraphs (1) and (7), the committee or subcommittee is authorized to sit and act outside the United States."

On page 3, delete lines 16 to 22, inclusive, and in lieu thereof insert the following language after line 15:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, 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 the Judiciary of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority as set forth in paragraphs (1) and (7) of this resolution: *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."

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

Mr. ANDERSON of Tennessee. I yield to the gentleman from Iowa for the purpose of a question.

Mr. GROSS. Mr. Speaker, may I inquire of the gentleman from Tennessee—why for the purpose of a question only?

I have no amendments to offer, but I am curious to know why?

Mr. ANDERSON of Tennessee. I have no authority to yield the floor and I assumed the gentleman had a question.

Mr. GROSS. If the gentleman will yield further, the gentleman from Tennessee would not be yielding the floor if he were yielding to me; would he?

Mr. ANDERSON of Tennessee. I yield to the gentleman from Iowa, except for the purpose of an amendment—yes.

Mr. GROSS. I still do not have an answer to the question as to why the qualification of the gentleman in yielding with respect to an amendment?

Mr. ANDERSON of Tennessee. I just want to make it clear to the gentleman that I am yielding to the gentleman except that I do not yield for the purpose of discussion or for the introduction of any amendment.

Mr. GROSS. Would there be something wrong with offering an amendment to one of these resolutions?

Mr. ANDERSON of Tennessee. I am not authorized to yield for that purpose because the Committee on Rules has acted on these resolutions and I am acting in the capacity of their representative to present them on the floor.

Mr. GROSS. Has the Committee on Rules adopted a rule within the committee that prohibits the offering of an amendment to any resolution that it sends to the floor of the House?

Mr. ANDERSON of Tennessee. That is the customary practice of the Committee on Rules.

Mr. GROSS. It is the customary practice to do what?

Mr. ANDERSON of Tennessee. To control the time so as to present the resolution intact to the House and to not open it up for amendment on the House floor.

Mr. GROSS. As in the case of a resolution pending before the Rules Committee this morning, the Rules Committee has not adopted the policy that the House is not entitled to work its will upon a resolution on the House floor; is that correct?

Mr. ANDERSON of Tennessee. The statement of the gentleman may be a slight oversimplification in that the decision this morning took into account past precedents and also the danger and fear, in the judgment of members of the committee, of the establishment of a precedent in discharging a committee from its responsibilities in relation to legislation that could have a very adverse effect upon the future course of business of the House.

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

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

Mr. GROSS. With respect to the action taken by the Rules Committee this morning, had the committee voted the resolution to the House floor, that action would not have created a precedent; is that not true?

Mr. ANDERSON of Tennessee. To my knowledge, under a very, very different set of circumstances, with which I must confess I am not faimilar, because I was not a member at that time, a bill was taken from a regular committee. However, that was under very exceptional and different circumstances than those confronting the Rules Committee this morning.

Mr. GROSS. If the gentleman will yield further, would not the gentleman agree with me that the House today is confronted with a very exceptional legislative situation in which a pay raise for Members of the House will go into effect automatically next week without there having been any hearings or consideration on the part of the House? Would the gentleman not agree that that is an exceptional way of applying legislative procedure?

Mr. ANDERSON of Tennessee. The gentleman has stated his opinion. I do not want to put myself in the position of validating his opinion. I have my own ideas on it, which I am not prepared to discuss at this time.

Mr. GROSS. If the gentleman will

yield further, in order to assuage any fears that the gentleman might have concerning this particular resolution, I have no amendment to offer, but I would like to ask what has developed from the travels of the Judiciary Committee abroad in connection with the proposals contained in this resolution. What has happened to benefit the Congress from those travels? Has the gentleman's committee inquired into the results of those trips abroad?

Mr. ANDERSON of Tennessee. This was a set of amendments designed strictly to expedite the business of the House and as a matter of efficiency. Perhaps the distinguished gentleman from California (Mr. SMITH) has something to add.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Tennessee. I am glad to yield to the gentleman from California.

Mr. SMITH of California. In connection with this resolution from the Judiciary Committee, since its inception the United States of America has been a member of the Intergovernmental Committee for European Migration, which we refer to as "ICEM." They hold two meetings in Geneva each year with certain members present. It costs $2,200 to print up a resolution on travel. It just occurred to me that, since we would have to take that action, why should we ask the gentleman from New York (Mr. CELLER), the chairman of the committee, to come up with a resolution when they have to go to the ICEM committee meeting? We are members and we have to attend. There is no question about it. So I have offered the amendment.

In regard to the Intergovernmental Committee for European Migration, and particularly item (7), involving the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Lands Act, the gentleman from Louisiana, Mr. Willis, a former member, was up every year with that particular resolution. It was always granted.

I thought we would save the time of the House and we would save the cost of printing if in those two instances we would give the Judiciary Committee the authority in the manner proposed. I have no thought in my mind that the gentleman from New York will send the whole committee to Geneva, because he never has. I was on that committee for a number of years and the travel was in my opinion justifiable. In connection with items (2), (3), (4), (5), (6), and (8). If the Judiciary Committee desires to travel, they will have to then bring to the Rules Committee a special resolution.

Mr. GROSS. Mr. Speaker, will the gentleman from Tennessee yield to me so I may ask the gentleman from California a question?

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

Mr. GROSS. Mr. Speaker, the original question was, What has resulted from these trips abroad on the part of the Judiciary Committee? Does the Rules Committee in approving resolutions of this kind make any inquiry as to the results to the taxpayers of these trips—or any other committee, for that matter?

Mr. SMITH of California. Mr. Speaker, I can give the gentleman from Iowa a personal experience. I attended the ICEM Committee one time, and subsequent thereto, I visited every refugee camp in Europe, as a result of which most of them were closed down. One saved us $94,000 a year. As a result of the report and statement and legislation, supported by the late distinguished gentleman from Pennsylvania, Mr. Walter, we have now closed every one of those camps which were costing us hundreds of thousands of dollars each year. That I know.

On the other subject, the one on the Submerged Land Act, that is a problem on which I cannot say what happened, but I am certain the committee has some reports on it.

As far as ICEM, I will stand up and be counted against all arguments that we have done a good job on that program, and it has saved us a great deal of money.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON ARMED SERVICES TO CONDUCT INVESTIGATION AND STUDY OF PROCUREMENT BY THE DEPARTMENT OF DEFENSE, PERSONNEL, LAWS ADMINISTERED BY AND USE OF FUNDS BY SUCH DEPARTMENT, AND SCIENTIFIC RESEARCH IN SUPPORT OF THE ARMED SERVICES

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 105 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 105

Resolved, That effective from January 3, 1969, the Committee on Armed Services, acting as a whole or by subcommittee appointed by the chairman of the Committee on Armed Services, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the procurement, use, and disposition of material, equipment, supplies, and services, and the acquisition, use, and disposition of real property, by or within the Department of Defense;

(2) relating to the military and civilian personnel under the jurisdiction of the Department of Defense;

(3) involving the laws, regulations, and directives administered by or within the Department of Defense;

(4) involving the use of appropriated and nonappropriated funds by or within the Department of Defense;

(5) relating to scientific research and development in support of the armed services; and

(6) all other matters within the legislative jurisdiction conferred by law or the Rules of the House of Representatives upon the Committee on Armed Services.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

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 Armed Services 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 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.

Mr. SMITH of California (during the reading). Mr. Speaker, this resolution is precisely the same, word for word, as those passed in previous Congresses. I ask unanimous consent that it be considered as read.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO MAKE STUDIES AND INVESTIGATIONS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee

on Rules, I call up House Resolution 116 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 116

Resolved, That effective January 3, 1969, the Committee on Interstate and Foreign Commerce may make investigations and studies into matters within its jurisdiction including the following:

(1) Policies with respect to competition among the various modes of transportation, whether rail, air, motor, water, or pipeline; measures for increased safety; ownership and control of transportation facilities; adequacy of the national transportation system for defense and the needs of an expanding economy.

(2) Policies with respect to the promotion of the development of civil aviation; measures for increased safety; restrictions which impede the free flow of air commerce; promotion of travel and tourism; routes, rates, accounts, and subsidy payments; airport construction, hazards of adjacency to airports, and condemnation of airspace, aircraft, and airline liability; aircraft research and development, and market for American aircraft; air navigational aids and traffic control;

(3) Allocation of radio spectrum; community antenna television; pay television; satellite communications; ownership, control, and operations of communications and related facilities; policies with respect to competition among various modes of communication, including voice and record communications and data processing; policies with respect to governmental communications systems; coordination of communication policies both domestic and foreign; impact of foreign operations, international agreements, and international organizations on domestic and foreign communications; technical developments in the communications field;

(4) Adequacy of the protection to investors afforded by the disclosure and regulatory provisions of the various securities Acts;

(5) Adequacy of petroleum, natural gas, and electric energy resources for defense and the needs for an expanding economy; adequacy, promotion, regulation, and safety of the facilities for extraction or generation, transmission, and distribution of such resources; development of synthetic liquid fuel processes; regulation of security issues of and control of natural gas pipeline companies;

(6) Advertising, fair competition, packaging, and labeling;

(7) Research in weather, including air pollution and smog, and artificially induced weather;

(8) Effects of inflation upon benefits provided under railroad retirement and railroad unemployment programs; and inequities in provisions of statutes relating thereto, with comparison of benefits under the social security system;

(9) Adequacy of medical facilities, medical personnel, and medical teaching and training facilities; research into human diseases; provisions for medical care; efficient and effective quarantine; protection to users against incorrectly labeled and deleterious foods, drugs, cosmetics, and devices; and other matters relating to public health; protection of the public against abuse of barbiturates, amphetamines, and other dangerous drugs;

(10) The War Claims Act and the Trading With the Enemy Act, including the provisions relating to direct foreign investment;

(11) Current and prospective consumption of newsprint and other papers used in the printing of newspapers, magazines or such other publications as are admitted to second-class mailing privileges; current and prospective production and supply of such papers, factors affecting such supply, and possibilities of additional production through the use of alternative source materials;

(12) Traffic accidents on the streets and highways of the United States; factors responsible for such accidents, the resulting deaths, personal injuries, and compensation for damages, economic losses, and measures for increased motor vehicle safety; and

(13) The administration of provisions of law relating to the above subjects and all others which are in the jurisdiction of such committee.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, may sit and act during the present Congress at such times and places within or outside the United States, whether the House has recessed or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may report to the House at any time during the present Congress the results of any investigation or study made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report shall be filed with the Clerk of the House if the House is not in session.

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 Interstate and Foreign Commerce of the House of Representatives and employees engaged in carrying out their official duties under section 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.

Mr. SMITH of California (during the reading). Mr. Speaker, this resolution is, word for word, identical with those previously passed. I ask unanimous consent that it be considered as having been read.

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

There was no objection.

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

Mr. MOSS. Mr. Speaker, at this time I had proposed to offer an amendment to House Resolution 116, which would clarify the fact that the committee, exercising its inherent constitutional and statutory right of legislative oversight, does have at least the same degree of power as the administrative commissions and board subject to its jurisdiction. But, after further study I find that such a clarification would be surplusage. Certainly, the independent regulatory commissions, as arms or agents of Congress, cannot have power greater than that of their principal. Nor can the constitutional right of oversight be any less broad in its exercise than the delegated statutory rights of the independent agencies.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON VETERANS' AFFAIRS TO CONDUCT INVESTIGATION AND STUDY WITH RESPECT TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, I call up House Resolution 47 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 47

Resolved, That, effective from January 3, 1969, the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following programs of benefits for veterans and their dependents and survivors:

(1) The programs of compensation and pension;

(2) The programs of hospitalization, domiciliary care, nursing home care, medical and dental care and treatment, and furnishing of prosthetic appliances;

(3) The insurance and indemnity programs;

(4) The housing and business loan programs, and the program of furnishing assistance for the acquisition of specially adapted housing;

(5) The programs of education and training (including vocational rehabilitation); and

(6) The furnishing of burial allowances: with a view to determining whether or not such programs are being conducted economically, efficiently, in the best interests of the Government and the beneficiaries of such programs, and in such a manner as to avoid the misuse of Government funds; whether or not such programs adequately serve the needs and protect the welfare of the beneficiaries of such programs; and whether changes in the law or in the administration and operation of the programs either will lead to greater efficiency and economy or will make such programs more adequately serve the needs of the beneficiaries of such programs.

The committee is also authorized to conduct a full and complete investigation and study to determine—

(1) the extent to which appeals for charitable contributions are made to the American people, or segments thereof, in the name of American veterans by appealing to the desire of the American people to assist such veterans and their survivors or dependents;

(2) whether an undue proportion of such charitable contributions is used to meet the expenses of conducting such appeals and for other administrative expenses rather than for providing services for or benefits to veterans;

(3) whether any of such appeals are fraudulent in nature;

(4) whether additional supervision of the fund-raising activities conducted by organizations chartered by Act of Congress in the name of veterans is necessary or desirable; and

(5) the existence of any other abuses connected with charitable appeals made in the name of veterans.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigations and studies, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony as it deems necessary, except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

SEC. 2. In addition, the Committee on Veterans' Affairs is authorized to send not more than five members of such committee and not more than two staff assistants to the Republic of the Philippines and South Vietnam for the purpose of conducting a full and complete investigation and study into the disability compensation and pension program, the death compensation and death pension program, the dependency and indemnity compensation program, insurance, education, vocational rehabilitation, hospital and medical care, and other subjects properly coming within the jurisdiction of said committee in the Republic of the Philippines and in the case of American veterans and servicemen in South Vietnam the abovementioned subjects and the servicemen's group life insurance program: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

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 Veterans' Affairs of the House of Representatives and employees engaged in carrying out ther official duties under section 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.

That 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. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. ANDERSON of Tennessee (during the reading). Mr. Speaker, I ask unanimous consent that the resolution may be considered as read. It is identical to those presented previously, except for an amendment clarifying the jurisdiction over cemeteries.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Speaker, reserving the right to object, would that amendment apply to the italicized language on page 5, section 3 of the bill? Is that what the gentleman is alluding to as the new language that has been added?

Mr. ANDERSON of Tennessee. Would the gentleman kindly repeat the question?

Mr. GROSS. Is the italicized language on page 5, section 3, new language included in this resolution? Is that the reason why it is italicized?

Mr. SMITH of California. Mr. Speaker, will the gentleman yield to me?

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

Mr. SMITH of California. Mr. Speaker, in answer to the inquiry of the gentleman from Iowa, last year, after quite some extensive discussions, it was decided by the House of Representatives to turn jurisdiction of the subject of cemeteries over to the Veterans' Affairs Committee with the exception, I believe, of monumental cemeteries and, perhaps, one or two other special types of cemeteries throughout the world. We approved that. The resolution was brought in during the middle of the session, and was added as authority.

These cemeteries are located throughout the world. It was necessary to come in with a request for a travel resolution to visit the cemeteries.

My understanding is that if they are going to make a detailed study of these cemeteries they cannot do so without a travel resolution. I offered this language for that one purpose only, of allowing cemetery travel outside of the United States for investigation.

I have full confidence in the gentleman from Texas (Mr. TEAGUE), and believe it will not in any way be junkets or anything like that. The Rules Committee, I am certain, would immediately agree to any resolution to that effect, as we did last year.

That is the language in section 3, page 5, which is new language, and was an amendment offered by the gentleman from California.

Mr. GROSS. Let me thank the gentleman for his explanation.

Let me ask a question. Is Arlington National Cemetery now within the purview of the Veterans' Affairs Committee?

Mr. SMITH of California. Did the gentleman say Arlington?

Mr. GROSS. Arlington National Cemetery.

Mr. SMITH of California. I believe it is.

We have had a cemetery somewhere, Mr. Speaker, which is a congressional cemetery for burying Congressmen in. I do not believe any of us know where it is, but there is a cemetery out there for that.

I believe that is under the Veterans' Affairs Committee. I believe Arlington is under the Veterans' Affairs Committee.

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

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

Mr. KYL. The gentleman from California has explained the situation very correctly. The only cemeteries which are not under the Veterans' Affairs Committee now are those which are parts of historic sites, battlefields or monuments, where those cemeteries are actually part of the preservation which has another designation, and therefore, come under the Department of the Interior and the Committee on Interior and Insular Affairs rather than the Committee on Veterans' Affairs. In all other cases these are now included under the jurisdiction of the Veterans' Affairs Committee.

Mr. SMITH of California. I thank the gentleman.

Mr. GROSS. In the submission by the Committee on Veterans' Affairs of this resolution, was there any indication that the Committee on Veterans' Affairs proposes to look into the situation at Arlington National Cemetery and the burial restrictions which have been placed upon servicemen and members of their immediate families in that cemetery?

Mr. SMITH of California. On the presentation of this resolution, I do not recall. I do recall that last year, when the request was made to turn over jurisdiction to them, we were assured by the gentleman from Texas (Mr. TEAGUE) at that time that it would be one of the subject matters he would go into.

Mr. GROSS. Now it develops, after a period of secrecy and hush-hush procedures that former Secretary of Defense Robert Strange McNamara apparently entered into some kind of a deal to allot about a quarter acre of land in Arlington National Cemetery for the purpose, along with nearly a half million dollars of the taxpayers' money, of building a memorial to Robert F. Kennedy.

Was there any submission of evidence, when this resolution came before the Rules Committee, that the Veterans' Affairs Committee would look into this kind of an allocation of land when servicemen and their families are put on notice that there is an acute shortage of space in Arlington National Cemetery and that they may not be able to be buried there?

Mr. SMITH of California. There was no discussion of the subject you mention when this resolution was brought up. It

gives them the jurisdiction. I suggest that it be brought to the attention of the gentleman from Texas (Mr. TEAGUE). We did not discuss that.

Mr. GROSS. I further call the attention of the Committee on Rules to the fact that there is a former President and former Chief Justice of the U.S. Supreme Court, buried in Arlington National Cemetery, by the name of William Howard Taft, whose remains require no part of a quarter of an acre of land. There is also buried in Arlington National Cemetery General of the Armies John J. Pershing, whose remains require no part of a quarter of an acre of land.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask if, beginning with line 20 on page 3, the authorization to sit and act during the entire present Congress is traditional and previously accepted language and if the rights of the individual Members are protected by the balance of that section 1(5) wherein it says further that there is an exception and that when the House is in session they shall ask permission from day to day.

Mr. ANDERSON of Tennessee. Mr. Speaker, will the gentleman yield?

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

Mr. ANDERSON of Tennessee. The language is the same as used previously except for section 3 relating to the jurisdiction on cemeteries.

Mr. HALL. I thank the gentleman. Then I understand there is no new language from line 20 on page 3 through line 10 on page 4?

Mr. ANDERSON of Tennessee. That is correct.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE AMENDMENTS

The SPEAKER pro tempore. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: On page 5, after line 2, insert the following paragraph:

"SEC. 3. The Committee is authorized to conduct a full and complete investigation and study of the establishment, operation, and maintenance of cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior. For the purposes of this section the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, as it deems necessary. The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

On page 5, line 3, immediately before "Notwithstanding", insert "SEC. 4."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO MAKE INVESTIGATIONS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 21 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 21

Resolved, That effective from January 3, 1969, the Committee on Interior and Insular Affairs may make investigations and studies as required in connection with bills, resolutions, and other matters referred to it and, more specifically or in addition thereto, in connection with the following matters within its jurisdiction:

(1)(a) The status, progress, and administration of irrigation, reclamation, and other water resources development programs of the Department of the Interior and of other agencies insofar as the latter affect the work of the Department of the Interior with respect to such programs, including (i) policies and procedures relating to such programs, (ii) projects previously authorized, (iii) projects proposed for authorization and construction, and (iv) developments under the Small Reclamation Projects Act and the Rehabilitation and Betterment Act; (b) compacts relating to the use and apportionment of interstate waters; (c) the application to Federal agencies and activities of State laws governing the control, appropriation, and distribution of water; (d) the saline water research and development program; (e) the water resources research program; and (f) water resources planning conducted pursuant to the Water Resources Planning Act, including the establishment of river basin commissions and financial assistance to the States for water and related land resources planning.

(2)(a) The administration and operation of the mining and mineral leasing laws, including those which govern the development, utilization, and conservation of oil, gas, helium, geothermal steam, and associated resources of the public and other Federal lands; (b) mineral resources of the public lands and mining interests generally, including the conditions, problems, and needs of the mining and minerals industries; (c) mineral resources surveys and the exploration, development, production, and conservation of mineral resources; (d) research facilities needed to improve the position of the domestic mining and minerals industries; (e) capability of mining schools to support research facilities and assure domestic industry of a continuing source of technical talent; (f) proposed long-range domestic minerals programs, including availability of domestic minerals to fulfill all domestic requirements; (g) impact upon domestic mining industries caused by the transfer or disposal of excess and surplus Government-owned metals and minerals; and (h) the effects upon domestic mining industries resulting from the world metal situation and the means available to the Government to permit domestic mining industries to compete favorably in domestic and world markets, including cooperation with established international organizations.

(3)(a) The status, progress, and administration of the national park system and its units, including national seashores, national riverways, and national recreation areas, and of other recreational developments on public domain lands or reservations created out of the public domain and on areas under the jurisdiction of or affecting the Department of the Interior; and (b) national outdoor recreation plans and the administration of the land and water conservation fund.

(4)(a) The administration and operation of the laws governing the development, utilization, and conservation of the surface and subsurface resources of public lands administered by the Department of the Interior, of forest reserves created out of the public domain and of areas of the Outer Continental Shelf; (b) administration and operation of the Wilderness Act; and (c) the withdrawal or restriction on use of public domain or Outer Continental Shelf lands, including reservations created out of the public domain, by military and nonmilitary agencies of the Government from normal operation of the public land and mining laws and the Outer Continental Shelf Lands Act.

(5)(a) The administration of Indian affairs by agencies of the Government participating therein, the programs and policies of those agencies, the adequacy of existing Indian legislation, and the effectiveness with which it is being administered; (b) the release of Indian tribes and bands from Federal supervision, preparation therefor, and the effects thereof; (c) the availability to Indians of health, education, and welfare services and the extent to which they are receiving the full benefit of Federal programs in these areas; (d) the utilization of tribal lands and other resources, with particular attention to the means of developing the skill and aptitudes required for such utilization.

(6) The status, progress, and administration of the territories and insular possessions of the United States, Puerto Rico, and the Trust Territory of the Pacific Islands; the operation and administration of the Revised Virgin Islands Organic Act of 1954, the Virgin Islands Corporation Act of 1949, and Guam Organic Act of 1950, all as amended; local conditions bearing upon and the provisions to be included in organic acts for American Samoa and the Trust Territory of the Pacific Islands; the extension of various laws of the United States to American Samoa and the Trust Territory of the Pacific Islands; the granting of citizenship to residents of American Samoa; operations of the Peace Corps in the Trust Territory of the Pacific Islands; and American interests in Antarctica.

SEC. 2. For the purposes of making such investigations and studies, the committee, or any subcommittee thereof, may sit, hold hearings, and act during the present Congress at such times and places within the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States as the nature of the investigation or study requires, and be represented at any meeting called by an established international organization to consider matters that affect the areas of jurisdiction of the committee; may do so not only during the session but also during periods of recess and adjournment; and may require, by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member.

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 Interior and Insular Affairs of the House of Representatives and its members

and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided* (1) That 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) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) that 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; (4) that 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.

Mr. SMITH of California (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 5, line 7, strike out "Antarctica." and insert: "Antarctica: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

Mr. SMITH of California. Mr. Speaker, will the gentleman from Tennessee yield to me at this point?

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

Mr. SMITH of California. Mr. Speaker, this is an amendment which the Committee on Rules included to the effect that the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House of Representatives. This is standard language which we place in every resolution in an effort to avoid conflicts and duplications.

In this particular resolution, as well as in the next one to follow, apparently when they were drawn originally, this particular sentence was inadvertently left out. The Committee on Rules felt that it should be placed in this resolution as well as House Resolution 76. Therefore, this amendment was offered to accomplish that purpose.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON DISTRICT OF COLUMBIA TO CONDUCT INVESTIGATION AND STUDY OF THE ORGANIZATION, MANAGEMENT, OPERATION, AND ADMINISTRATION OF DEPARTMENTS AND AGENCIES OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 76 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 76

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following:

(1) the organization, management, operation, and administration of any department or agency of the government of the District of Columbia;

(2) the organization, management, operation, and administration of any independent agency or instrumentality of government operating solely in the District of Columbia; and

(3) those operations or activities directly affecting the District of Columbia, of any governmental agency or instrumentality operating on a regional basis entirely within the Washington metropolitan area.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on the District of Columbia for expenses of its members or other Members or employees traveling abroad.

Mr. ANDERSON of Tennessee (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 3, strike out "area." and insert "area: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

The committee amendment was agreed to.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUSQUEHANNA RIVER BASIN COMPACT BILL

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

Mr. FLOOD. Mr. Speaker, I am introducing today, for myself and many colleagues, a bill consenting to the Susquehanna River Basin compact and making the United States a signatory party thereto.

By any standard the Susquehanna River Basin is a major basin. The river is 448 miles in length, the 24th longest river in the United States. From its source, Otsego Lake in New York, it flows southward through Pennsylvania to the sea near the head of Chesapeake Bay at Havre de Grace, Md. The river drains an area of 27,500 square miles, the 17th largest basin in the United States. In the basin live 3,121,000 people.

The Susquehanna River drains more than 46 percent of the entire area of the Commonwealth of Pennsylvania and more than 1 in 5 of its people live in the basin. Seventy-six percent of the basin's area is in Pennsylvania, and 80 percent of its population are Pennsylvanians.

A single administrative agency to plan and coordinate programs is required to provide for the optimum conservation, development, utilization and management of the water and related land resources of this vast, relatively undeveloped region. The only means to this end is a Federal-interstate compact, the Susquehanna River Basin compact. It has already been enacted by the States of Maryland and New York and Commonwealth of Pennsylvania. What remains is enactment by the Congress.

Mr. Speaker, the Susquehanna compact is not the first of its type. In 1961 the Congress enacted the Delaware River Basin compact. It joins together in a common effort the four States of that basin, New York, Pennsylvania, New Jersey, and Delaware, and the United States. In all essential respects the Susquehanna and Delaware compacts are substantially similar. Indeed, most of the language of the Susquehanna is copied from Delaware. It cannot be said, therefore, that this type of instrument is untried. Moreover, that two of the States of the Delaware compact—Pennsylvania and New York—think well enough of

that Federal-interstate compact to enact virtually the same arrangement for the Susquehanna is eloquent testimony to the efficacy of the Susquehanna River Basin compact. Only in two significant substantive respects do the two compacts differ. The Susquehanna compact is more explicit than the Delaware in empowering the Federal-interstate Commission to promote proper flood plain zoning and management. This change has merit in its own right, but, in addition, it serves to promote the policy the Congress enunciated in the National Flood Insurance Act of 1968, enacted as title XIII of the Housing and Urban Development Act of 1968. The new Federal statute requires effective State and local land use management in flood plains as a prerequisite to the issuance of flood insurance policies.

The second difference lies in the greater attention given by the Susquehanna compact to amenities such as the preservation and enhancement of scenic values and historical and cultural sites. I note once more this aspect of the compact is particularly important since the Susquehanna is the last remaining relatively undeveloped major basin of the Northeast-Middle Atlantic region, the most densely populated part of the country.

The compact is a long, complex document. It is broad in scope as just the listing of its substantive articles will show. They include: Water supply, water quality management and control, flood protection, watershed management, recreation, hydroelectric power, and withdrawals and diversions in protected areas and emergencies.

The purposes of the compact in general "are to promote interstate comity; to remove causes of possible controversy; to make secure and protect developments within the States; to encourage and provide for the planning, conservation, utilization, development, management, and control of the water resources of the basin; to provide for cooperation and coordinated planning and action by the signatory parties with respect to water resources; and to apply the principle of equal and uniform treatment to all users of water and of water related facilities without regard to political boundaries."

In recognition of the fact that the water resources of the basin are of local, State, regional, and national importance the compact provides for the establishment of the Susquehanna River Basin Commission composed of the very topmost level of State officials—the Governors or their immediate representatives—and a direct representative of the President. It is empowered to develop and effectuate plans, policies and projects relating to the water resources of the basin:

> It shall adopt and promote uniform and coordinated policies for water conservation and management . . . [and] shall encourage and direct the planning, development, operation, and subject to applicable laws, the financing of water resources projects according to such plans and policies.

As I have indicated, the compact is broad in scope. Necessarily, those powers conferred on the Susquehanna River Basin Commission are broad. But the compact also provides that:

> It is the express intent of the signatory parties that the commission shall engage in the construction, operation, and maintenance of a project *only* when the project is necessary to the execution of the comprehensive plan and *no other competent agency is in a position to act, or such agency fails to act.* (Emphasis supplied.)

Moreover, the signatory parties affirm as their stated policy 'to preserve and utilize the functions, powers, and duties of the existing offices and agencies of government to the extent consistent with this compact, and the commission is directed to utilize those offices and agencies for the purposes of this compact.

The document provides expressly that:

> Nothing in this compact shall be construed to repeal, modify or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions within its jurisdiction.

The powers of the Congress are specifically protected. Article 1.4 states:

> Nothing in this compact shall be construed to relinquish the functions, powers, or duties of the Congress of the United States with respect to the control of any navigable waters within the basin, nor shall any provisions hereof be construed in derogation of any of the constitutional powers to regulate commerce among the states and with foreign nations. The power and right of the Congress to withdraw the Federal Government as a party to this compact or to revise or modify the terms, conditions, and provisions under which it may remain a party by amendment, repeal, or modification of any Federal statute applicable hereto is recognized by the signatory parties.

The bill that I am introducing also contains a number of reservations and conditions with respect to Federal participation in the compact. In the main, these follow the Delaware compact precedent, but there are some changes.

The Susquehanna compact makes it clear that the U.S. member of the Susquehanna River Basin Commission is to be the direct representative of the President. This is the intent of the Delaware compact and the Federal enabling statute, and, for that matter, the practice that has been followed. It was recognized that the coordinative authority of Governors with respect to State agencies made it necessary that the Federal member of the commission be directly responsible to the head of the Federal executive branch.

It was felt necessary, too, to clarify the assurance contained in the Delaware compact and repeated in the Susquehanna that, except as specifically required by the compact, or reservations in the enabling statute, the responsibilities of other Federal of other Federal agencies are not affected. In any event, the language of this bill makes it clear that the Congress reserves its full authority to legislate.

Several provisions of the Delaware statute, provisions carried over in the Susquehanna, are designed to make the Federal-interstate Commission a Federal agency for some purposes, but not for others. In several instances, however, a change from the Delaware model is warranted.

One of these makes clear that the Susquehanna River Basin Commission is not a Federal agency for purposes of the Federal Water Power Act. The reservation to the Susquehanna goes on to provide that no license from the Federal Power Commission to develop a project for hydroelectric power generation would be required if the project were one authorized by the Congress, and if the authorization included hydroelectric power.

The Delaware statute continues in unmodified form the jurisdiction of the Federal Water Pollution Control Administration over water quality in the Delaware River. This seems rather anomalous since the Federal-interstate Commission has regulatory authority over water quality, and one of its members is the President's representative. As a matter of fact, the U.S. member on the Delaware River Basin Commission is the Secretary of the Interior. To avoid this anomaly, the Susquehanna bill provides for a limitation on the applicability of the Federal Water Pollution Control Act in those instances in which the U.S. member concurs in Commission action regarding water quality.

Mr. Speaker, the proposal we are making is not a hastily conceived one. The Interstate Advisory Committee on the Susquehanna River Basin met for the first time in May 1962. The advisory committee, which continues to exist under legislation enacted by each of the States, is made up of representatives of both the legislative and executive branches of the respective State governments. In 1964 the advisory committee established a special task force to draft a document, the ultimate product of which is before this body. Between its first meeting in June 1964 and its final one in March 1966, the task force met 19 times. Periodically the parent body reviewed the work of the task force, and in April 1966, approved the Susquehanna River Basin compact for publication and distribution. Following the document's publication, the advisory committee distributed it widely. Copies were sent to Federal, State, and local agencies and to interested private persons. Many comments and suggestions were received, and many of these were incorporated in the draft document that was presented to the legislatures. In 1967, the compact was adopted by Maryland and New York, in 1968 by Pennsylvania.

The Susquehanna River Basin compact is but the second Federal-interstate compact the Congress has been called upon to consider. The compact device, however, is a very familiar one. Recognition of its use was given in article I, section 10 of the Constitution which states that:

> No State shall, without the Consent of Congress . . . enter into any Agreement or Compact with another State or a foreign power.

At least 13 agreements were concluded during the colonial period. One, the Potomac River compact of 1785, was in effect until it was replaced a few years ago. Since the Constitution went into effect more than 150 interstate compacts have been adopted. The device has been used in such diverse fields as education, planning and development, transporta-

tion, conservation and corrections. It has a long and honorable history in regard to apportionment of water, water pollution control and water resources development. In short, the compact is the accepted device to bring about cooperation among governments to achieve a common end. With four major governments, the three States and the United States, sharing jurisdiction in the Susquehanna River Basin, the only way that each may meet its responsibilities in the region is through their acting together. This the Susquehanna River Basin compact makes possible.

The Susquehanna is the last major relatively undeveloped river basin in the Northeast-Middle Atlantic region. Accordingly, it is particularly in need of a Federal-interstate coordinating mechanism to guide the conservation, development, and administration of its resources in a manner which will most efficiently serve the needs of its population, and which will preserve and enhance its value as a scenic and recreational asset for the tens of millions who live within several hundred miles of the basin. Fine as the individual programs of many Federal agencies may be, and valuable as the efforts of the three separate States and each of their agencies may be, a comprehensive and coordinated governmental management instrument is by far the best hope of safeguarding and maximizing the usefulness of the Susquehanna in a way that will accord proper recognition and give effect to the State, regional, and national interests involved. Because the extreme population pressures already ringing the basin are bound to accelerate the trend toward fragmented, duplicative, and unplanned development, an overall, combined instrument for the legal and administrative coordination of Federal and State activity is urgent. The dangers of fragmentation arise, on the one hand, from the separatism of Federal agencies and, on the other, from the individuality of State programs.

The Susquehanna River Basin compact can provide the means of overcoming these difficulties. If Congress also enacts it, the document will be both Federal and State law. Consequently, all of the governments and agencies working in any part of the basin will be brought within a single framework. The Susquehanna River Basin Commission composed of the very topmost level of State representation—the Governors or their immediate representatives—and a direct representative of the President will come into operation. While the Commission will be an administrative body in its own right, the compact contains specific safeguards against its displacing existing agencies—Federal, State, or local. Coordination will be achieved, while permitting all existing talents and facilities to be employed.

I repeat, the Susquehanna compact would not be the first of its type. In 1961 the Congress enacted the Delaware River Basin compact. While it was made clear at the time that the Federal-interstate compact was an experiment, and some Federal agencies took the position that it should not be regarded as a precedent, the record of achievement under the Delaware compact demonstrates that a similar instrument would be most advantageous for the Susquehanna Basin. The Delaware River Basin Commission successfully managed the acute water shortage of the mid-1960's without denying essential supplies to any of the public and private entities dependent on Delaware Basin water, including the tremendous metropolitan complexes of New York City and Philadelphia. It also succeeded in formulating and harmonizing a set of basinwide water quality standards for submission to the Secretary of the Interior under the Water Quality Act of 1965. This is the only instance of such an accomplishment in the entire Nation, and it was done in an area of varied and complex water problems embracing parts of four States. Third, the Delaware Commission is spearheading the studies necessary to protect the environment in the Delaware Water Gap National Recreation Area. Since this involves the close meshing of the planning, developmental and conservation activities of Pennsylvania, New Jersey, New York, and the Federal Government, it is doubtful that it could be properly undertaken at all in the absence of the Delaware compact. Finally, the compact has established the intergovernmental operating agency which was able to act as the local sponsor of several Federal reservoir projects. Since the benefits of each of these projects will be substantially interstate in character, no one State, and certainly no combination of local governments within a State, was in a position to give the necessary local assurances. It is submitted that these four major accomplishments illustrate what could be done on the Susquehanna, if a similar compact and Federal enabling statute were enacted by Congress for that basin.

I repeat, only in two significant substantive respects do the two compacts differ. The Susquehanna compact is more explicit in empowering the Federal-interstate Commission to promote proper flood plain zoning and management. Not only is this an important advance, but it is directly in line with the policies of the Congress which enacted the National Flood Insurance Act of 1968 as title 13 of the Omnibus Housing Act. This new Federal statute requires effective State and local land use management in flood plains as a prerequisite to the availability of insurance under the Federal program.

I emphasize, the second difference is in the greater attention to concern with amenities such as scenic values and historical and cultural sites. This is particularly significant for the Susquehanna because as pointed out earlier, this basin is the last remaining relatively undeveloped major basin in the most densely populated part of the entire Nation.

The Susquehanna compact must be part of a Federal statute which will do two things: First, enact it into Federal law, thereby making the United States a full participant; and second, contain such auxiliary provisions as are desirable to fit the compact into the general pattern of Federal law. Section 1 of the bill accomplishes the first task. Section 2 covers the second requirement in much the same fashion as similar provisions of the Federal enabling statute for the Delaware River Basin compact. However, there are several differences between the Susquehanna bill and the "reservations" included as part of the Delaware statute. These are indicated below, together with the reasons for the changes.

Section 2(q) of the Susquehanna bill is identical with section 15.1(r) of the Delaware statute, except for the addition of language making it clear that the U.S. member of the Susquehanna River Basin Commission is to be the direct representative of the President. This is the intent of the Delaware compact and of the Federal enabling statute. It was recognized that to match the coordinative authority of the Governors with respect to the activities of State agencies, it was necessary that the Federal member of the Commission be directly responsible to the head of the Federal executive branch. However, a draft Executive order recently sent to the Bureau of the Budget by the Water Resources Council would have subjected the Federal members of compact commissions to check by both field level interdepartmental committees and the Water Resources Council. Fortunately, the President has not issued the order, but the auspices under which it was proposed appears to make it desirable that Congress reinforce its original intent. Impeding and downgrading the President's representative on a Federal-interstate body would give individual Federal agencies powers of delay and ultimate vetoes properly exercised only by Congress and the President, and would materially impair the coordinating capability of the compact.

In this same connection, it should be noted that a draft of enabling legislation for the Susquehanna compact presented to the States by the Water Resources Council would give the U.S. member a veto over Commission action. The Delaware statute confines such power to Congress and the President and carefully details the procedures and circumstances for its exercise, in order to make clear that any such action is intended to be extraordinary, and only for truly compelling reasons.

Section 2(r) of the Susquehanna bill is equivalent to section 15.1(s) of the Delaware statute in purpose and meaning. Both provide assurance that, except as specifically required by the compact, or reservations in the enabling statute, the responsibilities of other Federal agencies are unaffected. If it were not for the recent suggestions that individual executive agencies should be unilaterally free to offer their own interpretations of any other act of Congress as a basis for disregarding the compact and the Federal-Interstate Commission, alteration of the Delaware statute's language on this point probably would not have occurred to anyone. However, it now seems desirable to make it even clearer that in enacting the Susquehanna compact, the Congress reserves its full authority to legislate, and that it is not conferring a like authority on individual segments of the executive branch.

Several provisions of the Delaware statute are designed to make the Federal-Interstate Commission a Federal agency for some purposes but not for others. On the whole, there is no difficulty with this concept. In fact, the basic value of the

Susquehanna River Basin Commission is that it will be a hybrid, able to accomplish tasks that neither Federal nor State Governments could do separately. However, it would be well to improve on the Delaware statute in several particulars.

First. It has been suggested that in section 2(1)—the comparable provision to section 15.1(m) of the Delaware statute—it would be appropriate to make it clear that the Susquehanna River Basin Commission is not a Federal agency for purposes of the Federal Water Power Act. I say again a consequence would be to require the commission to obtain a license from the FPC if it should decide to develop a project for hydroelectric power generation. The Susquehanna bill incorporates this suggestion, but it also provides that no such license would be required, if the project is one authorized by the Congress, and if the authorization includes hydroelectric power.

Second. The Delaware statute continues the jurisdiction in unmodified form of the Federal Water Pollution Control Administration over water quality in the Delaware River. This seems rather anomalous, because the Federal-interstate Commission has regulatory authority over water quality and one of the members of the Commission is the President's representative. In fact, on the Delaware River Basin Commission, the Secretary of the Interior is himself the U.S. member. In order to remove this anomaly, the Susquehanna bill provides for a limitation on the applicability of the Federal Water Pollution Control Act in which the U.S. member of the Susquehanna Commission concurs in Commission action regarding water quality control. It seems destructive to authorize the Federal executive branch to proceed in two independent and possibly conflicting ways to abate pollution.

Third. The general effect of the Delaware statute and its interpretation by the Civil Service Commission has been to exclude employees of the Federal-interstate Commission from coverage by the Federal employees retirement system and other Federal employee fringe benefits. Since such a commission it not entirely a Federal agency, there is justice in the position. However, it would be desirable to authorize the Federal agencies administering employee benefit plans to make coverage agreements with the Federal-interstate Commission. If the Commission were willing to pay the full employer's share, and the Commission's employees were required to pay the remainder of the premiums, there would be no cost to the Federal Government. States make such arrangements with interstate agencies in which they participate. Accordingly, section 2(m) of the Susquehanna bill authorizes the making of coverage agreements. Otherwise, it is identical with the Delaware statute provision.

Finally, two provisions of the Delaware statute have been omitted from the Susquehanna bill, because their purposes are accomplished by provisions of the Susquehanna compact itself. These provisions of the Delaware statute are: Sections 15.1 (d) and (h).

Mr. Speaker, I submit in the best interest of this Nation this bill should become law.

A list of Pennsylvania sponsors and the House joint resolution follows:

PENNSYLVANIA MEMBERS COSPONSORING CONGRESSMAN DANIEL J. FLOOD'S BILL TO ESTABLISH THE SUSQUEHANNA RIVER BASIN COMPACT

Mr. SCHNEEBELI, Mr. ROONEY, Mr. EILBERG, Mr. NIX, Mr. FULTON, Mr. GAYDOS, Mr. JOHNSON, Mr. MOORHEAD, Mr. BIESTER, Mr. GREEN, Mr. DENT, Mr. BARRETT, Mr. VIGORITO, Mr. CLARK, Mr. WATKINS, Mr. BYRNE, and Mr. MCDADE.

H.J. RES. 380

Joint resolution consenting to the Susquehanna River Basin Compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SUSQUEHANNA RIVER BASIN COMPACT

SECTION 1. The consent of Congress is hereby given to the Susquehanna River Basin Compact in the form substantially as follows, and the Compact is hereby enacted into law thereby making the United States a signatory party thereto.

"SUSQUEHANNA RIVER BASIN COMPACT

"PREAMBLE

"Whereas the signatory parties hereto recognize the water resources of the Susquehanna River Basin as regional assets vested with local, state, and national interest for which they have a joint responsibility; and declare as follows:

"1. The conservation, utilization, development, management, and control of the water resources of the Susquehanna River Basin under comprehensive multiple purpose planning will bring the greatest benefits and produce the most efficient service in the public interest; and

"2. This comprehensive planning administered by a basin-wide agency will provide flood damage reduction, conservation and development of surface and ground water supply for municipal, industrial, and agricultural, uses, development of recreational facilities in relation to reservoirs, lakes and streams, propagation of fish and game, promotion of forest land management, soil conservation, and watershed projects, protection and aid to fisheries, development of hydroelectric power potentialities, improved navigation, control of the movement of salt water, abatement and control of water pollution, and regulation of stream flows toward the attainment of these goals; and

"3. The water resources of the basin are presently subject to the duplicating, overlapping, and uncoordinated administration of a large number of governmental agencies which exercise a multiplicity of powers resulting in a splintering of authority and responsibility; and

"4. The Interstate Advisory Committee on the Susquehanna River Basin, created by action of the states of New York, Pennsylvania, and Maryland, on the basis of its studies and deliberation has concluded that regional development of the Susquehanna River Basin is feasible, advisable, and urgently needed, and has recommended that an intergovernmental compact with Federal participation be consummated to this end; and

"5. The Congress of the United States and the executive branch of the Federal government have recognized a national interest in the Susquehanna River Basin by authorizing and directing the Corps of Engineers of the Department of the Army, the Department of Agriculture, the Department of Health, Education and Welfare, the Department of Interior, and other Federal agencies to cooperate in making comprehensive surveys and reports concerning the water resources of the Susquehanna River Basin in which individually or severally the technical aid and assistance of many Federal and state agencies have been enlisted, and which are being or have been coordinated through a Susquehanna River Basin Study Coordinating Committee on which the Corps of Engineers of the Department of the Army, the Department of Agriculture, the Department of Commerce, the Department of Health, Education and Welfare, the Department of Interior, the Department of Housing and Urban Development and its predecessor Housing and Home Finance Agency, the Federal Power Commission, and the States of New York, Pennsylvania, and Maryland are or were represented; and

"6. Some three million people live and work in the Susquehanna River Basin and its environs, and the government, employment, industry, and economic development of the entire region and the health, safety, and general well being of its population are and will continue to be affected vitally by the conservation, utilization, development, management, and control of the water resources of the basin; and

"7. Demands upon the water resources of the basin are expected to mount because of anticipated increases in population and by reason of industrial and economic growth of the basin and its service area; and

"8. Water resources planning and development are technical, complex, and expensive, often requiring fifteen to twenty years from the conception to the completion of large or extensive projects; and

"9. The public interest requires that facilities must be ready and operative when and where needed, to avoid the damages of unexpected floods or prolonged drought, and for other purposes; and

"10. The Interstate Advisory Committee on the Susquehanna River Basin has prepared a draft of an intergovernmental compact for the creation of a basin agency, and the signatory parties desire to effectuate the purposes thereof; Now therefore

"The States of New York and Maryland and the Commonwealth of Pennsylvania, and the United States of America hereby solemnly covenant and agree with each other, upon the enactment of concurrent legislation by the Congress of the United States and by the respective state legislatures, to the Susquehanna River Basin Compact which consists of this Preamble and the Articles that follow.

"ARTICLE 1

"SHORT TITLE, DEFINITIONS, PURPOSES, AND LIMITATIONS

"SECTION 1.1—SHORT TITLE. This compact shall be known and may be cited as the Susquehanna River Basin Compact.

"1.2—DEFINITIONS. For the purpose of this compact, and of any supplemental or concurring legislation enacted pursuant to it:

"1. 'Basin' shall mean the area of drainage of the Susquehanna River and its tributaries into Chesapeake Bay to the southern edge of the Pennsylvania Railroad bridge between Havre de Grace and Perryville, Maryland.

"2. 'Commission' shall mean the Susquehanna River Basin Commission hereby created, and the term 'Commissioner' shall mean a member of the commission.

"3. 'Cost' shall mean direct and indirect expenditures, commitment, and net induced adverse effects, whether or not compensated for, used or incurred in connection with the establishment, acquisition, construction, maintenance, and operation of a project.

"4. 'Diversion' shall mean the transfer of water into or from the basin.

"5. 'Facility' shall mean any real or personal property, within or without the basin, and improvements thereof or thereon, and any and all rights of way, water, water rights, plants structures, machinery, and equipment acquired, constructed, operated, or main-

tained for the beneficial use of water resources or related land uses or otherwise including, without limiting the generality of the foregoing, any and all things and appurtenances necessary, useful, or convenient for the control, collection, storage, withdrawal, diversion, release, treatment, transmission, sale, or exchange of water; or for navigation thereon, or the development and use of hydroelectric energy and power, and public recreational facilities; or the propagation of fish and wildlife; or to conserve and protect the water resources of the basin or any existing or future water supply source, or to facilitate any other uses of any of them.

"6. 'Federal government' shall mean the government of the United States of America, and any appropriate branch, department, bureau, or division thereof, as the case may be.

"7. 'Project' shall mean any work, service, or activity which is separately planned, financed, or identified by the commission, or any separate facility undertaken or to be undertaken by the commission or otherwise within a specified area, for the conservation, utilization, control, development, or management of water resources which can be established and utilized independently or as an addition to an existing facility and can be considered as a separate entity for purposes of evaluation.

"8. 'Signatory party' shall mean a state or commonwealth party to this compact, or the Federal government.

"9. 'Waters' shall mean both surface and underground waters which are contained within the drainage area of the Susquehanna River in the states of New York, Pennsylvania, and Maryland.

"10. 'Water resources' shall include all waters and related natural resources within the basin.

"11. 'Withdrawal' shall mean a taking or removal of water from any source within the basin for use within the basin.

"12. 'Person' shall mean an individual, corporation, partnership, unincorporated association, and the like and shall have no gender, and the singular shall include the plural.

"1.3—PURPOSE AND FINDINGS. The legislative bodies of the respective signatory parties hereby find and declare:

"1. The water resources of the Susquehanna River Basin are effected with a local, state, regional, and national interest, and the planning, conservation, utilization, development, management, and control of these resources, under appropriate arrangements for intergovernmental cooperation, are public purposes of the respective signatory parties.

"2. The water resources of the basin are subject to the sovereign rights and responsibilities of the signatory parties, and it is the purpose of this compact to provide for a joint exercise of these powers of sovereignty in the common interest of the people of the region.

"3. The water resources of the basin are functionally interrelated, and the uses of these resources are interdependent. A single administrative agency is therefore essential for effective and economical direction, supervision, and coordination of water resources efforts and programs of federal, state, and local governments and of private enterprise.

"4. Present and future demands require increasing economies and efficiencies in the use and reuse of water resources, and these can be brought about only by comprehensive planning, programming, and management under the direction of a single administrative agency.

"5. In general, the purposes of this compact are to promote interstate comity; to remove causes of possible controversy; to make secure and protect developments within the states; to encourage and provide for the planning, conservation, utilization, development, management, and control of the water resources of the basin; to provide for cooperative and coordinated planning and action by the signatory parties with respect to water resources; and to apply the principle of equal and uniform treatment to all users of water and of water related facilities without regard to political boundaries.

"6. It is the express intent of the signatory parties that the commission shall engage in the construction, operation, and maintenance of a project only when the project is necessary to the execution of the comprehensive plan and no other competent agency is in a position to act, or such agency fails to act.

"1.4—POWERS OF CONGRESS; WITHDRAWAL. Nothing in this compact shall be construed to relinquish the functions, powers, or duties of the Congress of the United States with respect to the control of any navigable waters within the basin, nor shall any provisions hereof be construed in deregation of any of the constitutional powers of the Congress to regulate commerce among the states and with foreign nations. The power and right of the Congress to withdraw the Federal government as a party to this compact or to revise or modify the terms, conditions, and provisions under which it may remain a party by amendment, repeal, or modification of any Federal statute applicable hereto is recognized by the signatory parties.

"1.5—DURATION OF COMPACT.

"(a) The duration of this compact shall be for an initial period of 100 years from its effective date, and it shall be continued for additional periods of 100 years if not less than 20 years nor more than 25 years prior to the termination of the initial period or any succeeding period none of the signatory states, by authority of an act of its legislature, notifies the commission of intention to terminate the compact at the end of the then current 100-year period.

"(b) In the event this compact should be terminated by operation of paragraph (a) above, the commission shall be dissolved, its assets and liabilities transferred in accordance with the equities of the signatory parties therein, and its corporate affairs wound up in accordance with agreement of the signatory parties or, failing agreement, by act of the Congress.

"ARTICLE 2

"ORGANIZATION AND AREA

"SECTION 2.1—COMMISSION CREATED. The Susquehanna River Basin Commission is hereby created as a body politic and corporate, with succession for the duration of this compact, as an agency and instrumentality of the governments of the respective signatory parties.

"2.2—COMMISSION MEMBERSHIP. The members of the commission shall be the governor or the designee of the governor of each signatory state, to act for him, and one member to be appointed by the President of the United States to serve at the pleasure of the President.

"2.3—ALTERNATES. An alternate from each signatory party shall be appointed by its member of the commission unless otherwise provided by the laws of the signatory party. The alternate, in the absence of the member, shall represent the member and act for him.

In the event of a vacancy in the office of alternate, it shall be filled in the same manner as the original appointment.

"2.4—COMPENSATION. Members of the commission and alternates shall serve without compensation from the commission but may be reimbursed for necessary expenses incurred in and incident to the performance of their duties.

"2.5—VOTING POWER. Each member is entitled to one vote. No action of the commission may be taken unless three of the four members vote in favor thereof.

"2.6—ORGANIZATION AND PROCEDURE. The commission shall provide for its own organization and procedure, and shall adopt the rules and regulations governing its meetings and transactions. It shall organize annually by the election of a chairman and vice-chairman from among its members. It shall provide by its rules for the appointment by each member in his discretion of an advisory to serve without compensation from the commission, who may attend all meetings of the commission and its committees.

"2.7—JURISDICTION OF THE COMMISSION. The commission shall have, exercise, and discharge its functions, powers, and duties within the limits of the basin. Outside the basin, the commission shall act at its discretion, but only to the extent necessary to implement its responsibilities within the basin, and where necessary subject to the consent of the state wherein it proposes to act.

"ARTICLE 3

"POWERS AND DUTIES OF THE COMMISSION

"SECTION 3.1—GENERAL. The Commission shall develop and effectuate plans, policies, and projects relating to the water resources of the basin. It shall adopt and promote uniform and coordinated policies for water resources conservation and management in the basin. It shall encourage and direct the planning, development, operation, and subject to applicable laws the financing of water resources projects according to such plans and policies.

"3.2—POLICY. It is the policy of the signatory parties to preserve and utilize the functions, powers, and duties of the existing offices and agencies of government to the extent consistent with this compact, and the commission is directed to utilize those offices and agencies for the purposes of this compact.

"3.3—COMPREHENSIVE PLAN, PROGRAM AND BUDGETS. The commission in accordance with Article 14 of this compact, shall formulate and adopt:

"1. A comprehensive plan, after consultation with appropriate water users and interested public bodies for the immediate and long range development and use of the water resources of the basin:

"2. A water resources program, based upon the comprehensive plan, which shall include a systematic presentation of the quantity and quality of water resources needs of the area to be served for such reasonably foreseeable period as the commission may determine, balanced by existing and proposed projects required to satisfy such needs, including all public and private projects affecting the basin, together with a separate statement of the projects proposed to be undertaken by the commission during such period; and

"3. An annual current expense budget and an annual capital budget consistent with the commission's program, projects, and facilities for the budget period.

"3.4—POWERS OF COMMISSION. The commission may:

"1. Plan, design, acquire, construct, reconstruct, complete, own, improve, extend, develop, operate, and maintain any and all projects, facilities, properties, activities, and services which are determined by the commission to be necessary, convenient, or useful for the purposes of this compact.

"2. Establish standards of planning, design, and operation of all projects and facilities in the basin to the extent they affect water resources, including without limitation thereto water, sewage and other waste treatment plants and facilities, pipelines, transmission lines, stream and lake recreational facilities, trunk mains for water distribution, local flood protection works, watershed management programs, and ground water recharging operations.

"3. Conduct and sponsor research on water resources and their planning, use, conservation, management, development, control, and protection, and the capacity, adaptability, and best utility of each facility thereof, and collect, compile, correlate, analyze, report,

and interpret data on water resources and uses in the basin, including without limitation thereto the relation of water to other resources, industrial water technology, ground water movement, relation between water price and water demand and other economic factors, and general hydrological conditions.

"4. Collect, compile, coordinate, and interpret systematic surface and ground water data, and publicize such information when and as needed for water uses, flood warning, quality maintenance, or other purposes.

"5. Conduct ground and surface water investigations, tests, and operations, and compile data relating thereto, as may be required to formulate and administer the comprehensive plan.

"6. Prepare, publish, and disseminate information and reports concerning the water problems of the basin and for the presentation of the needs and resources of the basin and policies of the commission to executive and legislative branches of the signatory parties.

"7. Negotiate loans, grants, gifts, services, or other aids as may be lawfully available from public or private sources to finance or assist in effectuating any of the purposes of this compact, and receive and accept them upon terms and conditions, and subject to provisions, as may be required by Federal or state law or as the commission may deem necessary or desirable.

"8. Exercise such other and different powers as may be delegated to it by this compact or otherwise pursuant to law, and have and exercise all powers necessary or convenient to carry out its express powers and other powers which reasonably may be implied therefrom.

"9. Adopt, amend, and repeal rules and regulations to implement this compact.

"3.5—DUTIES OF THE COMMISSION. The commission shall:

"1. Develop and effectuate plans, policies, and projects relating to water resources, adopt, promote, and coordinate policies and standards for water resources conservation, control, utilization, and management, and promote and implement the planning, development, and financing of water resources projects.

"2. Undertake investigations, studies, and surveys, and acquire, construct, operate, and maintain projects and facilities in regard to the water resources of the basin, whenever it is deemed necessary to do so to activate or effectuate any of the provisions of this compact.

"3. Administer, manage, and control water resources in all matters determined by the commission to be interstate in nature or to have a major effect on the water resources and water resources management.

"4. Assume jurisdiction in any matter affecting water resources whenever it determines after investigation and public hearing upon due notice given, that the effectuation of the comprehensive plan or the implementation of this compact so requires. If the commission finds upon subsequent hearing requested by an affected signatory party that the party will take the necessary action, the commission may relinquish jurisdiction.

"5. Investigate and determine if the requirements of the compact or the rules and regulations of the commission are complied with, and if satisfactory progress has not been made, institute an action or actions in its own name in any state or federal court of competent jurisdiction to compel compliance with any and all of the provisions of this compact or any of the rules and regulations of the commission adopted pursuant thereto. An action shall be instituted in the name of the commission and shall be conducted by its own counsel.

"3.6—COOPERATIVE LEGISLATION AND FURTHER JURISDICTION.

"(a) Each of the signatory parties agrees that it will seek enactment of such additional legislation as will be required to enable its officers, departments, commissions, boards, and agents to accomplish effectively the obligations and duties assumed under the terms of this compact.

"(b) Nothing in the compact shall be construed to repeal, modify or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions within its jurisdiction.

"3.7—COORDINATION AND COOPERATION. The commission shall promote and aid the coordination of the activities and programs of Federal, state, municipal, and private agencies concerned with water resources administration in the basin. To this end, but without limitation thereto, the commission may:

"1. Advise, consult, contract, financially assist, or otherwise cooperate with any and all such agencies;

"2. Employ any other agency or instrumentality of any of the signatory parties or of any political subdivision thereof, in the design, construction, operation, and maintenance of structures, and the installation and management of river control systems, or for any other purpose;

"3. Develop and adopt plans and specifications for particular water resources projects and facilities which so far as consistent with the comprehensive plan incorporate any separate plans of other public and private organizations operating in the basin, and permit the decentralized administration thereof;

"4. Qualify as a sponsoring agency under any Federal legislation heretofore or hereafter enacted to provide financial or other assistance for the planning, conservation, utilization, development, management, or control of water resources.

"3.8—ALLOCATIONS, DIVERSIONS, AND RELEASES.

"(a) The commission shall have power from time to time as the need appears, to allocate the waters of the basin to and among the states signatory to this compact and impose related conditions, obligations, and release requirements.

"(b) The commission shall have power from time to time as the need appears to enter into agreements with other river basin commissions or other states with respect to in-basin and out-of-basin allocations, withdrawals, and diversions.

"(c) No allocation of waters made pursuant to this section shall constitute a prior appropriation of the waters of the basin or confer any superiority of right in respect to the use of those waters, nor shall any such action be deemed to constitute an apportionment of the waters of the basin among the parties hereto. This subsection shall not be deemed to limit or restrict the power of the commission to enter into covenants with respect to water supply, with a duration not exceeding the life of this compact, as it may deem necessary for the benefit or development of the water resources of the basin.

"3.9—RATES AND CHARGES. The commission, from time to time after public hearing upon due notice given may fix, alter, and revise rates, rentals, charges, and tolls, and classifications thereof, without regulation or control by any department, office, or agency of any signatory party, for the use of facilities owned or operated by it, and any services or products which it provides.

"3.10—REFERRAL AND REVIEW. No projects affecting the water resources of the basin, except those not requiring review and approval by the commission under paragraph 3 following, shall be undertaken by any person, governmental authority or other entity prior to submission to and approval by the commission or appropriate agencies of the signatory parties for review.

"1. All water resources projects for which a permit or other form of permission to proceed with construction or implementation is required by legislative action of a signatory party or by rule or regulation of an office or agency of a signatory party having functions, powers, and duties in the planning, conservation, development, management, or control of water resources shall be submitted as heretofore to the appropriate office or agency of the signatory party for review and approval. To assure that the commission is apprised of all projects within the basin, monthly reports and listings of all permits granted, or similar actions taken, by offices or agencies of the signatory parties shall be submitted to the commission in a manner prescribed by it.

"Those projects which also require commission approval pursuant to the provisions of paragraphs 2 (ii) and 2 (iii) following shall be submitted to the commission through appropriate offices or agencies of a signatory party, except that, if no agency of a signatory party has jurisdiction, such projects shall be submitted directly to the commission in such manner as the commission shall prescribe.

"2. Approval of the commission shall be required for, but not limited to, the following:

"(i) All projects on or crossing the boundary between any two signatory states;

"(ii) Any project involving the diversion of water;

"(iii) Any project within the boundaries of any signatory state found and determined by the commission or by any agency of a signatory party having functions, powers, and duties in the planning, conservation, development, management, or control of water resources to have a significant effect on water resources within another signatory state; and

"(iv) Any project which has been included by the commission after hearing, as provided in Article 14, Section 14.1, as a part of the commission's comprehensive plan for the development of the water resources of the basin, or which would have a significant effect upon the plan.

"3. Review and approval by the commission shall not be required for:

"(i) Projects which fall into an exempt classification or designation established by legislative action of a signatory party or by rule or regulation of an office or agency of a signatory party having functions, powers, and duties in the planning, conservation, development, management, or control of water resources. The sponsors of those projects are not required to obtain a permit or other form of permission to proceed with construction or implementation, unless it is determined by the commission or by the agency of a signatory party that such project or projects may cause an adverse, adverse cumulative, or an interstate effect on water resources of the basin, and the project sponsor has been notified in writing by the commission or by the agency of a signatory party that commission approval is required.

"(ii) Projects which are classified by the commission as not requiring its review and approval for so long as they are so classified.

"4. The commission shall approve a project if it determines that the project is not detrimental to the proper conservation, development, management, or control of the water resources of the basin and may modify and approve as modified, or may disapprove the project, if it determines that the project is not in the best interest of the conservation, development, management, or control of the basin's water resources, or is in conflict with the comprehensive plan.

"5. The commission, after consultation with the appropriate offices or agencies of the signatory parties shall establish the procedure of submission, review, and consideration of projects. Any procedure for review and approval of diversions of water shall include public hearing on due notice given with op-

portunity for interested persons, agencies, governmental units, and signatory parties to be heard and to present evidence. A complete transcript of the proceedings at the hearing shall be made and preserved, and it shall be made available under rules for that purpose adopted by the commission.

"6. Any determination of the commission pursuant to this article or any article of the compact providing for judicial review shall be subject to such judicial review in any court of competent jurisdiction, provided that an action or proceeding for such review is commenced within 90 days from the effective date of the determination sought to be reviewed; but a determination of the commission concerning a diversion, under Section 3.10–2(ii) with the claimed effect of reducing below a proper minimum the flow of water in that portion of the basin within the area of a signatory party, shall be subject to judicial review under the particular provisions of paragraph 7 below.

"7. Any signatory party deeming itself aggrieved by an action of the commission concerning a diversion under Section 3.10–2(ii) with the claimed effect of reducing below a proper minimum the flow of water in that portion of the basin which lies within the area of that signatory party, and notwithstanding the powers provided to the commission by this compact, may have review of commission action approving the diversion in the Supreme Court of the United States; provided that a proceeding for such review is commenced within one year from the date of action sought to be reviewed. Any such review shall be on the record made before the commission. The action of the commission shall be affirmed, unless the court finds that it is not supported by substantial evidence.

"3.11—ADVISORY COMMITTEES. The commission may constitute and empower advisory committees.

"ARTICLE 4

"WATER SUPPLY

"SECTION 4.1—GENERALLY. The commission shall have power to develop, implement, and effectuate plans and projects for the use of the water of the basin for domestic municipal, agricultural, and industrial water supply. To this end, without limitation thereto, it may provide for, construct, acquire, operate, and maintain dams, reservoirs, and other facilities for utilization of surface and ground water resources, and all related structures, appurtenances, and equipment on the river and its tributaries and at such off-river sites as it may find appropriate, and may regulate and control the use thereof.

"4.2—STORAGE AND RELEASE OF WATERS

"(a) The commission shall have power to acquire, construct, operate, and control projects and facilities for the storage and release of waters, for the regulation of flows and supplies of surface and ground waters of the basin, for the protection of public health, stream quality control, economic development, improvement of fisheries, recreation, dilution and abatement of pollution, the prevention of undue salinity, and other purposes.

"(b) No signatory party shall permit any augmentation of flow to be diminished by the diversion of any water of the basin during any period in which waters are being released from storage under the direction of the commission for the purpose of augmenting such flow, except in cases where the diversion is authorized by this compact, or by the commission pursuant thereto, or by the judgment, order, or decree of a court of competent jurisidiction.

"4.3—ASSESSABLE IMPROVEMENTS. The commission may provide water management and regulation in the main stream or any tributary in the basin and, in accordance with the procedures of applicable state laws, may assess on an annual basis or otherwise the cost thereof upon water users or any classification of them specially benefited thereby to a measurable extent, provided that no such assessment shall exceed the actual benefit to any water user. Any such assessment shall follow the procedure prescribed by law for local improvement assessments and shall be subject to review in any court of competent jurisdiction.

"4.4—COORDINATION. Prior to entering upon the execution of any project authorized by this article, the commission shall review and consider all existing rights, plans, and programs of the signatory parties, their political subdivisions, private parties, and water users which are pertinent to such project, and shall hold a public hearing on each proposed project.

"4.5—ADDITIONAL POWERS. In connection with any project authorized by this article, the commission shall have power to provide storage, treatment, pumping, and transmission facilities, but nothing herein shall be construed to authorize the commission to engage in the business of distributing water.

"ARTICLE 5

"WATER QUALITY MANAGEMENT AND CONTROL

"SECTION 5.1—GENERAL POWERS

"(a) The commission may undertake or contract for investigations, studies, and surveys pertaining to existing water quality, effects of varied actual or projected operations on water quality, new compounds and materials and probable future water quality in the basin. The commission may receive, expand, and administer funds. Federal, state, local, or private as may be available to carry out these functions relating to water quality investigations.

"(b) The commission may acquire, construct, operate, and maintain projects and facilities for the management and control of water quality in the basin whenever the commission deems necessary to activate or effectuate any of the provisions of this compact.

"5.2—POLICY AND STANDARDS.

"(a) In order to conserve, protect, and utilize the water quality of the basin in accordance with the best interests of the people of the basin and the states, it shall be the policy of the commission to encourage and coordinate the efforts of the signatory parties to prevent, reduce, control, and eliminate water pollution and to maintain water quality as required by the comprehensive plan.

"(b) The legislative intent in enacting this article is to give specific emphasis to the primary role of the states in water quality management and control.

"(c) The commission shall recommend to the signatory parties the establishment, modification, or amendment of standards of quality for any waters of the basin in relation to their reasonable and necessary use as the commission shall deem to be in the public interest.

"(d) The commission shall encourage cooperation and uniform enforcement programs and policies by the water quality control agencies of the signatory parties in meeting the water quality standards established in the comprehensive plan.

"(e) The commission may assume jurisdiction whenever it determines after investigation and public hearing upon due notice given that the effectuation of the comprehensive plan so requires. After such investigation, notice, and hearing, the commission may adopt such rules, regulations, and water quality standards as may be required to preserve, protect, improve, and develop the quality of the waters of the basin in accordance with the comprehensive plan.

"5.3—COOPERATIVE ADMINISTRATION AND ENFORCEMENT.

"(a) Each of the signatory parties agrees to prohibit and control pollution of the waters of the basin according to the requirements of this compact and to cooperate faithfully in the control of future pollution in and abatement of existing pollution from the waters of the basin.

"(b) The commission shall have the authority to investigate and determine if the requirements of the compact or the rules, regulations, and water quality standards of the commission are complied with and if satisfactory progress has not been made, may institute an action or actions in its own name in the proper court or courts of competent jurisdiction to compel compliance with any and all of the provisions of this compact or any of the rules, regulations, and water quality standards of the commission adopted pursuant thereto.

"5.4—FURTHER JURISDICTION. Nothing in this compact shall be construed to repeal, modify, or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions to lessen or prevent the pollution of waters within its jurisdiction.

"ARTICLE 6

"FLOOD PROTECTION

"SECTION 6.1—FLOOD CONTROL AUTHORITY. The commission may plan, design, construct, and operate and maintain projects and facilities it deems necessary or desirable for flood plain development and flood damage reduction. It shall have power to operate such facilities and to store and release waters of the Susquehanna River and its tributaries and elsewhere within the basin, in such manner, at such times, and under such regulations as the commission may deem appropriate to meet flood conditions as they may arise.

"6.2—REGULATION.

"(a) The commission may study and determine the nature and extent of the flood plains of the Susquehanna River and its tributaries. Upon the basis of the studies, it may delineate areas subject to flooding, including but not limited to a classification of lands with reference to relative risk of flooding and the establishment of standards for flood plain use which will promote economic development and safeguard the public health, welfare, safety, and property. Prior to the adoption of any standards delineating the area or defining the use, the commission shall hold public hearings with respect to the substance of the standards in the manner provided by Article 15. The proposed standards shall be available from the commission at the time notice is given, and interested persons shall be given an opportunity to be heard thereon at the hearings.

"(b) The commission shall have power to promulgate, adopt, amend, and repeal from time to time as necessary, standards relating to the nature and extent of the uses of land in areas subject to flooding.

"(c) In taking action pursuant to subsection (b) of this section and as a prerequisite thereto, the commission shall consider the effect of particular uses of the flood plain in question on the health and safety of persons and property in the basin, the economic and technical feasibility of measures available for the development and protection of the flood plain, and the responsibilities, if any, of local, state, and federal governments connected with the use or proposed use of the flood plain in question. The commission shall regulate the use of particular flood plains in the manner and degree it finds necessary for the factors enumerated in this subsection, but only with the consent of the affected signatory state, and shall suspend such regulation when and so long as the signatory party or parties, or political subdivision possessing jurisdiction have in force applicable laws which the commission finds give adequate protection for the purpose of this section.

"(d) In order to conserve, protect, and utilize the Susquehanna River and its tributaries in accordance with the best interests of the people of the basin and the signatory parties, it shall be the policy of the

commission to encourage and coordinate the efforts of the signatory parties to control modification of the river and its tributaries by encroachment.

"6.3—FLOOD LANDS ACQUISITION. The commission shall have power to acquire the fee or any lesser interest in lands and improvements thereon within the area of a flood plain for the purpose of regulating the use or types of construction of such property to minimize the flood hazard, convert the property to uses or types of construction appropriate to flood plain conditions, or prevent constructions or obstructions that reduce the ability of the river channel and flood plain to carry flood water.

"6.4—EXISTING STRUCTURES. No rule or regulation issued by the commission pursuant to this compact shall be construed to require the demolition, removal, or alteration of any structure in place or under construction prior to the issuance thereof, without the payment of just compensation therefor. However, new construction or any addition to or alteration in any existing structure made or commenced subsequent to the issuance of such rule or regulation, or amendment, shall conform thereto.

"6.5—POLICE POWERS. The regulation of use of flood plain lands is within the police powers of the signatory states for the protection of public health and the safety of the people and their property and shall not be deemed a taking of land or lands for which compensation shall be paid to the owners thereof.

"6.6—COOPERATION. Each of the signatory parties agrees to control flood plain use along and encroachment upon the Susquehanna River and its tributaries and to cooperate faithfully in these respects.

"6.7—OTHER AUTHORITY. Nothing in this article shall be construed to prevent or in any way to limit the power of any signatory party, or any agency or subdivision thereof, to issue or adopt and enforce any requirement or requirements with respect to flood plain use or construction thereon more stringent than the rules, regulations, or encroachment lines in force pursuant to this article. The commission may appear in any court of competent jurisdiction to bring actions or proceedings in law or equity to enforce the provisions of this article.

"6.8—DEBRIS. The signatory states agree that dumping or littering upon or in the waters of the Susquehanna River or its tributaries or upon the frozen surfaces thereof of any rubbish, trash, litter, debris, abandoned properties, waste material, or offensive matter, is prohibited and that the law enforcement officials of each state shall enforce this prohibition.

"ARTICLE 7

"WATERSHED MANAGEMENT

"SECTION 7.1—WATERSHEDS GENERALLY. The commission shall promote sound practices of watershed management in the basin, including projects and facilities to retard runoff and waterflow and prevent soil erosion.

"7.2—SOIL CONSERVATION AND LAND AND FOREST MANAGEMENT. The commission, subject to the limitations in Section 7.4(b) may acquire, sponsor, or operate facilities and projects to encourage soil conservation, prevent and control erosion, and promote land reclamation and sound land and forest management.

"7.3—FISH AND WILDLIFE. The commission, subject to the limitations in Section 7.4(b) may acquire, sponsor, or operate projects and facilities for the maintenance and improvement of fish and wildlife habitat related to the water resources of the basin.

"7.4—COOPERATIVE PLANNING AND OPERATION.

"(a) The commission shall cooperate with the appropriate agencies of the signatory parties and with other public and private agencies in the planning and effectuation of a coordinated program of facilities and projects authorized by this article.

"(b) The commission shall not acquire or operate any such project or facility unless it has first found and determined that no other suitable unit or agency of government is in a position to acquire or operate the same upon reasonable conditions, or such unit or agency fails to do so.

"ARTICLE 8

"RECREATION

"SECTION 8.1—DEVELOPMENT. The commission may provide for the development of water related public sports and recreational facilities. The commission on its own account or in cooperation with a signatory party, political subdivision or any agency thereof, may provide for the construction, maintenance, and administration of such facilities, subject to the provisions of Section 8.2 hereof.

"8.2—COOPERATIVE PLANNING AND OPERATION.

"(a) The commission shall cooperate with the appropriate agencies of the signatory parties and with other public and private agencies in the planning and effectuation of a coordinated program of facilities and projects authorized by this article.

"(b) The commission shall not operate any such project or facility unless it has first found and determined that no other suitable unit or agency of government is available to operate the same upon reasonable conditions.

"8.3—OPERATION AND MAINTENANCE. The commission, within limits prescribed by this article, shall:

"1. Encourage activities of other public agencies having water related recreational interests and assist in the coordination thereof;

"2. Recommend standards for the development and administration of water related recreational facilities;

"3. Provide for the administration, operation, and maintenance of recreation facilities owned or controlled by the commission and for the letting and supervision of private concessions in accordance with this article.

"8.4—CONCESSIONS. The commission, after public hearing upon due notice given shall provide by regulation a procedure for the award of contracts for private concessions in connection with its recreational facilities, including any renewal or extension thereof, under terms and conditions determined by the commission.

"ARTICLE 9

"OTHER PUBLIC VALUES

"SECTION 9.1—INHERENT VALUES. The signatory parties agree that it is a purpose of this compact in effectuating the conservation and management of water resources to preserve and promote the economic and other value inherent in the historic and the scenic and other natural amenities of the Susquehanna River Basin for the enjoyment and enrichment of future generations, for the promotion and protection of tourist attractions in the basin, and for the maintenance of the economic health of allied enterprises and occupations so as to effect orderly, balanced, and considered development in the basin.

"9.2—PROJECT COMPATIBILITY. To this end, the signatory parties agree that in the consideration, authorization, construction, maintenance, and operation of all water resources projects in the Susquehanna basin, their agencies and subdivisions, and the Susquehanna River Basin Commission will consider the compatibility of such projects with these other public values.

"9.3—REGULATION STANDARDS. The commission may recommend to governmental units with jurisdiction within areas considered for scenic or historic designation minimum standards of regulation of land and water use and such other protective measures as the commission may deem desirable.

"9.4—LOCAL AREA PROTECTION. The commission may draft and recommend for adoption ordinances and regulations which would assist, promote, develop, and protect those areas and the character of their communities. Local governments may consider parts of their area which have been designated scenic or historic areas under the provisions of this article separately from the municipality as a whole, and pursuant to the laws of the state governing the adoption of those regulations generally may enact regulations limited to the designated area. In making recommendations to a local government which is partly in and partly out of such a scenic or historic area the commission may make recommendations for the entire municipality.

"ARTICLE 10

"HYDROELECTRIC POWER

"SECTION 10.1—DEVELOPMENT. The waters of the Susquehanna River and its tributaries may be impounded and used by or under authority of the commission for the generation of hydroelectric power and hydroelectric energy in accordance with the comprehensive plan.

"10.2—POWER GENERATION. The commission may develop and operate, or authorize to be developed and operated, dams and related facilities and appurtenances for the purpose of generating hydroelectric power and hydroelectric energy.

"10.3—TRANSMISSION. The commission may provide facilities for the transmission of hydroelectric power and hydroelectric energy produced by it where such facilities are not otherwise available upon reasonable terms, for the purpose of wholesale marketing of power and nothing herein shall be construed to authorize the commission to engage in the business of direct sale to consumers.

"10.4—DEVELOPMENT CONTRACTS. The commission, after public hearing upon due notice given may enter into contracts on reasonable terms, consideration, and duration under which public utilities or public agencies may develop hydroelectric power and hydroelectric energy through the use of dams, related facilities, and appurtenances.

"10.5—RATES AND CHARGES. Rates and charges fixed by the commission for power which is produced by its facilities shall be reasonable, nondiscriminatory, and just.

"ARTICLE 11

"REGULATION OF WITHDRAWAL AND DIVERSIONS; PROTECTED AREAS AND EMERGENCIES

"SECTION 11.1—POWER OF REGULATION. The commission may regulate and control withdrawals and diversions from surface waters and ground waters of the basin, as provided by this article. The commission may enter into agreements with the signatory parties relating to the exercise of such power or regulation or control and may delegate to any of them such powers of the commission as it may deem necessary or desirable.

"11.2—DETERMINATION OF PROTECTED AREA. The commission, from time to time after public hearing upon due notice given may determine and delineate such areas within the basin wherein the demands upon supply made by water users have developed or threaten to develop to such a degree as to create a water shortage or impair or conflict with the requirements or effectuation of the comprehensive plan, and any such area may be designated as a protected area, with the consent of the member or members from the affected state or states. The commission, whenever it determines that such shortage no longer exists, shall terminate the protected status of such area and shall give public notice of such determination.

"11.3—DIVERSION AND WITHDRAWAL PERMITS. In any protected areas so determined and delineated, no person shall divert or withdraw water for domestic, municipal, agri-

cultural, or industrial uses in excess of such quantities as the commission may prescribe by general regulations, except (1) pursuant to a permit granted under this article, or (2) pursuant to a permit or approval heretofore granted under the laws of any of the signatory states.

"11.4—EMERGENCY.

"(a) In the event of a drought which may cause an actual and immediate shortage of available water supply within the basin, or within any part thereof, the commission after public hearing upon due notice given may determine and delineate the area of the shortage and by unanimous vote declare a drought emergency therein. For the duration of the drought emergency as determined by the commission, it thereupon may direct increases or decreases in any allocations, diversions, or releases previously granted or required, for a limited time to meet the emergency condition.

"(b) In the event of a disaster or catastrophe other than drought, natural or manmade, which causes or may cause an actual and immediate shortage of available and usable water, the commission by unanimous consent may impose direct controls on the use of water and shall take such action as is necessary to coordinate the effort of federal, state, and local agencies and other persons and entities affected.

"11.5—STANDARDS. Permits shall be granted, modified, or denied, as the case may be, to avoid such depletion of the natural stream flows and ground waters in the protected area or in an emergency area as will adversely affect the comprehensive plan or the just and equitable interests and rights of other lawful users of the same source, giving due regard to the need to balance and reconcile alternative and conflicting uses in the event of an actual or threatened shortage of water of the quality required.

"11.6—JUDICIAL REVIEW. The determinations and delineations of the commission pursuant to Section 11.2 and the granting, modification or denial of permits pursuant to Sections 11.3, 11.4, and 11.5 shall be subject to judicial review in any court of competent jurisdiction.

"11.7—MAINTENANCE OF RECORDS. Each signatory party shall provide for the maintenance and preservation of such records of authorized diversions and withdrawals and the annual volume thereof as the commission shall prescribe. Such records and supplementary reports shall be furnished to the commission at its request.

"11.8—EXISTING STATE SYSTEMS. Whenever the commission finds it necessary or desirable to exercise the powers conferred with respect to emergencies by this article, any diversion or withdrawal permits authorized or issued under the laws of any of the signatory states shall be superseded to the extent of any conflict with the control and regulation exercised by the commission.

"ARTICLE 12

"INTERGOVERNMENTAL RELATIONS

"SECTION 12.1—FEDERAL AGENCIES AND PROJECTS. For the purposes of avoiding conflicts of jurisdiction and of giving full effect to the commission as a regional agency of the signatory parties, the following rules shall govern Federal projects affecting the water resources of the basin, subject in each case to the provisions of Section 1.4 of this compact:

"1. The planning of all projects related to powers delegated to the commission by this compact shall be undertaken in consultation with the commission.

"2. No expenditure or commitment shall be made for or on account of the construction, acquisition, or operation of any project or facility nor shall it be deemed authorized, unless it shall have first been included by the commission in the comprehensive plan.

"3. Each Federal agency otherwise authorized by law to plan, design, construct, operate or maintain any project or facility in or for the basin shall continue to have, exercise, and discharge such authority except as specifically provided by this section.

"12.2—STATE AND LOCAL AGENCIES AND PROJECTS. For the purposes of avoiding conflicts of jurisdiction and of giving full effect to the commission as a regional agency of the signatory parties, the following rules shall govern projects of the signatory states, their political subdivisions and public corporations affecting water resources of the basin:

"1. The planning of all projects related to powers delegated to the commission by this compact shall be undertaken in consultation with the commission;

"2. No expenditure or commitment shall be made for or on account of the construction, acquisition, or operation of any project or facility unless it first has been included by the commission in the comprehensive plan;

"3. Each state and local agency otherwise authorized by law to plan, design, construct, operate, or maintain any project or facility in or for the basin shall continue to have, exercise and discharge such authority, except as specifically provided by this section.

"12.3—RESERVED TAXING POWERS OF STATES. Each of the signatory parties reserves the right to levy, assess, and collect fees, charges, and taxes on or measured by the withdrawal or diversion of waters of the basin for use within the jurisdiction of the respective signatory parties.

"12.4—PROJECT COSTS AND EVALUATION STANDARDS. The commission shall establish uniform standards and procedures for the evaluation, determination of benefits, and cost allocations of projects affecting the basin, and for the determination of project priorities, pursuant to the requirements of the comprehensive plan and its water resources program. The commission shall develop equitable cost sharing and reimbursement formulas for the signatory parties including:

"1. Uniform and consistent procedures for the allocation of project costs among purposes included in multiple-purpose programs;

"2. Contracts and arrangements for sharing financial responsibility among and with signatory parties, public bodies, groups, and private enterprise, and for the supervision of their performance;

"3. Establishment and supervision of a system of accounts for reimbursement purposes and directing the payments and charges to be made from such accounts;

"4. Determining the basis and apportioning amounts (i) of reimbursable revenues to be paid signatory parties or their political subdivisions, and (ii) of payments in lieu of taxes to any of them.

"12.5—COOPERATIVE SERVICES. The commission shall furnish technical services, advice, and consultation to authorized agencies of the signatory parties with respect to the water resources of the basin, and each of the signatory parties pledges itself to provide technical and administrative service to the commission upon request, within the limits of available appropriations, and to cooperate generally with the commission for the purposes of this compact, and the cost of such service may be reimbursable whenever the parties deem appropriate.

"ARTICLE 13

"CAPITAL FINANCING

"SECTION 13.1—BORROWING POWER. The commission may borrow money for any of the purposes of this compact and may issue its negotiable bonds and other evidences of indebtedness in respect thereto.

"All such bonds and evidences of indebtedness shall be payable solely out of the properties and revenues of the commission without recourse to taxation. The bonds and other obligations of the commission, except as may be otherwise provided in the indenture under which they were issued, shall be direct and general obligations of the commission, and the full faith and credit of the commission are hereby pledged for the prompt payment of the debt service thereon and for the fulfillment of all other undertakings of the commission assumed by it to or for the benefit of the holders thereof.

"13.2—FUNDS AND EXPENSES. The purposes of this compact shall include without limitation thereto all costs of any project or facility or any part thereof, including interest during a period of construction and a reasonable time thereafter and any incidental expenses (legal, engineering, fiscal, financial consultant, and other expenses) connected with issuing and disposing of the bonds: all amounts required for the creation of an operating fund, construction fund, reserve fund, sinking fund, or other special fund; all other expenses connected with the planning, design, acquisition, construction, completion, improvement, or reconstruction of any facility or any part thereof; and reimbursement of advances by the commission or by others for such purposes and for working capital.

"13.3—CREDIT EXCLUDED; OFFICERS, STATE AND MUNICIPAL. The commission shall have no power to pledge the credit of any signatory party or of any county or municipality, or to impose any obligation for payment of the bonds upon any signatory party or any county or municipality. Neither the commissioners nor any person executing the bonds shall be liable personally on the bonds of the commission or be subject to any personal liability or accountability by reason of the issuance thereof.

"13.4—FUNDING AND REFUNDING. Whenever the commission deems it expedient, it may fund and refund its bonds and other obligations, whether or not such bonds and obligations have matured. It may provide for the issuance, sale or exchange of refunding bonds for the purpose of redeeming or retiring any bonds (including payment of any premium, duplicate interest, or cash adjustment required in connection therewith) issued by the commission or issued by any other issuing body, the proceeds of the sale of which have been applied to any facility acquired by the commission or which are payable out of the revenues of any facility acquired by the commission. Bonds may be issued partly to refund bonds and other obligations then outstanding, and partly for any other purpose of the commission. All provisions of this compact applicable to the issuance of bonds are applicable to refunding bonds and to the issuance, sale, or exchange thereof.

"13.5—BONDS: AUTHORIZATION GENERALLY. Bonds and other indebtedness of the commission shall be authorized by resolution of the commission. The validity of the authorization and issuance of any bonds by the commission shall not be dependent upon or affected in any way by: (1) the disposition of bond proceeds by the commission or by contract, commitment or action taken with respect to such proceeds; or (2) the failure to complete any part of the project for which bonds are authorized to be issued. The commission may issue bonds in one or more series and may provide for one or more consolidated bond issues, in such principal amounts and with such terms and provisions as the commission may deem necessary. The bonds may be secured by a pledge of all or any part of the property, revenues, and franchises under its control. Bonds may be issued by the commission in such amount, with such maturities and in such denominations and form or forms, whether coupon or registered, as to both principal and interest, as may be determined by the commission. The commission may provide for redemption of bonds prior to maturity on such notice and at such time or times and with such redemption provisions, including premiums, as the commission may determine.

"13.6—BONDS, RESOLUTIONS AND INDENTURES GENERALLY. The commission may determine and enter into indentures providing for the principal amount, date or dates, maturities, interest rate, denominations, form, registration, transfer, interchange, and other provisions of the bonds and coupons and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded, and refunded. The resolution of the commission authorizing any bond or any indenture so authorized under which the bonds are issued may include all such covenants and other provisions other than any restriction on the regulatory powers vested in the commission by this compact as the commission may deem necessary or desirable for the issue, payment, security, protection, or marketing of the bonds, including without limitation covenants and other provisions as to the rates or amounts of fees, rents, and other charges to be charged or made for use of the facilities; the use, pledge, custody, securing, application, and disposition of such revenues, of the proceeds of the bonds, and of any other moneys of the commission; the operation, maintenance, repair, and reconstruction of the facilities and the amounts which may be expended therefor; the sale, lease, or other disposition of the facilities; the insuring of the facilities and of the revenues derived therefrom; the construction or other acquisition of other facilities, the issuance of additional bonds or other indebtedness; the rights of the bondholders and of any trustee for the bondholders upon default by the commission or otherwise; and the modification of the provisions of the indenture and of the bonds. Reference on the face of the bonds to such resolution or indenture by its date of adoption or the apparent date on the face thereof is sufficient to incorporate all of the provisions thereof and of this compact into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this compact and is bound thereby.

"13.7—MAXIMUM MATURITY. No bond or its terms shall mature in more than fifty years from its own date, or on any date subsequent to the duration of this compact, and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

"13.8—TAX EXEMPTION. All bonds issued by the commission under the provisions of this compact and the interest thereon shall at all times be free and exempt from all taxation by or under authority of any of the signatory parties, except for transfer, inheritance and estate taxes.

"13.9—INTEREST. Bonds shall bear interest at a rate of not to exceed six percent per annum, payable annually or semi-annually.

"13.10—PLACE OF PAYMENT. The commission may provide for the payment of the principal and interest of bonds at any place or places within or without the signatory states, and in any specified lawful coin or currency of the United States of America.

"13.11—EXECUTION. The commission may provide for the execution and authentication of bonds by the manual, lithographed, or printed facsimile signature of officers of the commission, and by additional authentication by a trustee or fiscal agent appointed by the commission. If any of the officers whose signatures or countersignatures appear upon the bonds or coupons ceases to be an officer before the delivery of the bonds or coupons, his signature or countersignature is nevertheless valid and of the same force and effect as if the officer had remained in office until the delivery of the bonds and coupons.

"13.12—HOLDING OWN BONDS. The commission shall have power out of any funds available therefor to purchase its bonds and may hold, cancel, or resell such bonds.

"13.13—SALE. The commission may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. The commission may sell at less than their par or face value, but no issue of bonds may be sold at an aggregate price below the par or face value thereof if such sale would result in a net interest cost to the commission calculated upon the entire issue so sold of more than six percent per annum payable semi-annually, according to standard tables of bond values. All bonds issued and sold for cash pursuant to this compact shall be sold on sealed proposals to the highest bidder. Prior to such sale, the commission shall advertise for bids by publication of a notice of sale not less than ten days prior to the date of sale, at least once in a newspaper of general circulation printed and published in New York City carrying municipal bonds notices and devoted primarily to financial news. The commission may reject any and all bids submitted and may thereafter sell the bonds so advertised for sale at private sale to any financially responsible bidder under such terms and conditions as it deems most advantageous to the public interest, but the bonds shall not be sold at a net interest cost calculated upon the entire issue so advertised, greater than the lowest bid which was rejected. In the event the commission desires to issue its bonds in exchange for an existing facility or portion thereof, or in exchange for bonds secured by the revenues of an existing facility, it may exchange such bonds for the existing facility or portion thereof or for the bonds so secured, plus an additional amount of cash, without advertising such bonds for sale.

"13.14—NEGOTIABILITY. All bonds issued under the provisions of this compact are negotiable instruments, except when registered in the name of a registered owner.

"13.15—LEGAL INVESTMENTS. Bonds of the commission shall be legal investments for savings banks, fiduciaries and public funds in each of the signatory states.

"13.16—VALIDATION PROCEEDINGS. Prior to the issuance of any bonds, the commission may institute a special proceeding to determine the legality of proceedings to issue the bonds and their validity under the laws of any of the signatory parties. Such proceedings shall be instituted and prosecuted in rem, and the judgment rendered therein shall be conclusive against all persons whomsoever and against each of the signatory parties.

"13.17—RECORDING. No indenture need be recorded or filed in any public office, other than the office of the commission. The pledge of revenues provided in any indenture shall take effect forthwith as provided therein and irrespective of the date of receipts of such revenues by the commission or the indenture trustee. Such pledge shall be effective as provided in the indenture without physical delivery of the revenues to the commission or the indenture trustee.

"13.18—PLEDGED REVENUES. Bond redemption and interest payments, to the extent provided in the resolution or indenture, shall constitute a first, direct and exclusive charge and lien on all such rates, rents, tolls, fees, and charges and other revenues and interest thereon received from the use and operation of the facility, and on any sinking or other funds created therefrom. All such rates, rents, tolls, fees, charges and other revenues, together with interest thereon, shall constitute a trust fund for the security and payment of such bonds, and except as and to the extent provided in the indenture with respect to the payment therefrom of expenses for other purposes including administration, operation, maintenance, improvements, or extensions of the facilities or other purposes shall not be used or pledged for any other purpose so long as such bonds, or any of them, are outstanding, and unpaid.

"13.19—REMEDIES. The holder of any bond may for the equal benefit and protection of all holders of bonds similarly situated: (1) by mandamus or other appropriate proceedings require and compel the performance of any of the duties imposed upon the commission or assumed by it, its officers, agents, or employees under the provisions of any indenture, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction, or insurance of the facilities, or in connection with the collection, deposit, investment, application, and disbursement of the rates, rents, tolls, fees, charges, and other revenues derived from the operation and use of the facilities, or in connection with the deposit, investment, and disbursement of the proceeds received from the sale of bonds; or (2) by action or suit in a court of competent jurisdiction of any signatory party require the commission to account as if it were the trustee of an express trust, or enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the bonds. The enumeration of such rights and remedies, however, does not exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds.

"13.20—CAPITAL FINANCING BY SIGNATORY PARTIES: GUARANTEES.

"(a) The signatory parties shall provide such capital funds required for projects of the commission as may be authorized by their respective statutes in accordance with a cost sharing plan prepared pursuant to Article 12 of this compact; but nothing in this section shall be deemed to impose any mandatory obligation on any of the signatory parties other than such obligations as may be assumed by a signatory party in connection with a specific project or facility.

"(b) Bonds of the commission, notwithstanding any other provision of this compact, may be executed and delivered to any duly authorized agency of any of the signatory parties without public offering and may be sold and resold with or without the guaranty of such signatory party, subject to and in accordance with the constitutions of the respective signatory parties.

"(c) The Commission may receive and accept, and the signatory parties may make, loans, grants, appropriations, advances, and payments of reimbursable or nonreimbursable funds or property in any form for the capital or operating purposes of the commission.

"ARTICLE 14

"PLAN, PROGRAM AND BUDGETS

"SECTION 14.1—COMPREHENSIVE PLAN. The commission shall develop and adopt, and may from time to time review and revise, a comprehensive plan for the immediate and long range development and use of the water resources of the basin. The plan shall include all public and private projects and facilities which are required, in the judgment of the commission, for the optimum planning, development, conservation, utilization, management, and control of the water resources of the basin to meet present and future needs. The commission may adopt a comprehensive plan or any revision thereof in such part or parts as it may deem appropriate, provided that before the adoption of the plan or any part or revision thereof the commission shall consult with water users and interested public bodies and public utilities and shall consider and give due regard to the findings and recommendations of the various agencies of the signatory parties, their political subdivisions, and interested groups. The commission shall conduct public hearings upon due notice given with respect to the comprehensive plan prior to the adoption of the plan or any part of the revision

thereof, except that public and private projects and facilities which, in the judgment of the commission, are not required for the optimum planning, development, conservation, utilization, management, and control of the water resources of the basin and which, in the judgment of the commission, will not significantly affect the water resources of the basin, may be added directly to the comprehensive plan at any time at the discretion of the commission without public hearing thereon. The comprehensive plan shall take into consideration the effect of the plan or any part thereof upon the receiving waters of Chesapeake Bay.

"14.2—WATER RESOURCES PROGRAM. The commission shall annually adopt a water resources program, based upon the comprehensive plan, consisting of the projects and facilities which the commission proposes to be undertaken by the commission and by other authorized governmental and private agencies, organizations, and persons during the ensuing six years or such other reasonably foreseeable period as the commission may determine. The water resources program shall include a systematic presentation of:

"1. The quantity and quality of water resources needs for such period;

"2. The existing and proposed projects and facilities required to satisfy such needs, including all public and private projects to be anticipated; and

"3. A separate statement of the projects proposed to be undertaken by the commission during such period.

"14.3—ANNUAL CURRENT EXPENSE AND CAPITAL BUDGETS.

"(a) The commission shall annually adopt a capital budget including all capital projects it proposes to undertake or continue during the budget period containing a statement of the estimated cost of each project and the method of financing thereof.

"(b) The commission shall annually adopt a current expense budget for each fiscal year. Such budget shall include the commission's estimated expenses for administration, operation, maintenance, and repairs, including a separate statement thereof for each project, together with its cost allocation. The total of such expenses shall be balanced by the commission's estimated revenues from all sources, including the cost allocations undertaken by any of the signatory parties in connection with any project. Following the adoption of the annual current expense budget by the commission, the executive director of the commission shall:

"1. Certify to the respective signatory parties the amounts due in accordance with existing cost sharing established for each project; and

"2. Transmit certified copies of such budget to the principal budget officer of the respective signatory parties at such time and in such manner as may be required under their respective budgetary procedures. The amount required to balance the current expense budget in addition to the aggregate amount of item 1 above and all other revenues available to the commission shall be apportioned equitably among the signatory parties by unanimous vote of the commission, and the amount of such apportionment to each signatory party shall be certified together with the budget.

"(c) The respective signatory parties covenant and agree to include the amounts so apportioned for the support of the current expense budget in their respective budgets next to be adopted, subject to such review and approval as may be required by their respective budgetary processes. Such amounts shall be due and payable to the commission in quarterly installments during its fiscal year, provided that the commission may draw upon its working capital to finance its current expense budget pending remittance by the signatory parties.

"ARTICLE 15

"GENERAL PROVISIONS

"SECTION 15.1—AUXILIARY POWERS OF COMMISSION; FUNCTIONS OF COMMISSIONERS.

"(a) The commission, for the purposes of this compact, may:

"1. Adopt and use a corporate seal, enter into contracts, and sue and be sued in any court of competent jurisdiction;

"2. Receive and accept such payments, appropriations, grants, gifts, loans, advances, and other funds, properties, and services as may be transferred or made available to it by any signatory party or by any other public or private corporation or individual, and enter into agreements to make reimbursement for all or part thereof;

"3. Provide for, acquire, and adopt detailed engineering, administrative, financial, and operating plans and specifications to effectuate, maintain, or develop any facility or project;

"4. Control and regulate the use of facilities owned or operated by the commission;

"5. Acquire, own, operate, maintain, control, sell and convey real and personal property and any interest therein by contract, purchase, lease, license, mortgage, or otherwise as it may deem necessary for any project or facility, including any and all appurtenances thereto necessary, useful, or convenient for such ownership, operation, control, maintenance, or conveyance.

"6. Have and exercise all corporate powers essential to the declared objects and purposes of the commission.

"(b) The commissioners, subject to the provisions of this compact, shall:

"1. Serve as the governing body of the commission, and exercise and discharge its powers and duties, except as otherwise provided by or pursuant to this compact;

"2. 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 any provisions of law specifically applicable to agencies or instrumentalities created by this compact;

"3. Provide for the internal organization and administration of the commission;

"4. Appoint the principal officers of the commission and delegate to and allocate among them administrative functions, powers and duties;

"5. Create and abolish offices, employments, and positions as it deems necessary for the purposes of the commission, and subject to the provisions of this article, fix and provide for the qualifications, appointments, removal, term, tenure, compensation, pension, and retirement rights of its officers and employees;

"6. Let and execute contracts to carry out the powers of the commission.

"15.2—REGULATIONS; ENFORCEMENT.—The commission may:

"1. Make and enforce rules and regulations for the effectuation, application, and enforcement of this compact; and it may adopt and enforce practices and schedules for or in connection with the use, maintenance, and administration of projects and facilities it may own or operate and any product or service rendered thereby; provided that any rule or regulation, other than one which deals solely with the internal management of the commission, shall not be effective unless and until filed in accordance with the law of the respective signatory parties applicable to administrative rules and regulations generally; and

"2. Designate any officer, agent, or employee of the commission to be an investigator or watchman and such person shall be vested with the powers of a peace officer of the state in which he is duly assigned to perform his duties.

"15.3—TAX EXEMPTIONS. The commission, its property, functions, and activities shall be exempt from taxation by or under the authority of any of the signatory parties or any political subdivision thereof; provided that in lieu of property taxes the commission, as to its specific projects, shall make payments to local taxing districts in annual amounts which shall equal the taxes lawfully assessed upon property for the tax year next prior to its acquisition by the commission for a period of ten years. The nature and amount of such payments shall be reviewed by the commission at the end of ten years, and from time to time thereafter, upon reasonable notice and opportunity to be heard to the affected taxing district, and the payments may be thereupon terminated or continued in such reasonable amount as may be necessary or desirable to take into account hardships incurred and benefits received by the taxing jurisdiction which are attributable to the project.

"15.4—MEETINGS; PUBLIC HEARING; RECORDS, MINUTES.

"(a) All meetings of the commission shall be open to the public.

"(b) The commission shall conduct at least one public hearing in each state prior to the adoption of the initial comprehensive plan. In all other cases wherein this compact requires a public hearing, such hearing shall be held upon not less than twenty days' public notice given by posting at the offices of the commission, and published at least once in a newspaper or newspapers of general circulation in the area or areas affected. The commission shall also provide forthwith for distribution of such notice to the press and by the mailing of a copy thereof to any person who shall request such notices.

"(c) The minutes of the commission shall be a public record open to inspection at its offices during regular business hours.

"15.5—OFFICERS GENERALLY.

"(a) The officers of the commission shall consist of an executive director and such additional officers, deputies, and assistants as the commission may determine. The executive director shall be appointed and may be removed by the affirmative vote of a majority of the full membership of the commission. All other officers and employees shall be appointed or dismissed by the executive director under such rules of procedure as the commission may establish.

"(b) In the appointment and promotion of officers and employees for the commission, no political, racial, religious, or residence test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be solely on the basis of merit and fitness. Any officer or employee of the commission who is found by the commission to be guilty of a violation of this section shall be immediately dismissed.

"15.6—OATH OF OFFICE. An oath of office in such form as the commission shall prescribe shall be taken, subscribed, and filed with the commission by the executive director and by each officer appointed by him not later than fifteen days after the appointment.

"15.7—BOND. Each officer shall give such bond and in such form and amount as the commission may require, for which the commission shall pay the premium.

"15.8—PROHIBITED ACTIVITIES.

"(a) No commissioner, officer or employee shall:

"1. Be financially interested, either directly or indirectly, in any contract, sale, purchase, lease, or transfer of real or personal property to which the commission is a party;

"2. Solicit or accept money or any other thing of value in addition to the compensation or expense paid him by the commission for services performed within the scope of his official duties;

"3. Offer money or any thing of value for or in consideration of obtaining an appointment, promotion, or privilege in his employment with the commission.

"(b) Any officer or employee who willfully violates any of the provisions of this section shall forfeit his office or employment.

"(c) Any contract or agreement knowingly made in contravention of this section is void.

"(d) Officers and employees of the commission shall be subject, in addition to the provisions of this section, to such criminal and civil sanctions for misconduct in office as may be imposed by Federal law and the law of the signatory state in which such misconduct occurs.

"15.9—PURCHASING. Contracts for the construction, reconstruction or improvement of any facility when the expenditure required exceeds ten thousand dollars, and contracts for the purchase of services, supplies, equipment, and materials when the expenditure required exceeds five thousand dollars shall be advertised and let upon sealed bids to the lowest responsible bidder. Notice requesting such bids shall be published in a manner reasonably likely to attract prospective bidders, which publication shall be made at least thirty days before bids are received and in at least two newspapers of general circulation in the basin. The commission may reject any and all bids and readvertise in its discretion. If after rejecting bids the commission determines and resolves that in its opinion the supplies, equipment, and materials may be purchased at a lower price in the open market, the commission may give each responsible bidder an opportunity to negotiate a price and may proceed to purchase the supplies, equipment, and materials in the open market at a negotiated price which is lower than the lowest rejected bid of a responsible bidder, without further observance of the provisions requiring bids or notice. The commission shall adopt rules and regulations to provide for purchasing from the lowest responsible bidder when sealed bids, notice, and publication are not required by this section. The commission may suspend and waive the provisions of this section requiring competitive bids whenever:

"1. The purchase is to be made from or the contract to be made with the Federal or any state government or any agency or political subdivision thereof or pursuant to any open and bulk purchase contract of any of them;

"2. The public exigency requires the immediate delivery of the articles or performance of the service;

"3. Only one source of supply is available;

"4. The equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest; or

"5. Services are to be provided of a specialized or professional nature.

"15.10—INSURANCE. The commission may self-insure or purchase insurance and pay the premium therefor against loss or damage to any of its properties, against liability for injury to persons or property; and against loss of revenue from any cause whatsoever. Such insurance coverage shall be in such form and amount as the commission may determine, subject to the requirements of any agreement arising out of the issuance of bonds by the commission.

"15.11—ANNUAL INDEPENDENT AUDIT.

"(a) As soon as practical after the closing of the fiscal year an audit shall be made of the financial accounts of the commission. The audit shall be made by qualified certified public accountants selected by the commission, who have no personal interest direct or indirect in the financial affairs of the commission or any of its officers or employees. The report of audit shall be prepared in accordance with accepted accounting practices and shall be filed with the chairman and such other officers as the commission may direct. Copies of the report shall be distributed to each commissioner and shall be made available for public distribution.

"(b) Each signatory party by its duly authorized officers shall be entitled to examine and audit at any time all of the books, documents, records, files, and accounts and all other papers, things, or property of the commission. The representatives of the signatory parties shall have access to all books, documents, records, accounts, reports, files, and all other papers, things, or property belonging to or in use by the commission and necessary to facilitate the audit and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians.

"(c) The financial transactions of the commission shall be subject to aduit by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the commission are kept.

"(d) Any officer or employee who shall refuse to give all required assistance and information to the accountants selected by the commission or to the authorized officers of any signatory party or who shall refuse to submit to them for examination such books, documents, records, files, accounts, papers, things, or property as may be requested shall forfeit his office.

"15.12—REPORTS. The commission shall make and publish an annual report to the legislative bodies of the signatory parties and to the public reporting on its programs, operations, and finances. It may also prepare, publish, and distribute such other public reports and informational material as it may deem necessary or desirable.

"15.13—GRANTS, LOANS, OR PAYMENTS BY STATES OR POLITICAL SUBDIVISIONS.

"(a) Any or all of the signatory parties or any political subdivision thereof may:

"1. Appropriate to the commission such funds as may be necessary to pay preliminary expenses such as the expenses incurred in the making of borings, and other studies of subsurface conditions, in the preparation of contracts for the sale of water and in the preparation of detailed plans and estimates required for the financing of a project;

"2. Advance to the commission, either as grants or loans, such funds as may be necessary or convenient to finance the operation and management of or construction by the commission of any facility or project;

"3. Make payments to the commission for benefits received or to be received from the operation of any of the projects or facilities of the commission.

"(b) Any funds which may be loaned to the commission either by a signatory party or a political subdivision thereof shall be repaid by the commission through the issuance of bonds or out of other income of the commission, such repayment to be made within such period and upon such terms as may be agreed upon between the commission and the signatory party or political subdivision making the loan.

"15.14—CONDEMNATION PROCEEDINGS.

"(a) The commission shall have the power to acquire by condemnation the fee or any lesser interest in lands, lands lying under water, development rights in land, riparian rights, water rights, waters and other real or personal property within the basin for any project or facility authorized pursuant to this compact. This grant of power of eminent domain includes but is not limited to the power to condemn for the purposes of this compact any property already devoted to a public use, by whomsoever owned or held, other than property of a signatory party. Any condemnation of any property or franchises owned or used by a municipal or privately owned public utility, unless the affected public utility facility is to be relocated or replaced, shall be subject to the authority of such state board, commission, or other body as may have regulatory jurisdiction over such public utility.

"(b) The power of condemnation referred to in subsection (a) shall be exercised in accordance with the provisions of the state condemnation law in force in the signatory state in which the property is located. If there is no applicable state condemnation law, the power of condemnation shall be exercised in accordance with the provisions of Federal condemnation law.

"(c) Any award or compensation for the taking of property pursuant to this article shall be paid by the commission, and none of the signatory parties nor any other agency, instrumentality or political subdivision thereof shall be liable for such award or compensation.

"15.15—CONVEYANCE OF LANDS AND RELOCATION OF PUBLIC FACILITIES.

"(a) The respective officers, agencies, departments, commissions, or bodies having jurisdiction and control over real and personal property owned by the signatory parties are authorized and empowered to transfer and convey in accordance with the laws of the respective parties to the commission any such property as may be necessary or convenient to the effectuation of the authorized purposes of the commission.

"(b) Each political subdivision of each of the signatory parties, notwithstanding any contrary provisions of law, is authorized and empowered to grant and convey to the commission, upon the commission's request, any real property or any interest therein owned by such political subdivision including lands lying under water and lands already devoted to public use which may be necessary or convenient to the effectuation of the authorized purposes of the commission.

"(c) Any highway, public utility, or other public facility which will be dislocated by reason of a project deemed necessary by the commission to effectuate the authorized purposes of this compact shall be relocated and the cost thereof shall be paid in accordance with the law of the state in which the facility is located; provided that the cost of such relocation payable by the commission shall not in any event exceed the expenditure required to serve the public convenience and necessity.

"15.16—RIGHTS OF WAY. Permission is hereby granted to the commission to locate, construct, and maintain any aqueducts, lines, pipes, conduits, and auxiliary facilities authorized to be acquired, constructed, owned, operated, or maintained by the commission in, over, under, or across any streets and highways now or hereafter owned, opened, or dedicated to or for public use, subject to such reasonable conditions as the highway department of the signatory party may require.

"15.17—PENALTY. Any person, association, or corporation who violates or attempts or conspires to violate any provisions of this compact or any rule, regulation, or order of the commission duly made, promulgated, or issued pursuant to the compact in addition to any other remedy, penalty, or consequence provided by law shall be punishable as may be provided by statute of any of the signatory parties within which the violation is committed; provided that in the absence of such provision any such person, association, or corporation shall be liable to a penalty of not less than $50 nor more than $1,000 for each such violation to be fixed by the court which the commission may recover in its own name in any court of competent jurisdiction, and in a summary proceeding where available under the practice and procedure of such court. For the purposes of this section in the event of a continuing offense each day of such violation, attempt, or conspiracy shall constitute a separate offense.

"15.18—TORT LIABILITY. The commission shall be responsible for claims arising out of the negligent acts or omissions of its

officers, agents, and employees only to the extent and subject to the procedures prescribed by law generally with respect to officers, agents, and employees of the government of the United States.

"15.19—EFFECT ON RIPARIAN RIGHTS. Nothing contained in this compact shall be construed as affecting or intending to affect or in any way to interfere with the law of the respective signatory parties relating to riparian rights.

"15.20—AMENDMENTS AND SUPPLEMENTS. Amendments and supplements to this compact to implement the purposes thereof may be adopted by legislative action of any of the signatory parties concurred in by all of the others.

"15.21—CONSTRUCTION AND SEVERABILITY. The provisions of this compact and of agreements thereunder shall be severable and if any phrase, clause, sentence, or provision of the Susquehanna River Basin Compact or such agreement is declared to be unconstitutional or the applicability thereof to any signatory party, agency, or person is held invalid, the constitutionality of the remainder of such compact or such agreement and the applicability thereof to any other signatory party, agency, person, or circumstance shall not be affected thereby. It is the legislative intent that the provisions of such compact be reasonably and liberally construed.

"15.22—EFFECTIVE DATE; EXECUTION. This compact shall become binding and effective thirty days after the enactment of concurring legislation by the Federal government, the states of Maryland and New York, and the Commonwealth of Pennsylvania. The compact shall be signed and sealed in five identical original copies by the respective chief executive of the signatory parties. One such copy shall be filed with the Secretary of State of each of the signatory parties or in accordance with the laws of the state in which the filing is made, and one copy shall be filed and retained in the archives of the commission upon its organization."

RESERVATIONS

SEC. 2. In the exercise of the powers reserved to the Congress, pursuant to section 1.4 of the compact, the consent to and participation in the compact by the United States is subject to the following conditions and reservations;

(a) Notwithstanding any provision of the Susquehanna River Basin Compact the Susquehanna River Basin Commission shall not undertake any project (as defined in such compact), other than a project for which State supplied funds only will be used, beyond the planning stage until—

(1) such commission has submitted to the Congress such complete plans and estimates for such project as may be necessary to make an engineering evaluation of such project, including—

(A) where the project will serve more than one purpose, an allocation of costs among the purposes served and an estimate of the ratio of benefits to costs for each such purpose.

(B) an apportionment of costs among the beneficiaries of the project, including the portion of the costs to be borne by the Federal government and by State and local governments, and

(C) a proposal for financing the project, including the terms of any proposed bonds or other evidences of indebtedness to be used for such purpose, and

(2) such project has been authorized by Act of Congress.

(b) No provision of Section 3.9 of the compact shall be deemed to authorize the commission to impose any charge for water withdrawals or diversions from the basin if such withdrawals or diversions could lawfully have been made without charge on the effective date of the compact or to impose any charges with respect to commercial navigation within the basin, jurisdiction over which is reserved to the Federal Government: *Provided,* That this paragraph shall be applicable to the extent not inconsistent with Section 1.4 of this compact.

(c) Nothing contained in the compact shall be deemed to restrict the executive powers of the President in the event of a national emergency.

(d) Nothing contained in the compact shall be construed as impairing or in any manner affecting the applicability to all Federal funds budgeted and appropriated for use by the commission of such authority over budgetary and appropriation matters as the President and Congress may have with respect to agencies in the Executive Branch of the Federal Government.

(e) Except to the same extent that State bonds are or may continue to be free or exempt from Federal taxation under the internal revenue laws of the United States, nothing contained in the compact shall be construed as freeing or exempting from internal revenue taxation in any manner whatsoever any bonds issued by the commission, their transfer, or the income therefrom (including any profits made on the sale thereof).

(f) Nothing contained in the compact shall be construed to obligate the United States legally or morally to pay the principal or interest on any bonds issued by the Susquehanna River Basin Commission.

(g) All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating, of projects, buildings and works which are undertaken by the commission or are financially assisted by it, shall be paid wages at rates not less than those prevailing on similar construction in the locality so determined by the Secretary of Labor in accordance with the Davis Bacon Act, as amended (40 U.S.C 276a-276a-5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any work-week in excess of eight hours in any workday or forty hours in any work-week, as the case may be. A provision stating the minimum wages thus determined and the requirement that overtime be paid as above provided shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project The Secretary of Labor shall have, with respect to the administration and enforcement of labor standards specified in this provision, the supervisory, investigatory and other authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133a–15, and Section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended, 40 U.S.C. 276(c)).

(h) The commission shall insure that there is no discrimination on the ground of race, color, religion, or national origin in (1) the programs and activities of the commission, (2) the employment practices of the commission, and (3) the employment practices of parties entering into contracts with the commission, including construction contracts and contracts for private concessions in connection with recreational facilities.

(i) Contracts for the manufacture or furnishing of materials, supplies, articles and equipment with the commission which are in excess of $10,000 shall be subject to the provisions of the Walsh-Healey Public Contracts Act (41 U.S.C. 35 et seq.).

(j) Nothing contained in this Act or in the compact shall be construed as superseding or limiting the functions, under any other law, of the Secretary of the Interior or of any other officer or agency of the United States, relating to water pollution: *Provided,* That the exercise of such functions shall not limit the authority of the commission to control, prevent, or abate water pollution: *And provided further,* That the Secretary of the Interior shall not undertake or proceed with any "conference" or take any step subsequent thereto which is inconsistent with a decision of the Susquehanna River Basin Commission made with the concurrence of the member appointed by the President.

(k) The provisions of section 8.4 of article 8 of the compact shall not be construed to apply to facilities operated pursuant to any other Federal law.

(l) For the purposes of the Federal Tort Claims Act of June 25, 1948 (62 Stat. 982), as amended (28 U.S.C. 171 and sec. 1346(b)) and the Tucker Act of March 3, 1887 (24 Stat. 505), as amended (28 U.S.C., secs. 1346(a)(2), 1402, 1491, 1496, 1501, 1503, 2411, 2412, 2501), and the Administrative Procedure Act of June 11, 1946 (60 Stat. 237), as amended (5 U.S.C., secs. 551 through 558, 701 through 706), and the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended (U.S.C., secs. 791–823), the commission shall not be considered a Federal agency. However, any project of the commission which has been authorized by the Congress and whose authorization includes the construction of electric power generating capability shall not require licensure by the Federal Power Commission.

(m) The officers and employees of the commission (other than the United States member, alternate United States member, and advisors, and personnel employed by the United States member under direct Federal appropriation) shall not be deemed to be, for any purpose, officers or employees of the United States or to become entitled at any time by reason of employment by the commission to any compensation or benefit payable or made available by the United States solely and directly to its officers or employees. However, any agency or officer of the United States administering a retirement system, health insurance plan or program, or other plan or program of employee benefits for Federal employees may contract with the Susquehanna River Basin Commission for the coverage of its employees in such system, plan or program on terms equivalent to those available to the covered Federal employees. Any such contract shall provide for the payment by the commission of such sum or sums as will represent a contribution or contributions equal to that made for the benefit of like numbers and grades of Federal employees covered by the system, plan or program, and for all other necessary matters.

(n) Neither the compact nor this Act shall be deemed to enlarge the authority of any Federal agency other than the commission to participate in or to provide funds for projects or activities in the Susquehanna River Basin.

(o) The United States District Courts shall have original jurisdiction of all cases or controversies arising under the compact, and this Act and any case or controversy so arising initiated in a State Court shall be removable to the appropriate United States District Court in the manner provided by Sec. 1446, Title 28, USC. Nothing contained in the compact or elsewhere in this Act shall be construed as a waiver by the United States of its immunity from suit.

(p) The right to alter, amend, or repeal this Act is hereby expressly reserved. The right is hereby reserved to the Congress or any of its standing committees to require the disclosure and furnishing of such information and data by the Susquehanna River Basin Commission as is deemed appropriate by the Congress or any such committee.

(q) The United States member on the commission shall consult with all appropriate departments and agencies of the United States on a continuing basis, but he shall be the direct representative of the President and all his actions on the commission shall be in that capacity and in the manner specified by the compact and the

provision of this Act. The provisions of Sections 2.4 and 2.6 of Article 2 of the compact notwithstanding, the member and alternate member appointed by the President and advisor there referred to may be paid compensation by the United States, such compensation to be fixed by the President at the rates which he shall deem to prevail in respect to comparable officers in the executive branch.

(r) 1. Nothing contained in this Act or in the compact shall impair or affect the constitutional authority of the United States or any of its powers, rights, functions, or jurisdiction under other existing legislation in and over the area or waters which are the subject of the compact including projects of the commission: *Provided*, That whenever a comprehensive plan, or any part or revision thereof, has been adopted with the concurrence of the member appointed by the President, the exercise of any powers conferred by law on any officer, agency or instrumentality of the United States with regard to water and related land resources in the Susquehanna River Basin shall not substantially conflict with any such portion of such comprehensive plan and the provisions of Section 3.10 and Article 12 of the compact shall be applicable to the extent necessary to avoid such substantial conflict: *Provided further*, That whenever the President shall find and determine that the national interest so requires, he may suspend, modify or delete any provision of the comprehensive plan to the extent necessary to permit action by the affected agency or officer in accord with the national interest. Such action shall be taken by executive order in which such finding and determination shall be set forth.

2. Any future Act of the Congress having the effect of amending this Act, modifying the terms of participation by the United States in the compact or permitting the exercise of a power by any agency, officer or instrumentality of the United States in a manner inconsistent with this Act or the compact or any decision, rule or regulation of the commission lawfully made, shall be only by express amendment of this Act.

3. For the purposes of paragraph 1 hereof, concurrence by the member appointed by the President shall be presumed unless within 60 days after notice of him of adpotion of the comprehensive plan, or any part or revision thereof, he shall file with the commission notices of his nonconcurrence. Each concurrence of the member appointed by the President in the adoption of the comprehensive plan or any part or revision thereof may be withdrawn by notice filed with the commission at any time between the first and sixtieth day of the sixth year after the initial adoption of the comprehensive plan and of every sixth year thereafter.

(s) In the event that any phrase, clause, sentence or provision of Section 1.4 of Article 1 of the compact, is declared to be unconstitutional under the constitution of any of the signatory parties, or the applicability thereof to any signatory party, agency or person is held invalid by a court of last resort of competent jurisdiction, the United States shall cease to be a party to the compact, except to the extent that the President deems remaining a party necessary and proper to protect the national interest, and shall cease to be bound by the terms thereof.

(t) All Acts or parts of Acts inconsistent with the provisions of this Act are hereby amended for the purpose of this Act to the extent necessary to carry out the provisions of this Act: Provided, however, That no act of the Commission shall have the effect of repealing, modifying or amending any Federal law.

EFFECTUATION

SEC. 3.

(a) The President is authorized to take such action as may be necessary and proper, in his discretion, to effectuate the compact and the initial organization and operation of the commission thereunder.

(b) Executive departments and other agencies of the Executive Branch of the Federal Government shall cooperate with and furnish appropriate assistance to the United States member. Such assistance shall include the furnishing of services and facilities and may include the detailing of personnel to the United States member. Appropriations are hereby authorized as necessary for the carrying out of the functions of the United States member, including appropriations for the employment of personnel by the United States member.

Mr. MORTON. Mr. Speaker, I am introducing, on my own behalf and on behalf of the Maryland delegation, a bill to grant the consent of Congress to the Susquehanna River Basin compact and to enact the compact thereby making the United States a signatory party to it.

Only a small portion of the Susquehanna River Basin is in Maryland, but the significance of the river to the State cannot be measured by the relatively few miles of its length or square miles of its drainage area that are within its boundaries. What occurs or fails to occur upstream has a vital effect on downstream use and on the river's receiving waters, the Chesapeake Bay.

The Susquehanna River Basin is an extremely varied one. Large parts of it are rural, but others are highly industrialized urban areas. Some stretches of the river are polluted by industrial and municipal wastes and acid mine drainage. In places, flooding is a major problem. Uses of the river vary from municipal and industrial water supply to recreation to fishing and to assimilation of wastes. By and large, however, in the midst of the most highly urbanized, highly industrialized region in the country, the Susquehanna River Basin remains a relatively undeveloped area.

That the Susquehanna River Basin is relatively undeveloped and that the population pressure from an increasingly affluent and complex society will not long permit the relative lack of development to continue are the reason why the Susquehanna River Basin compact is a timely proposal. Today we can take steps to avert the consequences of fragmened, unplanned, duplicative development. Should we hesitate in taking such steps, we shall have to bear the burden—the very costly burden by any standard of measurement—of undertaking to find solutions to the problems that we have permitted to grow.

In Maryland we are particularly concerned with the impact of the river on Chesapeake Bay. Approximately 80 percent of the fresh water supply of the upper bay is received from the Susquehanna River. Little enough do we know about the effects of degraded water quality on marine life, but we do know that fish and other marine life are able to survive within a very narrow environmental range. The bay is a magnificent resource. In its waters grow clams, oysters and other shellfish. From it are taken many kinds of fish by both commercial and sports fishermen. Many forms of wildlife nest on its shores and marshes. All of these creatures can be endangered by our folly or our carelessness in not maintaining the delicate ecological balance they need.

Mr. Speaker, what is proposed for the Susquehanna River Basin is a bold scheme, but it is neither illogical nor unprecedented. Briefly stated, the Susquehanna River Basin compact would harness as a team the resources and talents of the relevant Federal agencies and the several States of the basin to effect the "conservation, utilization, development management, and control of the water resources of the Susquehanna River Basin under comprehensive multiple purpose planning."

Each of the three States of the basin, Maryland, Pennsylvania, and New York, have adopted the compact. In so doing, they have declared their commitment to "comprehensive planning administered by a basinwide agency, which will provide flood damage reduction, conservation and development of surface and ground water supply for municipal, industrial, and agricultural uses, development of recreational facilities in relation to reservoirs, lakes and streams, propogation of fish and game, promotion of forest land management, soil conservation, and watershed projects, protection and aid to fisheries, development of hydroelectric power potentialities, improved navigation, control of the movement of salt water, abatement and control of water pollution, and regulation of stream flows toward the attainment of these goals."

The compact would create the Susquehanna River Basin Commission. It would be composed of the Governors of the basin States, or their designees to act for them, and a direct representative of the President.

The Commission is directed to formulate and adopt, after consultation with appropriate water users and interested public bodies, a comprehensive plan for the immediate and long range development and use of the water resources of the region.

On the basis of the comprehensive plan, the Commission is to develop a water resources program. The compact directs that the program consider water quantity and quality needs for the reasonably foreseeable future and existing and proposed public and private projects required to satisfy such needs. After striking a balance of needs and projects to meet them, the Commission is to prepare a separate statement of projects it proposes to undertake during the period.

Given such broad responsibilities, the Commission is granted commensurate powers. It is made an operating agency in its own right. It is instructed to "establish standards of planning, design, and operation of all projects and facilities in the basin to the extent they affect water resources." It may conduct and sponsor research. It is to "collect, compile, coordinate, and interpret systematic surface and ground water data and conduct ground and surface water investigations, tests, and operations." It has a responsibility to "prepare, publish, and disseminate information and reports."

Appropriate safeguards are included in the compact to temper the use of the broad powers given to the Commission. The States are, as they should be, reluctant to bestow authority on a multijurisdictional agency. Throughout the compact, the Commission is enjoined not to disturb the existing agencies of the

signatory parties, the three States and the United States, in the exercise of duties conferred upon them. For example the signatory parties declare it to be their policy "to preserve and utilize the functions, powers, and duties of the existing offices and agencies of government to the extent consistent with this compact, and the Commission is directed to utilize those offices and agencies for the purposes of this compact." Also, in the purpose clause, the "express intent" of the signatory parties is avowed to be "that the Commission shall engage in the construction, operation, and maintenance of a project only when the project is necessary to the execution of the comprehensive plan and no other competent agency is in a position to act, or such agency fails to act."

Elsewhere it is declared that:

> Nothing in this compact shall be construed to repeal, modify or qualify the authority of any signatory party to enact any legislation or enforce any additional conditions and restrictions within its jurisdiction.

The compact also provides that there shall be hearings on adequate notice given, and makes provision for judicial review of decisions or actions taken by the Commission.

Particular attention is given to the powers of Congress. The control of navigable waters and over commerce among the States and with foreign nations—powers conferred upon the Congress by the Constitution—are not to be affected by any construction of the language of the compact. Expressly recognized is the power and right of the Congress to withdraw the Federal Government as a party, or to modify the terms and conditions under which it shall remain a party.

As has been indicated, the Susquehanna compact is very similar to the Delaware River Basin compact. As in the case of the Delaware compact, there is an enabling act for the Susquehanna. This, too, is very similar to the Delaware model. Several provisions differ in detail. Two, for example, make explicit what in the Delaware compact enabling act were implicit. One specifies that the U.S. member of the Commission shall be the direct representative of the President. The other makes more clear than did the earlier enabling act that, except as the specific provisions of the compact or enabling act require, the responsibilities of other Federal agencies are unaffected.

Two other enabling act changes merit attention. One provides that the Susquehanna River Basin Commission is not to be considered a Federal agency for purposes of the Federal Water Power Act, adding that it not be required to secure a license from the Federal Power Commission if it should decide to develop a project for hydroelectric power generation provided that the project were one authorized by Congress and the authorization included hydroelectric power.

The other would modify the applicability of the Federal Water Pollution Control Act. Since the compact provides that the Commission have regulatory authority over water quality, the proposed reservation limits the jurisdiction of the Federal Water Pollution Control Administration in those cases in which the U.S. member of the Commission concurs in Commission action regarding water quality.

In the compact itself, there are only two significant substantive differences between the Delaware and Susquehanna. The latter compact is more explicit in conferring power on the Commission to promote adequate flood plain management and use. This is in line with the objectives of the flood insurance statute enacted by the Congress as a part of the Housing and Urban Development Act. The other has to do with a greater attention given in the Susquehanna compact to the preservation and enhancement of scenic values and historic and cultural sites.

Mr. Speaker, in the Susquehanna River Basin, four sovereign parties exercise rights and responsibilities—the States of Maryland and New York, the Commonwealth of Pennsylvania and the United States. Each has a major role to play within its respective geographical jurisdiction. None can evade the heavy burden of its responsibilities. Without some means to pool their efforts, however, they can operate at cross purposes. The river flows through the area with no regard to the lines we draw on maps. Since it will continue to do, and in doing so define and describe the region better than any mapmaker can, it is we who must recognize the inevitable. We must organize to deal with the problems and take advantage of the opportunities that the Susquehanna presents. This is what the Susquehanna River Basin compact is intended to make possible.

There will be development of the basin. It can be, if we do not act to direct it, of the willy-nilly variety. Should we take timely action to join the basin States in the Susquehanna compact, we can insure that there will be "effective and economical direction, supervision, and coordination of water resources efforts and programs of Federal, State, and local governments and of private enterprise to bring the greatest benefits and produce the most efficient service in the public interest.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may be allowed 5 legislative days in which to revise and extend their remarks in connection with the Susquehanna River Basin compact introduced by me today for the Commonwealth of Pennsylvania, by the gentleman from New York (Mr. CELLER) for the State of New York, and by the gentleman from Maryland (Mr. MORTON) for the State of Maryland.

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

There was no objection.

UNJUST GRAZING FEE INCREASE POSES THREAT TO LIVESTOCK INDUSTRY

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

Mr. JOHNSON of California. Mr. Speaker, I rise to call to the attention of my colleagues an action taken earlier this month by the Departments of Agriculture and Interior, which, if permitted to stand unchallenged, will have an extremely disastrous effect upon one of our basic western industries which already is caught in the vice of a cost-price squeeze. I refer to the livestock industry which has suffered from many difficulties over the years, including the adverse effect of heavy imports of meat products, the ever-increasing cost ol labor, increased taxes, and other problems.

Now we have piled upon these other burdens an unwarranted and excessive increase in fees charged by the Federal Government for grazing livestock on public lands.

In the 11 Western States, including California, much of the grazing of livestock takes place on federally owned lands administered by the U.S. Forest Service and the Bureau of Land Management. In my own Second Congressional District, approximately 18 million acres of land are in this category. The grazing areas of the northern and central California area, that I represent, are almost entirely federally owned with some of the counties in my district having only 10 to 20 percent of the land in private ownership, so you can see that, whether we like it or not, we are dependent upon the public lands of the BLM and the Forest Service for grazing our livestock.

It should be emphasized that this grazing of livestock on public lands is in accordance with the congressionally dictated principles of multiple use of these lands and in accordance with sound range management practices. Therefore we must recognize it as a rightful use of our public lands. I emphasize this because arguments presented for increasing grazing fees maintained that this action would force some of the "marginal operators" to give up their permits to the benefit of the public lands. First of all, I challenge the statement that elimination of grazing would benefit the public lands and will discuss this further later but, at this point, I want to stress that it is not the business of the Government to adopt any policy with the intention, implied or stated, of forcing any legitimate businessman into bankruptcy.

It is true many livestock operators caught in the present cost-price squeeze are earning barely more than poverty levels of income. They are working long hours and taking economic risks for a return of $3,000 to $4,000 a year, but for most of them this is the only life they know, this is the life they have grown up with and this is the life and business they will follow until they die unless forced into bankruptcy by some arbitrary Federal act such as the unrealistic increase in grazing fees ordered by the Secretaries of Agriculture and Interior a few days ago.

This action by these two Departments, operating under extreme pressure from the Bureau of the Budget, was not a hasty one but followed one of the most comprehensive surveys ever made by any Federal agency known as the 1966 Western Livestock Grazing Survey. The tragic thing about it is, however, that after this survey was completed, the Federal agencies threw out one of the basic criteria

which, prior to and during exhaustive studies, had been agreed to by the Departments, the Bureau of the Budget, and the industry; namely, the inclusion of the dollar market value of the Federal grazing permit as a production cost. The elimination of this factor, as you can see from the tabulations which I would like to include at this point, is sufficient to destroy the validity of the entire study.

TABLE I.—U.S. FOREST SERVICE—AVERAGE COSTS PER ANIMAL UNIT MONTH FROM GRAZING FEE STUDY[1] (CATTLE)

Items	Average nonfee cost per animal unit month of running livestock on Forest Service lands[2]	Average cost per animal unit month of running livestock on private lands
1. Annual capitalized market value of the grazing permit[3]	$1.52	
2. Private lease rate		$1.86
3. Lost animals	.61	.38
4. Association fees	.19	
5. Veterinarian	.13	.14
6. Moving livestock to and from allotment	.33	.24
7. Herding	.47	.16
8. Salting and feeding	.41	.85
9. Driving to and from allotment	.41	.27
10. Water	.04	.07
11. Horses	.23	.10
12. Fence maintenance	.27	.28
13. Water maintenance	.18	.10
14. Development depreciations	.13	.02
15. Other costs	.17	.12
Total cost per animal unit month	5.09	4.59

[1] Represents all national Forest Service lands in survey.
[2] Represents the average nonfee costs of running livestock on Forest Service lands. The average grazing fee in 1966 was $0.51 per animal unit month for cattle.
[3] Capitalized at 6 percent (the cost of money) and represents the annual capitalized dollar market value of the permit which was, based upon the study, an average of $25.35 per animal unit month on a national basis (regions I–VI). (The computation was as follows: $25.35×6 percent=$1.52/animal unit month.)

TABLE II.—BUREAU OF LAND MANAGEMENT—AVERAGE COSTS PER ANIMAL UNIT MONTH FROM GRAZING FEE STUDY[1] (CATTLE AND SHEEP)

Items	Average nonfee cost per animal unit month of running livestock on BLM lands[2]	Average cost per animal unit month of running livestock on private lands
1. Capitalized grazing permit[3]	$0.87	
2. Private lease rate		$1.82
3. Lost animals	.60	.40
4. Association fees	.04	
5. Veterinarian	.10	.14
6. Moving livestock to and from allotment	.21	.24
7. Herding	.49	.20
8. Salting and feeding	.69	.87
9. Driving to and from allotment	.31	.28
10. Water	.11	.07
11. Horses	.12	.09
12. Fence maintenance	.21	.27
13. Water maintenance	.20	.10
14. Development depreciations	.11	.02
15. Other costs	.14	.13
Total cost per animal unit month	4.20	4.63

[1] Represents all BLM grazing districts.
[2] Represents the average nonfee costs of running livestock on BLM lands. The average grazing fee in 1966 was $0.33 per animal unit month.
[3] Capitalized at 6 percent (cost of money) and represents the annual capitalized dollar market value of the permit which was, based upon the study, an average of $14.41 per animal unit month on a national basis. (The computation was as follows: $14.41×6 percent=$0.87 per animal unit month.

The 1966 Western Livestock Grazing Survey, the results of which are summarized above, was conducted for the purpose of establishing a sound economic basis and equitable comparison of total grazing costs for running cattle and sheep on public versus private lands. The cost criteria that were included in the study were agreed to by the Statistical Reporting Service of the Department of Agriculture, which conducted the study, the Bureau of the Budget, the Bureau of Land Management, and the Forest Service, as well as the range livestock industry.

There were 15 individual public and private cost items included in the study, including the dollar market value of the livestock grazing permit. Over 14,000 individual questionnaires were compiled, 10,000 of which were completed by SRS by securing individual cost records from ranchers in the western part of the United States. A large number of lending institutions also completed questionnaires relative to the dollar market value of the livestock grazing permit. The range livestock industry cooperated with the study in good faith on the basis that an area by area, or region by region comparison of all grazing costs for private and public lands would serve as an equitable and realistic means of establishing the economic value of forage and thereby a reasonable grazing fee level and structure. Without this cooperation, the study could not have been made.

In the case of Federal lands administered by the Forest Service, the 1966 Western Livestock Grazing Survey clearly indicated that by comparing total grazing costs, Forest Service permittees were already paying full economic value for the forage. Therefore, in contrast to the proposed grazing fee increases for Forest Service lands made by the Secretary of Agriculture, no grazing fee increases are justified in 1969 for domestic livestock running on Forest Service lands. Actually, the comprehensive grazing fee study indicated that range livestock permittees are paying more than economic value for forage.

Without the inclusion of the annual capitalized dollar value of the grazing permit in the comparison of total nonfee grazing costs, an equitable and reasonable grazing fee cannot be established. The American National Cattlemen's Association, speaking for the beef cattlemen of the Nation, objects violently to the grazing fee proposal.

I certainly share these views and I believe that the association has stated its position extremely well, and, therefore, Mr. Speaker, I would like to insert the comments filed by the association on three basic factors at issue in this matter:

A. GRAZING FEE PROPOSAL—U.S. FOREST SERVICE LANDS

The grazing permit, since 1905, as administered by the Forest Service, has accumulated value and become a definite cost of doing business for the following reasons:

1. In order for the livestock operator to be granted a grazing permit in the first place, most permittees must have sufficient private land and/or water resources to sustain their livestock while they are not running on federal land . . . the commensurability requirement. This and other requirements by law and regulation have, by necessity, forced the dollar market value of the permit to be capitalized into the total ranch investment structure. As a result, the dollar market value of the grazing permit has been considered over the years to be a non-depreciable asset, like land, and to exist in perpetuity, like most ranches, even though the permit itself has been also continually associated with a high degree of economic risk.

2. In addition to the livestock grazing permit serving as an integral part of the investment structure of the entire ranching operation, it is also considered by the agricultural lending institutions as a key element in determining whether short, intermediate or long term credit will be extended to ranching operations dependent upon the use of federal lands to graze livestock.

3. The average value of the livestock grazing permit, based upon the results of the 1966 Western Livestock Grazing Survey, on Forest Service lands was $25.35 per AUM. This permit value as a specific investment and cost over the years has been recognized by the Department of Defense (i.e. the Engle Act of 1942), the Internal Revenue Service with respect to settling estate matters, the Farmers Home Administration in loaning money to range cattle and sheep operators currently and by the many other agricultural lending institutions throughout the West loaning money to these same range livestock operations.

4. A major portion of the current value of the livestock grazing permit has accumulated and increased in value over the years as a result of the thousands of dollars that many range livestock operators have invested into range improvements of many kinds, both on public and private lands. For a number of years if it were not for the money spent by stockmen on range improvements of all kinds, there would not have been any range improvements if federal funds appropriated for this purpose were cut to zero.

Because range improvements take the form of water development, clearing of brush and noxious weeds, re-seeding of ranges, building and maintaining roads, etc., these range improvements not only add to the productivity and value of the range for livestock grazing, but they also resulted in many reciprocal benefits to the public in general.

As in the case of the private lease rate, the livestock grazing permit also reflects the taxes paid by the livestock operator on private lands.

The dollar market value of the grazing permit also is closely associated with such important factors as: weaning weights, calving percentages, and the general condition and health of the cattle and sheep running on these federal lands. It was understood prior to the time the study was conducted, that these important quality and economic factors could only be reflected through the capitalized dollar value of the grazing permit as an annual cost of doing business. Otherwise, these and similar important costs and value factors would not have been reflected in the study.

5. The matter of security of investment also has had a significant influence on the accumulated value of the permit over the years, since it would not be possible to maintain an economic unit in almost all cases without the availability and use of federal lands for livestock grazing during all or a portion of the year.

B. PUBLIC BENEFITS

1. Range cattle and sheep operators using public lands in connection with their private lands for grazing livestock have over the years provided access to the public lands and thereby making available their private lands for easy and convenient access. Considerable time is spent by typical range livestock permittees in giving direction to hunters, fishermen, and others interested in traversing their private lands to gain access to the public lands. These same people are often provided with water, car and automobile repair, the use of a telephone, meals, etc., at no cost.

The value of the livestock grazing permit

is also affected and very closely related to the multiple-use concept. The average value borne out by the 1966 study of $25.35 per AUM for Forest Service lands would, in most cases, double or triple in value if such a permit gave the range livestock operator exclusive use and control of the federal lands on which his livestock run . . . but, of course, such is not the case.

2. Another specific and significant example of public benefits relates to the large amount of money and many hours spent by representative range livestock permittees in building and maintaining roads on public lands at their own expense, in developing and maintaining water facilities, developing and increasing the quantity and quality of forage, etc. These and other factors not only increased the capability of increasing the quantity and quality of food and fiber for the American people, but also results in substantial public benefits in the form of increased access to both public and private lands, availability of water for human consumption and wildlife, and, of course, increased and improved forage for wildlife, as well as substantially improving upon the watershed and management of the entire federal land.

C. ECONOMIC IMPACT OF GRAZING FEE CHANGES

The new formula for grazing fees will have the following impact on the range livestock and rural communities involved:

1. A net decapitalization or loss in equity in these range cattle and sheep operations from 25% to 50%, including a total loss in the dollar value of the grazing permit which is now capitalized into the total ranching operation.

2. A substantial loss in ranch equity and increased operating expenses resulting from the Grazing Fee formula would force the liquidation of many range livestock operators and place the livestock lending institutions involved in a position of having to make a very critical review of whether they any longer could justify extending short term, intermediate, or long term credit to livestock operations dependent upon the use of federal grazing lands.

3. The government grazing fee proposal would also cause a severe adverse economic impact on the many rural communities throughout the Western United States, who are either totally or largely dependent upon the economic stability and perpetuation of the livestock industry. Such a grazing fee proposal would amount to many millions of dollars lost by many local businesses and governments who are dependent upon a healthy and economically stable livestock industry".

Mr. Speaker, the facts of life are that the industry and government recognize the dollar value of a grazing permit. This has been true for many, many years. Local government collects taxes based on the possessory interest the livestock operator has in the Federal lands as is reflected by the dollar value of the grazing fee permit.

The only reason that I have heard for elimination of this factor from the 1966 grazing fee was a fear that including the value of the permit would recognize a proprietary interest in the public lands. I think, Mr. Speaker, that this response is grasping at straws. The facts of life are that the permits do have value and I do not believe the Federal Government can close its eyes to the fact. Anyway, the mere fact that the cash value of a permit is included in a study of fee structures in no way could be interpreted as giving the permit holder a proprietary interest in the Federal lands.

When the proposed decision was published last November, I opposed the new formulas based on the general philosophy that it was not timely and contrary to the findings of the 1966 study. My views were contained in the following letter dated December 7, 1968, which was directed to the Secretary of Agriculture and the Secretary of the Interior:

DEAR MR. SECRETARY: In recent days, I have had an opportunity to discuss with many members of the livestock industry the proposed increase of grazing fees on National Forests and public lands.

As you are well aware, the increases covering a period of the next ten years amount to approximately 400 percent on public lands under Bureau of Land Management jurisdiction and 200 percent on National Forest lands. I think this is not only excessive but also, in view of the present situation, it is untimely and premature.

As you well know, the Public Land Law Review Commission currently is giving active consideration to all aspects of public land utilization and it had been the wishes of Congress and the appropriate Committees of Congress that fundamental changes in land management such as certainly these adjustments are should be deferred until after the completion of the Public Land Law Review Commission studies. Accordingly, Mr. Secretary, I believe that in order to avoid disruption of this industry which is basic to our economy, we should defer implementation of these proposed adjustments until the Public Land Law Review Commission completes its work.

Frankly, I do not believe there is any urgency to these proposed changes which would preclude this deferment. However, if you are convinced there is such an urgency that these changes cannot wait for the recommendations of the Public Land Law Review Commission and Congressional consideration of these recommendations, we should at least wait until the appropriate Committees of Congress can hold hearings on these proposals early next year. I have requested that such hearings be held.

This delay, until at least the opening of the 91st Congress, is especially important at this time in view of the fact that we are on the eve of a new Administration.

In view of the allegations which have been raised since November 15th that the suggested adjustments are contrary to the facts revealed in the 1966–67 grazing fee study and survey, the new Administration and the 91st Congress must have an opportunity to evaluate the recommendations published by your agency last month.

Sincerely yours,

HAROLD T. (BIZZ) JOHNSON,
Member of Congress.

I still feel very strongly that the Congress of the United States, the Public Land Law Review Commisison and a new administration inaugurated January 20 should have an opportunity to review the situation prior to the implementation of the new fee structure. But no, Mr. Speaker, the two Secretaries, with a scant 6 days left in office, took this action which could destroy a major segment of the livestock industry.

Mr. Speaker, the livestock industry in no way wants to shirk its responsibilities and is willing to pay a reasonable fee to use the Federal lands. I should note that grazing fees paid to the Forest Service alone during 1967 totaled $4,183,348.

It is cruel and unjust that the basic criteria agreed to by all concerned, including the Federal agencies, prior to the start of the study should be eliminated arbitrarily in the final hours of decision. The livestock industry acted in good faith, the Federal agencies failed to respond in kind.

It is my hope that Congress and the appropriate committees in the House of Representatives and the U.S. Senate will conduct a thorough investigation of this entire matter as soon as possible for I feel a gross injustice has been perpetrated and it must be corrected immediately.

NEW OIL DRILLING REGULATIONS ARE QUESTIONABLE

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

Mr. BROWN of California. Mr. Speaker, two articles in this morning's Washington Post justify the fears I voiced yesterday about the dangers of more oil pollution problems occurring off our coastlines. I insert the two articles in the RECORD at this point:

POLLUTION HEADS SHOREWARD

(By Robert C. Jensen)

Secretary of the Interior Walter J. Hickel ordered his Department engineers yesterday to draft new and tighter drilling regulations aimed at preventing oil slick disasters like the one that is endangering Southern California beaches.

At the same time Hickel ordered a thorough review of the Department's regulations governing the leasing of lands on the Outer Continental Shelf. Such a review would take into consideration the protest of conservationists who argue that such oil leases should never be granted.

"The regulations have not been reviewed for the most part for some 15 years," Hickel said. "I am making every possible effort to update the procedures in order to meet today's advanced technological drilling methods."

In the meantime a change in winds brought the huge oil slick within two miles of the beaches near Santa Barbara in Ventura County.

The oil slick, which is fed by a 1000-gallon-an-hour gusher from a well in the Santa Barbara Channel, measures about 10 by 20 miles. This is an area only slightly less than three times as large as the District of Columbia.

The Union Oil Co. said that progress was being made in stemming the flow from the leaking well. A valve was opened about 700 feet below the ocean floor. This made it possible to force mud into the defective well to stop the leak.

The tighter drilling regulations ordered by Hickel are already in effect in the Santa Barbara Channel. They were worked out Monday night with Interior Department and oil company engineers after Hickel's inspection trip.

The new regulations call for more frequent testing of blowout prevention devices, more rigid procedures on drilling mud, and the installation of additional casing where required.

Humble Oil Co., the largest leaseholder in the Santa Barbara Channel, resumed drilling yesterday. It was reported to have been following these regulations before the disaster. The other oil companies were given permission to resume drilling, which had been halted temporarily after Hickel's visit.

Hickel believes that Union Oil was following Interior Department regulations and was not negligent in connection with the leak that began last Tuesday when an undersea geyser erupted while a drill bit was being changed.

The fault lay in the old regulations, Hickel said.

This view was challenged by the conservationist Sierra Club. It demanded the appointment of an independent board of inquiry.

"The public is entitled to know what building codes have not been enforced on oil platform construction, what research has been conducted on drilling in a high risk earthquake area and what caused the failure of the Union Oil operation," a Sierra Club spokesman said.

The air and water pollution subcommittee of the Senate Public Works Committee is continuing its hearings today. Asked to appear are Fred Hartley, president of Union Oil; George Clyde, supervisor of Santa Barbara County, and spokesmen from the American Petroleum Institute.

The oil slick has been held back from the beaches by offshore winds. But those winds calmed yesterday and the tides and currents carried the slick closer to land.

The slick surrounded Anacapa Island, a rocky and barren national monument and game preserve 20 miles off the Ventura County coast. Hundreds of seals that use the island as a refuge were imperiled. A few miles away, a portion of uninhabited Santa Cruz Island was awash with oil.

Conservationists report that thousands of sea gulls and other shore birds have perished in the oil. They also fear that many of the seals on Anacapa Island will die when they venture into the contaminated water for food.

LEASES PROFITABLE TO UNITED STATES

(By Spencer Rich)

Offshore oil and gas leases are big business for the United States Government—very big business.

Last year they brought in $1.6 billion in rentals, royalties and bonus payments. The amount almost certainly will increase as new techniques are developed for taking minerals from underwater areas on the Continental Shelf.

The Federal leasing system has come in for new scrutiny in the past week because the giant oil slick threatening the California coast is coming from the site of an oil rig that Union Oil Co. put up on offshore lands leased from the Federal Government.

The company obtained the lease under the system of bonus bidding that applies for all offshore holdings of the United States on the Continental Shelf. Union Oil bid $61,418,000 and walked away with a lease for 5,400 acres of underwater land.

The Federal Government keeps the amount bid as a bonus. In addition, Union must pay $3-an-acre rental fee per year, and a royalty, when the well starts producing, equal to 16⅔ per cent of the production of the well.

The successful Union bid, on Feb. 6, 1968, involved one of 71 parcels totalling 363,181 acres off the California coast to which oil companies obtained leases. From the winning bids on the 71 leases, the Government realized $602.7 million in bonuses.

Later in the year, 110 offshore leases along the Texas coast went for $595.9 million, and 16 leases off Louisiana for $149.9 million in bonuses. In each case rentals and eventually royalties also are payable.

The revenues from the off-shore leases all go to the Federal Government. This differs from the revenues received for oil and gas leases on the public land areas of the United States, where a similar leasing system applies (though without bids in certain areas and with only a 12½ per cent royalty). Revenues from the land areas go 10 per cent to the Treasury, 37½ per cent to the states of location and 52½ per cent to help finance reclamation projects.

Revenues from the off-shore leases—because of the giant bonus bids paid by oil companies in recent years—are vastly greater than for the dry land areas. While the offshore total in 1968 was just under $1.6 billion, the total for land areas was less than $150 million. About 12 or 13 per cent of all U.S. oil and gas production comes from Government-leased areas.

The Federal offshore leasing system applies only to underwater areas reserved for Federal jurisdiction by Congressional action in 1953. Two bills passed that year gave the states control over the immediate offshore ("tidelands") areas—going out to three miles or somewhat further—and reserved everything beyond that for the Federal Government. The states have their own leasing and revenue systems for the "tidelands" areas.

In the Federal leases, drillers must agree to curb oil spillage and pollution and use safe methods.

By last September there were 996 offshore leases covering 4.3 million acres, but probably no more than half had producing wells. Of the total, 778 leases were off Louisiana, 135 off Texas, 72 off California, 8 off Oregon and 3 off Washington.

There are no leases off the East Coast, although several companies have engaged in exploratory work there.

While it is heartening—even though it is tragically ex post facto—to see Interior Secretary Hickel pressing for strict drilling regulations, I can find no reason whatsoever to rationalize the decision made which allows the oil companies to resume their drilling operations. As I said yesterday, a temporary-voluntary restraint is wholely inadequate.

The drilling halt must be continued. I wonder how stringent are the new regulations which are permitting the large oil companies to start drilling again. Do we know the probability of another eruption?

At this point it appears the regulations will only be as strong as the oil industry lets them be. The Interior Department should take a firm position, and if the Department is unwilling to make such a decision itself, it should be Congress' job to do so. Again, I urge Secretary Hickel to declare a 1-year moratorium on all offshore drilling operations until a series of rigid guidelines can be established.

THE HORROR STORY OF THE 20TH CENTURY

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

Mr. JOELSON. Mr. Speaker, a report recently issued by the U.S. Arms Control and Disarmament Agency covering world military expenditures for the years 1966 and 1967 is the horror story of the 20th century. Although the statistics contained in the report may be dry reading, the awful facts underlying them have a shattering and frightening impact.

The report indicates that global expenditures for military purposes have reached a new record high level. From $132 billion in 1964, they rose to $138 billion in 1965, $159 billion in 1966, and an estimated $182 billion in 1967. There is no indication that the increase will be arrested, and we are coming dangerously close to the $200 billion mark.

It is easy to talk freely about $1 billion but we must keep in mind that a billion still contains 1,000 million. In view of the staggering billions of dollars expended throughout the world for the arms race, it is difficult to comprehend why any Member of Congress would want to deny to the Arms Control and Disarmament Agency their annual appropriation of approximately $9 million for their tasks of slowing down the race.

The report discloses that worldwide military expenditures take more than 7 percent of the world's gross product. This is found to be more than 40 percent greater than worldwide expenditures on public education by all levels of Government, and more than three times the world expenditures on public health. The average annual expenditure per soldier around the world is $7,800. The average annual expenditures for the people in the world between the age of 5 and 19 for public education is $100 a year. Public outlays for health care average far less than $50 per person annually.

The report of the U.S. Arms Control and Disarmament Agency also discloses that throughout the world, more than 20 million people are on active duty in armed forces, and well over 30 million more persons are engaged in the business of equipping and supplying these armed forces.

I think it is a sign of our times that the disclosures of the report have not received banner headlines. Evidently our era is so inured to slaughter that these shocking facts are not considered newsworthy. I believe that it is our particular challenge to be disturbed and concerned about the diversion of our wealth, our talent, and our manpower from peaceful constructive pursuits to bloodshed and destruction.

TO PUT AN END TO AIRCRAFT HIJACKING

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

Mr. FASCELL. Mr. Speaker, yesterday's newspapers carried the account of two more attempted hijackings of American commercial aircraft—the 13th and 14th this year.

This brings the total of hijackings perpetuated during the past 5 years to 54.

Mr. Speaker, the continuation of this situation is intolerable. Hundreds, even thousands of lives are being endangered by the irresponsible actions of a handful of individuals who find their "one moment of glory," or their escape from reality, in the act of hijacking our aircraft.

As the ranking member of the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs, I have endeavored to do everything possible to remedy this situation.

Our subcommittee has conferred with Government and airline industry officials, held hearings, explored and urged various ways of discouraging hijackers from committing their foolhardy acts.

Judging from an expert analysis of the apparent emotional and psychological make-up of the bulk of the hijackers, there is little that will dissuade them from commiting these crimes short of just and stiff punishment; and in order to receive such punishment, they have to be returned to the country whose aircraft has been hijacked.

This, apparently, is the only thing that will work.

Mr. Speaker, since the Castro regime in Cuba, the haven of all the hijackers, has shown no evidence of willingness to bring an end to these acts of air piracy, some effective pressure will have to be exerted to change the present situation.

I am today introducing a resolution which could produce the change we all desire.

This could be done by achieving international consensus to suspend all air travel to and from, and the extension of landing and other air services to, any country which fails to return a hijacked plane, its crew and passengers, and the hijacker or hijackers, to the country in which the hijacked plane is registered.

Three separate steps are outlined in my resolution to accomplish this objective.

First, the President of the United States would be urged to use moral suasion on the countries whose airlines travel to and from Cuba, and those countries which extend landing and other service privileges to Cuban aircraft;

Second, the President would evidence the readiness of the U.S. Government to enter into formal international arrangements providing for the prompt return of hijacked aircraft, their crews and passengers, and the hijackers; and

Third, the U.S. Government would attempt to prevail on the International Civil Aviation Organization, a prestigious international body associated with the United Nations, to sponsor a protocol to the Tokyo convention, aimed specifically at hijackers.

I hope, Mr. Speaker, that the House will adopt my resolution promptly, thus conveying to the President an expression of our concern and suggestions for remedying the present situation.

FORMATION OF UNITED TRANSPORTATION UNION

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

Mr. ANDERSON of Tennessee. Mr. Speaker, there occurred on New Year's Day an event of major importance in the conduct of our Nation's economic life. It was an act of solid progress, trust, and rational brotherhood. Because the news media gave sparse attention to the event, I would like to take this opportunity to commend to the attention of every Member of this House the formation of the United Transportation Union, AFL–CIO.

The creation of the UTU means that more than 80 percent of the men who operate the Nations' trains are now organized under a democratic, unified leadership. There is now one great voice, one strategic leadership, where there were previously four smaller, proudly independent, but frankly less effective railway trade unions.

The new strength and unity realized by the multiracial UTU has long been urged by responsible leaders in the highest echelons of Government and industry. All have sought a single, effective voice for railway safety, for unified productive bargaining, for fewer labor disputes, for fairer and more substantial worker benefits, and for reduced interunion rivalry and jurisdictional conflict which profits no one.

Mr. Speaker, in the creation of the United Transportation Union, I see solid gain for this Nation—for the workers, for management, for the Government, for the hundreds of millions of customers and passengers of the great American rail system. It is in every way appropriate that we recognize and warmly commend this powerful new organization, and salute the four operating railroad unions which respectively took the long view and swallowed a century of proud rivalry to form the UTU.

No one should suppose that the creation of the UTU was a simple transformation accomplished by the stroke of a pen, high in an executive suite far from the noise and sweat of the rail yards. This was hammered out in the way of American labor, man to man in every local, in every shop and yard. Never in the history of this country have four unions consummated a merger. And no four unions had prouder traditions or a more intense rivalry, inevitable among organizations whose jurisdictions overlap.

But when the chips were really down, when the interests of their members, their industry, and their Nation dictated that the railway unions dissolve their separate identities and act as a single organization, they did precisely that.

To list the four is to conjure up the specter of the hard, dangerous years of American labor in its infancy.

Consider the Brotherhood of Firemen and Enginemen, the union of Eugene Debbs, founded in 1877; the Switchmen's Union of North America, founded in 1886, the first railroad operating union affiliated with the American Federation of Labor, founder and owner of Labor Newspaper and the Union Labor Life Insurance Co.; the Order of Railway Conductors and Brakemen, at the one century mark, the oldest of all, and the union of T. J. "Tommie" Wright; and the Brotherhood of Railroad Trainmen, founded in 1883 to become the largest of the railroad workers unions. Its president, Charles Luna, is now the president of the United Transportation Union.

These were among the first names in American unionism. These were the unions that fought for the most basic right of workers in this country to join unions. These were the unions that hoisted their picket signs as the only shields they had against rifle fire. They banded together for simple things, like the collection of funds to let railroad widows bury their dead who had worked in an industry "so dangerous that no insurance company would cover its workers."

Later, when the American Federation of Labor and the Congress of Industrial Organizations came into being, they had a cornerstone to build on, a cornerstone laid by railroad labor.

Let these names be enshrined in the cornerstone of this Republic. At the end of this statement I have included a brief history of the four great unions which formally ceased to exist on January 1, 1969, but which will live on, stronger than ever, with the United Transportation Union.

Many commentators and analysts, both American and foreign, have noted with excitement a number of major changes in U.S. economic structure and practice within the past decade. Most often cited are fast spreading automation and cybernation along with their revolutionizing effects; the thick interaction between the academic and business communities; the trend toward corporate diversification and conglomerate mergers. The formation of the UTU represents a vigorous, realistic response by a leading part of the labor sector to these fresh conditions of the late 20th century. In short, the railroad trades have given notice that they will not be outflanked or underorganized in securing full participation in the economic progress of our time. This augers well for the transportation industry, for the labor movement, and for the Nation.

I believe that Americans will note with appreciation and hope the brief statement of principles which was adopted by the four merging operating railroad unions. The very capable president of the strong new UTU has amplified that statement of principles in his own excellent summation.

If these statements have meaning—and I have no doubt they do—the American public will at last have a powerful voice in the railroad industry. This is only fitting when it is realized how very much public treasure and sacrifice went into the building of our magnificent system of rails.

Two points stand out clearly in the UTU merger statements—the need for rail safety and the clear need to bring our railroads back into the passenger business. The public voice has been heard on both these issues and now it has a powerful supporter in the UTU.

To the members of UTU, we can say: Know the principles on which you were founded. Fight for those principles because your Nation needs them. We salute a great new union, as old as American unionism itself and yet as new as today—the United Transportation Union—and its first president, Charles Luna.

TEXT OF JOINT STATEMENT BY PRESIDENTS OF THE FOUR UNIFYING ORGANIZATIONS: CHARLES LUNA (BRT), H. E. GILBERT (BLF&E), C. F. LANE (ORC&B) AND N. P. SPEIRS (SUNA)

We have united to improve our strength as a union, and as individuals.

This shrinking industry no longer makes it possible for the traditional individual unions to meet the demands of the times.

We have united to save our energy for constructive purposes—to end the battle of craft against craft; working man against working man.

We have united to bring the combined strength of operating men together to find better transportation through legislation and negotiation.

We have united to provide a way, a medium, and an organization for transportation workers to join and find common solutions to the problems of the working man, the public, and the industry in this field of transportation.

We invite cooperation, a joint effort and

consolidation with other railroad unions, and other transportation unions.

EXTENSION OF REMARKS CONCERNING FOUNDING PRINCIPLES OF THE UNITED TRANSPORTATION UNION—TEXT OF PRESIDENT CHARLES LUNA'S STATEMENT

By this move of unification we expect to strengthen each craft within the industry, and to give each man in the industry additional strength. Particularly this move should make more effective an individual and his organization in the operating end of the railroad business.

We will now be able to apply our united strength to problems, not only the problems of our members but also of our industry.

We plan to formulate public opinions, to recommend public laws which will benefit this nation and its people in the light of economic and social needs of today.

We feel this move will enable the railroad man to enjoy a good income and to have self respect in his industry. We need a good growing industry, and we intend to devote ourselves to that end.

We already are initiating research on the matters of safety and the mass transportation law.

Safety has been declining on the railroad. We feel it is due to the computerization of railroading—management has taken men out of the railroading industry and replaced them with a non-human response of punched cards and the unfeeling control of machines.

We want the human factor returned to railroading.

We are preparing for the next Congress a broad mass transportation bill aimed at the basic problems of transportation, which we feel underlie many of the problems facing the urban areas of this nation.

Many of the innercities' problems stem from poor transportation in the major population corridors, and we hope to attack this problem through our proposed bill.

We also want innovation in the industry. We want the railroads of this nation to begin thinking a little bit ahead of time, so that they are ready for changing industry and economy when it comes, not have to follow in the wake of other modes of transportation.

They have followed the old ways too long. Just because the tracks lie still and never move is no reason to turn the industry into stagnation.

This is an expanding nation and economy. We want our industry to lead in this expansion.

We also look for ways and means to cooperate with and extend the influence of the transportation employee of this nation in all modes of transportation. We certainly hope to cooperate in a broad way with other transportation unions especially in political and social areas.

A BRIEF HISTORY OF THE FOUR UNIONS FORMING UNITED TRANSPORTATION UNION

BROTHERHOOD OF RAILROAD TRAINMEN

In 1883: The Brotherhood of Railroad Trainmen is organized. Railworkers' wages average a little more than $1 a day. One third of the nation's railroad brakemen killed or maimed that year. An estimated 70% of all train crews could expect injury within five years of service.

In 1885: The Insurance Department of BRT comes into existence. Death benefits increased to $600. Membership of the Brotherhood reaches 4,500.

In 1887: Main objectives of the Trainmen stated in the union publication: "Railway managers and superintendents recognize in the Brotherhood a school for the mental, moral and physical improvement of its members, and consequently a better and more desirable class of men, who can be depended upon at all times, and into whose care and watchfulness thousands of lives and millions of dollars worth of property can be safely entrusted."

In 1889: The BRT, in conjunction with the Brotherhood of Locomotive Firemen, enlisted the support of the Hon. L. S. Coffin, a former Railroad Commissioner of Iowa, to take their struggle for better working conditions before Washington lawmakers. Membership base expanded to include railroad workers in more than 14 different trade classifications.

In 1933: Interstate bus operators were organized by BRT. (The BRT had 11,000 bus operators under 101 contracts held with U.S. bus companies).

In 1956: The Brotherhood of Railroad Trainmen reaches its all-time membership peak of 217,176. A decline since then to about 200,000 reflects declining employment on the nation's railroads.

In 1968: BRT president Charles Luna is named president of United Transportation Union.

BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN

In 1873: Lodge No. 1 of the Brotherhood of Locomotive Firemen was organized by Joshua Leach and 10 Erie Railroad firemen at Port Jervis, New York.

From 1877–80: BLF headquarters moved to Indianapolis. Major railroad strikes, a railroad management drive against BLF, and widespread unemployment causes setback in BLF growth.

In 1881: Eugene V. Debs elected general secretary-treasurer and Magazine editor.

From 1882–92: Rapid growth period of BLF. By the 16th Convention at Cincinnati, Ohio, in 1892, 480 lodges, representing 26,000 members.

In 1893: Eugene V. Debs departs BLF to form The American Railway Union.

In 1906: BLF name changed to Brotherhood of Locomotive Firemen and Enginemen.

In 1912: The first federal arbitration board appointed under the "Erdman Act" to settle a dispute over wages and working conditions is considered to have favored management and is a bitter disappointment to the BLF&E and locomotive firemen and enginemen.

From 1916–19: "United We Stand" is the rallying call of all train service unions in an all-out fight for the eight-hour day.

From 1934–38: BLF&E fights for mechanical stokers, power reverse gears and Railroad Retirement Act. The latter is signed into law by President Franklin D. Roosevelt on June 27, 1934.

From 1941–51: BLF&E diesel electric movement gains wage boosts and equal rates for firemen-helpers on diesel locomotives in the United States. Three BLF&E wage movements in these years bring higher rates of pay to locomotive enginemen.

From 1956–58: Diesel helper disputes with the Canadian Pacific and Canadian National Railways result in BLF&E strikes and "Royal Kellock Commission" hearings. Kellock decision to eliminate many locomotive firemen on freight and yard jobs welcomed by railroad management and upheld by Canadian government. BLF&E monthly and annual Safety Award Program inaugurated.

In 1962: U.S. railroads follow pattern of Canadian fireman-helper fight. Huge carrier propaganda campaign initiated against all railroad employes—particularly firemen and brakemen. BLF&E strikes over fireman issue. President H. E. Gilbert and the Brotherhood hit with contempt-of-court fines and threats of jail sentences. Some BLF&E officers in Southeast jailed. Dispute ends in the two-year Arbitration Award 282 which removes firemen-helpers from many freight and yard jobs.

In 1966: U.S. Department of Labor recognizes BLF&E's Apprenticeship Program. Congress acts to correct grievance machinery of NRAB; passes HR–706, permitting the establishment of special adjustment boards to decide on huge docket of cases.

In 1968: ORC&B, BART, SUNA, and BLF&E initiate unity plans. Ten-man committees meet in Hot Springs, Arkansas. Unity Agreement and Constitution forged. Governing bodies ratify. Members vote. BLF&E membership votes overwhelmingly to join other unions in formation of the United Transportation Union.

ORDER OF RAILWAY CONDUCTORS AND BRAKEMEN

In 1868: T. J. "Tommie" Wright organizes small band of Illinois Central conductors into the first "Conductors' Union," known as Division No. 1 Conductor's Brotherhood. Though founded initially as a fraternal group, the men quickly realize their most important common problem is being grossly underpaid.

First International Convention held in Columbus, Ohio, with conductors attending from all over the United States.

In 1878: At its convention, Brotherhood adopts the name "Order of Railway Conductors of America." Secretary-treasurer named at this convention is a resident of Cedar Rapids, Iowa, and he keeps his records at his home. Cedar Rapids later chosen as permanent home of the Grand Division and its officers.

In 1890: Order adopts a strike clause and begins militant policy of fighting for wages, hours, rules, safety and other issues.

In 1907: Thirty-nine years after Tommie Wright had first gathered his little band of pioneers, the ORC and other railroad labor prevailed upon Congress to pass legislation limiting the hours a railroader could work to 16 out of 24.

In 1942: The Order of Sleeping Car Conductors amalgamated with the ORC.

In 1954: Grand Division takes action changing name to the Order of Railway Conductors and Brakemen. The Order has been accepting brakemen as members for 20 years.

In 1965: On June 25 five years of bitter struggle that began with a multi-million dollar advertising campaign by the carriers in which they called their employes "featherbedders" climaxed with a settlement which maintains the roadman's dual basis of pay (100 miles or eight hours). In addition, paid holidays and expenses away from home won for road employes.

SWITCHMEN'S UNION OF NORTH AMERICA

In 1870: Switchmen employed on the railroads around Chicago, work twelve hours a day every day in the month for $50. Realizing their helplessness in bargaining with employers on an individual basis, switchmen band together in an organization of their own in the Chicago yards.

In 1886: As the need for a national organization became evident, switchmen meet in Chicago, to form the Switchmen's Mutual Aid Association of the United States of America, forerunner of SUNA.

From 1888–94: Lockout on the Chicago North Western Railroad, and disastrous strike on the Chicago Burlington and Quincy, bring on untimely death of the Switchmen's Mutual Aid Association. On October 23, 1894, locals of switchmen meet in Kansas City, Missouri, to establish Switchmen's Union of North America.

From 1906–35: Switchmen's Union affiliates with the American Federation of Labor in 1906, and for almost fifty years is the only railroad operating union affiliated with the AFL. SUNA is a charter member of the Railway Labor Executives' Association after joining RLEA in 1926. SUNA becomes a founder and owner of *Labor Newspaper* as well as the Union Labor Life Insurance Company. SUNA affiliates with the Canadian Labor Congress in 1935.

From 1935–68: The Switchmen's Union, organized along craft lines to improve the wages and working conditions of switchmen, has a long history of militant action against

the excesses of railroad management and a tradition of joining with others to protect and advance the economic and political rights of all workers.

THE GREAT PLAINS CONSERVATION PROGRAM

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

Mr. KLEPPE. Mr. Speaker, early in this session I introduced legislation to extend the Great Plains conservation program for an additional 10 years. I joined with the gentleman from Montana (Mr. BATTIN) and 16 other Republican House Members in sponsoring H.R. 2062. This bill authorizes an increase from $150 million to $250 million in program funds and extends the act to December 31, 1981. The current authority for the Great Plains conservation program expires on December 31, 1971.

A great beginning has been made under this program, but the job is far from complete. More than 31,500 farmers and ranchers have entered into long-term conservation commitments involving 57,279,220 acres.

For North Dakota alone, 3,488 producers have signed contracts covering 4,674,119 acres. This involves cost-share obligations of $7,334,739 in 30 North Dakota counties and more than $110 million nationally. All of North Dakota's west district counties, except Wells, are included in the program, together with Stutsman County in the east district.

Created by Congress in 1956, the Great Plains program was designed to assist farmers and ranchers in applying conservation programs to entire units. Special emphasis is placed upon converting land unsuitable for sustained crop production to permanent grass.

The critical conservation needs of the program areas in the 10 Great Plains States cannot be met by the end of 1971. The authority should be extended another 10 years, with adequate financing, to help meet the problems of protracted drought which undoubtedly will arise in the future as they have in the past.

Mr. Speaker, this is a program of proven value that must be continued. Under this program, local, State, and Federal interests have worked together in the development and conservation of natural resources for the maximum benefit of the American people. I urge passage of H.R. 2062 so that this effort may continue.

THE LATE RALPH McGILL

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

Mr. CONTE. Mr. Speaker, on February 4, 1969, Ralph McGill, publisher of the Atlanta Constitution, was silenced by a fatal heart attack. Where abuse and threats of violence had failed, death succeeded in stilling the courageous voice of the Pulitzer Prize-winning journalist.

In an era when "Southern liberal" seemed to be a contradiction in terms, Ralph McGill stood forth as an example of dedicated humanitarianism and sincere conviction.

"I've never struck my flag," he said, and his banner became a rallying point for concerned Americans. For black and white, for young and old, his moral indignation became the clear expression of their own ideal of human justice.

In 1958, Ralph McGill received the Pulitzer Prize for "long, courageous and effective editorial leadership." He was awarded the Presidential Medal of Freedom in 1964. These, however, are but small measures of the man: a man who earned the admiration and fervent support of his well-wishers, and even the grudging respect of his most committed enemies; a man whom it was my pleasure and privilege to know.

If we congratulate ourselves on the civil rights advances of the past decade, we cannot afford to forget the hatred and calumny incurred by the honesty of Ralph McGill. He helped show us the path to human dignity.

Let us not, lacking his eloquent prod, falter in our progress toward racial equality. Instead, let us rededicate ourselves, in memory of Ralph McGill, to completing the work for which he labored so long.

There is time, now, to honor the memory of a great man. Serious reflection on the principles and character of Ralph McGill will but intensify the flame of moral commitment he strove so diligently to kindle.

Ralph McGill's example forcefully contradicts the contentions of those who cry that the fire of moral fervor must give way to the flames of destruction. The accomplishments of Ralph McGill prove the efficacy of nonviolent social change.

While so many today rattle swords, I mourn the loss of one who triumphed so eloquently with the pen, Ralph McGill.

RUTH AND JOHN RACHETTO

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

Mr. BERRY. Mr. Speaker, I am today introducing a private bill to provide for the sale of 327.64 acres of land to Ruth Rachetto and her brother-in-law, John Rachetto. This is land upon which there was a mining claim, which was foreclosed by the Department for the reason that it was not being worked as a mining claim and no action was ever taken to prove it up.

The facts are briefly these: 51 years ago an attorney, the highly respected county judge of Lawrence County, sold to the father of John and Frank Rachetto the 327.64 acres described in the bill. He gave the elder Rachetto a quitclaim deed which the Rachettos thought, down through the years, was a good title. They did not know until foreclosure proceedings were started that there had never been a patent issued on the land and the only claim they had was a mineral claim.

The land is located some 3 or 4 miles from Deadwood, S. Dak., and is, of course, mountainous. But there is on this half section about 70 acres of good productive soil. In the 50 years the Rachettos owned the land, or thought they owned the land, they cut the timber, grubbed out the stumps, hauled the rock, and generally plowed the tillable land with a walking plow. Through the years they were able to put these 70 acres under cultivation and into alfalfa. Today the bulk of this 70 acres is as good as any alfalfa field in the State of South Dakota, primarily because of the husband-like manner in which this land was cared for. The Rachettos had a dairy farm; year after year the manure was spread upon the land and made extra productive because of this husband-like treatment. They took this good care of the land because they thought it belonged to them. They thought they were building it up for their own use and benefit and they thought they were enhancing the value by many hours of labor, sweat, and the backaches they put into it.

It was not until 3 or 4 years ago when the Department of the Interior started foreclosure proceedings that the Rachettos discovered they did not have good title to the property upon which they had put so much hard work and effort.

The Rachettos were permitted to buy back 5 acres of land upon which the buildings are located, but during these troublesome years Frank Rachetto was dying of cancer, so Ruth, as well as John, suffered additional mental anguish.

The bill which I am introducing would simply give to these people the right to purchase these 327.64 acres which is actually completely surrounded by deeded land and which has proven to be very difficult for the Department to handle. It would give them an opportunity to purchase their land at an appraised price. This would let them have what they thought they had down through the years and at the same time, relieve the Federal Government of the burden of trying to handle the property. Both the taxpayers and the Rachettos will be better off if this legislation is passed.

WIDOW'S EQUITY BILL

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

Mr. GUBSER. Mr. Speaker, today I am introducing legislation which would make it possible for career servicemen to provide for their surviving spouses in the same manner which is possible for those who retire from the civil service.

My bill will probably be referred to as the "Widow's Equity Bill" and I am hopeful that it will be enacted into law at this session.

This is the year in which we will take concrete and definite steps in the direction of eliminating military conscription as a means of providing the manpower our military services require. To do this we must make a career in the service attractive.

Certainly there is no area which is more meaningful to the American family man than providing for the security of his widow. There is little doubt that this is a principal reason why a service career has been so unattractive that we are forced to employ the draft.

In recent years this legislative body has taken giant steps in passing legislation to reward the personnel of our Armed Forces for their services and dedication to the preservation of our Nation and the safety of the free world. Our prime motivation in passing these beneficial laws has been to assure that the men and women of our fighting forces have a standard of living equal to that which they are defending.

We are constantly striving for comparability of wages and benefits among all of our Federal employees. One by one, we are abolishing the inequities of employment compensation existing between the military and Federal civilian work force.

Aside from the obvious imbalances in actual pay existing between military personnel and their Federal civilian counterparts, the most glaring and most easily discernible difference existing is that affecting the right of military retirees who die of non-service-connected disabilities to provide their survivors with a meaningful annuity.

Among all career Federal employees, only the military retiree has no adequate and equitable system available under which he can provide properly for the dependents who survive his death from a cause which is not service connected.

Despite the fact that the military man, along with his family, endures the hardships and deprivations of a military career, contributes to his retired pay by subsisting on depressed wages for the major portion of his adult life, once he retires and dies of a non-service-connected cause, his retired pay ceases and his widow and children do not receive one red cent of the retired pay to which he was entitled.

In striking contrast, every other Federal retiree may leave his widow and children at least 55 percent of the retired pay he was receiving at the time of his demise, no matter what the cause of death.

In 1953 with the passage of Public Law 83-239—the Uniformed Services Contingency Option Act—the Congress endeavored to answer the military man's need for an equitable survivor annuity plan. At the time of its enactment great hopes were held for the plan. We were assured that it would meet the needs of the military retiree. Experience has proven that it provides neither the required coverage nor the degree of comparability to other Federal employee survivor annuity plans that military men should be able to expect.

The provisions of the original law were so restrictive that it has been amended seven times in 15 years; including changing its name to the "Retired Serviceman's Family Protection Plan"—RSFPP— in an effort to make it more acceptable to potential participants.

Each amendment liberalized the law in hopes of gaining participation by those eligible. However, the truth of the matter is that by the end of fiscal year 1969 the participation will have increased by a mere 8 percent to the low participation rate of less than 15 percent of all eligible military retirees.

The table below, based on Department of Defense statistics, presents the true figures on participation and clearly demonstrates the failure of the Retired Serviceman's Family Protection Plan to achieve its goal. Only 22 percent of all retired commissioned officers and less than 11 percent of all enlisted retirees are in the program.

ESTIMATED RETIREES PARTICIPATING IN RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN FISCAL YEAR 1969 [1]

	Total retirees	RSFPP participants	Percentage of participation
Commissioned retirees	247,230	54,815	22.17
Enlisted retirees	452,272	48,561	10.73
Additional participants [2]		1,164	
Grand total	699,502	104,540	14.94

Total survivors receiving RSFPP annuities, 7,435.

[1] Department of Defense figures. They do not reflect any withdrawals from the plan under Public Law 90-485.
[2] These are retired personnel who pay RSFPP premiums by cash due to waiving military retired pay because of VA benefits or retiring under civil service laws.

Obviously, the program is not meeting the needs of those who have the greatest need for an equitable survivor annuity program—the enlisted retirees.

The military retiree's main objections to the retired serviceman's family protection plan are its high cost and complex provisions which defy simple explanation so that the program can be easily understood by participants.

During the legislative hearing on amendments to the program in the 90th Congress, Brig. Gen. William W. Berg, USAF, then Deputy Assistant Secretary of Defense for Manpower, testifying for the Department of Defense, stated:

> If H.R. 12323 is enacted, we intend to make a considerable effort to bring the liberalized benefits of the program to the attention of all our people.

Thus, it was conceded that the Department of Defense had a huge selling job on its hands to convince the retirees the plan is worthy of their consideration.

The cost of the retired serviceman's family protection plan is borne entirely by the participating members with the exception of minimal administrative operational costs which are borne by the Government. The cost to the participating member is based upon: the options elected, the percentage of his retirement pay which he elects to leave his surviving dependents—under the law this amount cannot exceed one-half of his reduced retirement pay—and his age at the time of retirement as well as the age of his spouse or youngest child.

An analysis of costs to the participants of the military and the civil service survivor annuity programs quickly shows the basic inequity between the two. The chart below shows that the enlisted military retiree pays 2½ to 5½ times as much for his survivor annuity. The same is true for the commissioned officer retiree.

Grade	Years of service	Age at retirement	Survivor's annuity payable (monthly)	Military deductions (options 1 and 4 at ½)	Civil service deduction for the same annuity
E-5	20	40	$64.43	$11.14	$2.93
E-6	24	44	89.82	18.37	4.08
E-7	30	50	149.45	38.61	6.79

Compare, if you will the complex RSFPP with its maze of provisions and restrictions to the simple, equitable, and practical program that civil service employees have. At the time of retirement the civil service employee can elect the amount on which to base his survivor annuity. He may choose his full retired pay as a base if he desires. His retired pay is then reduced by 2½ percent of the first $3,600 of the base he elected and 10 percent of any amount above the first $3,600 elected. His surviving dependent will then receive 55 percent of the gross amount he elected as the base. It is as simple as that.

There is no wonder the retired serviceman's family protection plan attracts less than 15 percent of the military retirees; while the civil service survivor annuity program attracts more than 90 percent of all civil service retirees.

It should be apparent by now to one and all that no amount of patching and amending RSFPP will produce an equitable and meaningful survivor annuity program with the maximum participation deserved by all. RSFPP has too many basic failings and its provisions are based on too many faulty misconceptions to ever be responsive to piecemeal doctoring. The patient is much too sick for the "take two aspirin and call me back in a couple of weeks" treatment which has characterized its history for the past decade and a half.

Military retirees will continue to hold the unenviable distinction of being the only Federal employees not covered by an adequate survivor annuity program until Congress provides them with an equal opportunity in this field with other Federal employees. The correction of this inequity by the creation of a completely new and uncomplicated program can and should be speedily and simply accomplished.

To this end I am, today, introducing legislation which will accomplish these main purposes:

First. It will provide two types of annuities for retired servicemen's survivors. One, for married retirees, will be automatic unless declined in writing at the time of retirement. The other, for unmarried retirees, will provide an annuity to a named person having an insurable interest in the retiree. This latter type of survivor annuity may only be elected by those retiring in good health.

Second. For a reduced amount of his retired pay during his retired lifetime, the serviceman will be able to provide a predetermined annuity for his survivors. The formula will be the same used for civil service survivor annuities.

That formula is: a 2½-percent reduction in the retiring serviceman's own retired pay of any amount up to $3,600 he specifies as a base for the survivor benefit, plus 10 percent of any amount up to the limit of his own full retired pay

above $3,600. The survivor benefit will be 55 percent of whatever amount of his retired pay the retiring serviceman specifies—all or just a portion.

Third. It will end future additional participation in RSFPP. Those now enrolled in this plan will be given a one-time opportunity to enroll in the new survivor program, as will all other retirees. Those choosing not to take part in the new program may continue in RSFPP, but the plan will eventually end by attrition. Because of its financial soundness—assets well over an estimated $172 million by end of fiscal year 1970—RSFPP should be self-liquidating.

The plan proposed by this legislation is patterned as closely as possible after that which governs survivor annuities for civilian employees of the Government. No proposal could provide a greater degree of comparability than one which essentially duplicates that of the group with which comparability is sought.

It meets other criteria deemed necessary to success.

It will be comparable in price. No longer will the serviceman employee of the Government pay two to six times the amount paid by the civil service worker for a dollar's worth of survivor annuity protection.

It will be, at least in comparison to the present RSFPP formula, simple to explain and simple to understand.

It will be more flexible than the present system, more responsive to the changing situations and needs of the individual. Yet, it will not give the serviceman any undue advantage over his fellow Government employee. It will bring him into proper alinement with the rest of the Federal employee force.

And, it is believed, it will retain the financial soundness which has been the hallmark of RSFPP. The difference is, however, that under the new plan the Government will share in the cost of the program for servicemen, just as it now shares the costs for its civilian employees. The financial burden will no longer be borne exclusively by the retired military man.

The new plan will have at least one other advantage.

It will not have the disadvantage of being associated with RSFPP, and thus will not inherit the natural animosity which the discredited program, after 15 years of unsatisfactory operation, despite numerous changes, seems to generate in servicemen. It will be a fresh start, free of any taint or distrust which has built up against RSFPP. This, too, should be a "plus" auguring for its success.

These factors—equality with other Federal workers, flexibility, simplicity, soundness and, if you will—experienced newness—all should work toward greatly increased participation.

And all this without giving the serviceman anything beyond that which is, and has been for many years, available to the remainder of the Federal employee community.

In our continuing endeavors to achieve compensation comparability for all Federal employees, let us not hesitate to correct the survivor annuity inequity. To ignore this pressing problem is to penalize the dependents of those who serve our Nation without question in time of peace and in time of war. Their service and dedication assures that each of us may enjoy the fruits of our free way of life. Can we honestly deny the same fruits to their surviving loved ones?

Adm. David L. McDonald, USN, the former Chief of Naval Operations, summed it up so eloquently in 1965 when he testified before the Armed Services Committee stating:

> I do not believe the American bluejacket expects extravagance on the part of the Congress and the American people. He is concerned only to the extent that he receives a just share in the growth of the economy and is satisfied that the needs of his family are met.

Therefore, I ask that my colleagues join me in support of this measure to establish a policy of "Widow's Equity" for the future widows and surviving dependent children of our military retirees.

CONGRESSIONAL REFORM

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

Mr. CONABLE. Mr. Speaker, on behalf of the gentleman from Illinois (Mr. RUMSFELD) and 23 other Republican colleagues, I have today filed a bill embodying the recommendations of the Joint Committee on Congressional Organization. I would like to call the attention of my colleagues to this bill and also to the section-by-section analysis that is being placed in the RECORD. This is a clean bill. A great deal of work has been done on it to remove technical objections following last year's effort to move this through the House. I hope that a great many Congressmen of good will in both parties will cosponsor this legislation to provide as broad a base of support as possible.

TITLE I—THE COMMITTEE SYSTEM

SECTION 101

Section 101 is a technical section relating to the rulemaking power of the Senate and House. The language of this section is the same in all of the reorganization bills.

SECTION 102a

Subsection (a) of section 102 makes applicable to the Senate a procedure already contained in House rules to permit the calling of a special committee meeting upon written request of a majority of the committee.

The second half of this subsection provides that in the absence of the chairman, a committee meeting shall be presided over by the senior majority party member present.

These provisions carry out the joint committee's recommendations 1 and 2 on page 8 of the final report. The language is taken from the original reorganization bill as introduced by Congressman Tom Curtis.

SECTION 102b

Subsection (b) of section 102 carries out these recommendations of the joint committee—Nos. 7 and 8, final report, page 10:

> Meetings for the transaction of committee business shall be open to the public except when the committee by a majority vote orders an executive session, and
>
> Results of roll call votes on bills and amendments, including votes of individual members, shall be made public immediately following the meeting, and the committee report shall include a tabulation of the vote by member.

The attempt here is to open activities of committees to the full extent feasible and to make known the votes of individual members in committee. In those cases involving national security or other confidential matters, a simple majority vote of the committee can close the meeting.

Again, we have used the language of the original Curtis bill.

SECTION 102c

Subsection (c) of section 102 carries out the joint committee's recommendation 4 on page 8 of the final report, as follows:

> The present rule requiring the chairman of a committee to report promptly any measure approved by the committee shall be amended to provide that under no circumstances shall the report be filed later than 7 days after written request of a majority of the committee to make such report.

We have retained the language of the Senate-passed bill, which is original bill language.

SECTION 102d

Subsection (d) of section 102 flatly prohibits proxy voting in committee. We realize that this is a controversial matter, but we would call to the attention of our colleagues in the House the following paragraph from the joint committee's final report, page 9:

> Although proxies may serve a useful purpose by allowing members to go on record when conflicting demands on their time make it difficult for them to be present for a committee vote, the evils of the practice outweigh this advantage. The use of proxies discourages committee attendance. It frequently permits the chairman or ranking minority member to control a bill in the face of major "live" opposition. You cannot argue with a proxy; a proxy cannot consider an offered amendment; a proxy cannot compromise. No one suggests that proxy voting should be permitted on floor votes—yet a member's vote in a closely divided committee may be far more significant than the vote of a member on the floor on the same bill. It is time to abandon a practice leading to legislation in which many committee members play no responsible role.

When the reorganization bill was before the Senate in 1967, that body amended section 102 with respect to proxy voting. Because of very significant differences in the committee burdens of Members of the Senate and House, the Senate will want to reexamine this provision as it applies to the Senate. However, we have restored the original bill language to apply to both Houses and urge our colleagues in the House of Representatives to adopt the flat prohibition of proxy voting in House committees.

SECTION 102 e–e

Paragraph "e" of subsection 102e provides a minimum guarantee of 2 days for Members to file minority or supplemental views in committee reports.

This is the recommendation made by

the joint committee—No. 14, final report, page 12—and while we are not convinced that 2 days is really sufficient for the filing of views in many cases, we have retained the language of the original bill, which contains also the sensible requirement that the report be distributed to all members of the committee in advance of the filing of additional views.

SECTION 102 e–f

No. 15 of the joint committee's recommendations directed to "committee procedures" really concerns floor procedure:

Except for a declaration of war or national emergency, no floor vote shall be taken on a measure reported by a committee until the committee report and committee hearings, if any, have been available for at least 3 days.

The Senate added waiver language to exempt bills in the imminence of first, sine die adjournment; second, expiration of the act sought to be amended, or third, to meet immediate financial needs of the Government. In our opinion, this would have nearly destroyed the provision. The joint committee argued that—

A bill (which means *any* bill) that cannot survive a 3-day scrutiny of its provisions is a bill that should not be enacted. Proper consideration must be given to important legislation even in the closing days of a session.

We would add especially in the closing days of a session and suggest that this should apply to any subject taken up for consideration in either body. Accordingly, we have returned to the language of the original bill and tightened up even that language by inserting the phrase "measure or matter" and specifying that no measure or matter shall be taken up, much less finally voted upon, until the report and hearings, if there were printed hearings, have been available for at least 3 days.

We think this is a key provision of the bill and would remind our colleagues that such a rule already obtains with respect to general appropriation bills in the House—House rule XXII, paragraph 6.

SECTION 102 e–g

Paragraph (g) of section 102e attempts to implement the joint committee's view that subcommittees should be more closely supervised by their full committees. It does so by requiring each standing committee to file one annual resolution for funds for staff in excess of the statutory limit. That single annual resolution is to specify by name and amount all subcommittees to be funded for that year, and it must be filed by January 31 or not later than 30 days after a majority of the committee's members have been designated. Whenever a committee seeks later additional funds, its request will have to be accompanied by an explicit statement of the reason such funds were not sought in the first resolution. The recommendation of the joint committee appears on page 13 of its final report—No. 19.

SECTION 102h

In paragraph "h" of subsection 102e, we have gone back to the Curtis bill to pick up two of the joint committee's recommendations that somehow disappeared in the bill that was considered by the Senate. On page 13 of its final report, the joint committee recommended that:

18. Each subcommittee shall follow the rules of procedure of its parent committee.

* * * * *

20. The rules of every committee shall be printed at the beginning of each Congress.

We think these are useful improvements. With the proliferation of subcommittees, the danger arises that some of these units may stray from the main committee's path of operation. As the committees are enjoined from adopting procedures not consistent with the procedures of the House, we believe the subcommittee similarly should be enjoined from adopting procedures not consistent with those of its parent committee.

We also think it would be useful to have the rules of every committee printed at the beginning of every Congress.

SECTION 102 e–i

This paragraph, exempting both Appropriations Committees from the foregoing provisions of section 102, was added to the bill by an amendment in the Senate. Actually, the Appropriations Committees already were exempted under the 1946 act, to which section 102 of this bill is an amendment, but since the statute is a little difficult to read on this point, we have left in the clarifying language of paragraph "i."

SECTION 103 a–a

The provision requires that each standing committee, with the usual exception of the Appropriations Committees, give public notice of the date, place, and subject matter of any hearing at least 1 week before the hearing begins, unless the committee determines that there is good cause to begin the hearing at an earlier date.

The joint committee originally recommended 2 weeks—No. 9, page 11. As the figure here is a floor, not a ceiling, 1 week would seem to be a reasonable requirement, and we have retained the Senate amendment.

SECTION 103 a–b

This provision requires that committee hearings, again with the exception of the Appropriations Committees, which are covered in section 231a of title II, be open to the public unless the committee determines that the testimony to be taken, first, may relate to a matter of national security; second, may tend to reflect adversely upon the character or reputation of any individual; or third, may divulge matters deemed confidential under other provisions of law or Government regulation. These open hearings may be broadcast and telecast under such rules as the committee may adopt.

This paragraph carries out Nos. 5 and 6 of the joint committee's recommendations on page 10 of the final report. The third exemption—providing for closed hearings if the subject matter concerns information confidential under provisions of law—was added by Senate amendment.

We have retained the language of the Senate-passed bill except for certain particulars relating to the telecasting and broadcasting provision, where we have borrowed some improved language from the Smith bill making it clear that telecasts and broadcasts may not be conducted under commercial sponsorship, and including still and motion photography in the provision.

SECTION 103 a–c

No. 11 of the joint committee's first 20 recommendations says:

Each committee shall require all witnesses appearing before it to file, at least 2 days before their appearance, written statements of their proposed testimony unless the committee finds good cause for the failure to file such a statement. The staff shall prepare digests of such statements for the use of committee members.

The Senate amended this provision in order to reduce the time to 1 day and to substitute permissive language for the mandatory wording relating to digests. We believe the Senate language is more realistic on both counts than the joint committee's recommendation and have retained the wording of the Senate-passed bill.

SECTION 103 a–d

Paragraph "d" provides that upon conclusion of a day's hearing, if so requested by the committee, the staff shall prepare a summary of that day's testimony for the use of the committee's members. Upon approval of the chairman and the ranking minority member, such summaries may be printed in the committee's hearings.

Again, we have used the language of the Senate-passed bill, which was modified to leave both preparation and printing of summaries to the discretion of each committee. As in the previous provision, the joint committee's original recommendation contained mandatory language. We believe the flexibility of the Senate language is preferable.

SECTION 103 a–e

Paragraph (e) carries out the joint committee's recommendation No. 12 on page 11, as follows:

In the event hearings have been called by a committee, the minority shall be entitled on request to call witnesses of its choice during at least 1 day of the hearings.

SECTION 103 a–f

As pointed out earlier, the Appropriations Committees are treated in title II with respect to open hearings, telecasting and broadcasting, and so forth. Paragraph "f" simply makes it clear that the Appropriations Committees, and we have added the House Committees on Rules and on Standards of Official Conduct, are exempt from the foregoing provisions of section 103 as they are set forth in this place in the bill.

SECTION 104

The joint committee made two recommendations with respect to "committee scheduling," as follows—page 13:

16. Committees shall be permitted to conduct hearings during floor sessions by obtaining consent of the majority and minority leaders or their representatives, and

17. Committees should schedule their business on a 5-day work week.

The Senate amended section 104 to allow Senate committees to sit for any purpose while the Senate is in session. We have not altered the Senate-approved language for the Senate.

However, we have restricted the application of this provision in the House to the conduct of hearings while the House is in general debate provided a bill is not being read for amendment. We feel strongly that Members should be on the floor during the amendment procedure, which is a critical stage in the legislative process. The section does not apply to the Committees on Appropriations, Government Operations, Rules, and Un-American Activities.

The recommendation for committee business on a 5-day week is admonitory—note the word "should" instead of "shall." We support the recommendation but believe that the first order of business is to get a 5-day schedule of floor business, after which the committee problem probably will resolve itself.

SECTION 105 a–a

The amendments made by section 105 require legislative review by standing committees on a year-round, consistent basis.

The 1946 Reorganization Act required committees to "exercise continuous watchfulness" over the execution of the laws within their jurisdictions. Unfortunately, the phrase "continuous watchfulness" has come to have so many interpretations that for all practical purposes it is almost without meaning.

Paragraph (a) of subsection 105a of our bill, which is identical to the Senate-passed bill and is original bill language, restates the oversight function of committees in stronger, more comprehensive terms, requiring each standing committee to "review and study, on a continuing basis, the application, operation, administration, and execution of those laws, or parts of laws," under the committee's jurisdiction.

SECTION 105 a–b

Paragraph (b) enumerates in some detail what is expected of committees in carrying out their responsibility of legislative review as restated in paragraph "a":

(b) Each standing committee of the Senate and House of Representatives shall—

(1) conduct the reviews and studies required generally by subsection (a) of this section;

(2) analyze, appraise, and evaluate reports and other data of the Comptroller General of the United States, and of any other officer or agency of the Government, which are pertinent to reviews, studies, programs, projects, and other matters within the purview of this section and may request the Comptroller General to investigate any report on any matter relating to the receipt, disbursement, and application of public funds under such laws;

(3) keep currently informed with respect to the regulations, procedures, practices, and policies of the Government pertaining to the application, operation, administration, and execution of the laws, and parts of laws, the subject matter of which is within the jurisdiction of the committee;

(4) conduct such activities as are necessary and appropriate to carry out the general review and study policies of the committee under this section, including reviews of programs of grants-in-aid referred to in section 252(c) of the Legislative Reorganization Act of 1967; and

(5) obtain current information regarding—

(A) the progress, status, and results of reviews, studies, programs, and projects conducted under this section,

(B) the regulations, procedures, practices, and policies of the Government referred to in subparagraph (3) of this subsection, and

(C) all other matters within the purview of this subsection.

SECTION 105 a–c

Paragraph "c" entitles each standing committee to hire a "review specialist," in addition to the regular professional staff, to assist the committee in meeting its review responsibilities as redefined in the previous subsections.

Originally, the specific review functions were assigned to the review specialist as an individual. The Senate felt that it should be the responsibility of each committee to fulfill the review requirements, and the bill was amended to permit the hiring of a review specialist if the committee so desired, but to require the committee to meet its responsibilities of legislative review whether it uses the assistance of a "review specialist" as such or not.

We have retained the language of the Senate-passed bill.

SECTION 105 a–d, e, f

Paragraphs "d" through "f", which are original bill language, require each committee to submit to its House no later than March 31 each year a report of the committee's review activities under this section. Escape language is provided for matters "which, in the opinion of the committee, should not be made public in the interest of national security." Provision is made for copies of the reports to be sent to the President and other appropriate officials of the Government.

SECTION 105 a–g

Paragraph "g" exempts both Appropriations Committees, the Select Committee on Standards and Conduct of the Senate, and the House Committees on Rules and on Standards of Official Conduct from the foregoing provisions of this section.

SECTION 105 b

Subsection "b" redesignates "oversight" as "review." Apparently, "oversight" has a connotation of error in the original law, whereas "review" carries no such stigma.

This is original bill language. The recommendation may be found on page 23 following of the final report, together with the remainder of the joint committee's recommendations under "Legislative Review."

SECTION 106

For reasons not entirely clear, it has been the practice to print reports of conference committees as reports of the House of Representatives. During consideration of a conference report in the Senate, Senators have had to use and refer to the House report. Section 106 allows the report of a conference committee to be printed as a document in each House.

It has been the custom as well for the conferees on the part of the House to prepare the report. Section 106 specifies that reports of conference committees are to be prepared jointly by the conferees on the part of both Houses, with provision for the filing of additional individual explanatory views as an appendix to the report.

If the time for debate on a conference report is limited, section 106 provides that the time shall be divided equally between the majority and minority parties of that House. Although the joint committee's recommendation (page 25) clearly defines the battleground as between those who favor and those who are opposed to the report, we were advised that this distinction is not a preferred basis for recognition by the leadership. Therefore, we have adopted modified language similar to that in the Bolling bill which divides the time equally between the parties. Both Houses traditionally have functioned on this basis, and we believe the end result will not be significantly different in assuring that the voices of proponents and opponents of the report will be heard.

SUMMARY—I

This completes title I, and I want to suggest to my colleagues that this is an uncommonly modest package of committee "reforms." At the same time, I want to say that if we enact these provisions without further delay and procrastination, I believe we can feel that we have accomplished a good piece of work toward democratization and modernization of the committee process.

Members will note the omission of three whole sections from title I of our bill; namely, old section 121 relating to committee jurisdiction in the Senate, old section 131 relating to committee jurisdiction in the House, and old section 122 making changes in membership of Senate committees.

If the joint committee's recommendations in these areas were reasonable at the time they were made, the findings on which they were based must be somewhat outdated now. In section 402 of our bill, we have instructed the new, permanent Joint Committee on Congressional Operations to undertake a fresh review and study of the whole committee jurisdiction subject. In the interim, nothing in our bill precludes separate action in either House which might resolve problems of an immediate or temporary nature.

TITLE II—FISCAL CONTROLS

SECTION 202

Section 202 directs the Secretary of the Treasury and the Director of the Bureau of the Budget, in cooperation with the Comptroller General, to set up and maintain a standardized information and data processing system for budgetary and fiscal data, for use by all Federal agencies.

This section carries out the first recommendation of the joint committee under "Fiscal Controls"—page 27—with the exception that in our bill, as in most of the reorganization bills introduced since the Senate passed S. 355, the Comptroller General is to advise and cooperate with the Secretary of the Treasury and the Director of the Bureau of the Budget, rather than share functional responsibility with them. This reflects the position of the Comptroller General as an agent of the Congress rather than of the executive branch.

SECTION 203

Section 203 directs the Secretary of the Treasury and the Director of the Bureau of the Budget, again in cooperation with the Comptroller General, to set and maintain standard classifications of Federal programs, activities, receipts, and expenditures. The initial classifications are to be established on or before December 31, 1969. An annual report is required on or before September 1.

This portion of the title refers to the joint committee's recommendation numbered 2(a) on page 27 of the final report.

SECTION 204

Section 204, putting into statutory language the joint committee's recommendation 2(b), directs the Comptroller General to provide Congress with information concerning the location and nature of data available in the various Federal agencies with respect to programs, activities, receipts, and expenditures of those agencies. This information shall be furnished to any Member of the House or Senate, or any committee or joint committee, upon request, together with summary tables of such data to the extent feasible.

Other bills have excluded the right of the individual Member of Congress to request this information. We feel it is important for every one of us to be able to request this data, and we have retained the original bill language.

SECTION 205

Section 205 directs the Comptroller General to have available in the General Accounting Office employees who are expert in analyzing and conducting cost-effectiveness studies of Government programs. Upon request of any committee or joint committee, he is to assign such experts on a temporary basis to assist the committee and its staff in conducting cost-effectiveness studies of programs under the committee's jurisdiction.

This is original bill language and carries recommendation 2(c) of the final report.

SECTION 206

Recommendation 2(d) of the joint committee is provided for in section 206, which directs the Comptroller General to collect information and data available in the various Federal agencies with respect to changes in the figures shown in the budget as submitted by the President, to furnish to each Member and committee of both Houses, from time to time, reports showing revised budget information and totals reflecting the information and data which he has collected, and, to the extent feasible, upon request of Members or committees, to furnish tabulations of such budget information.

We have retained the original bill language.

SECTIONS 207 AND 208

Subsection (a) of section 207 authorizes the Comptroller General to establish within the GAO such organizational divisions as he thinks will best help him carry out the responsibilities imposed on him by the provisions of this bill.

Subsection (b) authorizes the Comptroller General to hire consultants at a rate not in excess of $200 per day. No consultant may be hired for more than 120 days during any calendar year, and not more than 15 such consultants may be so employed by the GAO at any one time.

Subsection (c) requires the Comptroller General to include information on the performance of these new functions in his annual report to Congress.

All of these items have been retained from the Senate-passed bill. It may be that the Comptroller General does not need this kind of explicit authority to create divisions within the GAO for the better performance of the GAO's functions, but if there is any confusion on the point, this language sets the record straight.

The figures on the number of consultants and rate of reimbursement were recommended by the GAO.

Authority for these provisions is implied in the recommendations and supporting language of the joint committee under "Fiscal Controls."

Section 208 is a definition clause, clarifying the term "Federal agency."

SECTION 221

Section 221 provides for supplemental budget information to be sent to the Congress, as follows:

(b) On June 1 of each year, beginning with 1970, the President shall transmit to the Congress a supplemental summary of the Budget transmitted in January of such year for the ensuing fiscal year. Such supplemental summary shall reflect all changes relating to that fiscal year which have occurred since the transmittal of the Budget, including changes caused by—

(1) revisions in estimates of expenditures and receipts,

(2) estimated expenditures and proposed appropriations which were not included in the Budget as transmitted,

(3) appropriations enacted after transmittal of the Budget, and

(4) the enactment of laws (other than appropriation Acts) after the transmittal of the Budget.

(c) On or before June 1 of each year, the President shall transmit to the Congress, in such form and detail as he may determine—

(1) summaries of estimated expenditures, for the four fiscal years following the ensuing fiscal year for which the Budget was transmitted in January of such year, which will be required under continuing programs which have a legal commitment for future years or are considered mandatory under existing law, and

(2) summaries of estimated expenditures in fiscal years following such ensuing fiscal year of balances carried over from such ensuing fiscal year.

(d) The Budget shall include information showing the gross amount of expenditures and estimated expenditures of all programs of the Government.

This section carries out the joint committee's multipart recommendation numbered 3 on pages 29 and 30 of the final report, except for paragraph "f", which is covered in section 231.

SECTION 231a

Consistent with the provisions of section 103 to apply to standing committees of both Houses except the Appropriations Committee, section 231a provides for open hearings of the Appropriations Committees, with telecasting and broadcasting permission under such rules as the committee might adopt.

This provision conforms to recommendation 7 on page 32 of the final report.

SECTION 231 b–e

Subsections (b) through (e) of section 231 require the Appropriations Committees to hold public hearings on the budget within 30 days after its transmittal to the Congress. These hearings, which may be joint, are to include testimony from the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Chairman of the Council of Economic Advisers. The hearings are to examine particularly: first, the basic recommendations and budgetary policies of the President in the presentation of the budget; and second, the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts. Each Member of the House and Senate is to be furnished with a copy of the printed transcript of the hearings.

This language, which is original bill language, carries out recommendation No. 5 on page 31 and paragraph "f" of recommendation 3 in the same section.

SECTION 231f

The 1946 Reorganization Act provided for the formulation of a legislative budget by action of a joint committee composed of the entire membership of the revenue-raising and Appropriations Committees. For various reasons, including the unwieldy size of the committee, the idea did not work, and no further attempts were made in this direction after the failure of the first effort. In 1966, the Joint Committee on the Organization of Congress decided to recommend repeal of this section of the 1946 act.

This language, which is original bill language, fulfills recommendation 4 on page 31 of the final report.

SECTION 232

Section 232 directs the Appropriations Committees, or their duly authorized subcommittees, to review the budget for each fiscal year for the specific purpose of examining and reviewing multiagency programs, that is, those programs for which estimated expenditures or proposed appropriations contained in the budget are to be made by, or under the control of, two or more Federal agencies.

This is original bill language and carries out recommendation 6 on page 32 of the final report.

SECTION 233a

For technical reasons, the Appropriations Committees were exempted from the provisions of section 102, in title I, which includes the prohibition against proxy voting. Subsection (a) of section 233, in title II, applies this prohibition to the Appropriations Committees, consistent with the recommendation of the Joint Committee—No. 3, page 8—to abolish proxy voting from all committees.

SECTION 233b

Subsection (b) of section 233 requires that the committee report accompanying each appropriation bill include an analysis of the major factors taken into consideration by the Appropriations Committee in reporting the bill and recommending the appropriations contained therein. The report must also state the consideration given by the Appropriations Committee to cost-effectiveness analyses or studies relating to programs

for which funds are carried in the bill and furnished to the Appropriations Committee by the appropriate legislative committee.

This is original bill language and carries out recommendation 8 on page 33 of the final report.

SECTION 233c

Subsection (c) of section 233 requires that reports accompanying supplemental or deficiency appropriation bills include an explanation of the nature of the request for each supplemental or deficiency appropriation and the reason such request was not made or could not have been made for inclusion in the regular appropriation bill for the fiscal year or could not be withheld for inclusion in the regular appropriation bill for the following fiscal year.

This is also original bill language and carries out recommendation 10 on page 33 of the final report.

SECTION 234

Section 234 requires a yea-and-nay vote on final passage in each House on any appropriation bill. This carries out the joint committee's recommendation 9 on page 33.

The provision does not apply to the adoption of the conference report, which is also in accord with the joint committee's recommendation. Of course, any Member of the House can demand the yeas and nays on any question.

SECTION 235

Section 235 was added to the Senate-passed bill by adoption of an amendment requiring first, that any provision to change the compensation of Members of Congress be considered as a separate item from the rest of whatever measure it is contained in, and second, that it be approved or disapproved by rollcall vote.

SECTION 241

Section 241 directs the Comptroller General, at the request of any committee or joint committee, to explain to and discuss with the committee and/or its staff any report made by the GAO which would assist the committee in its consideration of proposed legislation—including requests for appropriations—or its review of any program or the activities of any Federal agency within its jurisdiction.

We have borrowed improved language from the Smith bill assigning this responsibility to the Comptroller General rather than specifying that he shall designate employees of the GAO to do the explaining and discussing. Of course, the Comptroller General has that authority implied.

This section carries out recommendation 11a on page 34 of the final report.

SECTION 242

Section 242 directs the Comptroller General to deliver copies of all GAO reports to Congress specifically to: (1) the Committees on Appropriations, (2) the Government Operations Committees, and (3) "any other committee which has requested information on any program or part thereof, or any Federal agency, which is the subject of such report."

This is modified language to carry out recommendation 11b, final report, page 34.

SECTION 243

Section 243 concerns responses by Government agencies to GAO reports. The bill states:

Whenever the General Accounting Office has made a report which contains recommendations to the head of any Federal agency, such agency shall, in connection with the first request for appropriations for that agency submitted to the Congress more than 60 days after the date of such report, submit a written statement to the Committees on Appropriations of the House and Senate of the action taken by such agency with respect to such recommendations.

This embodies recommendation 11c and is original bill language.

SECTION 251

Section 251 requires the report accompanying each bill or joint resolution from a legislative committee to contain estimates of the committee as to the cost of carrying out the bill for the then-current and next 5 fiscal years, or the duration of the program, if less than 5 years, and a comparison of these cost estimates with any cost estimates made by any executive agency, or a statement of the reasons why the furnishing of such information is impracticable.

In the case of a measure affecting revenues, such report shall require only an estimate of the gain or loss in revenue for a period of 1 year.

We have used the language of the Senate-passed bill, which contains the escape clause providing for an explanatory statement in the event the committee cannot comply with the cost estimate requirement. However, we have deleted specific language added by the Senate to the effect that a point of order may be made against any report that does not meet one or the other of these requirements. A point of order can always be made against any measure that does not comply with the requirements of that House.

Section 251 carries out recommendation 12a on page 35 of the final report.

SECTIONS 252 AND 253

Section 252 directs each committee or joint committee of legislative jurisdiction, when recommending enactment of legislation: First, to endeavor to insure that all continuing Government programs, and all continuing activities of Federal agencies, are appropriated for annually; second, to review, from time to time, any program under its jurisdiction which is not appropriated for annually to ascertain whether such program could be modified so that appropriations therefor would be made annually; and, third, to make a complete review periodically of grant-in-aid programs.

Section 253 is a technical section which defines legislative jurisdiction.

This is original bill language, to provide for paragraphs b, c, and d of recommendation 12, final report page 35.

This completes title II, which remains largely in its original reorganization bill form.

TITLE III—SOURCES OF INFORMATION

SECTION 301a

Technically, subsection (a) of section 301 increases the professional staff of all standing committees of both Houses—except the Appropriations Committees, which have never suffered any staff limitation—from four positions to six. I will elaborate on this in a minute.

Subsection (a) further provides that if they so desire, a majority of the minority members of the committee may select for appointment two of the six professional staff employees, who shall be responsible to the minority and whose employment shall be terminated by the minority. We have added clauses which clarify this section and which protect incumbent employees—I will come to these later on in my remarks.

I ask the indulgence of my colleagues at this point in permitting me to elaborate a bit on what this so-called minority staffing section of the bill does and does not mean.

First, I would ask Members to look on page 75 of the joint committee's final report, where there is a listing of the staff positions of committees of both Houses as of July 22, 1966:

Of the 15 standing committees of the Senate, exclusive of appropriations, only three—the Committees on Agriculture and Forestry, the District of Columbia, and Finance—had staffs that did not exceed the statutory limits of the 1946 act.

Similarly in the House, only six of our committees had staffs that were not in excess of the statutory limitation.

This was nearly 3 years ago, and a review of the staffing reports of committees subsequent to the joint committee's final report will show that staffing requirements have increased overall.

The 1946 Reorganization Act resulted in a major shakeup of committee jurisdictions and realinement in both Houses. In providing staff for the new committees, the Congress adopted language proposed by the first Joint Organization Committee to write into the rules of both Houses a ceiling of four professional and six clerical positions for each standing committee, exclusive of the Committees on Appropriations, and language declaring that all of the positions were to be filled on a nonpartisan basis.

There were two basic errors here. One was the idea that all committees could function with roughly the same amount of staff. The other was that all committees would function on a nonpartisan basis. This is no condemnation of the joint committee's work—a quarter of a century ago, both of these ideas may have looked very practical. It is only to say that over the years, neither of these ideas has worked out for all committees.

Again referring to the tabulation of staff positions as of July 22, 1966, we see a total of 206 positions listed for the Senate Judiciary Committee, compared with a total of three positions for the House Rules Committee. Technically, both of these committees are entitled to a total of 10 positions—four professional and six clerical, under the 1946 act.

As a practical solution, committees have gone to their respective administration committee in each House from time to time for additional funds to hire staff. With the occasional denial of a request for minority staff, these requests are usually sent to the floor and approved without discussion.

Nor is there an element of secrecy here, since each standing committee by law must report the name, title, and sal-

ary of each of its employees every 6 months, and for the House at least, these tabulations are routinely printed in the CONGRESSIONAL RECORD.

But we submit that this is no way to run our railroad, and we came to the following decision with respect to committee staffing in the reorganization bill:

In all of the subsections, with a technical clarification here and there, we have retained the language of the Senate-passed bill, which for the most part is original bill language and conforms to the joint committee's recommendations in this area. I will comment on each piece as it appears in the bill.

We have added language in section 402, prescribing the duties of the new Joint Committee on Congressional Operations, instructing the committee to make a fresh study of committee jurisdictions, workload problems, operations, and staffing requirements in both Houses.

The result of the several-pronged attack in this bill will be to provide a minimum guarantee of minority staff where and when the need arises—if it does—I should point out that most committees have resolved staffing questions in a very amicable fashion—to provide a better overview of the whole question by requiring committees to combine their additional staffing funds requests in one annual authorization resolution; by permitting committees to hire some consultants to augment the regular staff when needed, and in general to patch up matters until the new joint committee has had time to compile current figures and conduct a careful study from which we can extract recommendations for more efficient operation in the future.

SECTION 301b

Subsection (b) of section 301 extends the principle of minority staff to clerical positions. The 1946 Reorganization Act set a limit of six on the number of clerical positions for each committee. The 1969 bill retains that figure but says that if a majority of the minority members of the committee so desire, they may select for appointment at least one of these six clerical employees.

Again, I want to point out that this whole numbers game is unrealistic. All our bill does, pending a fresh study of committee staffing requirements and recommendations by the new Joint Committee on Congressional Operations, is to provide some very minimal relief in cases, if there are any, in which the minority of a committee is attempting to function without adequate staff assistance.

SECTION 301 c–g

This is a contingency clause to cover the situation in which a minority staff appointment is made at a time when no permanent vacancy exists. Clause (g) provides that the new employee shall be paid from the contingent fund of the respective staff until such time as the vacancy is resolved.

SECTION 301 c–h

Paragraph (h) of subsection 301c provides that committee staff appointed by the minority under the foregoing provisions, as well as staff appointed under the annual authorization for additional staff, shall be accorded equitable treatment with respect to the fixing of salary rates, assignment of facilities, and accessibility of committee records.

This is original bill language, not amended by the Senate, and carries out the joint committee's third recommendation on page 21 of the final report.

SECTION 301 c–i

Paragraph (i) authorizes each standing committee of either House, upon approval of its respective Administration Committee, to procure temporary—defined as not in excess of 1 year—or intermittent services of consultants or organizations.

Services of organizations shall be procured by contract; services of individual consultants may be procured either by contract or by employment. Selection of individuals and organizations shall be by joint action of the chairman and ranking minority member, and the committee is required to submit relevant background information on the consultant or consultant organization to the Administration Committee of that House.

This is original bill language and carries out recommendation 4 on page 22 of the final report.

SECTION 301 c–j

Paragraph (j) authorizes each standing committee, on approval of its respective Administration Committee and subject to the availability of funds for such purposes, to assist professional staff members in obtaining specialized training connected with their jobs.

This assistance may take the form of continuance of salary during the period of training, or a grant of money for tuition, fees, or other expenses, or both, and the committee is authorized to obtain an agreement from the employee to continue in employment with the committee for a reasonable time upon completion of his training.

This is original bill language and carries out the joint committee's recommendation 5 beginning on page 22.

SECTION 301d

Subsection (d) of 301 provides for bringing salaries of some Senate committee employees into line with those of their opposite numbers in the House. This is an equity clause, added to the bill by adoption of an amendment in the Senate.

SECTION 301 e AND f

These are technical paragraphs to clarify the policy of the permanent staffing provisions of section 301 already explained, with protection for incumbent employees.

SECTION 331

Section 331 redesignates the Legislative Reference Service as the Legislative Research Service, in order to more accurately reflect the Service's true activity, and spells out its modern duties in clearer terms, emphasizing that the Service shall be directly responsive and responsible to Congress. Provision is made for the position of a Deputy Director, for some additional specialists, and for LRS to make intermittent use of experts and scholars outside the Library when needed.

For purposes of emphasis, we have also retained language added by the Senate authorizing LRS to acquire and utilize automatic data processing equipment to facilitate the performance of its functions.

The recommendations of the joint committee concerning LRS are numbered 1 through 11, pages 39 through 42 of the final report.

SECTION 332

Section 332 authorizes one professional and two clerical staff positions for the Joint Committee on the Library and requires the committee to submit an annual report to Congress on the activities of the Legislative Research Service. This fulfills the joint committee's recommendation 10 on page 42 of the final report.

SECTION 333

Section 333 comprises technical language to repeal the law that established the Office of Coordinator of Information for the House of Representatives. Subsequent to the recommendation of the joint committee to abolish this office—final report page 42—the House Appropriations Committee has declined to appropriate funds for its continuing operation, and this language in the bill reflects the fact in law.

SECTION 334

Section 334 is a saving provision for the protection of incumbent employees of the Legislative Reference Service.

SECTION 401

Section 401 establishes a permanent Joint Committee on Congressional Operations, to be composed of six Senators and six Representatives, equally divided between the two major parties in each House. This is identical to the composition of both predecessor committees—the joint committee of 1945, and the recent one of 1965.

The recommendation contained in the final report calls for a partisan joint committee of 10 members, I call the attention of my colleagues to item 13 of the supplemental views of Congressmen Curtis, HALL, and CLEVELAND, page 91 of the final report, which urges that the new joint committee be evenly bipartisan. Experience has shown that bipartisanship on this kind of committee assures that all points of view will be heard and equal attention given to all suggestions. We believe, also, that recommendations which eventually emerge from a bipartisan joint committee stand a better chance of being accepted by the membership of both Houses as having been motivated by considerations of what would be best for all concerned in making any changes in the operation of the Congress.

Accordingly, we have stipulated in our bill that the chairmanship, as well as the membership, of the joint committee shall be evenly divided between the two Houses and the two parties.

SECTION 402 a–b

Subsections (a) and (b) of section 402 set forth the duties of the Joint Committee on Congressional Operations. On this question, our bill is significantly different from the Senate-passed bill and all subsequent versions.

First, we have retained all of the duties imposed on the new joint committee in the Senate-passed bill, as follows:

To make a continuing study of the organization and operation of the Congress and recommend improvements with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the Government, and enabling it better to meet its constitutional responsibilities—this clause is modeled on the now traditional language of the establishing resolutions of the joint commitees in 1945 and 1965;

To make a continuing study of automatic data processing and information retrieval systems and recommend feasible uses of such systems by the Congress;

To identify court proceedings or actions of vital interest to the Congress and provide for the appropriate court representation on behalf of Congress when necessary, and

As provided for in subsection (b), to take over the responsibilities and functions of the Joint Committee on the Disposition of Executive Papers.

Then, we have imposed on the joint committee these additional responsibilities, with the requirement that in each instance the committee report to Congress by a day certain.

First, we have asked the joint committee to make a study of the procedures of both Houses in dealing with citations for contempt of Congress, and second, a study of the facilities, including gallery facilities, available to the public in its visits to the U.S. Capitol and the means of improving such facilities in order to present to the public an informative view of the Congress.

Both of these matters have been studied in detail and recommendations have been made in both instances. The joint committee should be able to complete its work on these items within a year.

Next, we have asked the joint committee to make a study of the role of the Congress, and the exercise, application, and effect of its authority, with respect to the engagement of the Armed Forces of the United States in armed conflict in overseas areas without a formal declaration of war by the Congress, and a study of the jurisdictions and staff resources of the committees of Congress.

The report and recommendations with respect to these studies shall be submitted to the Congress not later than 2 years after the effective date of this section.

Finally, we have asked the joint committee to make studies as follows:

The problems relating to the application, operation, and enforcement of the provisions of section 1913 of title 18, United States Code, relating to lobbying with appropriated funds;

The resources and facilities available to Members of Congress for the effective performance of their legislative and representative functions;

The relative advantages of incumbent Members of the House and Senate and their opponents in primary and general elections to the Senate and House respectively, and

The procedures of the Senate and House in dealing with contested elections in their respective Houses. The report and recommendations of the joint committee with respect to these studies shall be submitted to the Congress not later than 3 years after the effective date of this section.

I want to emphasize that these studies were not just dreamed up. Each one of these questions, for one reason or another, was deferred by the recent joint committee. References to most of them can be found in the supplemental views of Congressmen Curtis, HALL, CLEVELAND, and HECHLER to the joint committee's final report.

I also want to remind my colleagues that these are only studies. The joint committee has not been given legislative jurisdiction and its responsibility extends only to the filing of a report in each case.

SECTION 402C

Subsection (c) of section 402 requires the joint committee to report from time to time on any other matters within its jurisdiction. We have amended this paragraph to require at least one annual report of the committee.

SECTION 403

Section 403 gives the joint committee the usual powers to sit and act, to require the attendance of witnesses, and so forth. The section also specifies that recommendations made by the joint committee must have the approval of a majority of the committee's members.

The first part of section 403 is implied in the recommendation to establish a permanent joint committee. The majority vote requirement was drawn from rule 5 of the recent joint committee and assures that all recommendations issuing from the new joint committee must have bipartisan backing from the committee's members from each House.

SECTION 404

Section 404 authorizes the joint committee to appoint the same number of professional and clerical staff—six of each—as are allowed other standing committees. We have added language stipulating that the staff must be chosen by a majority vote of the full committee after background information on each candidate for selection has been distributed to all members of the committee.

The joint committee is also authorized to contract for services of temporary experts and consultants and to hire such additional personnel as it might need to carry out its functions with respect to the disposition of executive papers.

SECTION 405

Section 405 directs the joint committee to keep a record of its actions, including votes of members on rollcall votes, to keep files, and so forth. This is standard language.

SECTION 406

Section 406 provides for the transfer of the functions of the Joint Committee on the Disposition of Executive Papers to the new Joint Committee on Congressional Operations.

This carries out recommendation 3, on page 46 of the final report.

SECTION 407

Section 407 creates an Office of Placement and Office Management of the Congress, under the supervision of the Joint Committee on Congressional Operations, for the purpose of accepting applications for employment with Congress, testing qualifications of applicants, and, upon request, furnishing Members, committees, and officers of both Houses advice and information on office management and practices. The bill clearly states that no Member, committee, or officer of either House is required to use the facilities of this office.

The final report references are to recommendation 6, on page 47, and recommendation 3, on page 50.

We have retained the original bill language.

SECTION 408

Section 408 provides for the expenses of the joint committee to be paid from the contingent fund of the House of Representatives, from funds appropriated for the joint committee upon vouchers approved by the chairman.

SECTION 421

Section 421 clarifies the authority of the elected officers of the Senate and House with respect to employees under their supervision. Specifically, these officers may prescribe periods of training for employees to be completed either prior to assignment to duty or on the job, and they may promulgate and enforce regulations governing the performance of duties by employees under their jurisdiction.

This section carries out recommendation 1 on page 49 of the final report.

SECTION 422

Section 422 directs the Capitol Police Board to formulate a plan for conversion of the Capitol Police force to a professional force. The chief of the Metropolitan Police force is directed to provide such information and assistance as will help the Board carry out its responsibility under this section. "At the earliest practicable date," the Board is to report to Congress its findings and recommendations.

The reference here is to recommendation 2 on page 49 of the final report. We have retained the language of the Senate-passed bill in all important respects even though some efforts already have been made to professionalize the Capitol Police force.

SECTION 423

Section 423 changes the age requirements for Senate and House pages by providing that no person may serve as a page until he has completed the 12th grade of school, or during a session which begins after his 22d birthday. Certain pay provisions are amended, and the section requires pages to serve at least 3 months.

The pages who currently serve the Senate and House will not be affected by this bill. However, when these boys have finished high school, the page school will be abolished as no longer necessary.

The joint committee's recommendation on pages is found on page 51 of the final report, item 4.

We have added the following clause from Congressman BOLLING's bill:

Nor shall a person be appointed as a page until his parents or legal guardian is fully informed in writing as to the nature of the work, salary, working conditions, including hours and scheduling, and available housing accommodations.

SECTION 424

Section 424 establishes an official Capitol Guide Service, under the direction, supervision, and control of a Capitol Guide Board to consist of the Architect of the Capitol and the Sergeants at Arms of both Houses, and provide that guided tours of the Capitol shall be free to the public.

This section was added by Senate amendment. There is a reference to the subject in recommendation 5 on page 51 of the final report.

We have used the language of the Smith bill which reflects the latest technical revisions with respect to salary rates, and so forth.

SECTION 433

Section 433 amends the Legislative Reorganization Act of 1946 in order to provide that:

Not later than the last day in the month of July in each year, the two houses shall adjourn (1) sine die, or (2) to a day certain subsequent to August 31 of such year, which shall be fixed by concurrent resolution adopted in each house by roll call vote. This section shall not be applicable in any year if on the last day of July of such year a state of war exists pursuant to a declaration of war by the Congress.

The joint committee's recommendation for an August recess is found on page 55 of the final report.

As Members know, the legal adjournment date for Congress is July 31. As Members also know, we have not met that date for many years. There was a good deal of testimony before the joint committee favoring an August recess for Congress.

While the trend to year-round sessions of Congress may be irreversible and an August recess necessary, we have modified section 433 to allow the Congress to meet during August for any other urgent reason should such a contingency arise.

SECTIONS 441–444

Part 4, comprising sections 441 through 444, provides that the Postmaster General shall appoint postmasters of all classes in accordance with civil service examinations, laws, and rules. Members of Congress are prohibited from soliciting favored treatment for any applicants. However, if requested by the Postmaster General, a Member may supply information on a former employee.

Rural mail carriers similarly are to come under civil service regulations.

The usual saving provision protects postmasters and mail carriers already appointed.

The joint committee's recommendation aimed at removing patronage from the U.S. postal service is found on page 56 of the final report. We have retained the language of the original bill for the most part, making changes in technical wording but not altering the policy of the bill.

SECTIONS 451–455

Sections 451–455 comprise language from Congressman BOLLING'S bill designed to eliminate congressional responsibility for making military service academy appointments, at the same time retaining geographical representation to each academy. Applicants under the new provisions will be selected on the basis of merit as established by competitive examinations.

SECTION 471

Section 471, comprising several pages of formidable-looking figures, carries out recommendation 7 on page 52 of the final report to convert the basic rate system of computing clerk hire in the House to a system of gross rates only. The policy here is very simple; it is only the technical apparatus that gives this part of the bill such a complicated appearance.

I might remind my colleagues in the House that the Senate, by independent action, already has converted its pay system to gross figures.

SECTION 481

Section 481 makes allowance, under certain circumstances, for use of the contingent fund of the House for temporary sick leave pay, as follows:

Upon request of the Congressman, and with proper medical verification, a staff employee who has been on the Member's payroll for at least 2 years of continuous service and has been absent because of illness for more than 30 days shall be paid from the contingent fund of the House rather than from the Member's clerk hire allowance for up to 6 months of sick leave.

What this provision does is to free the clerk hire position of an employee who is suffering extended illness for the Member who needs to hire a temporary employee to continue that work until the absent employee returns, without discontinuing the absent employee's salary.

SECTION 482

This section, added by amendment when the reorganization bill was before the Senate in 1967, provides that stationery allowances of Senators and Representatives shall be available only for stationery and other office supplies for official business use in the Washington, State, and district offices. Any portion of any allowance not used for this purpose shall revert to the general fund of the Treasury at the end of the period for which it was available.

I call the attention of my colleagues to the fact that on July 9, 1968, the Senate agreed to an amendment to the Legislative Branch Appropriations Act of 1969 applying this provision to the Senate.

Our bill establishes this policy for both Houses on a permanent basis.

TITLE V—REGULATION OF LOBBYING (ENTIRE TITLE)

Title V consists entirely of amendments to the Federal Regulation of Lobbying Act (U.S.C. title 2, chap. 8A), enacted as title III of the Legislative Reorganization Act of 1946. For this reason, the various sections within the title do not relate to the authorizing recommendations in the final report as neatly as they do in the rest of the bill. I will cite the references at those points I consider most appropriate.

Our bill retains the language of the original bill, as approved by the Senate without amendment. Wherever necessary, technical revisions have been made in the language to conform with changes in existing law since March 7, 1967, but there has been no policy change from the original recommendations made by the joint committee under the heading of "Lobby Regulation," pages 52 through 55 of the final report.

Section 501 provides the definition clause to support section 506.

Section 502, in conjunction with 504, provides that where contributions are received or expenditures made in part for lobbying purposes and in part for any other purposes, the statements required to be filed by persons engaging in lobbying activities shall include only the portions thereof devoted to lobbying purposes, "except that if the relative proportions cannot be ascertained with reasonable certainty," such statements shall show total receipts and expenditures together with an estimate by the registrant of the part thereof which was for lobbying purposes, and the part thereof which was for other purposes. The reference here is to recommendation 2 on page 53 of the final report.

Section 503 amends the old law so as to increase from 2 to 5 years as the period for which statements filed under the act must be retained. Here the reference is to subparagraph (a) of recommendation 3 on page 53 of the final report. Section 503 also contains technical language reflecting the requirement that the statements are to be filed with the Comptroller General.

Section 504 changes the "principal purpose" requirement under the old law to substantial purpose controlling. That is, under the new law, any person who has as a substantial purpose of his operation the influencing of the passage or defeat of legislation must register in accordance with the requirements set forth in the new law. This carries out recommendation 1 on page 52 of the final report.

Section 505 requires full disclosure of contingent fee arrangements and places broadcasting on a parity with the press in regard to both exemptions and reporting requirements. These provisions reflect recommendation 4 on page 54 and recommendation 5 on page 55 of the final report.

Section 506 and parts of other sections transfer the administration of the Lobbying Act from the Clerk of the House and the Secretary of the Senate to the Comptroller General of the United States. The section also details the duties and powers of the new administrator. These provisions reflect the joint committee's recommendation 3 on page 53 of the final report.

Section 507 provides penalties for violation of the act.

Title VI contains effective dates.

THE OUTSTANDING SERVICE OF FORMER CONGRESSMAN PORTER HARDY, JR.

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

Mr. WHITEHURST. Mr. Speaker, I am sure my colleagues in the House of Representatives are aware of the distinguished record of my predecessor, the now retired Congressman from the Sec-

ond Congressional District of Virginia, Mr. Porter Hardy, Jr.

During former Congressman Hardy's 22 years of service, his dedication to duty and to the welfare of the American people was unsurpassed.

Expressions of gratitude for his services have been documented many times in the past, and will continue to be so documented in the future.

Recently, one such plaudit was called to my attention.

It is in the form of a resolution adopted by the Hampton Roads Sanitation District Commission, and I include it in the RECORD immediately following my remarks:

EXCERPT FROM MINUTES OF THE MEETING OF THE HAMPTON ROADS SANITATION DISTRICT COMMISSION HELD ON JANUARY 29, 1969

Commissioner Ripley told the Commission that Representative Porter Hardy, who retired at the end of his term in Congress, has been of outstanding help to the Commission in many instances in their dealings with the Federal Government. He suggested that a proper resolution be prepared and spread on the minutes of this meeting, recognizing the outstanding efforts on the District's behalf by Mr. Hardy. Mr. Ripley made a motion to this effect, which was seconded by Mr. Gresham, and the following resolution was unanimously adopted:

"Whereas, the Honorable Porter Hardy, Jr. has represented the Second Congressional District of Virginia in the Congress of the United States with honor and distinction for the past 24 years; and

"Whereas he did decide not to offer again for election to this office, but did choose to retire at the end of his term on January 4, 1969; and

"Whereas during his years of service as a representative of the Second Congressional District of Virginia in the Congress of the United States, he did unstintingly devote himself to the duties of his office and the people whom he represented and did relentlessly strive to promote the best interests of the people of his District, never forgetting the individual, neighbor and friend who looked to him to act in their behalf; and

"Whereas Congressman Hardy, during his term of office, did manifest a particular interest in the work that the Hampton Roads Sanitation District has been trying to accomplish and has time and again taken of his valuable time to help the District, and his efforts have contributed to accomplishments of inestimable value to the District;

"Now, therefore, be it resolved that for the Commission, the members of its staff and the citizens which it serves, the Hampton Roads Sanitation District does hereby express its commendation and sincere gratitude to Congressman Hardy for his dedicated efforts, high competence and continued personal concern for the affairs of the Hampton Roads Sanitation District and his contribution in the furtherance of pollution abatement in the waters of Hampton Roads and Chesapeake Bay, and directs that a copy of this Resolution be spread on the permanent official minutes of the Commission, and a copy be provided to the Honorable G. William Whitehurst, the incumbent Representative of the Second District of Virginia to the Congress of the United States, with the request that he have it made a part of the official record of the Congress of the United States."

EUROPEAN ECONOMIC COMMUNITY CONSIDERING PROPOSAL TO LEVY TAX ON CERTAIN SEED OILS AND OILSEED MEALS

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

Mr. RAILSBACK. Mr. Speaker, the six nations that comprise the European Economic Community are currently considering a proposal to levy a tax on certain seed oils and oilseed meals. Under this proposal soybean oil and meal that is imported from the United States would be taxed. The purpose of the tax is to raise the price of margarine, for which soybean oil is used, so that consumers will buy butter, thus helping to solve the butter surplus problem in the Common Market.

This proposal was made last December by Mr. Sicco Mansholt, vice president of the Commission of the European Community and its principal agricultural spokesman. If this tax is enacted, its effect on the United States could be disastrous. Our delicate balance-of-payments situation could be completely upset, and our agricultural program could be seriously affected.

Soybean and soybean product exports to the EEC represent over one-third of all U.S. agricultural exports to the Common Market and total about one-half billion dollars per year. If the exports of soybeans are restricted, our trade balance would be upset and we would be forced to act to correct it. This could result in reciprocal tariff impositions that could cancel out all of the gains and achievements that were made in the Dillon and Kennedy rounds of trade negotiations.

In addition, if we export less soybeans, this would mean that our Government would be forced to buy more of them This would add significantly to the costs our Government incurs under agricultural support programs that are administered by the Commodity Credit Corporation.

Mr. Speaker, I have written to the Secretaries of Agriculture, Commerce, and State, urging them to do everything possible to insure that the EEC does not impose this tax. I am delighted to report that all of these persons have indicated their strong opposition to this proposed tax and their willingness to cooperate in urging whatever measures may be necessary for our Government to take to prevent enactment of this tax. I would like, at this point, to have printed in the RECORD copies of their or their representative's answers to me on this matter:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 15, 1969.

Hon. THOMAS F. RAILSBACK,
House of Representatives.

DEAR MR. RAILSBACK: Thank you for your letter of January 2 on behalf of Mr. William J. Kuhfuss concerning the Common Market proposal to impose a consumption tax on seed oils and oilseed meals.

I feel that this matter of continued open access to the European Community markets for our soybeans and soybean products is one of the most important trade problems to confront American farmers since I became Secretary of Agriculture. If this proposed action by the Community should take place, I can think of nothing that would do more to turn back the clock on the effort we have made to improve access to foreign markets for our farm products.

As you may know, on December 9, 1968, Mr. Sicco Mansholt (Vice President of the Commission of the European Community and its principal agricultural spokesman) announced that the Commission was about to propose a consumption tax of $60 per metric ton on vegetable oils and $30 per metric ton on cake and meal. This measure would be designed to help solve the mounting butter surplus problem in the Community.

My views are fully shared by responsible officials of this Administration and the U.S. Government has formally told the officials of the Community that their proposed action would reduce sharply the Community's imports of oilseeds and oilseed products and would result in a massive impairment of the present access available to American exports under GATT. We made it clear that this would leave us no choice but to retaliate on a large scale against the products their countries sell us. You may have seen in newspaper stories the thought that our retaliation might include such important exports as European automobiles, typewriters, office equipment, wines, and similar items that Americans buy from them in large amounts.

When I was in Europe recently, at a press conference in Paris I said that if the Community persists with this plan, our action in return would make the chicken war look pale in comparison. What we, in fact, are saying to the Community is that what it does to its agriculture is more than an agricultural matter—it concerns the whole economy of Western Europe. If the cost to help European agriculture is high, then let their industry pay the expense—but not ask the United States to pay it.

We have the strong support of American agricultural and trade groups in our efforts to keep Community markets open and we are making representation to the Community through all available channels. This is a very important matter on which we all stand together.

Our latest information is that the Council of Ministers of the European Community may consider this tax proposal later this month.

Sincerely,

ORVILLE L. FREEMAN.

DEPARTMENT OF STATE,
Washington, D.C., January 10, 1969.

Hon. TOM RAILSBACK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RAILSBACK: The Secretary has asked me to reply to your communication of January 2nd containing your views and those of your constituent, William J. Kuhfuss, President of the Illinois Agricultural Association on the proposed tax on oilseed products within the European Community.

We have made our objection to the proposed tax very clear to officials of the European Community at the highest level and to responsible officials of the member states. We have told them that such a tax would seriously affect US-EC trade relations and have warned them that if the tax should be adopted, we would act swiftly to restore the balance of trade advantage between us. We appreciate your whole hearted support of our efforts to dissuade the Europeans from adopting such a tax. You can be sure that we will continue these efforts.

If I can be of any further assistance on this or any other matter, please do not hesitate to let me know.

Sincerely,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

U.S. DEPARTMENT OF COMMERCE,
BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
Washington, D.C., January 9, 1969.

Hon. TOM RAILSBACK,
House of Representatives,
Washington, D.C.

DEAR MR. RAILSBACK: This is in reply to your letter of January 2, 1969 to the Secretary of Commerce concerning the European

Economic Community's proposed tax on vegetable oil and meal including soybean oil and meal.

This proposal, which was made by Vice President Sicco Mansholt of the Commission of European Communities to the December 10 meeting of the Council of Ministers of the European Community, would impose a tax on certain domestic and imported oils, meals and oil-bearing materials consumed in the European Common Market. The particular problem that the proposed tax is designed to alleviate is the huge butter surplus which has arisen as a result of the Common Agricultural Policy.

The United States Government has followed these developments closely and has expressed its serious concern regarding the possible effect on American trade. On December 16, United States Ambassador J. Robert Schaetzel presented an aide memoire on the subject to Vice President Mansholt. So far no specific proposal for taxes on fats and oils has been agreed on by the Commission for submission to the Council.

We recognize the important consequences that a tax of this sort could have for American soybean producers, processors and foreign traders and we will continue to give the matter our careful attention.

The United States Government is following developments closely and is taking every opportunity to present its very strong views on the matter to the European Economic Community. You can also be sure that the United States Government will continue to protect the trade interests of its producers.

If we can be of further assistance to you, please let us know.

Sincerely yours,

CHARLES A. LEWIS,
Director, Office of Consumer Goods.

REPRESENTATIVE PEPPER INTRODUCES LEGISLATION TO SET UP A DEPARTMENT OF YOUTH AFFAIRS AT CABINET LEVEL

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

Mr. PEPPER. Mr. Speaker, I am today introducing a bill to create a Cabinet-level Department of Youth Affairs for the purpose of involving young Americans directly in the affairs and responsibilities of government.

We are in the midst of a troubled and troubling period in the history of our young Nation; a time when too many young Americans are losing their faith in a government they view as unresponsive to the ideas and ideals of youth.

A smaller number of our youth have gone so far as to take to the streets in protest and virtually lay siege to college and university campuses.

This is both regrettable and tragic.

A few weeks ago a distinguished and concerned State committeewoman from Florida, Mrs. Malvin (Sophia) Englander, suggested that the Nation's young people needed a spokesman, one of their own, to present the ideas of youth directly to the President.

It is a suggestion that has come at precisely the opportune moment. Both of the major party presidential candidates in the past national election pledged to give the Nation's youth a direct voice in the policies and decisions of Government.

From the timely suggestion of Mrs. Englander came the idea for a Department of Youth Affairs.

The bill I am introducing today would specifically transfer to the new Cabinet-level Department the Offices of the Peace Corps, Volunteers in Service to America, and the National Teacher Corps.

These three agencies were chosen because they rely heavily on the enlistment and active participation of the Nation's young people. The bill further provides that the President transfer to the new Department of Youth Affairs those agencies already existing that he deems suitable responsibilities for the new Department.

In addition, I further propose an Office of Youth Participation be created in the Department of Youth Affairs.

This Office, of which at least half of the employees would be between the ages of 16 and 24, would seek to direct young Americans to paid and volunteer work in their local communities. Funds for the establishment of local offices and for the administration of grants-in-aid to public agencies and nonprofit private organizations would be provided for.

The Secretary of the Department of Youth Affairs shall also appoint an Advisory Commission on Youth Participation with members from youth organizations in schools, colleges, and universities.

The Advisory Commission will advise the Secretary on policy matter; consult with and advise the heads of Federal agencies administering programs which directly affect the lives of young people; hold and publish hearings; and conduct and publish studies on problems and issues of concern to young Americans.

And because I believe that today's generation of young Americans is better educated and has accepted civic responsibility at a much earlier age, I am also introducing legislation today to lower the voting age to 18.

Mr. Speaker, I include the text of the Department of Youth Affairs bill in the RECORD, as follows:

H.R. 6259

A bill to create a department of youth affairs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT

SECTION 1. There is hereby established an executive department which shall be known as the Department of Youth Affairs (hereafter in this Act referred to as the "Department").

OFFICERS OF DEPARTMENTS

SEC. 2. (a) There shall be at the head of the Department a Secretary of Youth Affairs (hereafter in this Act referred to as the "Secretary") who shall be appointed by the President, by and with advice and consent of the Senate, and who shall receive compensation at the rate prescribed by law for the heads of executive departments. The Department shall be administered under the supervision and direction of the Secretary.

(b) There shall be in the Department an Under Secretary of Youth Affairs and such Assistant Secretaries as shall be determined by the President to be necessary, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, shall perform such functions and duties as the Secretary may prescribe, and shall receive compensation at the rate provided by law for under secretaries and assistant secretaries, respectively, of executive departments. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of the Under Secretary, an Assistant Secretary determined according to such order as the Secretary shall prescribe) shall act as Secretary during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary.

TRANSFER OF FUNCTIONS

SEC. 3. The functions of—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964 (relating to VISTA), and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965 (relating to the Teacher Corps), are hereby transferred to the Secretary of Youth Affairs.

TRANSFER OF RECORDS, PERSONNEL, ETC.

SEC. 4. There are hereby transferred to the Secretary all personnel, property, records, obligations, and commitments of, and all unexpended balances of appropriations, allocations, and other funds available (or to be made available) to——

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

REFERENCES

SEC. 5. Any reference to—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

in any other law, rule, regulation, certificate, directive, instruction, or other official paper in force on, or which will become effective after, the date of the enactment of this Act shall be deemed to refer and apply to the Secretary of Youth Affairs.

EFFECT ON EXISTING OFFICIAL ACTIONS

SEC. 6. (a) Notwithstanding the preceding sections of this Act, all delegations of authority, orders, regulations, certificates, directives, issuances, and other official actions of—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

which are in force on the date of the enactment of this Act shall continue in full force and effect until modified, amended, superseded, or revoked by the Secretary.

(b) Notwithstanding the preceding sections of this Act, all boards, councils, committees, and similar organizations and groups established by—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

pursuant to law may be abolished or continued by action of the Secretary.

OFFICE OF YOUTH PARTICIPATION

SEC. 7. (a) There is additionally established in the Department of Youth Affairs a United States Office of Youth Participation (hereinafter referred to as the "Office").

(b) The Director of the Office shall be appointed by the Secretary and shall be compensated at the rate prescribed for level 5 under section 5316 of title 5, United States Code. There shall be a Deputy Director of the Office who shall be compensated at a rate not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of title 5.

(c) At least half of the employees of the Office, classified in grade GS–7 and above, pursuant to section 5104 of title 5, United States Code, shall be persons between the ages of sixteen and twenty-four at the time of their appointments to their positions, and the Office shall establish a personnel policy which encourages the maintenance of this proportion. The Director shall establish a policy which assures that employees of the Office are representative of a broad range of experience, background, and personal characteristics, with respect to sex, educational attainment, residence, occupation, ethnic origin, and age within the age limits prescribed in the preceding sentence.

(d) The Office of Youth Participation shall—

(1) establish and administer a program of grants-in-aid to public agencies and nonprofit private organizations which shall be made available on application and under terms prescribed by the Office, for—

(A) the establishment of similar Offices of Youth Participation and Commissions on Youth Participation under the supervision of governments of the States and the District of Columbia, which will perform at the State level those functions specified in this section;

(B) the development and administration, by such public agencies and nonprofit private organizations, of programs designed to recruit, select, train, and employ youth up to age twenty-four as paid and nonpaid volunteers in social and economic programs of benefit to local communities, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens;

(C) the development of coherent plans and programs, by such public agencies and private nonprofit organizations, which insure the meaningful participation of youth up to age twenty-four in policymaking bodies of governmental and private organizations which administer social and economic programs, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens;

(2) establish jointly with other Federal agencies administering programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens, a national program under which youth up to age twenty-four shall be recruited, selected, trained, and employed as volunteers in paid and nonpaid positions in such programs.

(e) The Director of the Office shall establish with the heads of Volunteers in Service to America, the Peace Corps, the Teacher Corps, the Job Corps, the Neighborhood Youth Corps, the President's Council on Youth Opportunity and other Federal agencies concerned with youth participation, cooperative administrative arrangements which insure that such agencies assist in furthering the objectives of this section, including the establishment of means for the exchange of information about volunteer opportunities and applicants for volunteer positions.

(f) In volunteer programs assisted under this section, the Office shall insure, to the greatest extent possible, that such programs—

(1) are planned and administered by public agencies and nonprofit organizations which are composed of youths up to age twenty-four, or which show evidence of substantial participation of such youths;

(2) engage volunteers in ways that permit and encourage them to assist in the planning, administration, and evaluation of policies and programs;

(3) where appropriate, assign volunteers to work directly with clients and beneficiaries of programs;

(4) provide experience which leads to careers for volunteers in the fields in which they work; and

(5) where appropriate, make use of expert technical assistance in planning and administering such programs.

(g) Volunteers in any program assisted pursuant to this section—

(1) shall not be deemed to be Federal employees, except as provided by the Secretary of Youth Affairs, after consultation with the Civil Service Commission; and

(2) shall be compensated, including necessary expenses, as determined by the Secretary of Youth Affairs, except that in the case of Federal volunteer programs (the Secretary shall consult with the head of the Federal agency concerned before establishing rates of compensation and expenses.

ADVISORY COMMISSION ON YOUTH PARTICIPATION

SEC. 8. (a) The Secretary of Youth Affairs shall appoint an Advisory Commission on Youth Participation (hereinafter referred to as the "Commission"), which shall be composed of nine members, at least five of whom shall be persons between the ages of eighteen and twenty-four at the time of their appointments. The Director of the Office shall be an ex officio member of the Commission.

(b) The Secretary of Youth Affairs shall seek recommendations as to the membership of the Commission from youth organizations in schools, colleges and universities, and from other youth organizations, and shall appoint members of the Commission for two-year terms, except that the terms of the members first appointed may be for a greater or lesser period in order to assure that the terms of not more than three members shall expire at the same time. In appointing members of the Commission, the Secretary shall seek to insure that they are representative of a broad range of experience, background, and personal characteristics, with respect to sex, educational attainment, residence, occupation, ethnic origin, and between the ages of eighteen and twenty-four at the time of their appointments.

(c) Members of the Commission shall select from their number a Chairman and Cochairman, who shall serve in those positions for one year.

(d) Members of the Commisison shall be compensated, including necessary expenses, as determined by the Secretary of Youth Affairs. The Secretary shall provide the Commission with necessary staff support.

(e) The Commission shall—

(1) advise the Secretary of Youth Affairs with respect to policy matters concerning the administration of this section and with respect to ways of increasing the involvement of youth;

(2) consult with and advise the heads of Federal agencies administering programs which directly affect the lives of young people, including, but not limited to, the Selective Service System, the Justice Department, and the Office of Economic Opportunity, as to ways of improving such programs and making them more responsive to the needs and concerns of young people; and

(3) hold and publish hearings, and conduct and publish studies, on problems and issues of concern to youth in American society, and make recommendations from time to time for additional means of incorporating young people more fully in meaningful and responsible roles in the American society and economy.

ADDITIONAL TRANSFERS

SEC. 9. The President is authorized to transfer to the Secretary any other functions relating primarily to youth in the areas of health, education, military service, employment, and related areas not otherwise transferred by this Act, together with such personal property, records, obligations, commitments, appropriations, allocations, and other funds as he determines necessary to carry out any function so transferred under authority of this Section.

DELEGATION OF FUNCTIONS

SEC. 10. The Secretary may authorize the performance of any of the functions vested in him by this Act by any other officer or employee of the Department.

SEAL

SEC. 11. The Secretary shall cause a seal of office to be made for the Department, of such design as the President shall approve, and judicial notice shall be taken thereof.

EFFECTIVE DATE

SEC. 12. This Act, and the amendments made by it, shall take effect when specified by Executive order of the President, but in no case later than one year after the date of its enactment.

PEKING WANTS TALKS WITH UNITED STATES

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

Mr. FEIGHAN. Mr. Speaker, Peking has decided to resume ambassadorial talks with the United States this month in Warsaw. This decision carries with it a proposal to join in a declaration of peaceful coexistence with a demand that the United States get out of Taiwan and turn this Chinese Nationalist territory over to Peking.

There is nothing new to the offer of peaceful coexistence at the expense of Taiwan. What is new and significant is that Peking desires to resume talks. Let us examine the possible hidden motives for Peking's overture.

China watchers in Europe choose to interpret Peking's urge to resume ambassadorial talks as a move to embarrass the Soviet Union, speculating that the Russians fear a United States-Chinese rapprochement even more than they fear a united, armed Germany, if that is possible.

Actually, the big story to come out of China these days is the "Great Proletarian Revolution." After experimenting with such impractical methods as land reform, socialism, and communism over the past two decades, Mao Tse-tung's recent attempts to effect a total purge of the Chinese society under the banner of the Great Proletarian Cultural Revolution, has foundered in economic chaos and social disruption. The third 5-year plan has been shelved, and future economic planning suspended.

The economy now seems to be moving like a riderless horse. The Chinese Communist Party, as a unified nationwide instrument has been shattered. What seems to be holding China together at the moment is a loose coalition of senior generals in Peking, a handful of mod-

erate party chiefs led by Premier Chou en-lai, and the autonomous military chiefs of the 13 military districts, some of which are being hard pressed to suppress open rebellion, and a general state of anarchy.

From this general picture of China today, all the symptoms of the end of a Mao dynasty are visible. They are disloyalty of many ministers in government; division in the army; undefined borders between loyalty and disloyalty; unrest among the peasants and the wandering youth of China—the Red Guards; and, an infallible sign, the appearance of secret societies mushrooming in many provinces, and considered by the Peking press as the main enemy which must be annihilated.

The immediate problem in China today is the lack of food. Floods and a drought have created shortages in both wheat and rice, thereby forcing Peking this year to buy from Australia some $145 million worth of wheat, sorely depleting its foreign exchange reserves.

In view of these considerations Peking's offer to join in a "peaceful coexistence" pact may be an effort to relieve internal pressures, and to prepare the way for aid from abroad.

Nevertheless, the upcoming meeting with Peking's representative on the 20th of this month in Warsaw may provide as much interest as the Paris peace talks. Further to that, the Warsaw meeting may provide the United States an opportunity to break the Paris deadlock through the Chinese intercession with Hanoi.

DIRECT, POPULAR ELECTION FOR THE PRESIDENT

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

Mr. KASTENMEIER. Mr. Speaker, the elections of 1968 are now history. The possibility that no presidential candidate would receive a majority of the electoral college votes, thus requiring the House of Representative to choose a President, failed to materialize. A President was elected and no great constitutional crisis developed. However, it has become more apparent than ever that there is a great need for a significant change in our electoral process.

The electoral college is outdated. It was devised for an 18th century union of divisive, competing States. The factors of voting franchise and population which also contributed to its adoption have long since disappeared from our society. The electoral college also is undemocratic in that it allows for the distinct possibility that the popular will of the people can be thwarted under this system.

Likewise, the anomalous and ill-defined status of the presidential elector is most troublesome. Nowhere in the Constitution is there any specific requirement binding electors to vote for the candidates of their parties. The fact that electors almost always vote for their party's candidates might seem to indicate that no real danger exists in this area. However, events in several recent elections have emphasized that there is genuine peril in having intermediate electors.

For example, in 1968, one of the 13 Republican electors from North Carolina refused to vote for Richard Nixon although he handily carried that State. In 1960, one of the Republican electors from Oklahoma voted for the late Senator Harry F. Byrd, who was not even a candidate for President. Four years earlier, the Democratic Party was the victim of the defection of an Alabama elector although Stevenson carried that State. In 1948, a Tennessee man ran as an elector on both the Democratic and States Rights tickets. The Democrats carried the State but one electoral vote was cast for STROM THURMOND.

Another problem related to that of the unfaithful pledged elector is that of the unpledged elector. Unpledged electors disappeared from the American scene around 1800 only to reappear in 1960 in a few States permitting the nomination of such electors. In the 1960 Democratic primary in Alabama, six unpledged and five pledged electors were nominated as the Democratic electors. Thus, the Democratic voters of Alabama had no way of voting for a slate of 11 electors pledged to the candidate of the national Democratic Party. In the 1964 election the unpledged elector once again appeared. A full slate of unpledged electors was nominated in the Alabama Democratic Party. As a result, the Democratic voters of that State had no opportunity to register a vote for the Johnson ticket.

Because of the design of the constitutional fathers that electors be free agents, the predominant view is that they are under no legally enforceable obligation to vote a particular way. The recent congressional action in the case of the North Carolina elector enforced this position and served to remove, once and for all, any doubt that the electors are free to ignore the wishes of the voters and cast their ballots anyway they see fit.

There are several proposals now being considered to reform our method of electing a President.

The automatic electoral vote plan would abolish the office of elector but retain the electoral votes of each State. Under the plan, the electoral vote of each State would be automatically awarded to the candidate receiving the greatest number of votes for President in the State. This proposal, while it would settle the problem of the unfaithful elector is only a token reform since it still contains the antiquated electoral college machinery which allows for the possibility that a candidate not preferred by the majority of voters could be elected President.

Under the so-called proportional plan for election of the President, the States would retain their present number of electoral votes. However, instead of awarding all the votes in a State to the candidate receiving the greatest statewide vote, as is now the case, the State's electoral vote would be divided in proportion to the statewide popular vote for the candidates. Thus, if a State had three electoral votes and 60 percent of the voters favored candidate X, candidate X would receive 60 percent of 3 votes or 1.8 electoral votes, the remainder going to the other candidate or candidates.

The proportional system would create a strange shift in the importance of States in presidential elections. The key factor in such a plan become the margin of victory in each State, and the important prizes would be the one-party States rather than the large States with their huge block of electoral votes. The big States tend to have healthy and strong two-party systems and the results, unlike those produced by the traditional one-party States, tend to be very close. An excellent example can be illustrated by the following instance. Had a proportional plan been in effect in 1948, Truman would have carried Georgia by enough popular votes to lead Dewey there by five electoral votes, 7.3 to 2.2. Dewey, on the other hand, carried New York, New Jersey, Pennsylvania, Michigan, Indiana, and Connecticut. But his popular vote margins in those States were small, and the Dewey electoral votes of those six States put together, 67.7 to 64.9 for Truman, would not have enabled the New York Governor to offset Truman's lead of five electoral votes that he would have picked up in Georgia alone.

Using this system, Hancock would have defeated Garfield in 1880, even though Garfield received a greater number of popular votes. William Jennings Bryan would have won over McKinley in 1896, although McKinley received 50.9 percent of the popular vote.

Another proposal is the district plan; that is, a system in which each elector would be named according to how each congressional district voted in a presidential election. The candidate who received the largest number of votes in a congressional district would win the elector. The candidate getting the greatest number of statewide votes would be entitled to the two electors at large.

The likelihood of a President being elected with less popular votes than his opponent would be greatly increased with the district plan. In fact, had this been in effect in 1960, Nixon carrying a greater number of congressional districts, would have won the Presidency, 279 electoral votes to 244, even though he had fewer popular votes than Kennedy.

If a district proposal were adopted, a Pandora's box of gerrymandering would result. State legislatures would be drawing district boundaries to favor not only congressional candidates in their own States, but to favor the national standardbearer of the party in power in each of those States.

Furthermore, the district proposal would move in the opposite direction from the national election. Whereas the latter would enlarge the unit in which popular elections are held from State to the Nation, the district plan would narrow it from the State to the congressional districts. Instead of focusing on national problems in a national campaign, the emphasis would, to a considerable degree, be shifted to matters of local concern with a particular district.

With more than two candidates running for the Presidency, it is possible for

no candidate to receive a majority of the electoral votes under the present system, even with the automatic electoral vote plan, the proportional and the district proposals.

In 1824, although Andrew Jackson received more electoral votes and more popular votes than did John Quincy Adams, two other candidates prevented Jackson from obtaining a majority of the electoral votes and the election fell into the House of Representatives, which gave a majority of its votes to Adams.

Under the proportional system, the influence of third parties would increase considerably since each vote for any candidate would enter into the final tally, thus permitting a relatively small minority vote, distributed among a number of States, to block the election of either of the major candidates. In the 1948, 1960 and 1968 elections, no presidential candidate would have gotten a majority of the electoral votes, thus necessitating a contingent election.

With respect to the district plan, I would not be surprised if no candidate last year carried a majority of the congressional districts, which would then have resulted in the need for a contingent election.

If no candidate receives a majority of electoral votes, the Constitution stipulates that the President would be selected from among the three leading candidates by the House, with each State delegation having one vote and with an absolute majority being necessary for election. The Vice President would be chosen from among the two leading candidates by the Senate, with each Senator having one vote and an absolute majority again being required.

The voting by the States is anomalous, for there can be no justification for the distribution of power among the States in a contingent election being different from that in the popular election. The very existence of that difference, moreover, may be an incentive to attempt to cause the election to be thrown into the House where the influence of some States would be greatly increased.

Furthermore, this contingent election lends itself to political intrigue and machination. Stalemates could occur if no one party controlled 26 State delegations. Had the 1948 and 1968 elections been thrown into the House, a deadlock would have occurred. The breaking of such a situation would almost inevitably be accompanied, at least in appearance, if not in reality, with the making of political deals in exchange for votes, such as that which happened in 1824. This voting, then, by State delegations in the constitutionally prescribed contingent election is both unjust and undemocratic.

Mr. Speaker, the only reform which can meet all the major problems of the electoral college system in a realistic manner is the institution of a direct popular vote for all the people for the President of the United States, and today I am introducing a proposed constitutional amendment to abolish the electoral college and to provide for the direct popular election of the President.

Each American citizen should get full and equal benefits of his right to vote and of his vote itself. The direct election of the President will guarantee this. It, also, is the natural culmination of the one-man, one-vote principle. Every voter in every State will have his voice heard. Furthermore, the direct election proposal insures that the presidential candidate with the largest number of votes would be elected President. This, of course, is not true under the present system nor would it be under any of the other proposed alternatives.

My proposed constitutional amendment states that the persons joined as candidates for President and Vice President, having the greatest number of votes, shall be the President-elect and the Vice-President-elect. This differs from a number of other proposals which carry the requirement of a plurality of at least 40 percent to be elected President, and in the event that no candidate received such a percentage, a runoff would then be held between the two top candidates.

The rationale for having a percentage requirement and a runoff is to assure a reasonable mandate to the person elected President. Also, a 40-percent figure, together with a national runoff, would operate to discourage splinter parties from trying to decide the outcome of a presidential election.

However well intentioned this percentage requirement may be, an historical analysis of partisan elections shows that it is unlikely that a winning candidate will receive less than 40 percent of the vote. This occurred only twice in our history. John Quincy Adams received around 30 percent of the popular vote in 1824 and Abraham Lincoln obtained a little more than 39 percent in 1860. A list of those Presidents receiving less than 50 percent of the vote follows:

John Quincy Adams, 1824: 30.54 percent.
Polk, 1844: 49.56 percent.
Taylor, 1848: 47.35 percent.
Buchanan, 1856: 45.63 percent.
Lincoln, 1860: 39.79 percent.
Hayes, 1876: 48.04 percent.
Garfield, 1880: 48.32 percent.
Cleveland, 1884: 48.53 percent.
Benjamin Harrison, 1888: 47.86 percent.
Cleveland, 1892: 46.04 percent.
Wilson, 1912: 41.85 percent.
Truman, 1948: 49.26 percent.
Kennedy, 1960: 49.71 percent.
Nixon, 1968: 43.16 percent.

We can also learn from history that two Presidents who got around 40 percent of the vote, Lincoln and Wilson, were anything but weak Presidents. Both these men rank among our greatest Chief Executives.

As to the assumption that a runoff is necessary in order to prevent the weakening of the two party system by splinter groups, there is nothing to prove that the plurality vote system encourages a plethora of minor parties on the State and congressional district levels. The two party system is a well established tradition and there is no proliferation of third parties challenging the two parties for Senate or House seats or for State governorships or control of State legislatures. Based on this experience, there should be no reason why the plurality system would promote minor parties in presidential politics. If anything, a runoff would encourage fragmentation in the first election by encouraging people to enter it who might not otherwise be credible candidates. It also encourages voters to support candidates that they otherwise would not think about if it were a final election.

Mr. Speaker, the only reform which can meet all the major problems of the electoral college in a realistic and most democratic manner is the institution of a direct popular vote for the President. This would eliminate the undemocratic electoral college vote system, the problem of unfaithful electors, the contingent election and the danger of a popular vote loser entering the White House. Direct popular vote puts the choice of the President squarely where it ought to be, directly in the hands of the people.

ANNUNZIO CALLS FOR INVESTIGATION OF RISING GHETTO INSURANCE COSTS

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

Mr. ANNUNZIO. Mr. Speaker, I am inserting in the RECORD two news stories from Chicago's Daily News which deals with the implementation of the urban insurance program which was enacted last summer as part of the Housing and Urban Development Act of 1968. These news reports are typical of many which have appeared in the Chicago papers in recent weeks.

If there is any basis at all to the stories—and I have good reasons to believe there is—they are a firm indication that the purpose and intent of the Congress in passing this legislation has been distorted beyond belief.

Perhaps even more important, the hundreds of thousands of beleagured property owners whose property and businesses are deteriorating have suffered a cruel hoax to which the Congress was unwittingly a party.

We were assured throughout the legislative process that the insurance industry, together with the State commissioners, would set up FAIR plans which would make basic lines of essential property insurance available to inner city residents and owners.

The statutory scheme provided an incentive in the creation for participation in these plans by requiring such participation as a condition of receiving the Federal riot reinsurance benefits.

It was hoped that these FAIR plans would do away with practices such as redlining, blackouts, and arbitrary cancellations. It was also hoped that making essential property insurance available at fair rates and without regard to environmental hazards would serve a social purpose because the ready availability of insurance would help to stop blight, inner city deterioration, and loss of business. Moreover, property owners could obtain adequate financing for improvement of their property.

These news stories, and other communications from my district, report that where the FAIR plans are operative, premiums are at double and triple

the rates previously charged and that there are long waiting lists of applicants. Bear in mind that this shoddy performance is going on while at the same time the Department of Housing and Urban Development is in the process of providing reinsurance for riot losses.

Mr. Speaker, from the time the bill was first proposed and referred to the Committee on Banking and Currency, of which I am a member, I had grave doubts about its efficacy without a strong Federal hand to make sure that it would do what its supporters claimed it would do.

Both in committee and on the floor I sponsored amendments which would offer the guarantee of effective implementation. One of my amendments would have set up compulsory assigned risk pools for implementation of the FAIR plans within 90 days after the enactment of the act, rather than the 2 years now provided. I felt then, as I do now, that the obligations imposed on the industry should be concurrent with the Federal benefits conferred.

Another of my amendments would have required the reinstatement of all policies in the inner city areas which were canceled after the April 1968 riots. My intent was that, since the Federal riot reinsurance program alleviated the risk of loss due to riots, there was no reason on God's green earth why policies canceled because of this risk should not be reinstated.

Unfortunately, because of the urgency of the housing legislation, the fears of additional riots last summer and the lateness of the session, my amendments were not passed. However, language was included in the committee report which reflected their intent.

I recall the history of these amendments not in the spirit of "I told you so," but if the situation in Chicago is as grave as I think it is, we should reexamine this program with a view toward adopting amendatory legislation along these lines immediately.

Mr. Speaker, the Federal riot reinsurance program was given a lifetime of 5 years. It is extremely urgent that the Congress make sure that the remainder of its brief life will fulfill the social and economic purposes for which it was created.

I have this day written to the Honorable WRIGHT PATMAN, the distinguished chairman of the Committee on Banking and Currency and urged that he appoint a special subcommitee to conduct hearings in Chicago and elsewhere, if necessary. The subcommittee should commence its work now so that any remedial action recommended can be taken early this session.

At this point I insert in the RECORD two articles appearing in the Chicago Daily News on February 1 and 3, 1969, as well as a copy of my letter to Chairman PATMAN:

RATES DEFY U.S. RULES: GHETTO INSURANCE GOUGE: HIGH FEES HURT FIRMS, CHURCHES

(By William Clements)

Property owners in Chicago's ghetto are being charged double and even triple the normal fire-insurance rates despite federal legislation to curb such practices.

Small business firms and churches in or near potential riot areas have been hit particularly hard by the rising rates.

The higher premium costs are applied to old and new buildings, whether or not they have experienced fire loss in recent years.

The property owners getting hit with double and triple rates are insured under the so-called FAIR plan, which took effect in Illinois last September.

The plan is a federally backed reinsurance program with nearly all companies writing fire insurance in the state participating.

The companies, in effect, form a pool and are given properties to insure on an assigned risk basis.

Purpose of the plan is to provide insurance for properties in areas hit by riots in recent years. Many companies have refused to write fire policies in ghetto areas because of the fear of riots.

About 350 policies have been written under the plan thus far, with thousands of applications waiting approval.

Recipients of policies under the pool program have complained to The Daily News that the sky-high premiums could force them to take their business out of the city.

"You have to get out eventually, you can't exist here with costs going up like this," said Jerry Crandall, co-owner of Harmony Fashion Clothiers Inc., 949 E. 63d St.

Crandall's business is in a building completely rehabilitated six years ago. Insurance inspectors found no defects when they looked at the property last fall, he said.

Yet, he stated, premium costs under the new assigned-risk policy he received in January are exactly double what he was paying two years ago. He now pays $884 a year for $28,000 of fire and extended coverage.

Elmer F. Reske, director of the FAIR program and a spokesman for the insurance industry, has told critics of the plan that it "is not a bargain." He admits rates will go up.

He said the response to the program has been good, with some 35 applications a day coming in.

One West Madison businessman who was forced into the FAIR plan because he had trouble getting fire coverage—and then had his rates doubled—complained:

"I can't see why doubling my premium costs makes me any more desirable. If I was a risk before, I am a risk now. There is no reason why the rates have to go up that high."

He is paying $2,891 a year for fire coverage of $75,000 under the assigned-risk plan.

The man said his property never has been damaged by fire or riot in the 27 years he has been at his Near West Side location.

The rioting that erupted last April after the assassination of the Rev. Dr. Martin Luther King Jr. didn't come within ten blocks of his store, he said.

Andrew Frank, owner of the Star Department Store, 1327 E. 63rd St., is bitter about the high rates he received under the risk plan:

"Nobody knows where they are getting these figures from—it's like pulling them out of a hat. I can't understand it and neither can my insurance broker."

Frank is paying $3,750 this year for fire insurance of $100,000 on the contents of his building. This is twice what he paid last year.

On the building itself, he pays $1,375 for $50,000 of coverage—triple last year's rate.

Said a La Salle St. insurance broker, who asked not to be identified:

"People are fleeing from the inner city because they either can't get insurance or the rates are too high. Under such conditions, how can they stay?

"What is happening is exactly the opposite of what the city fathers want. But this whole thing is a boon to the fire underwriting business in Illinois."

Only time will tell, of course, whether it is a boon or bust to the insurance industry.

Because of potential rioting, many companies have refused to issue fire policies in ghetto areas.

The money collected in premiums, they reasoned, wouldn't come near matching the losses of properties destroyed by fire.

Recognizing this hardship of the ghetto dweller, Congress last May passed the FAIR plan (its full title: the Urban Property Protection and Insurance Act.)

The language of the bill allowed for slight increases in premium rates, but its intent was to keep the lid on runaway costs.

Congress feared that huge jumps in premium rates could cause a wholesale departure of businesses into the suburbs, crippling the inner city economy.

The bill required that each state pass enabling legislation following federal guidelines.

With this in mind—and thinking primarily of Chicago and Cook County—the Illinois General Assembly last July passed an emergency bill designed to make basic property insurance available in urban areas.

As suggested in the federal act, the Illinois Property Insurance Placement Facility was created to process applications for fire and extended coverage under the assigned-risk pool.

The facility, under the direction of Reske, arranges for the inspection of ghetto properties by employes of the Illinois Inspection and Rating Bureau.

Both the facility—at 175 W. Jackson—and the bureau are financed by contributions from the insurance industry of Illinois.

About 300 companies writing insurance in Illinois participate in the FAIR plan.

Inspectors are told—and this is made clear in the legislation—that the location of a building is not to be a factor in determining whether a policy is issued, nor can it be used as a basis for raising premium rates.

Certain surcharges (added costs) are allowed for such things as defective wiring, poor maintenance or the age of a building.

The adding of surcharges to basic rates apparently is the principal reason premiums are jumping so high.

Reske, late last year, warned that the pool "is not a program for bargain hunters."

"We are not in competition with the available market," he stressed.

Reske told The Daily News that pool rates on substandard buildings in the ghetto could be increased as much as 5 times and the insurance company would still be within the guidelines established by the state.

Critics of the programs complain that the guidelines are being misused and suggest that a limit be placed on rate increases.

Rep. Anthony Scariano (D-Park Forest), one of the sponsors of the bill, said the FAIR plan has turned into a "racket" and said a definite "ceiling should be put on the amount a premium can be increased."

"We figure that someone going into an assigned risk pool would face a slight increase in premiums," Scariano said. "But these costs have gone up exorbitantly. This is ridiculous."

Scariano and several insurance brokers pointed out that the policies written under the FAIR plan are always at least doubled, often much higher.

Judson Miner, an attorney who works at the Mandel Legal Aid Clinic at the University of Chicago, charged that the insurance industry—through the facility and bureau—completely controls the risk pool plan and is twisting it to its own advantage.

"This certainly is not the way Congress intended it to be," Miner said. "Operational control should be in the hands of the Illinois Department of Insurance, a public agency, with the facility and the insurance industry serving only as advisers.

"Just the opposite is true in Illinois and because of it the little guy is being hurt."

Steve Tallackson, executive secretary of the Woodlawn Businessmen's Assn., said many

companies are canceling policies based on normal rates and then reinsuring the same property at higher premiums under the assigned risk pool.

Another way the FAIR plan hurts the ghetto dweller is the rule that policies are written for one year only.

This means the inner-city property owner is deprived of the 10-percent discount usually allowed on a 3-year insurance contract.

Those who find the pool too expensive are being hurt economically in other ways.

The Rev. John Baggett, pastor of the Woodlawn United Methodist Church, 1208 E. 64th St., had a $500,000 fire insurance policy on the church last year with an annual premium of $1,100.

Shortly after the FAIR plan took effect, he was informed his policy would not be renewed.

His broker told him, he could get insured for $500,000 under the pool, but that it would cost him $4,400 a year, four times the previous rate.

Mr. Baggett told the broker his congregation couldn't afford it. The broker then worked out a plan whereby the church will be insured for $50,000—$450,000 less than the coverage for 1963—and it will cost $1,500 a year, $400 more than last year.

Mr. Baggett said his church has not been touched by fire or riot and that he cannot understand the proposed hike under the FAIR plan.

[From the Chicago (Ill.) Daily News, Feb. 3, 1969]

INSURANCE PROBE ASKED BY SCARIANO

(By William Clements)

State Rep. Anthony Scariano called Monday for an immediate investigation of insurance-writing practices in Chicago's ghettos.

The legislator said a top-to-bottom review of a federally backed insurance program is needed before "the whole thing becomes more of a racket than it is now."

The Park Forest Democrat made the request in a letter to House Speaker Ralph T. Smith (R-Alton).

Scariano urged Smith to convene the 10-member Joint Insurance Study Commission, of which Smith is chairman. The commission consists of five members each from the House and Senate.

Scariano acted after The Daily News disclosed Saturday that property owners in the ghetto are being charged double and even triple normal premiums for fire insurance.

The sudden increase in insurance rates have occurred despite federal legislation to stop such practices.

Congress passed a bill last year designed to give "fair access to everybody" who wanted fire insurance coverage.

The bill was aimed primarily at the ghetto dweller, who has found it increasingly difficult in recent years to get sufficient insurance on his property.

Companies have balked at writing ghetto policies because of a fear of rioting.

The companies reasoned that premium rates wouldn't come near matching the cost of properties destroyed by fire.

Congress made it clear, though, that premium charges under the so-called FAIR plan should be kept low.

The Illinois plan, which took effect last September, has jumped rates so high that ghetto businessmen say they eventually will be forced to move to the suburbs.

One property owner in the 4000 block of W. Madison told The Daily News that his rates increased six times over what they were a year ago.

"How can they expect us to stay here with this sort of thing going on?" he asked. "It's as though the state is intentionally driving us out."

He said his store was not hit by rioting that broke out last April after the assassination of the Rev. Dr. Martin Luther King Jr.

Scarino and Rep. Edward Copeland (R-Chicago) called the rising rates "ridiculous" and said it appears that the FAIR plan is running just the reverse of the way Congress intended it to run.

Copeland said he hopes Smith's commission will begin to look into the charges right away.

Elmer F. Reske, director of the Illinois Property Placement Facility—which operates the FAIR plan—said it is not "a program for bargain-hunters."

He said that rates on ghetto property could be increased as much as 500 percent.

Critics contend that the facility should not control the FAIR plan, in as much as the facility is owned by the insurance industry of Illinois.

They contend that the Illinois Department of Insurance, a public agency, was intended by Congress to run the program.

About 390 companies writing fire insurance in Illinois participate in the FAIR plan.

About 350 fire insurance policies have been written under the plan. All rates have at least been doubled with many going much higher.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 5, 1969.

Hon. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of clippings from the Chicago Daily News on February 1 and 3, 1969. According to these stories, which have been confirmed by other reports from my district, premium rates for insurance under the FAIR plans have doubled and tripled. Further, the insurance under the plans is not being made available on any appreciable scale to those who most need it.

As you know the FAIR plans are an integral part of the Urban Reinsurance Act which we passed last session. They were designed as a voluntary program whereby the insurance industry would cooperate to end the pernicious insurance practices of blackouts, red lining and arbitrary cancellations in our inner city areas. As an incentive to industry participation in these plans we required such participation as a condition to obtaining the federal riot reinsurance.

Our most important purpose in enacting this legislation was based on the hope that by making essential lines of property insurance available to them, the inner city property owners would assist in ending urban blight and deterioration. We were led to believe that the availability of such insurance would encourage the improvement of their properties.

Now it appears that our objective was thwarted. We may have committed the federal government to a huge financial risk on either false representations or faulty implementation. In any event, the inner city property owner is not getting what he was promised. Recent history has shown that these circumstances can lead to serious consequences. It is of the utmost importance that we examine this situation quickly and closely and institute remedial action immediately.

Therefore, I request that you appoint a special subcommittee of the Committee on Banking and Currency to begin hearings in Chicago, and other areas if need be, at the earliest possible date.

When this legislation was first brought before our Committee you and I shared misgivings as to whether it was a practicable program as proposed. I am fearful that our doubts were justified.

I appreciate your continued interest.

With kindest regards, I am,

Sincerely,

FRANK ANNUNZIO,
Member of Congress.

FULL DEBATE AND RECORD VOTE NEEDED ON THE PAY RAISE

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

Mr. ROGERS of Florida. Mr. Speaker, the issue of pay increases for the Congress and other Federal executives is a matter of great concern to many Members and is one that requires full debate by the House. Unfortunately, the House Rules Committee tabled my bill and that of the gentleman from Iowa (Mr. GROSS) and eight other colleagues which disapproved the raise. If the House does not act by February 13, the pay increases ordered by President Johnson and endorsed by the new administration will automatically take effect.

Traditionally, and indeed constitutionally, the Congress is responsible for setting its own salary, and the pay of other top Federal executives as well as that of all Government employees. In 1967 Congress included in the civil service and postal employees pay bill a provision allowing the President to set top Government salaries, subject only to a congressional vote. I voted to strike this section.

If the House fails to debate and give full consideration to the sweeping raises proposed, we will again see a power of the Congress delegated to the White House.

This Nation is facing a time when the need to hold down on spending, to take every measure against inflation, and to keep the budget in balance, is of primary importance. The pay increases which have been ordered limit room for legitimate, constructive action on the part of Congress—unless the issue is opened for debate.

There may well be wisdom in increasing pay for some of the categories listed in the order. But I do not agree with this package, and feel that there are many of my colleagues who share this opinion.

I have introduced legislation, House Resolution 153, disapproving this "take-one, take-all" package deal, and I wrote the chairman of the Rules Committee asking that this legislation be sent to the House floor. The House should debate and reject this pay package, and then proceed to consider executive, judicial, and legislative pay scales in an orderly and proper manner.

Unless we do consider each pay level on its own merit, with full discussion, debate, and a record vote by each Member, the House will not be working its will on a vital issue for which it is directly responsible to the American people.

PROPOSED LEGISLATION TO ENABLE WOMEN WITH 30 YEARS COVERAGE UNDER SOCIAL SECURITY TO RECEIVE FULL RETIREMENT BENEFITS AT AGE 62

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

Mr. ST GERMAIN. Mr. Speaker, currently, there are some 26 million females gainfully employed in our Nation's labor market, representing over 35 percent of

the total number of citizens employed in these United States.

These women have had, and are having, a profound effect upon our Nation's economy and way of life as their numbers, buying power, and importance continue to increase.

Our gross national product, rapidly approaching a trillion dollars, is the most fantastic and enviable materialistic achievement yet known to man. An incredible growth has been realized in our gross national product, rising from $284.7 billion in 1950 to approximately $800 billion today, and paralleling—or perhaps stimulating would be a better word—this growth has been the expansion of the female role in our labor market and economy.

The greatness of the female contribution to our Nation's economy and well-being cannot be questioned. We only wonder about the degree of this greatness as we acknowledge their valued contribution.

In an effort to effectively acknowledge this contribution to our Nation's economy and well-being, I introduce legislation in the 90th Congress designed to enable the women of our Nation's labor force with 30 years coverage under social security to receive full benefits at the age of 62.

I rise today to reintroduce this legislation which was cosponsored by more than 50 Members of this body in the 90th Congress and which received vigorous support from constituents across the land.

Under legislation enacted in 1956, women are able to receive 80 percent of the benefits due to them if they should retire at age 62. Now, I consider it appropriate and wise that we permit them full—not 80 percent—benefits at age 62, and many other members, whose names also appear on this bill, concur with me.

Mr. Speaker, the gentlemen whose names appear on this bill are not asking for a "giveaway." We are urging the Congress to recognize the great contributions made by the women of our land towards the incredible growth of our Nation's economy during the past 30 years and whose labor continues to spark further growth in our economy.

The initial recipients of this legislation are those women who joined the labor force when our Nation was just beginning to overcome a depression, and whose labor may very well have accounted for our Nation's recovery from that economic disaster.

Let me reiterate that this legislation would only apply to those women who have faithfully contributed to this fund for 30 full years—that is, 120 quarters.

Now as we all know, a person can gain full social security coverage if he has contributed to the fund for every quarter after 1950 up to, but not including, the year he or she reaches age 65. In other words, it is possible that a person could gain full benefits at age 65 if he had only contributed to the fund for 18 quarters. In some special instances, even six quarters would enable one to gain full benefits.

The legislation I introduce today speaks not in terms of six quarters or 18 quarters, but in terms of 120 quarters. That is, recipients must have contributed to the fund for at least 30 years or 120 quarters.

We are addressing ourselves to those hard-working productive Americans whose names do not appear on the welfare rolls during these past 30 years. We are speaking about those strong Americans who are greatly responsible for the growth of assets in the social security trust funds from $267.2 million 30 years ago to the present $25.5 billion.

We are asking that Congress now realize the extent of their contribution and permit them to retire with full benefits at age 62. We are not giving them anything that they do not deserve. It is not a "giveaway." Rather, it is a way for our Nation to say thank you for a job well done to the women of our land who have indeed contributed far more than they could possibly receive from the social security program.

On behalf of all the Members who have cosponsored this bill, I ask that this body act expeditiously and favorably on this legislation.

We have a debt to repay and a commitment to meet. The debt, of course, is to those who have labored so long, and the commitment is to the younger people who are available to replace those who retire. This bill would free many jobs for these younger people and thus enable us to live up to our standing commitment of maintaining the highest possible level of employment.

Let us now live up to this debt and commitment.

ABOLISHING THE NATIONAL CAPITAL PLANNING COMMISSION

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

Mr. SCOTT. Mr. Speaker, I have today introduced a bill to abolish the National Capital Planning Commission and to transfer its functions to the Commissioner of the District of Columbia.

As most of you know, I represent a nearby Virginia district and my constituents are concerned about the problem of getting in and out of Washington. Last Monday my office received more than 10 telephone calls from commuters who indicated they had spent up to an hour more than the usual time in getting to work. Each asked what my office was going to do about it. In my opinion, this is the most important local problem to the people of suburban Virginia.

Since election to Congress I have tried in every possible way to improve the lot of the commuter, even holding a conference together with other Washington area Congressmen last year and inviting representatives of the highway departments of Maryland, the District of Columbia, and Virginia to determine their views and to suggest methods in which the problems of the commuter could be reduced.

The Congress included a provision in the Interstate Highway Act of 1968 directing the construction of an Interstate System within the District of Columbia and including the Three Sisters Bridge. This bridge would be reached from the Virginia side over a proposed Interstate 266. However, the head of the department of highways of Virginia has recently advised me that Interstate 266 has been eliminated from the Interstate System of Highways by the Department of Transportation upon the recommendation of District of Columbia officials without any advance notice to the Virginia Department of Highways or any opportunity for the highway department in the State where the road would be constructed to be heard. He concluded his letter by stating that the Virginia Department of Highways still intend to build this interstate road. This is a ridiculous situation and in my opinion should be resolved by the Congress and the Department of Transportation. I have discussed this matter with the Secretary of Transportation and am hopeful that he will use the prestige of his office to resolve the dilemma.

An editorial appeared in the January 1969, edition of the American Motorist magazine which set forth a number of instances over the years in which the National Capital Planning Commission has delayed the construction of necessary highways and bridges. There is no doubt that we need a well coordinated system of transportation which would not only include freeways but would provide for rapid rail transportation throughout the Washington metropolitan area here by subways or surface rapid rail. Neither should suffer at the benefit of the other and Congress in the past has indicated it subscribes to this plan. For some reason, the National Capital Planning Commission is unwilling to follow the mandate of the Congress and a few months ago acted directly in conflict with the congressional mandate in recommending the elimination of the Three Sisters Bridge and changing the approved highway system within the District of Columbia. My office has received numerous letters from people and organizations which are indignant about the behavior of the Commission. While we may not always agree with the actions of the District of Columbia government, the Commissioner, and other officials of the District of Columbia are responsible at least to an extent to both the President and to the Congress. Therefore, my bill would transfer the functions of the Planning Commission to the District of Columbia government.

I ask your help and your support in attempting to minimize the transportation problems in our area. Many of you are commuters and know from firsthand experience the problems of the commuter. The National Capital Planning Commission is part of our problem and not part of the solution. It should be abolished.

The editorial of the American Motorist magazine is set forth in full below:

WHITHER THOU GOEST, NCPC?

The strange and erratic behavior of the National Capital Planning Commission on the question of highways in the District of Columbia culminated last month in a vote to scuttle the Three Sisters Bridge and the North Central Freeway—and, in effect, a rational transportation system for the Nation's Capital.

For the seventh time within the last eight years, the National Capital Planning Commission has slithered from one position to another on this question.

In 1960 the NCPC gave its blessing to the Three Sisters Bridge.

In 1962 the NCPC decided to defer the Three Sisters Bridge for a while.

In 1966 the NCPC voted to approve a complete freeway system including a Three Sisters Bridge.

In 1967 the NCPC asked the Department of Transportation to study the idea of a tunnel at the Three Sisters site rather than a bridge.

In 1967, after DOT said that a bridge at that site was a better idea, the NCPC, on May 5, agreed to stage-three approval of the bridge.

In 1967, the NCPC, on September 14, refused to give stage-four approval to the bridge.

In 1968 the NCPC, disregarding the recommendations of its own staff voted to eliminate the Three Sisters Bridge from the District's freeway system.

What, one is forced to ask, will the National Capital Planning Commission do tomorrow? No one, least of all the NCPC, seems to know.

We do, however, know what will happen if their latest decision is allowed to stand. More automobiles will clog residential streets. The result—more accidents and fatalities.

More and more time will be consumed getting to and from work. The result—more businesses will move to the suburbs. The result of this: a decrease in the taxes collected by the city and a rising rate of unemployment among the city's population.

A rational and orderly freeway system has been developed during the last 20 years. During this time, 33 major studies costing 20 million dollars have been made of our highway system. All but one have supported the need for the Three Sisters Bridge.

Why, after all this time and money, do we still not have even the beginnings of an adequate freeway system? Because the inability of city planners and officials to make firm decisions has a long history in Washington—as evidenced by the vacillation of the NCPC during the last eight years.

Congress has shown the courage in the past to assume this responsibility. We believe that they should do so now.

MINIMUM FEDERAL INCOME TAX

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

Mr. MONAGAN. Mr. Speaker, I am introducing legislation today with a twofold purposes: to correct an intolerable abuse and to strengthen our country's financial resources.

My bill provides for a minimum Federal income tax on individuals and corporations enjoying substantial incomes who would otherwise pay no tax whatsoever. No right thinking citizen, I claim, would deny that the problem of income tax avoidance by the wealthy has now reached serious proportions. People are concerned about the high-income recipients who pay little or no Federal income taxes. For example, the extreme cases are 155 tax returns in 1967 with adjusted gross incomes above $200,000 on which no Federal income taxes were paid, including 21 returns with incomes above $1 million.

This unjust and wasteful system of collecting Federal revenues must be reformed or the country and the Congress may well face what former Treasury Secretary Barr has called a taxpayer revolt. This rebellion will come not from the poor but from the tens of millions of middle class families and individuals with incomes of $7,000 to $20,000 whose tax payments now are based generally on the full ordinary rates and who pay over half of our individual income taxes.

The question then is not whether there should be tax reform but what path it should take. My feeling is that a straightforward imposition of a minimum income tax will achieve the most efficient and most equitable results in curtailing the avoidance of income taxes by the wealthy. Surely it is not unreasonable to require that everyone able to do so pay some minimum tax.

So complex and vast is our tax structure now that a number of features of our tax laws are used in various combinations on the returns of those with larger incomes who pay no tax. The most common provisions utilized to achieve the result of no tax liability are:

First, the unlimited charitable contribution deduction.

Second, the exclusion of interest on tax-exempt State and municipal bonds.

Third, charitable contributions of appreciated property where the contribution deduction includes gains which have not been taxed to the individual.

Fourth, percentage depletion derived from income from the extractive industries.

Fifth, large amounts of income taxed at capital gains rates.

Sixth, depreciation on real estate making use of the fast depreciation methods.

Seventh, farm losses which have been offset against nonfarm income.

This bill would cut evenly across all the avenues taken to produce no tax liability. Moreover, the rate of minimum income taxation proposed is a prudent and just one. Those individuals and those corporations to be taxed under the law would in no way be discriminated against; instead their tax liabilities would be brought more into line with the tax liabilities of the vast majority of American taxpayers with medium-sized incomes.

AGRICULTURAL SUBSIDIES PLACED IN PERSPECTIVE

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, the question of Government subsidies, particularly agricultural subsidies, have been the subject of much public discussion of late. Many of these discussions appear to be based on emotion rather than fact. It is for this reason that I call to the attention of my colleagues a perceptive editorial in the Corcoran, Calif., Journal written by its distinguished editor and publisher, Mr. Percy M. Whiteside:

FARMERS DESERVE MEDALS FOR U.S. CROP COOPERATION

When the first Congress of the United States convened in 1789, after adopting the form of oath of office to be taken by government officials, its initial action was the enactment of a tariff law (as a subsidy) to protect and promote farming, industry and the infant American merchant fleet.

This established the basic principle of government support, directly and indirectly, to those things which were held as vital to the growth and prosperity of our nation.

From this early beginning, subsidies through the years have taken many forms.

As early as 1827 Congress made appropriations and granted free right-of-way privileges to private canal builders to support and encourage a system of inland waterways as the then best means of interstate transportation of goods and people. This was in addition to giving canal builders 6,340,339 acres of land; then between 1860 and 1871 "gave" the then newly expanding railroads 180,000,000 acres of land as an outright grant and subsidy.

After the advent of the automobile, the government has gradually given untold billions of dollars as subsidies for the building of millions of miles of roads for its American motorists. This is still going on by th billions of dollars of taxpayers' mone annually.

(Incidentally the Postal Department has also been subsidized to meet its deficits yearly in mail handling to the tune of several billion dollars.)

Again comes further travel and transportation needs in the form of aviation and airlines. This modern need is also being subsidized by our government at considerable cost—but we think with good reason.

Also, in recent years, industrial development, the "needs" of labor, scientific progress and literally 100 other forms of government, financed or substantially assisted and subsidy supported programs and projects have almost become commonplace in mentioning millions, and even billions of dollars annually in government expenditures of the taxpayers' dollars.

What we resent, very bitterly and righteously, is that although helpful governmental subsidies are granted for innumerable other reasons, the very minute that agriculture is included—we hear great wailing at the subsidy wall by a Senator or two that farmers are "getting rich" at the expense of the government and taxpayers.

That is absolutely NOT true.

In the first place these attempts to smear the American farmers for cooperating with the government's own programs, which are almost always at an actual loss to the individual farmer.

In the second place, the "wails" come only from Senators who represent non-farming, metropolitan or industrial states and are simply seeking to stir up selfish votes to promote their own individual political interests.

And, in the third place, their contentions are entirely false as compared to the facts. These are:

1. Farm subsidies save the American people billions of dollars yearly in otherwise added taxes.

2. Were it not for the "renting" of farm land by the government, as much as $5,000,000,000 a year would have to be added to government expense in purchasing surplus farm crops produced. (This includes cotton, grain, sugar, milk, poultry and many other crops and products under controlled prices.)

3. Interest alone on the difference in the billions of dollars which would be required from the government far more than repays the taxpayer and the treasury of the United States for the comparatively small amount paid to farmers and producers for their cooperation in crop control programs.

4. Exports of crops and products, such as the "Food for Peace" program is of great benefit to our nation in many ways in good will and actual help in feeding the people of many foreign nations besides boosting our commercial exports by billions of dollars yearly in foreign purchases to stem the serious outflow of gold from this Country.

There are many more ways in which American farmers have made great contributions to the general economy, prosperity and prog-

ress of our Country—even though still unprotected against continually decreasing market prices for their crops and the great gambles which they grimly risk, year after year, against the adversities of often disastrous weather conditions.

Unless our good Congressmen such as Burt Talcott, Bob Mathias and several hundred others are able to prevail and prevent the further fast decimation of the American farmer, together with the help of a majority of the United States Senators, we fear for the fateful and dreadful day when farming, food and fibre have been trampled underground by senseless, selfish politicians.

While there is still time, to save agriculture as we know it today, we hope that Congress will recognize its great contribution under the American form of subsidies, and award medals of recognition to all farmers who have given their full cooperation in the subsidy program advanced by the government.

LOWERING THE NATIONAL MINIMUM VOTING AGE TO 18

The SPEAKER pro tempore. Under previous order of the House the gentleman from New Jersey (Mr. HOWARD) is recognized for 1 hour.

Mr. HOWARD. Mr. Speaker, on January 3, 1969, I introduced House Joint Resolution 18, as I did in the 90th Congress, proposing an amendment to the Constitution providing that any person 18 years or older should not be denied the right to vote.

Legislation to lower the national minimum voting age was first introduced in 1942. Support for this measure has been growing rapidly ever since, and now includes such groups as the National Student Association, the National Education Association, prominent leaders of both political parties, as well as the National Young Democrats and National Young Republicans. It was supported by both of the recent presidential candidates, and was included in both party platforms.

I am particularly pleased to be able to discuss this matter today, because this morning marked the official beginning of an organization known as the Youth Franchise Coalition. This group will be a spearhead organization working on a national level to promote passage of this legislation in Congress, and ratification by the States. This organizational meeting was attended by representatives from many organizations, including those mentioned above, as well as many prominent persons from the Congress. I am very proud to be associated with these young people whose efforts thus far have been not only competent, but innovative and courageous. They deserve all success.

I feel very strongly that our citizens in the 18-, 19-, and 20-year-old bracket must be given the opportunity to participate in decisions which determine the course of the country they will be leading in the coming years. The arbitrary age of 21 for voting privileges in most of our States dates back to the dark ages, and is no longer valid in any way. We ask so much of our youth today, in the way of maturity and participation; and yet we deny them the full exercise of that maturity—the right to participate in the election of their representatives in Government.

The 18-, 19-, and 20-year-old people in this country are better educated, better read, and more conscious of the expanding world around them than ever before in our history. They are not only aware of political activity, but are interested and concerned for the future of their country. During the past election alone, the youth of this Nation accomplished so much, worked incredibly hard to further their beliefs, but in the end, they were not allowed to express their choice in the ballot box. They could speak out, but could not make themselves heard in the most effective way.

I think it is admirable to note that these citizens are striving to be able to express their beliefs, to make themselves heard from within the established system—rather than using less acceptable means of making themselves heard from without. It is important that we support these efforts. It is important that the young people of our Nation have a say in the building of their future.

But what about the more basic reason for giving our 18- to 20-year-old citizens the privilege of voting? I mentioned earlier that we ask a great deal of them in the way of maturity and responsibility. In most of our States, 18-year-olds must stand trial in criminal court—they are no longer considered juveniles under the law. In most States one need only be 18 years of age to marry without parental consent. In many States 18-year-olds may enter into written contract and be held responsible—they are not considered juveniles. In many States this age group can make wills; they can purchase insurance. The child labor provision of the Fair Labor Standards Act does not apply to one 18 or older. Welfare aid cannot be given to one 18 or over unless he or she is handicapped. They have been given the responsibility of the lives of others as they drive cars and purchase guns and ammunition.

All these privileges and responsibilities are given at or by the age of 18—what about the privilege and responsibility of voting?

Further, what about the principles on which our beloved country was founded? Many 18-year-olds hold jobs and pay taxes—whatever happened to taxation without representation? Under the Democratic principles set forth by our Founding Fathers, all responsible citizens were given the privilege of choosing those men who make the policies of our internal and international affairs—our young men who are drafted into the armed services at 18, are carrying out our countrys policies, but have had no voice in choosing those who make those policies.

By the age of 18, most Americans have completed their formal education. They have just completed courses in the functioning of a democracy, and the founding of their country. They are at their highest peak of interest. That is the time when they should be initiated into the responsibility and privilege of voting. Those who study voting behavior have noted that persons in the 21 to 30 year age bracket have one of the lowest voting participation averages in the electorate. They suggest that one cause of this is the denial of the vote between the ages of 18 and 21, when the enthusiasm is the highest. On the other hand, studies of the 18 and 21 voting group in Kentucky have indicated that this unfortunate trend is to some degree offset by permitting this age bracket to vote.

It is a well known fact that the median age in our population is getting lower and lower, while at the same time our older citizens are living much longer. The result is an imbalance in the electorate. Giving our 18-year-old citizens the right to participate in the voting process will counteract this imbalance. We must combine the experience and wisdom of age with the energy and active interest of the young.

In conclusion, we should note that the majority of the population of this country supports the need for lowering the minimum voting age. Those who have studied the electoral process in the four States where the voting age is below 21 already have been much encouraged by the enthusiasm of this age group as they study the questions and issues. Their idealism and concern for the future, their education and background, make them among the most intelligent voters today. The combination of all the pertinent factors makes it all the more incumbent on this Congress to insure that these citizens are given the right to vote. Not too long ago, we passed the voting rights act, but that legislation leaves much to be desired because it excludes those having the most concern for the future—let us make certain that the 91st Congress acknowledges their concern by giving them a voice in that future.

Mr. Speaker, we can say many, many things and give many, many reasons why our 18-year-olds in this country should vote. But the greatest argument for 18-year-olds voting is the 18-year-old American of today. Should anyone have a vague idea concerning our young people, thinking they may be distraught or discouraged—we might ask that person to visit our schools and our universities and find out what they are doing and talk to the young people. They would be amazed to learn how intelligent they are, how concerned they are, and how much they want to take part in the governing processes of this country.

We need only go back a very few months to see that these young people are concerned. We saw how many of them—because they believed in an ideal, and they believed in a direction for this country—left their schools, for a semester to go to the cold snows of New Hampshire to ring doorbells and to talk to people about something that they believed in. Whether we believed in their candidate or not, and whether we believed as they did concerning Vietnam, we must be heartened by the fact that they were willing to do this and go through this hardship to try to promote the kind of country they want in the future.

These young people went from the snows of New Hampshire to the plains of Kansas and out to California because they believed in something. They worked within our established processes.

Many have noticed the things that have happened on the college campuses. But whether it be at Berkeley or Columbia, one thing that we adults can be happy and grateful for, is that these young people care and they care enough to try to do something for their country.

All of us who went through the recent

election were certainly made to feel very grateful that so many young people took part in our congressional campaigns. They worked evening after evening, and on weekends, and rang doorbells. They used this method of trying to talk to adults who can vote—and urging them to vote a certain way.

Many of us had the opportunity to see these young people on election day while we waited for the returns to come in. There was great frustration there because the rest of us could go down to the polling places and make an affirmative and direct gesture by voting. This was denied to these young people.

Let us deny it to them no longer.

Our young people today have many questions—questions that we must try to answer. We may not be able to answer all these questions in our time, but it is a good and hopeful sign that they are concerned enough to be asking them and thinking about them.

We may talk about the war in Vietnam and tell them that we are saving the people of South Vietnam. They ask, why we have to do it in a way that is killing and injuring about 200,000 of the South Vietnamese civilians and women and children. That is a difficult question to answer.

Oh, we brag about our civil rights. They say, "Why is it that so many of the young people in this country can fight in our wars but they cannot live in our suburbs?" Where is the answer to that? We may justifiably be able to tell them, "Things in this country are much better than they used to be." And they can reply, "Yes, but why are they still as bad as they are?"

So we in the 91st Congress should deal with those who are asking the questions, groping for solutions. We should not only demand great responsibility from them, but we should give them a basic responsibility and privilege. Let us hope that from this House of Representatives, in this 91st Congress, it will be said that we have made the young people in this country truly partners in developing our future, because we legislators are not legislating our future. We are legislating their future.

Mr. WILLIAM D. FORD. Mr. Speaker, I am happy to note today the organizational meeting of the Youth Franchise Coalition which will spearhead activities aimed at extending the right to vote to those who have reached age 18.

The move to lower the voting age to 18 has come before the Congress time and time again. Each time Congress has failed to secure the right of suffrage for our young adults between the ages of 18 and 20. This failure, I think, can be attributed to lack of determination and a tenacious clinging to tradition for tradition's sake.

Mr. Speaker, I hope that this year we will demonstrate to our young people and to our citizens as a whole that we are aware that times are changing and that quick answers are required for old problems.

In the past several years this country has witnessed a significant growth in the maturity and social awareness of our younger citizens. While a few of them have yielded to violence and disruption to demonstrate their frustration with the problems of our society, many, many more are involved in making meaningful contributions toward solving these problems.

Having just come through a presidential election year, we are all aware of the contributions made by the young Democrats and the young Republicans. Our young people serve in VISTA; in the Peace Corps; in church organizations, concerned with the betterment of our society; and of course, in the Armed Forces, defending our constitutional right to select our own Representatives and shape our Government.

The responsible young adult of today is better informed, better educated, and better prepared to assume the full duties and rights of citizenship than any of his predecessors. Current surveys indicate that today's youth read more newspapers, more magazines, and more books than their fathers and grandfathers ever did.

Mr. Speaker, with so much evidence before us that young adults of 18, 19, and 20 are qualified to vote and participate in our Government, I hope that the Congress will see fit to broaden the base of democracy and let them in. In 1953, Hubert H. Humphrey told his colleagues in the Senate that—

> Extending the suffrage to 18-year-olds will broaden the base of democracy not only by the number of young people which it immediately adds to our voting population; but also by encouraging the participation of these people at an age when they are enthusiastic and interested in government and politics.

He observed at that time that—

> This will enable us to make real inroads in voter apathy in the United States.

Mr. ADAMS. Mr. Speaker, on Monday, I introduced House Joint Resolution 342 to lower the voting age to 18. This resolution, which I originally introduced in the 90th Congress, calls for a constitutional amendment to enfranchise 18-year-olds.

I feel that the tremendous improvements in our educational and communication systems have produced a generation that is much better educated than any in American history and thus ready for the franchise. A high percentage of today's youth graduate from high school. The young men of this generation are required to defend their country at 18 and they have responded magnificently. Government policies with regard to the draft and foreign affairs affect their lives more vitally than they do any other segment of the American population. Their voices should be added to the voting population.

It may seem unusual, but the average person at 18 is better informed regarding his Government and tends to register more readily at 18 than at 21. The young person at 18 is generally still in a stable home environment, attending high school, and is involved in formal educational courses on government. During the 3 years between 18 and 21, the average young person leaves home to work, serve in the Armed Forces, attend college, or be married. Often these young people move to other States with difficult residence requirements on registration and absentee voting. A combination of these factors often results in many young people not being able to vote until they are 25 or 30. At this later age, they usually have become burdened with many other responsibilities and are less informed about those seeking office. They frequently fail to ever effectively participate in their Government.

A final factor is that our young people have responded in magnificent fashion to the responsibilities of this age, not only by serving in the Armed Forces but by participating in programs such as the Peace Corps, Vista, and in addition, they have tried to participate in politics. They want to be a part of America's institutions and if they are able to participate in the American democracy by voting at 18, then they will be given a constructive alternative to demonstrating in the streets.

Mr. Speaker, lowering the voting age below 21 has already been accepted in three States with no adverse effects, and I hope it will become a national policy. In the meantime, I hope the State of Washington will adopt such a program.

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

Mr. HOWARD. I am happy to yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, I have been an advocate for a number of years of lowering the voting age. In fact, House Joint Resolution 32, which I introduced, is pending before the Judiciary Committee. It would grant the right to vote to persons 18 years old and also to all members of the Armed Forces on active duty.

I have a great deal of respect for the youth of America. Our young people have distinguished themselves in the military, in the Peace Corps, in Vista, in their involvement with the complex issues confronting our society. Their awareness and concern with the destiny of our country is indeed impressive.

My personal contact with young people in my congressional office has extended over many years. I personally have 11 interns working for me. All are college students and most are in the 18 to 21 age group. My conversations with them and their performance as part of my staff have confirmed my conviction that 18-year-olds are certainly capable of voting intelligently and often more intelligently then older members of our society.

Mr. HELSTOSKI. Mr. Speaker, I am pleased to have this opportunity to rise in support of legislation which would permit our 18-year-olds the right to cast their vote in our elections.

I am firmly convinced that the time has arrived that we place this right into the hands of those who will follow us in charting the course of this Nation.

Leaders of both parties in this House have expressed their support of this idea through the introduction of the many bills now pending before the Judiciary Committee. I can see no reason why this 91st Congress should not take favorable and early action on the pending bills.

Any delay in this respect amounts to an extension of time during which our young men and women are denied the right to become full partners in our society.

We pursue a course of welcoming young citizens into the service organizations; of urging them to participate in

political and government activities; we expound on the need for youth involvement and the need of responsible actions by young people. And we continue to withhold from them the most vital outlet of expression—the ballot.

In looking into the past, our Nation has manifested its wisdom in extending the right to vote by including women in our electoral structure. This action took place in 1920 and, in 1964, we chose to remove the prerequisite of payment of a poll tax as a part of our voting process. These two constitutional amendments permitted our Government to function on the broadest possible scale of citizen participation. We now have the opportunity to afford this right to more than 10 million citizens between the ages of 18 and 21. Our country would benefit greatly by this action which should be our primary objective during this session of Congress.

Mr. Speaker, I have constantly advocated lowering the voting age. It was my privilege to introduce measures to that effect ever since I first came to Congress as the Representative of the Ninth Congressional District of New Jersey. The arguments in favor of this matter are numerous and one of the main ones is found in the Democratic Party Convention platform section on youth, which states:

> We will support a Constitutional amendment lowering the voting age to 18.

We can make good on that promise that is long overdue.

It is my belief that the young people of this generation are more enlightened and better prepared educationally than were Americans of previous generations.

Our youthful voters will bring fresh enthusiasm and ideals into our political arena. If you have any doubt as to their desire to be a part of the political scene, I can only refer you to the political campaigns of just a few months ago. Untold hours of volunteer help was given to the major candidates for the high office of President and Vice President, as well as to candidates for the Congress, and lesser community offices.

Mr. Speaker, let us no longer deny the right to the ballot to our young generation. Let us develop a full partnership between the experience of our generation and the vitality of our future generation.

Mr. FASCELL. Mr. Speaker, I am strongly in favor of extending the voting privilege to those citizens between the ages of 18 and 21, and join with our colleagues today in saluting the recent organization of the Youth Franchise Coalition—the first national effort on behalf of lowering the voting age.

The idea to lower the voting age has been under continuing review since at least 1942, when the late Senator from Michigan, Mr. Vandenberg, sponsored a joint resolution in the Senate to extend the voting privilege, and the then Representative and now Senator from West Virginia, Mr. RANDOLPH, introduced a similar joint resolution in the House. Since that time, many, many proposals have been sponsored in both the House and the Senate to extend the voting privilege. In the 90th Congress I sponsored a joint resolution which would submit to the States a constitutional amendment prohibiting denial of the vote on account of age to anyone 18 years of age or older.

Today, even more so than in 1942 or ever before, our youth deserve the right to vote. They are undoubtedly better equipped than before to exercise responsibly the voting privilege. The average 18-year-old has just completed high school studies in American history and civics. In 47 of our 50 States, courses in American Government, comparative government, political process, American history, and others are required of each high school graduate. Thus, the 18-year-old, just out of high school, is well informed about the political process, and is eager to join in it. He is prime for civic responsibility. By refusing him the vote, we pull the rug from beneath his feet, and leave him suspended for 3 years. The consequences show in our voting statistics. Studies indicate that the 21 to 30 age voter group has one of the poorer turnout average. One very probable reason for this could be the interim period between 18 and 21 when our young citizens are not permitted to vote. Too often, interest wanes. The initial impetus to join in the political process is squandered.

I think it is significant for me to point out that I have been receiving an increasing number of letters from high school seniors who express their strong support for lowering the voting age. Many of them cite their recent studies and their anxiousness to be participants in the processes they have read about. Our democracy was built on, and continues to grow on, the basis of individual concern and participation—we should not let this interested group disperse without allowing them the opportunity to participate. Their idealism and enthusiasm would indeed bring a fresh breeze to the conduct of politics.

In addition, there is the controversial argument that those who are old enough to fight are old enough to vote. Critics of this proposition suggest that no correlation holds between the qualities needed to vote intelligently and those requisite to fighting. This is a matter of opinion, of course. It seems to me, nonetheless, that both fighting and voting assume a sense of duty and responsibility in the individual. I submit that our 18-, 19-, and 20-year-olds have displayed a keen sense of duty and responsibility when it comes to fighting for our country. I believe they will make equally responsible voters.

An even stronger reason for extending the vote to young people, as I have mentioned before, are the serious legal responsibilities which appertain to them. For example, youngsters between the ages of 18 and 21 can sign job contracts and are required to pay property and income taxes, and many do. They are considered adults by insurance companies and can sign contracts for coverage which are legal and binding. All of these responsibilities imply a measure of intelligence and good sense among 18- to 21-year-olds. They raise the inevitable question: "If we can trust them with these responsibilities, how can we then deny them the vote?"

In addition to the support this proposal has received in the Congress, the President's Commission on Registration and Voting Participation in its 1963 report stated that it believed the low-voter participation of the age group from 21 to 30 may stem from the fact that "by the time they have turned 21 many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned." Their conclusion agrees with my own. The Commission recommended that each State give careful consideration to reducing the minimum voting age to 18. Almost all of the States have considered lowering the voting age. In my own State of Florida, the senate passed a proposed constitutional amendment in 1967 to lower the voting age. In addition, the constitutional revision commission in Florida recommended lowering the age to 18. Unfortunately, the State house of representatives did not share the senate's support for the proposal and no change was effected in 1968 when the State revised its constitution. However, the push to lower the age has again been started, this time in the house by Dade County Representative Gerald Lewis who has submitted a proposal to amend the constitution.

The activities throughout the country—in the Congress, in State legislatures, and among students, have shown me that there is a very strong sentiment in favor of the lower voting age proposal. Heretofore, however, there has not been a national organization to help spearhead the campaign. I hope that the Youth Franchise Coalition can provide this central organization. The coalition was initiated by the National Education Association, which met early in December of 1968 with a number of national organizations. It is a nonpartisan coalition of youth and adult organizations including the following:

The Citizens Division of the Democratic Party.

The Committee for Community Affairs.

National Association for the Advancement of Colored People, Youth Division.

National Education Association.

Student NEA.

U.S. National Student Association.

U.S. Youth Council.

Young Democrat Clubs of America.

Young Republic National Federation.

I strongly hope that the coalition is able to formulate a workable and effective program for furthering the campaign for extending the voting privilege, and that the Congress will act to meet this national demand.

Mr. MOORHEAD. Mr. Speaker, Oscar Wilde once wrote:

> The youth of America is their oldest tradition;
> It has been going on now for 300 years.

And I submit it is a fine tradition.

When we think of the word youth, we think of vigor, freshness, activity, and promise.

The young people of this country have shown that they embody all of these qualities, and with minor exceptions, responsibility.

Because of the nature of our society,

and the reality of instant communications, 18-year-olds today are far more more educated and more involved than their predecessors.

As a father of teenagers, as a Member of Congress who has had summer interns working with my staff, and in my experience speaking before the high school and college students in my congressional district, it is my feeling that the young people of today are the brightest and finest in the world. For the most part, they will live up to the faith and trust we place in them.

It is a privilege for me to speak on behalf of the 18-year-old voting rights amendment which I introduced 2 years ago in the 90th Congress, and reintroduced this week, and to include my statements of February 21 and March 21, 1967, as further evidence of my support:

[From the CONGRESSIONAL RECORD, Feb. 21, 1967]

Mr. MOORHEAD. Mr. Speaker, I am introducing today a joint resolution proposing an amendment to the Constitution of the United States that would extend the right to vote to all our citizens who have attained the age of 18 years.

Mr. Speaker, it was my privilege during the last election campaign to address and answer questions from members of two political science classes at one of Pittsburgh's fine high schools, Taylor Allderdice.

I was impressed with the broad knowledge the students had of the American political system and their understanding of the issues involved in my own local campaign. They displayed a strong interest in the affairs of their city, their State, and their Nation, and expressed a keen desire to demonstrate their sense of responsibility by voting.

Since the election, I have asked several of my colleagues about their experiences with young people in their districts, and their reactions confirm my feeling that American youth today is well informed, well versed in the American political process, and eminently qualified to participate in that process through voting in elections at all levels.

In fact, Mr. Speaker, it is at the age of 18 that most of our young citizens are most strongly motivated to become responsible contributors to our democratic system.

In the later high school years, they are offered a broad range of history, social science, political science, and civics courses, all designed to heighten their interest in and their sense of responsibility for our Nation's democratic process.

At the same time, improvements in all our communications media make it possible for our young citizens to stay abreast of events in their localities, in their States, and across the land. Their studies enable them to interpret what they see, hear, and read with a great deal of sophistication.

But, Mr. Speaker, of our 2,900,000 high school graduates this year, only 55 percent, or 1,595,000 young people, will go on to some form of higher education. The others, 1,305,000 of them, will enter the labor market or the Armed Forces to begin participating fully in the productive or protective functions of our national life.

For these youthful citizens, all of whom must live under the laws we pass and some of whom must die for the policies we support, there is a 3-year wait before they can claim a voice in determining these laws and policies—the right to vote.

These are 3 years in which their early interest in politics and their desire to vote may subside permanently, 3 years in which the chance to develop a habit of voting may be lost, perhaps forever.

For college students, this problem is less acute. Their awakened interest in politics and public issues is nurtured in both curricular and extracurricular activities. They can develop the habit of voting in campus mock elections and political polls. They emerge from college at 21 ready to exercise their right to vote.

Mr. Speaker, I think it can be fairly argued that 45 percent of our Nation's young people—increasingly well educated, affluent and influential young people—are being denied at a critical stage in their lives the privilege and responsibility of voting.

I sincerely believe that a constitutional amendment granting all our citizens who have reached the age of 18 the right to vote would prove itself of great value not only to our young people but to the Nation as a whole.

I urge my colleagues on both sides of the aisle to introduce similar joint resolutions, so that we may quickly extend the privilege of full participation in our democratic process to the fine young citizens of this and future generations.

[From the CONGRESSIONAL RECORD, Mar. 21, 1967]

ACTION FOR THE 18-YEAR-OLD VOTE

(Extension of Remarks of Hon. WILLIAM S. MOORHEAD, of Pennsylvania, in the House of Representatives, Tuesday March 21, 1967)

Mr. MOORHEAD. Mr. Speaker, a month ago today I introduced a resolution providing that—

"The right to vote of citizens of the United States who have attained the age of 18 years shall not be denied or abridged by the United States or by any State on account of age."

Many of my colleagues have introduced similar bills during this Congress.

In a statement on the floor of this body at the time I introduced House Joint Resolution 348, I said:

"American youth today is well-informed, well-versed in the American political process, and eminently qualified to participate in that process through voting."

I noted also that the many young people to whom I talked during my last campaign "displayed a strong interest in the affairs of their city, their State and their Nation, and expressed a keen desire to demonstrate their sense of responsibility by voting."

As evidence of the strong desire our young citizens feel to participate in our democratic processes through voting, I include in the RECORD at this point an article by Robert Johnson, from the Pittsburgh Press of March 16, 1967.

The article concerns the formation of an organization of Pittsburgh high school students, their parents and their teachers, called Make It 18. The organization, dedicated to seeing that the voting age is lowered to 18, is less than 2 weeks' old, and already has more than 120 members.

I urge my colleagues to read Mr. Johnson's article to see what compelling arguments these articulate young people present for lowering the voting age to 18.

The article follows:

"VOTE AT 18 BID HAS PERSONAL TOUCH

"(By Robert Johnson)

"Mike Waligorski will be 18 years old next August and a most welcome birthday present as far as he's concerned, would be the right to vote.

"Mike, a senior at South High School, is president of 'Make It Eighteen,' a group of students, parents and teachers dedicated to lowering the voting age.

"A FAST START

"Only a week old, the organization boasts a membership of more than 120.

" 'Of course we all feel that if you're old enough to fight and die for your country you're old enough to vote,' Mike said. 'But there are other considerations.'

" 'The population is growing younger,' he said. 'Everything is getting younger. Youth is taking over anyway and pretty soon we're going to have to vote.'

" 'I'd like to vote because I'd like to have a say in what's going on,' Mike said. 'I don't like to be left out.'

"The vice president of the organization, Mike Zizis, 18, a senior, insisted:

" 'We're not the future generation. We're the now generation.

" 'We're tired of leaving everything up to other people and having them tell us whether we can breathe and what to do. We deserve a chance to prove our maturity in a world of fast-maturing attitudes.'

"Secretary Mary Jane Stelmach, 16, a junior, said 'the voting age should be changed because most students get their training for voting in high school.'

" 'If there's a three-year pause before they can vote they forget what they've learned,' she said. 'If you have the training you should be able to use it.'

"WHERE IDEA ORIGINATED

"The idea for 'Make It Eighteen' originated in the classroom of Robert E. Wright, an 11th and 12th grade history and English teacher at South High.

" 'We were talking about voting a couple of weeks ago,' Mr. Wright said, 'and one of the students asked, 'Why can't we vote?'

" 'I told them it's the law. I told them the only thing they could do was change the law by amending the State or Federal Constitutions.

" 'There's a bill in Congress which would lower the voting age to 18, so we decided to attack on both the State and Federal levels.'

"RECEIVED APPROVAL

"Before the students could organize and solicit funds, however, their project had to receive the approval of Principal John M. McLaughlin.

" 'As a matter of personal feeling I don't think the idea has any merit,' Dr. McLaughlin said in authorizing the project. 'I don't agree with them, but I think they're entitled to their opinions.'

" 'We've been organized about a week now,' said Mr. Wright. 'Our biggest problem is funds. There's a fee of 15 cents a year so it took 100 members to get $15.'

" 'We placed an ad in The Press which cost $9.79 and rented a post office box for three months at $1.50 a month,' he said 'That was the end of our $15.'

"The ad first appeared in the personal section of The Press want ads Saturday and ran through yesterday.

" 'So far we've enrolled over 100 students and 20 adults and we've only been on this for a few days,' Mr. Wright said.

Mr. ANDERSON of California. Mr. Speaker, I agree with many of my colleagues and an overwhelming majority of the American public—66 percent according to a 1968 Gallup poll—that the time has arrived to extend the voting franchise to 18-year-olds.

By way of background, this proposal is not new. It was first put forward by Senator Arthur Vandenberg in 1942. Since then, Georgia became the first State to permit voting by persons under 21 in 1943. In 1955, the State of Kentucky took similar action, permitting 18-year-olds to vote. In 1959, when they entered the Union, the constitutions of Alaska and Hawaii provided, respectively, voting by those 19 and older and those 20 and older. In every session of Congress since 1942, there have been proposals to extend the right of suffrage to 18-year-olds. In fact, in the 90th session of Congress, over 50 resolutions were introduced calling for such a constitutional amendment.

Today, there are many cogent reasons favoring lowering the voting age. First, young people are better educated than ever before. The Office of Education reports that today 75 percent of our young people graduate from high school and 40 percent attend college. This compares favorably to the situation in 1940 when only 45 percent completed high school and 16 percent went on to college.

Not only are young adults for the most part better educated than their parents, but also they have had the facilities to be more knowledgeable about public affairs. Almost every State in the Union requires high school instruction in the history of the United States including a working knowledge of the U.S. Constitution. In addition, many young people actively participate in public service through Vista, Job Corps, Peace Corps, Teachers Corps, and community action programs. Further, mass communication and opportunity for travel have given young people broad exposure to the great problems and issues facing our country and the world.

In the third place, our young adults have shown tremendous eagerness and enthusiasm for working in political campaigns and in particular the 1968 presidential campaign. I am sure many Members can cite the valuable assistance which young persons have provided in their campaigns as well as in their offices. This participation in politics and Government provides important training for roles as future leaders of our country and our communities. As active participants in the process of campaigning for their candidates, they should not be forced to remain passive spectators in the process of electing their candidates.

Fourth, young persons are demonstrating their desire for the right to vote by mobilizing a broad national effort. They are not merely sitting back asking Congress to give them this right but instead are mounting a broad-based campaign across the country. One group, for instance, called LUV—Let Us Vote—has almost overnight established college and high school chapters across this Nation to express their concern for 18-year-old voting. Another group, Youth Franchise Coalition, has been set up in cooperation with the National Education Association for a concerted national effort to secure passage of a constitutional amendment to extend voting rights to 18-year-old citizens.

Finally, Mr. Speaker, we require persons between the ages of 18 and 21 to act as adults. In many respects, both State and Federal laws and courts classify them as adults, for example, marriage, draft, criminal liability, and right to enter certain legal contracts. Thus, it is certainly not unreasonable to ask that they be treated as adults when it comes to exercising our highest privilege of citizenship, the right to vote.

They are in fact adults. They possess, on the whole, more knowledge and interest in government and the political process than do their parents. They bring a fresh and lively approach to politics which should not be allowed to wane between 18 and 21. They can and do exercise an intelligent vote as four of our States can testify by their experience, and, as recent events have proven, when they are frustrated by exclusion from the decisionmaking process affecting their vital interests, they may attempt to find answers outside our Democratic system. For all these reasons and others, I think it would be of great benefit to our country to include these young people in the electorate.

Presidents Eisenhower, Kennedy, Johnson, and Nixon have endorsed the proposal to extend the right to vote to 18-year-olds. The time has come to grant young people full participation in our Democratic process.

I strongly support the right to vote for these 11 million presently disenfranchised citizens.

Mr. MIKVA. Mr. Speaker, I rise with enthusiasm to support the remarks and the proposal of my colleague from New Jersey (Mr. HOWARD) to enfranchise the 18-year-old citizens of the United States. As a representative in the Illinois State Legislature for 10 years, I consistently supported proposals in my own State to allow 18-year-olds to vote. I felt then, as I do now, that when our Government asks young men to perform military service, to go abroad—sometimes never to return—to fight their country's wars, the least that we, their representatives, can do is to extend to these young citizens the right to have their votes count in choosing elected spokesmen.

Mr. Speaker, in this day and age when a high percentage of our citizens over 18 but under 21 are in college, and an even higher percentage have completed high school or comparable secondary education, it is no longer possible to say—as perhaps it once was—that 18-year-olds are not sufficiently educated or intellectually qualified to vote intelligently. If anything, the younger generations are probably better qualified, taken as a whole, than those which preceded them to fulfill the responsibilities of citizenship. The increasing political activism among college students and college-age youth bears eloquent witness to their interest in current affairs and their desire to participate in the political process in America. To deny them this opportunity would be not only to do them an injustice, it would be to rob ourselves of an essential source of vigor and enthusiasm for the American political process.

The political activism which I have referred to has been increasingly apparent in recent years. It was the effort of young people, many of them ironically enough too young to vote in their own States, which first crystalized the dissatisfaction of all the people with the terrible war in Vietnam. Whether one supported Senator MCCARTHY or not, it is impossible to deny the impact which he and his initially youthful supporters had on the American political system. It is both unfair and shortsighted for us to say to these young, enthusiastic, well-informed Americans, "yes, you may participate in campaigns," "yes, you may work actively to generate support for your candidates," but to say in the same breath, "no, you cannot vote." The contradictions of the present disenfranchisement of most Americans under 21 years of age are apparent to all who seriously consider the significant role which these young people have played and are playing in American life today. It is for this reason, among others which have been mentioned by my colleagues today, that I support Mr. HOWARD's proposal for a constitutional amendment to lower the voting age for all Americans to 18.

Mr. BYRNE of Pennsylvania. Mr. Speaker, today I join with the distinguished gentleman from New Jersey (Mr. HOWARD) in support of a constitutional amendment to lower the voting age in the United States to 18.

Young men and women attain by their 18th birthday a degree of education, experience, and practical knowledge much more advanced than was the case in earlier generations. This is because their schools are better and more of them have completed high school by the time they become 18 than other such persons in recent years.

They are also better qualified to vote today because radio, television, periodicals, and newspapers expose them to the affairs of their communities, State, Nation, and the world to a degree impossible in earlier generations.

Today young people are the best informed in all history. They are fully prepared for the responsibilities of citizenship and, in my view, entitled to assume those responsibilities which I have no doubt they would discharge with great distinction.

When the question comes up whether a person as young as 18 is qualified to vote it reminds me of the statement once made by the late and beloved Speaker of the House of Representatives, Mr. Sam Rayburn.

Said Mr. Rayburn:

> It makes me tired to hear all this talk about the young generation going to hell in a hack. They are a lot smarter than I was at their age.

I concur with Mr. Rayburn's fine statement.

In 1962, a national Children's Preference Study by the American Hobby Federation pointed out that 78 percent of our young people read a newspaper every day—a 10-percent increase from the previous survey; that 80 percent reported reading 10 or more books a year—a 7-percent increase over the 1960 tabulation, and that 84 percent, compared with 73 percent in 1960, said they read weekly and monthly magazines. These figures are surely higher now.

Thirty years ago, only 32 percent, or about one-third of adults in the United States between the ages of 25 and 34 were high school garduates. In 1962, according to the Bureau of the Census, the proportion of high school graduates in the same age group had risen to 64 percent, or about two-thirds of the population.

Thirty or more years ago, the argument might have been made that experience should make up for lack of education in qualifying young people to vote. This argument no longer holds. The great majority of young people in the age group of 18 to 21 have completed secondary education, have studied American history and political institutions, and are, on

the average, far more qualified to vote at 18 than their predecessors of 30 years ago.

And I believe that the combination of education and real political responsibility would engender in young people a deep sense of obligation to participate in the electoral process and tremendous enthusiasm regarding public affairs.

In other words, by the time young people reach the age of 18 they are well read and, as often pointed out, very politically minded. Educators have stressed that—and I quote:

> The real value of education comes not from its acquisition but from its association with responsibility.

For many Americans, high school represents their last formal education. Having just completed courses in American history and government, they are enthusiastic about politics and they are informed. Yet we deny them access to the ballot.

Mr. Speaker, as a natural deduction from the above arguments, I believe we should extend voting privileges to 18-year-olds. I respectfully urge the swift passage of this legislation in the House of Representatives.

Mr. DANIELS of New Jersey. Mr. Speaker, I am proud to rise in support of the proposition put forth by my able and distinguished colleague, the gentleman from New Jersey (Mr. HOWARD). I too share his belief that our 18-year-old Americans should no longer be denied the franchise.

Mr. Speaker, those Americans who are between the ages of 18 and 21 are the beneficiaries of the greatest system of mass education that has ever been attempted on this planet. They are the best educated young people in our history.

Young Americans have a vital stake in the processes of government. Simple justice demands that those whose lives are shaped by government ought to have a say in the running of that government.

Political leaders representing a wide spectrum of thought have endorsed this proposal including such diverse personalities as President Nixon, Lyndon B. Johnson, BARRY GOLDWATER, Hubert H. Humphrey, the late Adlai Stevenson, and the late and beloved Eleanor Roosevelt.

Mr. Speaker, I am fully in favor of extending the franchise to our young people and in conclusion I would like to express my appreciation for the leadership role played by Congressman HOWARD.

He has been a tower of strength in this cause and he has worked tirelessly to rally support both in this House and among the voters in the State of New Jersey.

Mr. TIERNAN. Mr. Speaker, I am pleased to join with my other colleagues in support of House Joint Resolution 18, a proposed amendment to the constitution giving 18-year-olds the right to vote. I would like to point out that on January 16, I introduced a similar resolution, House Joint Resolution 272.

Professor Clinton Rossiter in "Goals for Americans" writes:

> The American future rests rather on the quality of our votes—and of our participation of every kind—than it does on the quantity. What America needs is not more voters, but more *good* voters, men and women who are informed, understanding and responsible.

I believe participation to be the key word in this passage. It is up to us to allow the participation of our younger citizens in the governmental process by giving them the right to vote.

We have all heard the phrase "participatory politics" discussed in one form or another. But it took on true meaning during the year 1968 when thousands of college students played an active role in developing the political history of that sometimes sad and tragic year. I think that the most important point to be remembered about their enthusiasm and ardor is not that it was shattered in Chicago, not that they became disillusioned and disappointed, but rather, that they cared enough in the beginning to give up the secure life of a student to work in the several primaries for causes they felt to be just. The young people of this country who involved themselves in the political process have left and indelible mark. The ideas, enthusiasm, and perspectives that they brought to the campaign trail were truly a part of a "new politics."

The subject of making 18-year-olds eligible to vote in Federal elections has been before the Congress for many years, but for a variety of reasons, has never been approved. Most of the arguments for this proposal are well known to all of my colleagues.

Let me just say that I believe the 18-year-old citizen today is better educated and better equipped intellectually to exercise the right to vote than was his counterpart of 20 and 30 years ago. It is the opinion of many that at age 18, the citizen student may be more apt to place the national interest above parochial and special interests. I agree with this observation.

Today, the age group of 18 to 21 carries the main burden of fighting our wars and maintaining the defense and security of the Nation. They stand responsible for the welfare of the families they bring into the world. They are allowed the legal right to enter into binding written contracts such as wills, leases, insurance, and thus assume all of the responsibility inherent with this right.

They are allowed to enter our civil service and pay substantial taxes to the Federal Government. They are allowed to be adults in practically every way, with one exception; they are not allowed the right to cast their vote for people who could have the ultimate effect on their lives.

In short, we have offered the 18-year-old citizen our assistance, our good wishes, our advice and admonitions, the right to fight and die for their country in battles chosen by their elders, the right to make certain decisions, provided they do not conflict with their elders' wishes—all these and more have been given freely, but we except them from the right to vote.

President John F. Kennedy once said:

> The future promise of any nation can be directly measured by the present prospects of its youth. This nation is increasingly dependent on the opportunities, capabilities and vitality of those who are soon to bear its chief responsibilities.

I have seen the responsibility, capability, and vitality of young citizens who take an active interest in their Government. We have all borne witness to the youthful and sincere enthusiasm of the new politics of 1968.

We should now act to allow the young adult full participation in the political process.

Mr. Speaker, I urge the adoption of this resolution proposing a constitutional amendment to lower the eligible voting age to 18.

Mr. DONOHUE. Mr. Speaker, in my conviction the time has come in the affairs of this Nation to reassess the proposition of whether or not the youth of this country should be permitted to vote at the age of 18. I think they should.

Therefore, I have today introduced a joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older.

I earnestly believe that the average American 19-year-old today is better educated, more mature, and has a higher sense of personal responsibility and involvement than ever before.

Knowledge, and the opportunity to gain it, is increasing at a rate unparalleled in previous history.

Our youth, today, are extraordinarily knowledgeable on national issues committed to the betterment of our society and articulate in their convictions.

From the age of 18 to 21, they are certainly, in these times, helping to shoulder the burdens of our society, and they do it mostly with sound judgment; they pay income and property tax, and they bear arms. Surely we must extend every consideration to their right, then, to participate in the decisions of government which establish local, State, and national policy.

As so often asserted by Abraham Lincoln, the basic premise of a democracy assumes that all those who help bear the burdens of society will share in the decisionmaking process of that society.

In order to give our youth their rightful share in decisionmaking, I hope and urge that this Congress will favorably act on my proposal, and similar proposals that have been filed by a great many Members of Congress, before this session adjourns.

Mr. RODINO. Mr. Speaker, I am indeed pleased to have this opportunity to rise in support of legislation to lower the voting age to 18, an effort which has been spearheaded by my distinguished colleague from New Jersey, Representative JAMES J. HOWARD.

I have long advocated such a constitutional amendment, and I was delighted when former President Johnson, in June of 1968, formally endorsed this proposal. As he stated in his special message to the Congress:

> No single, enduring question has so engaged generation after generation of Americans as this: Who among our citizens shall be eligible to participate as voters in determining the course of our public affairs?

The record bears out the merits of such change. For statistics show that only 6 percent of the population could

qualify as voters in colonial America, while today about 65 percent meet the legal requirements.

The period between the birth of the Nation and the present has been marked by dramatic extensions of voting privileges to new groups that previously had been denied enfranchisement. These groups included those who owned no property, those in the small-taxpayer class, former slaves and women—generally in that order in most States.

It was not until 1919, after a militant struggle that spanned half a century, that the Congress proposed the 19th amendment to the Constitution, granting suffrage to women. Fourteen months went by before the necessary approval by three-fourths of the State legislatures made it the law of the land, on August 6, 1920.

And it is worthwhile to stress that the dire predictions of those who opposed granting women the right to vote have long since been forgotten. There was no chaos, no confusion, no problems. Women proved to be at least as capable as men in exercising sound judgment and intelligence at the polls.

Now I believe most strongly that the same positive results achieved by women's suffrage will accrue from lowering the voting age to 18. For we must remember that growing up is a gradual, individual process. It varies greatly from person to person. Nothing magical occurs on the day one becomes 21.

Our young people are more mature than some elders are willing to admit. The 18-year-old of today, by virtue of expanded and improved public education is undoubtedly better equipped for the task of voting than the 21-year-old of a century ago. In all my contacts with young people today I have found them to be serious, well-informed and alert to the major problems and issues of the day. They ask intelligent questions about pending legislation and welcome enlightening answers.

Oliver Wendell Holmes, Jr., once observed that "no generalization is wholly true, not even this one." And it is true that some young people are irresponsible and some have serious problems with the law, but such troublemakers are the exception. The vast majority of youth has earned our confidence.

So I have again joined in sponsoring legislation, in the form of a constitutional amendment, to extend the right to vote to 18-year-olds who otherwise meet voting qualifications.

In the meantime, I am also moving ahead with implementation of my plan to create a youth congress for high school students in the 10th District of New Jersey which I represent. The principals of each of the high schools in the district have been contacted and the next steps will be determined by their awaited suggestions.

I conceive the Youth Congress as an opportunity to give students a chance to participate in representative democracy, to provide a forum for the free exchange of ideas and opinions on current issues, and as a means of direct communication between teenagers and their Congressman on issues of mutual interest and concern.

Under the format I am considering, representation in the Youth Congress would be determined by school population, with one representative to be elected for each 500 students. This formula would result in a congress of 43 members from all the high schools in the district. Details involving such questions as eligibility of representatives, method of selection and frequency of meetings will be decided soon, and I would hope that the Youth Congress will be ready to organize and begin its work in the very near future. Let me emphasize that I am most eager for this project to get underway, and the sooner it is activated the better.

Mr. Speaker, I am convinced that the Nation is the poorer for not permitting our young people to participate in the democratic experience. And I heartily concur with President Johnson's statement that:

> America can only prosper from the infusion of youthful energy, initiative, vigor and intelligence into our political processes. . . . For a nation without faith in its sons and daughters is a nation without faith in itself.

I urge the most earnest and serious consideration of this legislation at the earliest possible opportunity so we will reaffirm our faith in the youth of America and achieve action to grant full and positive participation in American Government to the young people who will inherit its responsibilities, problems, and challenges in the years ahead.

GENERAL LEAVE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks concerning the subject of my special order of today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXECUTIVE, LEGISLATIVE, AND JUDICIAL PAY RAISE

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Iowa (Mr. GROSS) is recognized for 1 hour.

Mr. GROSS. Mr. Speaker, on January 15 of this year there came from the Bureau of the Budget the recommended budget to the Congress of ex-President Lyndon Johnson. Apparently included in that budget was a recommendation for a pay increase—an outrageous pay increase—for the Members of Congress, the judiciary, and the executive branch of the Government.

Mr. HALL. Mr. Speaker, will the gentleman yield at that point?

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

Mr. HALL. The gentleman in the well is bringing up a very interesting point, one which is a matter of record on this floor before. It is considerably questionable whether or not this so-called supplement involving the report of the Presidential Pay Commission was indeed, in fact, submitted on the day before, the day of the budget message, or even the day after the message. I think the gentleman will recall that this "supplement" was found actually in only two instances, in two copies of the budget. A thorough search of the document, a thorough search of the budget distribution of the Bureau of the Budget to the Members, a search of the Committee on Appropriations copies failed to reveal that this supplement had been inserted as an extra or flyleaf in the budget, the budget in brief, or any of the ancillary documents; is that not correct?

Mr. GROSS. That is correct. I would remind my friend from Missouri that I thought when I first spoke I said "apparently" it was submitted with the budget.

Mr. HALL. Indeed, the gentleman did, if he will yield further. And I think this is pertinent because at the time of the parliamentary inquiry a few days later we made the point that there might be some devious stratagem, and I believe the gentleman from Iowa made the point as to what would then be the effective date, depending upon when the Chair actually received the so-called supplement.

Mr. GROSS. Mr. Speaker, I ask my good friend, the gentleman from Missouri, is it not true that on that day of January 15, after this pay increase recommendation was allegedly submitted, we made inquiry of the Speaker and we were told that it came inserted in the pages of what might be called Budget of the United States in Brief. This is not even the budget in full of the Sears, Roebuck catalog size. It was supposed to be inserted in this Budget Brief and the submission was represented by this piece of paper I hold in my hand. Is it not true, that this is what the gentleman from Missouri and the gentleman from Iowa were shown as being the submission to the Congress?

Mr. HALL. If the gentleman from Iowa will yield further, he is thoroughly correct. I identify that document here. It was said that it was obtainable from the document room, but 2 days later it was not. I would stipulate that a call to the Budget Bureau was answered by saying, "If you want one, it will be delivered to you." This was 2 days after January 15.

Mr. GROSS. This is what might be described, for want of any other description, as "looseleaf legislation."

Mr. HALL. I refer to it as an insert, as a matter after the thought.

Mr. GROSS. I doubt very much that most of the Members of the House have ever seen this document.

Mr. HALL. I question it very much.

Mr. GROSS. It has no legislative form. It is not a bill. It is not a resolution. It is a legislative monstrosity. It consists of four pages, 6 by 9 inches, on which there is printing on only three pages. I challenge anyone on the floor of the House to show me a bill, a resolution, or a document in the nature of legislation representing the pay increase that a few moments ago some 241 Members of the House approved when they voted for a vacation next week. They know that in the absence of further action the pay raise will go into effect automatically while they are at their homes on vacation.

This I say again is shocking legislative procedure. This is "looseleaf legislation."

On January 15 I immediately filed a disapproving resolution, which was sent to the House Post Office and Civil Service Committee. I hoped against hope that there would be hearings so that we might follow some modicum of normal legislative proceedings. What happened? The chairman of that committee refused to grant a hearing.

On January 16, sensing that the Committee on Post Office and Civil Service would refuse a hearing, I introduced another resolution asking the Rules Committee to take from the Post Office and Civil Service Committee House Resolution 133, so the House might have some semblance of an opportunity to work its will.

Last week I was notified and other Members of Congress were notified there would be a hearing before the Rules Committee on my resolution at 10:30 this morning. Yesterday afternoon, out of thin air and for reasons best known to members of the Rules Committee, notice was sent to the offices of those who had indicated they desired to appear before the Rules Committee, saying the hearing was off; that the committee would meet in closed-door session at 11 o'clock this morning.

The Rules Committee met at 11 o'clock this morning, and by a vote of 12 to 3 tabled my resolution and thus slammed the door on the last opportunity to provide any kind of decent legislative consideration of this outlandish pay increase for Members of Congress.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

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

Mr. BURKE of Massachusetts. Mr. Speaker, I should like to ask the gentleman at the microphone, who appears to be greatly disturbed by this action, if there is anything in this pay raise which will compel any Member of the House to take that pay raise? Is it not true that he can refuse the raise?

Mr. GROSS. Is it not true what?

Mr. BURKE of Massachusetts. That he can refuse to take the raise?

Mr. GROSS. I am not sure that he can. I am not a lawyer. I do not know whether there is Federal law on that subject.

Mr. BURKE of Massachusetts. I am pretty sure.

Mr. GROSS. Just a minute. I have the time. The gentleman can get 60 minutes when I get through.

I am told that in some States one cannot refuse to take the pay provided for the office. I do not know whether that is the law in the State of Iowa or not.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield for one more question?

Mr. GROSS. I will yield to the gentleman. Has the gentleman ever refused to take a pay increase?

Mr. BURKE of Massachusetts. No.

Mr. GROSS. That is what I thought.

Mr. BURKE of Massachusetts. I believe I am worth the money I am paid.

Mr. GROSS. Yes.

Mr. BURKE of Massachusetts. I can understand the apprehension of some Members, in view of their absentee records and in view of the little work or little constructive work they do around here. I can understand their being apprehensive about taking a pay raise. When one looks at them one might say, "Well, would you pay that man that much money?"

There was a question in the minds even of some individual Members themselves, as to what they are worth.

But I say there is nothing in the law that prevents a Member of this House from turning back the pay raise.

I believe if I felt as strongly as the gentleman from Iowa does or the gentleman from Missouri does I certainly would not accept that pay raise. I would fight against it.

Mr. GROSS. Yes.

Mr. BURKE of Massachusetts. I have noticed something through the years. In fact, I recall one time, in the Massachusetts legislature, a fellow who led the fight against a pay raise——

Mr. GROSS. Let me interrupt to say this: I hope the gentleman will not go too far in using Massachusetts as an example of all that is virtuous.

Mr. BURKE of Massachusetts. I have never claimed being virtuous.

I should like to say this: The Member who spoke the loudest against the pay raise, once the pay raise was granted, it was interesting to note, was the first one to arrive to collect the pay raise.

Mr. GROSS. If I decided not to take this pay raise, would the gentleman permit me, without implying I am a demagog or something of that kind——

Mr. BURKE of Massachusetts. I am not.

Mr. GROSS. Just a minute. The gentleman can answer the question. Of course, I will yield to him for that purpose.

Would the gentleman allow me to select my own charity? Would the gentleman want me to pay taxes on a return of salary to the Federal Government and to the State of Iowa?

Will the gentleman help me out with any tax problems when the time comes?

Mr. BURKE of Massachusetts. To answer the first question, I have never doubted the gentleman's sincerity. I believe he is one of the most sincere Members of the House. I am merely pointing out what the record indicated on some people who spoke so loudly against pay raises.

If I felt the same way the gentleman from Iowa does, I would refuse to take it. I would feel almost morally bound to refuse to take it.

Mr. GROSS. I suppose that if the gentleman thought there was no necessity to hire more police in his hometown or increase their pay, and if his home were being burglarized or he being assaulted, he would not call for help from the police simply because he had not voted for additions to the police force or to increase their pay?

Or, if the gentleman had a fire in his home, and he had voted against providing more firetrucks or more firemen, he would let his house burn down; he would not call upon the fire department to help him out?

Mr. BURKE of Massachusetts. I should like to say to the gentleman, in 20 years of legislative life I have never voted against the firemen or policemen. I believe they are underpaid, and I have always voted for them, so I will never be confronted with that problem.

However, I am pointing out that those people who object to this pay raise in the House of Representatives should have the moral feeling that they should not accept this raise. If I felt that strongly about it, I would certainly feel very embarrassed about accepting the raise if it were given to me.

Mr. GROSS. Would the gentleman permit me to decide what charity I would give the pay increase if I elect to do so? I would like to be the one who makes the decision. I hope he will not suggest the Federal Government. I would hate to think I was returning the money to the Federal Government to help pay the salary increase for the gentleman, who always votes for salary increases and every other spending measure.

Mr. BURKE of Massachusetts. I assume you think it is charity if you do not accept the raise. Is that what you are saying?

Mr. GROSS. No. I did not say anything of the kind.

Mr. BURKE of Massachusetts. I think if I was so critical of the procedure that is taking place here, then I would never accept the raise. I assume that you will take the raise if it is voted. I do not want to embarrass you and ask you if you will take it, but I assume from your remarks here that you will.

Mr. GROSS. Since you have already assumed that I would, you do not need to ask me the question.

Mr. BURKE of Massachusetts. You say it is charity, and some people feel that charity begins at home.

Mr. GROSS. I will say to the gentleman that I will cross that bridge when I get to it, and it will not be long before we get to it, because today the Committee on Rules slammed the door on any further action in this matter.

Let me say to the gentleman also that this is not alone a question of a pay increase but a question of the procedures that have been used to ram this bill through without any consideration on the part of the House of Representatives.

Mr. BURKE of Massachusetts. And I say to you, if this is true and if you feel as strongly as you do and if there are any other Members who feel as strongly as you do, then I feel all who have these strong sentiments would have the moral obligations to refuse to accept this raise.

Mr. GROSS. Suppose you let me be the guardian of my own morals. I would appreciate that.

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

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

Mr. HALL. I appreciate the gentleman's yielding.

I think the gentleman has made the point as clear as anyone could to the gentleman from Massachusetts with his usual great moral compunction. I would say it is a question here of the responsibility of the individually elected Members of the House and their right to vote rather than to have a veto in reverse.

Second, there is a question of timing

here so that this thing has the effect of law on St. Valentine's Day, which will be a massacre of the taxpayers, as I said yesterday on the floor of the House.

Third, there is the devious strategy wherein we originally erred in relegating our authority to the executive branch or to a commission thereof.

I think the gentleman has made these points well.

Inasmuch as the gentleman from Massachusetts (Mr. BURKE) mentioned my name, I would say that I believe he would be the last in his great erudition to say that the profligacy of the present Government indicates that it should best determine where to spend the moneys, that are otherwise allocated by defect or by vote of anybody in the Congress or by decision of the executive branch of the Government, that was to come to its highest elected legislators in the land.

I thank the gentleman for yielding.

Mr. GROSS. What I wanted to say, among other things, to the Committee on Rules this morning, but the door was slammed and there was no opportunity, is that more than 34 Members of the House have either sponsored or cosponsored resolutions, including House Resolution No. 133, which have been referred to the Committee on Post Office and Civil Service providing for disapproval of the recommendations of the former President with respect to the rates of pay for officials in the executive, legislative, and judicial branches of the Government.

There are a multitude of reasons why the House of Representatives has a clear responsibility to vote on this outrageous proposal and, in so doing, reject these unconscionable pay increases.

The ill-conceived legislation which has resulted in this mess was approved as an amendment to the Postal Revenue and Federal Salary Act of 1967. Under section 225 of that law the Congress unwisely and supinely delegated its authority over adjusting salaries of top Government officials to a commission.

There were no congressional hearings on the amendment that delegated this power, nor have there been any hearings on President Johnson's recommendations for salary increases. In effect the Congress is being asked to permit this proposal to become effective without being furnished justification, without hearings, without debate, or without an opportunity to vote.

I should liked to have asked someone in this Nixon administration why President Johnson cut the Kappel Commission recommendation for an increase to $50,000 in congressional salaries down to $42,500. Is anyone else interested in knowing why this was cut? What was the justification? Can anyone on the floor tell me why it was cut to $42,500, and why were other commission recommended salaries reduced? What compelled this? Silence, deep silence, greets all these questions.

Not even the author of section 225, the gentleman from Arizona (Mr. UDALL), was so callous as to suggest that Congress should be gagged and not permitted to vote on this proposal.

On the contrary, the legislative history of this law shows clearly that it was intended that the House of Representatives shall vote on the proposal.

During debate on Public Law 90–206 on October 11, 1967, I offered an amendment to strike out the provision delegating this power to the President. During the ensuing debate Mr. UDALL, author of the provision, Mr. ANDERSON of Illinois, and Mr. HOLIFIELD developed legislative intent as follows:

Mr. ANDERSON of Illinois. Does the gentleman from California now make the point that by the actions of this Commission we will escape a vote on the question of raising our salaries? I cannot conceive of this Commission coming back with a recommendation for an increase in the President's budget without our having to consider a disapproval resolution which would be filed by someone and which would call for a vote thereon.

Mr. HOLIFIELD. I do not seek the privilege of not voting on a salary raise. I seek the judicial evaluation as to whether we should have it or not, an evaluation to be determined by an impartial body outside of ourselves. That is what I seek. I do not mind voting upon it. I have done it heretofore. And, I shall be happy to do so again.

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

Mr. HOLIFIELD. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Chairman, the gentleman from Illinois has referred to the fact that this question would have to be voted upon in any event if this Commission should recommend an increase in pay. It is true that they would have to vote on a pay raise for a Member of Congress and that they will have that opportunity.

Later when the conference report was considered on December 11, 1967, I addressed a question to Mr. UDALL and he replied, as follows:

Mr. UDALL. That is right. They are only recommendations which take effect in the event Congress does not veto them or pass another provision of law. We could get a quorum here very quickly if the President tried either to raise or to lower the salaries in a manner which was considered offensive to the House. As a matter of fact I think we could have no trouble at all raising a quorum if this should happen.

Thus, legislative intent on this issue is clear. The author of this provision as well as other Members of the House intended that all Members of the House should be given an opportunity to vote to approve or to reject the President's salary recommendations.

Congress must be permitted to vote on this proposal and reject it by reason of a serious constitutional question with respect to the way in which salaries of Members of Congress are being fixed under this irregular and, I submit, unconstitutional procedure. Article 1, section 6, clause 1 of the Constitution states:

The Senators and Representatives shall receive a compensation for their services, *to be ascertained by law*, and paid out of the Treasury of the United States.

The procedure under which we are considering congressional salary increases—section 225 of Public Law 90–206—does not conform to the foregoing constitutional requirement.

Webster's Dictionary defines "ascertain" to mean "to make certain, exact, or precise." In other words, the Constitution says that salaries of Members of Congress must be determined by specific law with exactness. The procedure under which we are now considering congressional pay increases does not meet this constitutional requirement.

The legislative delegation of authority to the Chief Executive to set our salaries was not restrictive. It was not exact or precise. There were no standards or criteria for the Commission or for the President. The sky was the limit.

Congressional salaries are not being fixed in an exact amount by law in conformity with the Constitution unless Congress by law adopts affirmatively the recommendation of the President. Public Law 90–206 establishing the procedure under which recommendations are made to the Congress regarding congressional salaries may not be substituted for the constitutional requirement that such salaries be "ascertained by law" as required by article 1, section 6, clause 1 of the Constitution. Otherwise the constitutional requirement has no meaning.

All persons who are knowledgeable on this subject are aware that in approving section 225 of Public Law 90–206, Congress could avoid the responsibility of voting pay increases to its Members. This intent clearly violates the constitutional requirement.

Mr. Speaker, in furtherance of my contention that the President's proposal should be voted on and defeated, permit me to discuss the merit—or lack of merit—contained in that proposal.

Today we are threatened with the greatest adverse economic impact on our people in history resulting from the pressures of inflation. Mr. Kappel and his associates are apparently not concerned about this problem which faces every wage earner and every housewife in our country. They seem to have the fallacious notion that in order to attract and retain individuals in the top levels of Government there must be unconscionable pay increases.

Yet, the turnover, except for deaths or retirements, is almost negligible.

From what I have observed in the past 2 weeks there is not much turnover in some areas even with a change of administration.

Even at salary levels which the Kappel Commission finds inadequate there has never been a measurable exodus of top Federal officials for higher paying jobs in private industry. Had Kappel wanted to present all the facts he would have included in his report the fringe benefits of top Federal officials as well as the fringe benefits of executives outside the Government when he made his comparisions.

For example, the heads of bureaus in Federal departments and agencies, which is the lowest executive level, now receive higher salaries than those paid to the Governors of at least 26 States. Should the salaries of Members of Congress be increased this year to $42,500 it would represent a higher percentage—89 percent—pay increase since 1955 than that received by any other group of workers in America. This is uncalled for and cannot be justified.

Let us consider briefly other advantages accruing to top Federal executives aside from the normal fringe benefits which the Kappel report treated with deafening silence.

The lavish offices, private dining rooms, chauffered and air-conditioned automobiles, preferred travel and hotel accommodations, entertainment, special passports, sumptuous wining and dining, services of Federal employees for all manner of unofficial chores, and a host of other special privileges are the normal supplemental benefits enjoyed by these high Federal officials.

I shall not comment on the propriety of these supplemental benefits, but I do contend that it is impossible for us to explain to the American people why these Federal officials require annual pay increases ranging from 28 to 71 percent.

Furthermore, I am not raising these matters for any purpose of exposure, because they are generally well known.

I say to you that the top level of officials and employees in this Government are now well treated in the matter of compensation and fringe benefits. Members of the Federal judiciary are already well paid and when they retire, either because of disability or for age, they draw incomparable pensions to which they have contributed not a dollar.

Yes, boost the pay of the Associate Justices of the Supreme Court to $60,000 and the Chief Justice to $62,500. Then they retire—at $60,000 and $62,500 a year.

Perhaps this is one way to test whether the present Chief Justice of the Supreme Court, who handed in his resignation last year, was actuated then by the political motive of trying to dictate as his successor, Abe Fortas. Maybe the $62,500 a year will help him make up his mind now as to whether he wants to retire.

What is the cost of the entire salary grab package? Or can anyone estimate the increase in cost, plus the increased costs of retirement benefits that always go with increased pay. How many of you know what this will cost in retirement benefits and on top of the pay increase? Does anyone know with any real degree of certainty? There have been no hearings. Does anyone care about the facts?

We do know that the Federal employees' retirement fund is $52 billion in the red—this we know, and the taxpayers are going to be asked in a very few years to cough up about $2 billion annually simply to make the retirement fund solvent.

Make no mistake, the flame you are fueling, with these pay increases, is the flame of inflation, and further erosion of the dollar.

What would I say if I were a union negotiator in a wage dispute? What would I say the minute this bill automatically goes into effect next Thursday while the Members of the House are enjoying a vacation?

I ask, if I were a union representative, Why are you offering my people 3 or 4 percent when the President of the United States has had his salary, with the approval of Congress, increased 100 percent? And you, the Members of Congress, have approved an increase of 28 to 71 percent for yourselves and others. Do you think you could settle with me for 3 or 4 percent?

Mr. Speaker, this will trigger a chain reaction of increases around the country, and you mark what I tell you.

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

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

Mr. SCHWENGEL. I rise, first, to commend the gentleman from Iowa, my colleague, for taking this time to call to our attention and to the attention of interested citizens throughout the land the problems that are involved in the legislation he is talking about. I commend him for this fight.

I am especially interested in what he has said about the effects on the economy, the inflationary aspect of this proposition. I also agree with him and others that is a question that every Member of Congress ought to face squarely. We ought to have a chance to vote it up or down after, as the gentleman has so well said, some very pertinent and penetrating and revealing questions have been asked.

I would also like to make this observation: raising the salaries of the Members of the Congress without at the same time raising standards of procedure I believe is not in the public interest. We have had a bill before the House that calls for procedural reform and congressional reform. This has not been acted upon. It would vastly increase the effectiveness and efficiency of the Congress. So I think this relates.

I agree also—I underscore and repeat —that this proposal needs a hearing. Every Member of Congress who has a question about it ought to have an opportunity to ask that question and, indeed, to make some suggestions on how this can best be done, if indeed it should be done, and when it should be done.

Mr. GROSS. I thank the gentleman from Iowa for his remarks.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. I was interested in the gentleman's remarks about officials being wined and dined, because it has been my experience, and I know that of many other Members, that we pick up the check a good deal more frequently than those who wine and dine us when our constituents come here.

Second, on the question of travel privileges, which the gentleman mentioned, many of us who frequently make trips home on weekends, as many of us do every weekend, find it very difficult to make advance reservations. I certainly have been bounced off airplanes very frequently on a standby reservation. I do not think Members of the Congress are treated any differently than the average citizen. When these travel privileges to which the gentleman refers appear, I would be interested in seeing them.

Third, the amount of travel, of course, that a Member of Congress does far exceeds the official allowance which is granted. The official allowance is greater now than it used to be, but I know of no business, industry, State government, or any other occupation where a person traveling on official business does not get full compensation for that travel. I am not referring to political trips. I am referring to business trips, and the travel within your district, of course, mounts up. I do not think the gentleman has fully and fairly presented the financial picture and burden which the average Member of Congress confronts.

Mr. GROSS. I did not set out here today to make a case for the average Member of Congress. I am opposed to the pay increase. I think $30,000 a year is adequate.

The gentleman from West Virginia talks about the wining and dining. I am sure the gentleman knows this Congress appropriates about a million dollars a year for representation allowances for the State Department alone. Does the gentleman recall, or does he have any idea how much is being spent Government-wide on representation allowances? I invite the gentleman to look at the appropriation bills as they come in and to just tote them up. I think the gentleman will be astounded.

As far as the poverty-stricken officials of the Government are concerned, the line forms to the right when a job is opened somewhere. I do not know of any dearth of applications for jobs since the new administration has taken over. If the jobs are swimming in poverty, why are these people clamoring and falling all over each other to get them?

The gentleman talked about travel. I can recall a gentleman, the Vice President of the United States, Mr. Humphrey by name, whose Air Force jet was sent back from Scranton to Washington to pick up the tuxedo he forgot to put aboard the plane at National Airport. When one can get jet planes running around over the country for purposes of picking up forgotten tuxedos, one has pretty good travel accommodations to go along with the job.

Mr. HECHLER of West Virginia. Mr. Speaker, if the gentleman from Iowa will yield further, I have read about that incident. It happened without the knowledge and consent of the Vice President.

Mr. GROSS. The Vice President called me after that occurrence. It was the only time I have had an opportunity to converse with him, so I can assure the gentleman the Vice President had some knowledge of what was going on.

Mr. HALL. Mr. Speaker, will the gentleman from Iowa yield again?

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

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Iowa taking this time in the well and commend him for portraying this not only to other legislators in the Congress but to the people of the United States. It is a sad day when the personal Representatives of the people are denied by any stratagem the right to vote up or down their own pay increase, declared by the Congress to be their prime duty.

The gentleman from Iowa asked a moment ago whether any Member on the floor had any knowledge why the President recommended less than the so-called Kappel Commission, an amendment of Public Law 90–206 as recommended. I believe that Commission recommended congressional annual salaries of $50,000. The massacre that is going into effect on Valentine's Day is for $42,500 per annum. We have been closed out through the Committee on Rules and

this body today from voting up or down on this resolution, even though the other body acted yesterday. Give them credit—at least they voted up or down on a resolution.

I believe the gentleman has reason to know, and if not, I will inform him, there was a pretty high-level conference held with the leaders of the Congress on both sides of the aisle in both bodies, in the White House, and the word was simply passed that the freight would not bear it. There were those who had voiced opposition to what this Commission recommended. The gentleman in the well and I voted against it in the original legislation. As the gentleman in the well said in his preliminary remarks, he submitted an amendment to strike out this part of the Commission's duties in Public Law 90–206. The word was passed that the freight just would not bear it. The leaders did not think they could get this silencing effect in the House or a favorable vote in the other body if they went for the full $50,000 of the taxpayers' money.

The gentleman certainly knows that in lieu of that $7,500 deduction, there is a sneaker or two in this Commission report that will have the effect of law on next Thursday, such as an increased tax-free exemption over and above the $3,000 we all use because of the very items of travel and intradistrict expense and so forth that the gentleman from West Virginia mentioned. Does the gentleman not know this? This is up from $3,000 to $5,500. There are also other exemptions for the judiciary and the legislative and the executive branches, with special care for the Vice President and the speaker and the majority leader and the minority leader and the President pro tempore of the Senate.

These are all in that famed supplement which arrived here so late, but it was because of this high level conference that the President recommended less that the Commission reported.

Mr. GROSS. I am glad to have the gentleman's observation and concurrence.

I am amazed that in this time of debt, deficit and financial crisis ex-President Johnson and now President Nixon would support the establishment of such a precept for the Nation. Are they saying and will Congress now join them in telling the American people that the way to halt inflation and avert financial chaos is to increase the salaries of those already well paid by 28 to 71 percent? This is compounding the evil which they claim to be fighting.

Mr. Speaker, by any reasonable standard and by any objective measurement, ranging from the constitutionality and legislative intent of section 225, Public Law 90–206, to the merits of the proposal contained in the 1970 budget message I insist, first, that the House of Representatives be required to vote on this matter; and second, that in its present form and legislative history the proposal ought to be rejected out of hand.

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

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

Mr. MAYNE. Mr. Speaker, this morning's action by the Rules Committee tabling a resolution to bring the 41 percent pay increase for Senators and Congressmen to the floor dooms the efforts of Members who have been striving to stop this increase from going into effect.

I want to thank the gentleman from Iowa for yielding to me so that I can voice my strong objection to this result. As my colleagues know, I have been opposing this $12,500 increase since it was recommended by President Johnson on January 15.

On the following day, the 16th, I introduced H.R. 138, to block the increase; and since that time I have been voicing my opposition to such a pay hike repeatedly in speeches here in the well of the House. I have said that it was unnecessary, unwise, inflationary in the extreme, and could not come at a worse time so far as the new administration's plans to curb inflation are concerned.

If Congress accepts such an increase for itself, it will make itself and the administration highly vulnerable to the demands of every pressure group which lobbies for higher wages, higher profits, and more Government spending for its own particular clientele. We will be in a much weaker position to hold the line on spending and to check inflation if we do not show a little more restraint so far as our own salaries are concerned.

My resolution, H.R. 138, was referred to the House Committee on Post Office and Civil Service on January 16, but the members of this committee were not even elected by the House until January 29. As soon as they were elected, I sent them and their chairman the following letter, under date of January 30:

Hon. THADDEUS J. DULSKI,
Chairman, Committee on Post Office and Civil Service, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Although the members of your committee were elected by the House yesterday, I am very concerned that no announcement has yet been made of plans to call the committee together.

There are disturbing rumors that you do not intend even to organize the committee until after the 41% increase in congressional pay proposed by former President Johnson will have gone into effect on February 14th.

On January 16, my resolution, H. Res. 138, which would disapprove this increase for both Senators and Representatives, was referred to your committee. I respectfully and urgently request that you call the committee together at the earliest possible time to consider and act upon H. Res. 138, H. Res. 133, and the other resolutions similarly referred which would block the proposed increases. These resolutions should be reported to the Floor early next week to afford sufficient time for the full House to work its will after the resolutions have been debated fairly and openly.

It is my considered judgment that failure of your committee even to consider these resolutions blocking pay increases which to say the least are highly controversial would subject not only your committee but the entire House to severe and justified public condemnation.

A copy of this letter is being sent to each member of your committee and by said copy I respectfully urge the full membership of the committee as well as its chairman to report the above resolutions to the Floor not later than early next week.

Sincerely yours,

WILEY MAYNE,
Member of Congress.

To this date, except for an oral acknowledgment from the gentleman from Iowa who preceded me in the well, I have received absolutely no acknowledgment of that letter. When I was informed last week that the Committee on Rules would conduct a hearing on House Resolution 142 this morning, I asked for the privilege of testifying before the committee in opposition to the pay increase, and I was assured that that privilege would be afforded me. Therefore, I was surprised and disappointed yesterday afternoon when I was informed by a staff member of the committee that the committee had changed its mind and would go into executive session this morning rather than allow me and others to be heard. Therefore I sent the following letter, under date of February 4, to the committee chairman, which was delivered to his office yesterday afternoon:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 4, 1969.

Hon. WILLIAM M. COLMER,
Chairman, Committee on Rules, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I have just been advised by telephone that your committee will go into executive session at 11 a.m. Wednesday, February 5th, to decide whether or not it wants to conduct hearings on the Congressional pay raise.

When my administrative assistant called the committee last week, he was told that members would be granted the courtesy of testifying before the committee in person, and your staffer accepted my name as one of those to be heard on Wednesday.

I have accordingly been telling my constituents that I will make an appearance before your committee at the Wednesday meeting, and they are counting on me to reflect their views by expressing my strong opposition to an increase in the salaries of Congressmen and Senators as proposed by President Johnson. I wish to speak in support of H. Res. 138 introduced by me to block such increases, and also in support of H. Res. 133, introduced by Mr. Gross.

I enclose a copy of my letter to Chairman Thaddeus Dulski of the House Post Office and Civil Service Committee, on this same subject.

I urgently petition you and your committee to grant me and others who wish to appear before you an immediate hearing on the above resolutions. I cannot believe that you would deny us an opportunity to be heard, particularly after we have been led to believe by the committee staff that such a hearing would be afforded. If this 41% pay increase is allowed to go into effect while the resolutions referred to are still bottled up in committee, the House will deserve the widespread public condemnation which it will most assuredly receive.

Sincerely yours,

WILEY MAYNE,
Member of Congress.

Mr. Speaker, this morning I went with the gentleman from Iowa (Mr. GROSS) to the Committee on Rules and discussed my request to be heard there with several members of the committee. However, as the gentleman from Iowa has said, no hearing was held and the committee went into executive session and tabled the matter.

I sincerely believe that both the Committee on Post Office and Civil Service and the Committee on Rules have made a serious mistake in allowing salaries to be raised in this manner after denial of open debate and careful consideration by the full House.

While I was naturally disappointed by the outcome of yesterday's vote in the other body, at least Senators on both sides of the issue demonstrated their faith in the democratic process by standing up to be counted in a recorded vote. They did not refuse to consider the justification, if any, of their own pay increase on its merits. They took the necessary steps to see that this very controversial matter was decided openly and not permitted to die in committee. We Members of this House of Representatives should do no less.

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

Mr. GROSS. Let me thank my colleague from Iowa (Mr. MAYNE), for the vigorous fight he has made against this proposal. I yield to the gentleman from Georgia (Mr. FLYNT).

Mr. FLYNT. Mr. Speaker, first let me say that I commend the gentleman from Iowa (Mr. GROSS) for taking this time and making the statement that he has.

As the gentleman has, I have also offered two resolutions, one of which was referred to the Committee on Post Office and Civil Service and the other to the Committee on Rules.

I did not expect that the resolutions which were referred to the Committee on Post Office and Civil Service would be taken up and considered. However, I had been given what I considered to be a firm assurance that the resolutions which had been referred to the Committee on Rules would be taken up. I was not given any assurance that favorable action would be taken thereon. But I was given the assurance that the Committee on Rules would give us an opportunity to be heard.

Subsequent to that verbal assurance I received a notice that a meeting of the Committee on Rules had been scheduled for 10:30 a.m. today, Wednesday, February 5, 1969, at which time those who desired to speak for or against the resolutions which had been referred by the Speaker to the Committee on Rules would be given an opportunity to be heard. However, late yesterday afternoon I was informed that the 10:30 meeting had been canceled and that I would not be given an opportunity to appear before the Committee on Rules. I was told that instead of the 10:30 meeting which would be held, the Committee on Rules would go into executive session at 11:00 o'clock today, Wednesday morning, February 5, 1969, and take such action as it saw fit on these resolutions. I am informed that three members of the Committee on Rules did vote to hear us. I thank those three who so voted.

Now, Mr. Speaker, when the bill providing for the Presidential Commission To Set Certain Executive, Judiciary, and Legislative Salaries was considered in the House of Representatives in 1967, a great many questions were asked concerning the procedures which would be followed. I know that I was told informally—and I think that I was told in response to a question asked on the floor of the House—that if and when a recommendation came in from the Commission on executive, judiciary, and legislative salaries—came in and was filed with the Congress—my recollection is that I was told specifically that the House of Representatives would be given an opportunity to work its will one way or the other upon the contents of such report that might be sent to us. I think that my recollection is accurate. It is my further recollection that early in the first session of the 91st Congress the gentleman now in the well in making a reservation of objection to a unanimous-consent request with reference to the bringing up of the bill to increase the salary of the President of the United States, in making his reservation of objection to the unanimous-consent request asked in substantially these words:

> Do I understand that by withdrawing my objection to the unanimous-consent request now pending, does this mean that the House of Representatives will be foreclosed the opportunity to vote on the recommendations contained in the Kappel Commission report?

Mr. GROSS. That is right.

Mr. FLYNT. I would like, Mr. Speaker, if I may, to ask the distinguished gentleman from Iowa (Mr. GROSS) if I have substantially stated the colloquy which took place on the floor of the House of Representatives at that time.

Mr. GROSS. The gentleman from Georgia is correct.

Mr. FLYNT. Mr. Speaker, I have no personal quarrel whatsoever with those who would prefer not to vote on this matter which is apparently going to die in committee without a vote. I do object strenuously to the procedure being followed. If they prefer this action to take place without the House of Representatives working its will and expressing that will by a rollcall vote, I have no personal quarrel. I have never had any quarrel with any Member of this body with reference to how he votes on any particular issue. How any Member of this body votes on any issue which comes up is a matter, Mr. Speaker, which addresses itself to that particular Member and to that Member alone. Therefore, I would never, Mr. Speaker, undertake to superimpose my judgment over the judgment of another Member of this body upon a matter affecting his own judgment and his own conscience. By this same reasoning I resent any man or any group of men superimposing his or their judgment over my judgment by denying a vote on a highly controversial issue.

Mr. Speaker, in view of the assurances which many of us have been given over the period of the past 2 years that exactly what is going to happen would not happen, I am disappointed in the processes and procedures of the House of Representatives which make this possible.

Mr. Speaker, I would have no personal quarrel with any Member on how he would vote on any particular phase of this issue which is about to become law by nonaction, and by failure of the House of Representatives to act. However, I deplore those procedures which make it possible for valid agreements to be violated in this manner.

Mr. GROSS. I appreciate very much the remarks of the gentleman from Georgia.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GROSS. If I have time remaining I will yield to the gentleman, but first let me reiterate that this is a tragic and sad day when the House of Representatives refuses to properly meet its responsibilities to the public it is supposed to serve.

Mr. BURKE of Massachusetts. Mr. Speaker, I would just like to point out some matters and correct some of the impressions that might have been gained around here about this grandiose salary of Congressmen.

I have in my hand here the monthly statement for the month of January issued by the Sergeant at Arms on February first. It shows my salary as $2,500 a month. Payment for regular life insurance deducted, $19.07. Payment to group health insurance, $11.57. Federal withholding tax, $717.30. Payment to retirement fund, $187.50. This representing a withholding of $935.44. The net amount of the check is $1,564.56 for the month.

Just to give the Members a little idea of the practical side of things, the expense of an apartment here in Washington is about $240 to $260 a month if you have a family with you. That amounts to over $3,000 a year. Then you have to maintain your home back in your district. Last year, I believe, I was allowed the expense for 10 round trips for the year.

If the Member is in a district like mine, he travels back and forth every weekend and has 45 to 50 trips a year, his expenses for traveling back and forth to his district would run approximately $3,500 a year, which would bring the net amount down to about $12,000.

Out of the $12,000 the Member is supposed to maintain his home back in his district and pay his expenses there. He is supposed to take care of entertainment, on a reasonable level, of those constituents of his who might come here, some nice family with two or three children. You like to take them in the House restaurant and possibly spend $3 or $4 on them. That all adds up.

Then there are the charitable contributions the Member is called upon to make.

Then every 2 years he is up for reelection, and he has to dig down in his pocket unless he has some financial angels ready to pick up the bill for him.

What I am pointing out is that the big trouble today in the legislative offices of this country, not only here in the Nation's Capital, but in every State capital in the country, is that they are beginning to become rich men's clubs, where only the wealthy can afford to serve, because you either have to be wealthy, on the one hand, or corrupt on the other, because you will not be able to meet the staggering expenses of legislative offices. This condition has been brought about by the American system of politics. It is not anyone's fault. Surely I do not want to vote for a salary of $42,500 when I realize we could operate under a salary of $22,000, and then get an expense account of $5,000 and come out ahead of the picture.

So to be a little bit specific and fair about this, I want to announce publicly and openly that I shall vote for the pay raise. I have been for it since the very beginning and I have never made any secret about it. I believe your constituents back home are entitled to have this

information. I include the following information:

MEMORANDUM: OFFICE OF THE SERGEANT AT ARMS, U.S. HOUSE OF REPRESENTATIVES

February 1, 1969.

Hon. JAMES A. BURKE,

My DEAR CONGRESSMAN: For your information and record, the following deductions have been made from your monthly salary.

Salary for the month	$2,500.00
Payment to optional life insurance	(1)
Payment to regular life insurance	19.07
Payment to group health insurance	[2] 11.57
Federal withholding tax	717.30
Payment to retirement fund	187.50
Total deductions	935.44
Net amount (check) (credit to account)	1,564.56

[1] Waived.
[2] Increase in health insurance.

Under the proposed salary adjustment the following would be the approximate deductions for the same period.

Salary for the month	$3,541.00
Payment to life insurance	19.07
Payment to group insurance	11.57
Federal withholding tax	1,541.70
Payment to retirement fund	265.66
Total deductions	1,838.00
Net Amount credit to account	1,703.00

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

Mr. BURKE of Massachusetts. Mr. Speaker, I would ask unanimous consent that the gentleman from Iowa may proceed for 5 additional minutes.

The SPEAKER pro tempore. The Chair will state that the gentleman from Iowa has consumed 1 hour. Under the rules of the House, a Member can be recognized for only 1 hour. The Chair would suggest that the gentleman from Massachusetts obtain time later.

THE ROAD TO PEACE IN VIETNAM

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, matters of procedure have been settled at the Paris peace talks. Soon, we hope, there will be agreement on an agenda so the various delegations can proceed with the issues at stake. In the meantime fighting will accompany the talking. Apparently Hanoi prefers it this way.

The road to peace at Paris will be long, difficult and, at times, frustrating. For example, Hanoi's asking price for peace in Vietnam are the following as expressed in their own language:

First. The United States must withdraw all its troops and weapons, dismantle all military bases, and cancel its military alliance with South Vietnam.

Second. Pending the peaceful reunification of Vietnam, the two zones must refrain from joining any military alliance with foreign countries.

Third. The internal affairs of South Vietnam must be settled by the Vietnamese people themselves with the National Liberation Front, which is the Vietcong, participating.

Fourth. The peaceful reunification of Vietnam is to be settled by the Vietnamese people in both zones, without foreign interference.

In short, these demands call for our unconditional withdrawal from Vietnam with no assurance that the sovereignty of the Republic of Vietnam will be preserved. Also, these demands would result in the dissolution of the Southeast Asia Treaty Organization, our Asian counterpart to NATO. Nevertheless, we have advised Hanoi, that along with other subjects, we will be willing to discuss these four conditions.

The point from which the United States will negotiate is best expressed in terms of the peace agreement of the Geneva Convention of 1954. This agreement stipulated that:

First. Laos and Cambodia be recognized as independent states;

Second. Vietnam be partitioned at the 17th parallel, the north to come under Hanoi's control, and the south to remain free;

Third. Troops or guerrilla forces under Hanoi's control in South Vietnam to be recalled north.

Hanoi has committed countless violations of this agreement, eventually causing the Council of Ministers of the Southeast Asia Treaty Organization to issue a communique stating:

> The defeat of this Communist campaign is essential not only to the security of the Republic of Vietnam but to that of Southeast Asia.

The rest is history.

In addition to using the terms of the Geneva agreement at Paris as part of the agenda, the American delegation will bring up the subject of repatriation of U.S. prisoners now in the hands of Hanoi. Unlike in Korea, where this item was last on the agenda, and took over 2 years to resolve, I strongly recommend that this subject have early priority at Paris. Our information on the status of our boys in enemy hands is most unsatisfactory.

We have no definite count on survivors, and no information concerning their health. Early discussion of this item on the agenda will go a long way to test the good intentions of Hanoi at the negotiating table.

Such are the prospects of an agenda. The two opposing positions are at present rather far apart, and their discussion can be time consuming. In negotiating, however, we must discipline ourselves to adhere strictly to certain principles.

Insist that an acceptable truce must be achieved within a specified time period. If there is procrastination the talks should be broken off.

Require the opposition to match words with deeds.

Recognize that the opposition regards the conference table as part of a propaganda program to improve their image, after having failed to win on the battlefield.

Never make a concession for which there is not an exact reciprocation.

As I previously stated, the road ahead at Paris is likely to be long and frustrating, but our negotiating position is likely to improve with the passage of time. Within the scope of limited objectives we have demonstrated a military superiority in Vietnam. We are accelerating our training and equipping program for the new expanded Vietnamese army which will take our place, and it is not unreasonable to expect a reduction of our military forces by the close of this year.

THE SUSQUEHANNA RIVER BASIN COMPACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 10 minutes.

Mr. ROBISON. Mr. Speaker, I am extremely pleased to join today with other House Members from New York in sponsoring legislation in Congress to consent to the establishment of the long-awaited Susquehanna River Basin compact between the basin States of New York, Pennsylvania, and Maryland, and making the United States a signatory part to such compact.

This is a goal I have long envisioned—and a goal that, nearly 9 years ago, prompted my successful efforts to obtain congressional approval of a comprehensive restudy of the North Branch of the Susquehanna River to be conducted by the Army Corps of Engineers but with the participation of all interested Federal agencies and appropriate agencies of the State of New York. The restudy, with my support, was subsequently broadened so as to encompass the entire, three-State river basin, and the work therein involved is now nearing completion so that we can look forward to receiving the information and recommendations thereby produced for our river basin in the very near future.

As I said before an Appropriations Committee subcommittee, back on May 8, 1962, what I was hoping to see produced was a plan for "the development of our entire river basin, as opposed to the former piece-meal approach to the needs of the various communities situated therein, so as to insure the fullest possible economic benefit to all the people living along its banks and to the Nation, as well."

Once that plan has been considered by the several governmental and private entities interested in the full development and protection of our river, and by the general public, as well, it will need some form of Federal-interstate coordinating mechanism, or agency, to put it into effect. And this proposal, to establish a Susquehanna River Basin compact—modeled after the successful Delaware River Basin compact that Congress approved in 1961—will provide precisely that sort of mechanism.

The establishment of such a compact will help guide the conservation, development and administration of our river basin's resources in such a manner as to most efficiently serve the needs of its population, and which will preserve and enhance its value as a scenic and recreational asset for the tens of millions who live within several hundreds of miles of the basin.

Such an arrangement gives us the best chance for the comprehensive and coordinated management of our river in such a fashion as to offer, by far and away, the best hope of safeguarding and maximizing the Susquehanna's usefulness not only to us, but to generations to come.

I have eagerly awaited the day when this kind of legislation could be introduced in Congress. I am vastly encouraged about its prospects by the fact that, as its chief sponsor, one finds the Honorable EMANUEL CELLER, of New York, chairman of the House Judiciary Committee which must consider it and act thereon before the House, itself, can act. This fact, alone, gives its prospects a bright future and, now that the three States are in accord on the provisions involved in the compact, I hope we can expect favorable congressional action this year.

SECRETARY OF DEFENSE SHOULD DELAY CONSTRUCTION AND LAND ACQUISITION ON THE SENTINEL ANTI-BALLISTIC-MISSILE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MCCLORY) is recognized for 10 minutes.

Mr. MCCLORY. Mr. Speaker, I am today urging the Secretary of Defense to delay construction and land acquisition relative to the so-called Sentinel anti-ballistic-missile system.

Mr. Speaker, I might say that I have been a staunch supporter of an effective ABM system including appropriations in this Chamber in behalf of the development and the deployment of such a system. I might say further than I did not change my position when a decision was made by the Department of the Army and the Department of Defense to locate a Sentinel anti-ballistic-missile base in my district.

While I suggested that some other location would be preferable, at the same time I have persisted in my support of this system. However, there was a lengthy discussion on this subject yesterday in the other Chamber, and a commitment was made by the chairman of the Committee on Armed Services of the other body that further hearings would be held, and the chairman himself indicates a delay in the construction and land acquisition to further deploy this Sentinel anti-ballistic-missile system. According to his statement which appears at page 2732 of the CONGRESSIONAL RECORD of February 4, the chairman, Senator STENNIS said:

> There will be hearings on this matter before any appreciable amount of physical work is done on the site.

The chairman suggested that we "not rush" and that we "not reach definite conclusions now."

I also understand that the chairman of the Committee on Armed Services of this body, the gentleman from South Carolina (Mr. RIVERS), has also indicated that he would delay further hearings on this subject. It seems to me that this is a wise step for a great many reasons. A brief delay will provide further opportunities for research and development with respect to possible technological or scientific defects that need to be corrected.

The delay will also provide an opportunity for this administration to review its position and to express its attitude with regard to this subject. Particularly, I am thinking of President Nixon's historic inaugural address in which he emphasized the necessity of our role as "peacemakers." The President's initiative met with an almost immediate response from the Soviet Union.

There are other indications that perhaps some discussions or negotiations may take place with regard to controlling nuclear and other weapons, including a possible reduction of nuclear arms. In the light of these developments it would seem important to postpone for the time being at least further steps toward the construction of the Sentinel ABM bases in various parts of the country.

I want to emphasize that it seems to me most important for us to develop a policy of defense against enemy nuclear attack. To continue with the existing policy of relying solely on a counter-offensive or a retaliatory striking force, that is, to depend entirely on offensive nuclear weapons, seems to me a disastrous policy which fails to take into consideration the protection of the lives and property of our Nation. Such a policy depends entirely on the principle of "deterrence" and contemplates a possible annihilation of a nuclear enemy. I do not believe the policy would work against Red China.

So, in taking the position that I am today, I do not want to indicate in any sense that I am retreating from a position in support of a defensive system to intercept and destroy enemy ballistic missiles. Of course, if it is possible to avoid the development of such a system pursuant to an effective agreement or treaty to control nuclear and other weapons, there would be tremendous savings involved. I would certainly support any opportunity to effect the savings in money that would result from any reduction in defense expenditures.

However, there are no indications that I have received that the Red Chinese or the Soviet Union are letting up in any way in their development of nuclear or other weapons and we should not be misled by any misinformation or by any wishful thinking on our part that somehow or other by delaying steps we might take that we would thereby encourage them to delay or postpone their actions.

On the other hand, there seem to be many reasons why a brief delay would be helpful at this point. Certainly since the Sentinel system is designed to meet a Red Chinese nuclear attack in the years from 1972 to 1974, which are the possible dates that are being talked about, it seems to me, that we can have such a brief delay without jeopardizing in any way the lives and the property of our people that are intended to e protected by the Sentinel ABM system.

Accordingly, Mr. Speaker, I hope the Secretary of Defense in his wisdom will see fit to delay the acquisition of land in my district and in other areas in the country where it is intended to deploy the Sentinel anti-ballistic-missile bases and also to delay construction of such systems for the time being.

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

Mr. MCCLORY. I yield to the gentleman from New Jersey.

Mr. PATTEN. You know, the gentleman is talking so confidently—does he have some inside information that the White House is going to really postpone this program?

Mr. MCCLORY. I do not have any inside information at all. The information concerning the delay recommended by the chairman of the House Armed Services Committee, was related to me today; and also the CONGRESSIONAL RECORD, which I received today reveals the statements made by the chairman of the Armed Services Committee of the other body at page 2732. In view of that I think the Secretary of Defense would be wise to postpone steps toward acquisition of land and toward construction of the Sentinel system pending further hearings in this body and in the other body.

Mr. PATTEN. I thought that several things had happened in the last 24 hours and I could smell a little smoke. Being one of the Republican leaders, I thought the gentleman could inform me.

Mr. MCCLORY. Since one of these bases is intended to be deployed in my district, I would certainly get the "smoke" at an early stage. However, I have no information other than that to which I have made reference.

Mr. PATTEN. Remember 1961, when the Russians became very peaceful about controlling radiation? The first thing we knew, they were throwing 50-megaton bombs into the air, when the rest of us thought they were going to stop all testing. Every time they get quiet, they drop another shoe. I just wondered what was coming next.

Mr. MCCLORY. I am not relying on any soft attitude on the part of the Soviet Union or the Red Chinese. On the other hand, if we are able to negotiate some kind of arms control agreement, particularly with regard to nuclear weapons, I would want to do everything possible to accomplish such a result. It is possible today with satellite reconnaissance to detect any violation of any such agreement. In further reliance upon that, I do hope that some negotiations can occur so that we can control and, if possible, reduce the expensive nuclear and other arms which we are presently required to produce in order to provide adequately for the national defense.

LOWERING THE VOTING AGE TO 18

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia, (Mr. HECHLER) is recognized for 10 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to commend the gentleman from New Jersey (Mr. HOWARD) and other sponsors of resolutions to lower the voting age to 18. It is my understanding, Mr. Speaker, that in those States which have acted through State legislation to lower the voting age below 21, the practice in those elections, where those under 21 have voted, has been a healthy one.

I should like to ask the gentleman from New Jersey whether he has any in-

formation concerning those four States where the under-21 voting age has been set by the State legislatures.

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

Mr. HECHLER of West Virginia. I yield to the gentleman from New Jersey.

Mr. HOWARD. I thank the gentleman from West Virginia for taking this time to comment on the 18-year-old vote, and I should like to commend him for the leadership role he has taken for so many years in attempting to have this legislation passed so that in every State in our country the 18-, 19-, and 20-year-old youngsters may be permitted to vote.

In the States where there is a vote below the age of 21 the indications are it has worked very, very well.

Throughout the country we know that the young people take part in political campaigns and that they do the hard work which is necessary. Certainly in New Jersey and in West Virginia, I am sure, everyone is grateful for the effort these young people make. We make no bones about the fact that we do want their help, we do want their work, and we do want their effort, whether it be ringing doorbells or being in shopping centers.

These other four States have gone far beyond us. They have shown the young people we also want their judgment and we want it to be an official judgment. The only place we can recognize their good judgment is by permitting them into the voting booths.

Mr. HECHLER of West Virginia. I thank the gentleman from New Jersey for those observations.

It has certainly been my observation and experience that in the State of Kentucky, which adjoins and is a neighbor of West Virginia, the 18-year-old vote has worked extremely well. It has meant that many young people have taken a new interest in the problems facing their Government and the problems of the world. It has meant also that in their social studies and other studies in the schools they attend they have taken a more energetic interest in the subjects they study.

LET'S STRIKE ANOTHER BLOW AGAINST SMUT PEDDLERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. CUNNINGHAM) is recognized for 10 minutes.

Mr. CUNNINGHAM. Mr. Speaker, three-quarters of all arrests for crime in the United States each year are people under 25 years of age. The greatest class of criminals in the United States are 15 years of age, and the second greatest class are 16-year-olds. One thousand five hundred teenagers a day are afflicted with venereal diseases. Rape in the United States has increased 78 percent since 1960, and this rate rose 7 percent from 1966 to 1967 nationwide. The FBI will, in a short time, release figures showing that the increase in rapes over the 1967 total will be 17 percent nationwide.

The American public is taking advantage of the Cunningham Act, 90–206, and 113,268 complaints have been received by the Post Office Department, and 92,163 postal orders have been issued to pandering mailers directing them to cease sending like material to the homes of complainants. About 300 requests for court orders have been filed with the Department of Justice. Yet this is not enough.

We are dealing with a fire, and obscenity and pandering advertising are gasoline which greedy mailers splash on the obscenity fire at the rate of 100 million pieces of objectionable material a year through the U.S. Post Office Department. These figures are based on the President's Commission on Law Enforcement and Administration of Justice, recent FBI, and Public Health Service figures.

WHERE DO WE STAND?

Crime is then largely a youth problem and becoming more so. The 15- and 24-year-old group is the fastest growing part of the population. The growth of crime is much faster than the growth of our population, but the problems that our youth are having are part of the nationwide crime problem. If we are to start solving the crime problem we must start with the problems young people have. The problem of adolescence is for the most part adjusting relationships to the opposite sex and these relationships are being twisted by the free distribution of obscenity and the greed of smut merchants. The curse of very young lives is "obscenity."

WHAT IS OBSCENITY?

Obscenity inflames the curiosity of the young and their imagination. Most obscene materials are directed at the very young. Smut mailers pay a very high price for the names of youngsters in the 12-to-14 age bracket. It is a great wrong because it presents members of the opposite sex as subjects for physical satisfaction only. In addition, members of the opposite sex are presented as masochistic creatures who can only respond to cruelty.

A teenage boy who lives in his imagination on a diet of obscenity can think of young girls only in terms of their being things. Obscenity, like all literature, teaches, and it teaches that women and girls are only subjects for aggression. The complicated and beautiful relationship between men and women is presented as based on hostility. Obscenity promises immediate gratification. It builds a need for immediate gratification—a "freedom now" from self-control and humaneness. The obscenity mixture is about eight parts sadism. A young man's normal decent protectiveness toward females is twisted into hostility, hate, and aggressiveness. Usually the freezing of affection toward parents and members of the family follow. We need only look to Chicago and ask ourselves how the young people who attacked the police with plastic bags filled with excrement, their mouths filled with filth more profound than anything heard in the stockyards prior to that time, and who, in addition, threw reserve weapons such as golf balls filled with nails, got that way. What kind of parents will they make, what kind of children will they have? Calling this type of action new politics does not answer any question. It only confers a twisted blessing. Once damaged by obscenity and attitudes formed, years of psychiatry is the only cure to restore a full personality. This theory on the effect of obscenity is based on "Society and the Sex Criminal," by Gladys Schultz, and Postal Operations Subcommittee hearings in 1967.

FILTH FOR PROFIT, A BIG BUSINESS

You may say that "granting obscenity is bad for individual youths, is it a nationwide problem that cannot be left to local communities?"

The answer is "No" because 100 million copies of objectionable material are sent through the U.S. mails every year at subsidized rates. Half a billion dollars worth of this material is distributed by mail or truck and express. Pornography is a big business and its bigness comes from the unwitting help of the American people through a subsidized mail service.

WHAT CAN WE DO ABOUT IT?

Since the Cunningham bill became law as part of the 1967 Postal Rates Act, I have given considerable thought to what further steps we can take. Now the American family can demand that their names be removed from mailing lists.

Since pornography is a cold, hard business, I think we need a further law that will end the subsidy for pornographers. If the pornographers lost their second- and third-class mailing permits and the right to send material by fourth-class rates, a great deal of the profit would be taken out of the obscenity business. Recent judicial decisions may permit the free exchange of ideas between consenting adults. But I see no reason why the American people should pay out of their own pockets for the fast and complete distribution of the U.S. mails. There is no obligation on the part of the American people to make pornography profitable.

For this reason I am today introducing a bill that will end second-, third-, and fourth-class mail rates for those mailers who distribute obscenity by mail. Administrative hearings will be held by the Postmaster General before he or a representative makes a ruling in an individual case. Appeal rights will be given in that cases can be taken to the Federal courts and as far as the U.S. Supreme Court. Justice will be slow, but I am convinced it will be certain. I do not think the Supreme Court will demand that the American taxpayer continue to pay the bill of these mailers.

Mr. Speaker, I know that this will be a long fight. Obtaining for Americans the right to have their names removed from smut merchant mailing lists took years. But I think that now that the first blow has been struck, we will be able to move much faster. The times have changed. Judges are changing their minds as well as citizens who knew long ago that the tide of obscenity had to be rolled back.

QUIBBLING BESTS COMMONSENSE ON HIGH COURT

(Mr. ABERNETHY asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. ABERNETHY. Mr. Speaker, at

times, though rarely, we hear it said that decisions being handed down by the Warren court are not making problems for our police departments in the enforcement of criminal laws. But the vast majority of Americans know the situation is quite to the contrary.

As reported in a column which appeared in the Evening Star of last night, the court has created another loophole for criminals to escape punishment. This timely and effective column, written by James L. Kilpatrick, is commended to the reading of all Americans, as follows:

QUIBBLING BESTS COMMONSENSE ON HIGH COURT

Back in the summer of 1965, FBI agents in St. Louis got a hot tip on one William Spinelli. He was known to them as "a bookmaker, an associate of bookmakers, a gambler, and an associate of gamblers." Their tip came from an informant who had been passing along reliable leads on a weekly basis for the preceding two years.

The informant said Spinelli was making book in an apartment at 1108 Indian Circle Drive; the informant even provided the numbers of two telephones installed in the apartment. FBI agents trailed Spinelli for five days; they confirmed the pattern of his goings and comings. Then they obtained a search warrant from a U.S. Commissioner, alleging under oath that they expected to find gambling paraphernalia in the apartment.

At 5 o'clock on one August afternoon, they staked out the place. When Spinelli emerged two hours later, they nabbed him, searched the apartment, and sure enough, there were the tools of the bookmaker's trade. Spinelli had equipped himself with not two telephones, but five. A jury trial followed; Spinelli was convicted of violating federal gambling laws, and sentenced to three years in prison plus a $5,000 fine.

Spinelli appealed, resting his case almost wholly upon the validity of the search warrant. Eventually, the entire Eighth Circuit Court of Appeals, sitting en banc, voted 6-2 to uphold the warrant and to sustain the conviction.

This past week, in its most dismaying opinion of this term, the Supreme Court voted 5-3 to set Spinelli free. The opinion was a triumph of pettifoggery over common sense; it was a shocking manifestation of the court's kid-glove solicitude for criminal defendants. And it is all the more disappointing to see that the majority opinion was written by Justice Harlan, who ordinarily is one of the soundest men on the court. If Harlan has now gone over to the nitpickers and bleeding hearts, one despairs of seeing a return to sanity in our criminal law.

The majority's objection was that the FBI agents had failed to establish "probable cause" for the search warrant to issue. Every criminal lawyer in the country must have danced with joy on reading this conclusion. If the farfetched principles laid down by Harlan in the Spinelli case should be applied retroactively, our prison wardens may toss their keys away.

No one questions the vital place that the Fourth Amendment occupies in the palladium of our liberties: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized."

As Justice Jackson remarked 20 years ago, the protections of the Fourth "belong to the catalog of indispensable freedoms." No thoughtful person would advocate the free-and-easy issuance of search warrants. But until the Spinelli opinion came along last week, it had been generally assumed—as six judges of the Eighth Circuit assumed—that the information presented by the FBI agents, under oath, was more than sufficient to establish "probable cause."

The Spinelli decision will place heavy new burdens upon our overburdened law enforcement officers. It will provide a hundred new legalistic loopholes for the big fish of organized crime to swim around in.

The court's opinion last June in Bumper vs. North Carolina was bad enough. In that case, the court reversed the conviction of a brutal rapist on a moonbeam line of reasoning. Police went to the suspect's home, owned by his grandmother, and advised her they had a warrant. "Come on in," she said. "I let them search. It was all my own free will." Police found a rifle that had figured in the crime. But Bumper's conviction was reversed: The evidence as to the warrant was not clear.

The Spinelli decision is far more damaging than last year's opinion in Bumper. It goes way beyond the previous landmark case of Aguilar vs. Texas, decided five years ago. Justice Black, who dissented, called the majority's action "indefensible" and "unbelievable." The words are too mild. The action was outrageous.

THE INCOME TAX—A TAX FRAUD?

(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, much time and effort has been devoted to a most thorough and detailed study of the Federal income tax system by Dr. Martin A. Larsen.

This critique on a maligned source of Federal fundraising will be of interest to all our colleagues. It covers the entire history of the income tax—pointing to gross inequities placed on the productive middle-class American.

The report also exposes tax loopholes available to special interest groups, and proposes action to make the burden of taxes be fairly borne by all our citizens.

I include the full report, which has been published by Liberty Lobby, 300 Inpendence Avenue SE., Washington, D.C., at this point in the RECORD:

THE GREAT TAX FRAUD

(By Dr. Martin A. Larson)

The purpose of this publication is simple and direct:

1—To plug the loopholes and end the inequities in the federal income tax; and thus

2—Make it possible to

(a) Raise individual exemptions from $600—the present individual exemption—to levels at which any income necessary to maintain a decent, contemporary living standard will be immune to such taxation;

(b) Reduce the present estate and income taxes to reasonable percentages, but apply them universally; and

(c) Provide the Treasury with income sufficient not only to meet all current necessities but also to reduce the national debt substantially.

When the first tax was collected under the 16th Amendment after its ratification in 1913, the exemption on incomes for single persons was $3,000 and on families, $4,000. During the Twenties, it was placed at $3,500 for married couples with an additional $400 for each dependent child.

We propose that the yardsticks on which these exemptions were based be made permanent and immutable. Since the first substantial collections under the income tax occurred in 1916, we use that as our base for extrapolation. The index of all commodities (with 1957–59 as 100) stood at 46.8 in 1916, 54.8 in 1926, 105.5 in 1966, and 109 in 1968. These exemptions of 1926–28 were therefore equal to those of 1913–16.

However, since $1.00 in 1916 had the purchasing power of $2.35 in 1966 and about $2.55 in 1968, it would be necessary, in order to retain the position of 1913–16, for exemptions on single and family incomes to stand at $7,365 and $9,825 in 1968. Combining the original concepts with those of the Twenties, which took into account the cost of rearing children, we arrive at the results which follow and which provide for family exemptions up to $15,000.

Our analysis and proposals constitute a permanent solution, since exemptions, under them, would follow the cost-of-living index. Prices will probably continue to increase, possibly more rapidly than in the past; the gross national product will, no doubt, expand; and all financial totals will be larger. The principles we advance will, however, remain constant and universally applicable: the specific amounts will change from year to year, but the ratios will remain substantially unaltered.

SPECIFIC PROPOSALS

We therefore advocate that—

1—An exemption of $8,000 for incomes of single persons be established, and

2—An exemption of $10,000 for the head of a household; an additional $1,000 for each dependent child; but with a $15,000 limitation on total family exemptions.

3—Any contribution to Social Security or to a retirement fund or trust not be classified as income; and the same principle to apply to windfalls, such as gains from gambling or the sale of a home.

4—All other deductions (except those necessary in trade or business); and all other exclusions, allowances, exemptions, loopholes, favoritism, or discrimination now in the Internal Revenue Code be eliminated.

5—All capital gains (except those from the sale of depreciable property used in trade or business—which should be left as now) be treated as earned or ordinary income.

6—The following rate-schedules be established:

(a) 20% on any portion of taxable income below $15,000.

(b) 25% on taxable income between $15,000 and $50,000.

(c) 50% on taxable income exceeding $50,000.

7—The present Social Security system and employer contributions to it be phased out gradually in favor of individual trust-funds, and that

8—The level of exemptions be adjusted at regular intervals in case of inflation or deflation: thus their amount will follow the cost-of-living index.

THE CERTAIN RESULTS

1—This reform will abolish the personal federal tax liability for more than 80% of our people. Think of it—some 56,000,000 Americans freed for good from struggling with Forms 1040, W2, and W4 ad infinitum—to say nothing of the terrible burden of coming up with the money.

2—It would have reduced the tax-liability of low- and middle-income groups by about $29 billion in 1963 and by $22 billion in 1964; but, by closing loopholes, taxing all income equitably, and eliminating a multiplicity of exemptions, allowances, deductions, and exclusions, at least $40 billion of additional revenue would have become available to the Treasury for a net gain of $20 billion in 1964. Although all totals will be larger in future years, ratios will remain the same.

3—It will free employers from making contributions to Social Security and the necessity of transmitting funds to the federal Treasury; it will enormously reduce the cost of collecting taxes by enabling the Internal Revenue Service to concentrate on large incomes, and on foundations, corporations, and other large financial entities now vir-

tually or entirely tax-exempt; it will free millions of Americans from the fear and agony now inflicted upon them by the agents of the Treasury; it will replace an impossibly complex and elaborate Code with another which will be simple, easily understood and administered, as well as universally equitable; and, finally, it will enable our people to create ample retirement funds for themselves without undue sacrifice or hardship.

THE PRACTICAL PROGRAM

Since the preparation of a short and equitable code is a task for specialists, we do not here spell out a definite statute; its formulation should be entrusted to a Commission, established by Congress for that precise purpose.

Tax equity reform, we are convinced, will not require a Constitutional amendment but can be accomplished legislatively, through the action of the Congress.

Since this program must be implemented if the American way of life is to survive, we consider it not only imperative but inevitable. Our objective is to demonstrate why this is true and what must be done to accomplish this massive reconstitution.

PART I—BACKGROUND AND NATURE OF THE PERSONAL FEDERAL INCOME TAX

The metamorphosis

The federal income tax, which began in 1913 as a purring kitten, has now grown into a devouring tiger. Instead of being progressive, it has become regressive with a vengeance; that is, it falls most heavily upon modest and middle incomes.

The crafty, the powerful, the favored, have been able to write into the Code a multiplicity of provisions to shift almost the entire burden upon the hard-working and law-abiding middle classes.

Thousands of millionaires, as well as others enjoying large or unearned incomes, foundations, so-called cooperatives and "charities," and other organizations, now paying little or nothing, should share the burden of maintaining our society.

There are great numbers whose vast incomes derive from inherited or accumulated investments; their revenues are not geared to production or social service; and they should not escape all responsibility. Those whose spendable earnings reach $50,000 will suffer no injustice by paying $8,750 (25% of $35,000) to the government; and those whose net annual revenues total $2 million should be happy to retain one half of their incomes.

The drive to establish tax-equity will be opposed by highly articulate lobbyists for favored individuals, exempt organizations, and "charities," who will swoop down upon Congress like great vultures armed with threats in one talon and bribes in the other.

These tax-avoiders are found in two principal categories: (1) multimillionaires and others with large incomes who have devised ways to escape taxes on most of their personal revenues; and (2) a multiplicity of totally or largely exempt organizations, going blithely on their primrose pathways to inordinate wealth, fortune, and power at the expense of the general public.

THE TYPICAL AMERICAN

According to the *Saturday Evening Post*, the following was a profile of the average middle class man in 1966–67: he was a 45-year-old voter, earning nearly $7,500, living in a suburban home valued at $13,000 ($6,800 mortgage, with annual interest of $400 plus amortization); additional payments included $100 in interest on other loans, $700 income tax, $200–$300 state and local excises, $250 real estate levies, and $290 Social Security.

This took about one-third of his income, leaving $5,000 to feed and clothe his family of four or five, pay for medical care and all other items, including college education for his offspring.

Consider a typical middle class couple: an independent businessman, whose wife is an efficient private secretary, both in their late forties, with no dependents. They earn about $8,500 each and should be building an estate for ultimate independence.

However, state and federal income taxes, real estate, sales, and excise levies total $5,797. In addition, they pay $1,500 in hidden and indirect taxes on goods and services. They work more than 23 weeks a year to meet these excises—41% of their total earnings. This leaves about $11,000, of which they can save less than $500. If their contributions to Social Security and to an annuity program were excludable and if they had no federal income tax to pay, they could build an estate of $140,000 in 20 years on the basis of their present income.

An empire of bureaucrats

In Washington, the curious visitor may discover that Big Brother has nearly 3,000,000 civilian employees who do his bidding night and day.

Of these, in 1968, 1,204,900 are civilians in the Department of Defense; and 845,490 comprise the hard-core federal bureaucrats under the direct control of the White House.

Between Sept. 25, 1966, and April, 1967, 108,910 unnecessary personnel were added at a cost of more than $700 million a year, to increase the total to 2,852,796.

The federal government employs nearly 100,000 bureaucrats whose salaries are in the $20,000 range. In addition, these servants of the people enjoy princely expense accounts and many fringe benefits which increase their cost to the taxpayers by at least 20%.

Big Brother has grown into a dragon-giant on the theory that his little siblings must have a beneficent guardian. But his services are not precisely free: in fact, their price is staggering.

According to the official Budget for 1968, he will collect $126,937,000,000 in personal and corporation income taxes and in excise, customs, and miscellaneous levies; and an additional $48,128,000,000 for trust funds, making a total of $175,065,000,000.

For 1969, another $11 billion is to be heaped upon this total. However, even this incomprehensible sum, requiring an average contribution of $3,500 from every family in the United States, will still fall far short of meeting the ravenous demands of the Great Octopus.

For the federal deficit may surpass $20 billion in 1968–69; and to prepare for this contingency, the Administration forced through Congress in 1967 a bill increasing the debt-limit from $329 to $365 billion. The result can only be more inflation, and the consequent impoverishment of our people.

In 1968, the government is paying its civilian employees $23,350,000,000, an average of $8,210, in addition to fringe benefits. This, of course, includes janitors, elevator operators, typists, file clerks, maintenance men, and others even more humble.

Note how the federal establishment has grown!

FEDERAL EMPLOYMENT AND PAYROLLS

Year	Employees	Ratio to population	Payroll	Average pay
1895	189,000	1 to 370	(1)	
1905	300,600	1 to 280	(1)	
1915	476,368	1 to 211	(1)	
1925	532,798	1 to 218	(1)	
1930	592,000	1 to 208	$1,092,000,000	$1,845
1935	805,000	1 to 158	1,382,000,000	1,715
1940	1,053,000	1 to 135	1,908,000,000	1,908
1945	3,526,000	1 to 37	8,019,000,000	2,274
1955	2,402,000	1 to 69	10,295,000,000	4,285
1960	2,430,000	1 to 74	13,242,000,000	5,450
1965	2,539,000	1 to 76	16,984,000,000	6,689
1968	2,615,000	1 to 69	23,350,000,000	8,930

[1] Not available.

These totals include the employees in the Executive Branch of the federal government only.

The President's cornucopia

The federal complex has a great many departments and agencies, with a multiplicity of subdivisions. One is particularly intriguing: it is simply called Funds Appropriated to the President, for which $5,895,356,000 was allocated in 1966.

This one item is more than three times as much as it cost to operate the federal establishment in the Twenties, and costs the average American family $108 a year. Some eleven agencies or programs are included, among them one called Economic Assistance, which expended $2,462,940,000 in 1966, and has an allocation of $2,530,420,000 for 1968 in the Budget.

The bureaucrat

A bureaucracy is an administrative hierarchy with common interests involving power and wealth. Its members do not engage in the productive process; instead, they dictate the general policies by which others operate the socio-economic organism.

Such power-structures are found in "charitable" foundations; in churches, in tax-exempt organizations of various kinds, in civil government. The most deadly of all is an ecclesiastical theocracy which seizes control of the state in order to exercise unrestricted tyranny over all dissident ideologies.

Getting rid of the bureaucrat is like lifting the Rock of Gibraltar barehanded. Any move to restrict him, reduce his income, or put him to useful work evokes screams of protest. He is not easily separated from the privileges and prospects of his secure and superior living.

The bureaucrat is a cog in a great machine. He must be devoid of originality or creativity. He takes orders from his superiors and relays them to his inferiors. With him, mediocrity is a way of life, for he advances in the ranks through obedience and conformity. He soon loses the last vestige of ethical principle, since this would deter promotion. He is an animated lump of clay; the less observant he is of the evil around him, the better his chances of preferment.

The slightest criticism of the system in which he is a cog or of the superiors who control his destiny would be fatal. In short, the bureaucrat is a moral and intellectual degenerate, the most contemptible creature that crawls between earth and sky.

The bureaucrat is overpaid and underworked. His sole virtue consists in obedience and conformity. If he shows any tendency toward individualism, he is sent to a psychiatrist, declared unfit for duty, and blacklisted for life.

Nevertheless, into his hands the American people have now committed their lives, their earnings, and their destiny.

The supreme triumph

Our Constitution stands as one of the most magnificent creations of the human intellect; this nation was designed to set men free from the dead hand of bureaucracy. A happy combination of circumstances made possible the achievements that have taken place on American soil.

Here was a vast continent, teeming with almost every natural resource and advantage, and yet, for practical purposes, unoccupied, since the Indians had not developed the techniques necessary to support a large population.

The American pioneers were the finest among those who had rebelled against the tyrannies of the Old World, and our Founding Fathers were among the wisest and bravest men of history. They traded their blood for independence; and in our Constitution they devised what is probably the most superb political document ever to emanate from the spirit of man.

Our political organization has been comparatively successful because we have permitted individuals to rise to whatever level they can achieve by useful labor, perseverance, and ability; we have based success upon

free enterprise and personal responsibility; and we have refused to knuckle under to political or theocratic bureaucracies.

The free American spirit has produced such artistic development and material wealth that these have become available or potentially so to citizens in a degree elsewhere unknown.

True, during the Twenties our productive capacity grew so rapidly that universal affluence seemed inevitable; but because we then lacked the experience necessary to distribute farm and factory products in equity, the mighty but delicate economic organism ground to a halt; and almost universal stagnation, unemployment, and bankruptcy stalked the land.

The betrayal

With a little time and a decent opportunity, free enterprise could have reinvigorated the economy; but demagogues and opportunists seized the chance to begin the process of American enslavement.

The great banking houses used the emergency to accomplish this objective; and Roosevelt, elected on the promise that he would reduce taxes by 25% and eliminate all government waste, soon succumbed to the enormous pressures of the financiers.

Power passed from farmers, manufacturers, and business and professional men to the money-lenders, union leaders, fanatical do-gooders, and hungry bureaucrats, reaching, at last, for their place in the sun.

And so began the great American betrayal.

The octopus

The following indicates how the federal establishment has expanded:

FEDERAL RECEIPTS AND THEIR RATIO TO PRIVATE INCOME

Year	Total receipts	Cost per capita	Ratio to private income (percent)
1792	$3,669,960	$0.96	
1800	10,848,749	2.00	1.6
1820	17,880,670	1.90	2.0
1840	19,480,115	1.10	1.2
1860	56,064,608	1.85	1.4
1866	558,032,620	15.94	9.0
1880	333,526,611	6.60	5.0
1900	567,240,852	7.50	3.9
1920	5,407,580,252	59.80	8.8
1924	4,012,044,702	36.50	6.9
1940	5,387,124,670	41.10	6.6
1945	46,456,554,580	320.00	24.7
1950	57,900,000,000	383.00	24.7
1960	133,800,000,000	748.00	32.0
1968	175,600,000,000	848.00	32.9

In 1792, therefore, the per capita annual cost of the federal government was 96 cents, which was collected almost entirely from excises and customs duties. There was no substantial change until the Civil War, which increased the per capita burden to nearly $16.00 for the average American. After several decades of reduced expenditures, World War I pushed up the cost to $51.

Between 1924 and 1940, there was again little change; but World War II triggered such enormous increases that the per capita outlay rose to $320. *And then a new phenomenon appeared;* for, instead of falling, as after all previous wars, the exactions of the federal government continued to increase, so that now they take from all Americans very nearly one-third of their total income.

THE TRAGEDY

This unique development resulted from the pressure of finance capital and a bureaucracy which had no intention of abdicating after years of power and privilege. The cost of the war had risen to astronomical heights, and the great money-men had become rich beyond mortal dreams. On the other hand, the OPA was established to make it impossible for millions of small business men and investors to save a penny, or even to survive.

While their costs doubled or tripled, they were rigidly restricted to prewar and depression prices. A third or more of all the small investors in the United States were forced to liquidate at about 25 cents on the dollar, and tens of thousands of small business men went bankrupt because of the manner in which hostile bureaucrats interpreted and administered the price-control law.

While various classes of parasites filled their coffers, millions of our best citizens were reduced to poverty. The loot of the war went, first, to the great bankers; second, to the manufacturers of war materiel; and, third, to the burgeoning federal bureaucracy.

THE FEDERAL DEBT AND THE INTEREST ON IT

Year	Debt	Per capita	Annual interest
1791	$75,463,000	$20.00	$2,349,437
1800	82,976,000	16.00	3,374,705
1820	91,016,000	9.66	5,126,097
1840	3,573,000	.21	174,598
1860	64,844,000	2.06	3,177,315
1870	2,436,453,000	61.06	129,235,500
1890	1,122,397,000	17.06	36,160,333
1915	1,191,264,000	11.85	22,902,897
1920	24,299,321,000	228.23	1,020,257,624
1930	16,185,310,000	131.51	659,347,013
1944	201,003,387,000	1,455.67	3,849,000,000
1950	257,357,000,000	1,705.00	5,750,000,000
1960	286,331,000,000	1,610.00	9,180,000,000
1965	317,274,000,000	1,627.00	11,346,000,000
1968 (estimated)	350,000,000,000	1,750.00	14,050,000,000

Under pressure from the financial community, the national debt began to rise in 1935; and by 1936, the income tax had been increased so that even the poor could not escape it.

But it was World War II that gave fantastic impetus to the waste and extravagance which have resulted in the conditions now rampant.

In 1926, the federal government collected $3.78 billion, of which $823 million was used to reduce the national debt; but during 1942 to 1945, inclusive, the New Deal managed to collect $122.4 billion, spend $306.7, and increase the national debt from $49 to $259 billion.

The cost of the Revolutionary War and that of 1812–14 had been liquidated by 1840; and the debt incurred during the Civil War was sharply reduced afterward, as was that of World War I. But following World War II the debt has continued to grow, with the interest increasing almost 300% since 1944. The share of each American family in this obligation now approaches $7,000.

Grew like topsy

In 1968–69, the Administration proposes increasing the federal budget about $50 billion over 1966; and, since the deficit for 1967–68 may exceed $25 billion, we can expect nothing in the future—barring drastic measures—except an ever-increasing debt, maintained at ever-ballooning rates of interest.

This item alone is $15 billion in 1968–69, and will continue to grow progressively; in forty years, it may total $1,000 billion. During an average lifetime, therefore, the federal government will probably collect some $25 or $30 thousand from every American family to pay interest alone.

If there are 80 million family units in the United States in 1985, each may be paying not less than $600 or more each year for the privilege of supporting this one burden.

Waste and brainwash

By eliminating tax-avoidance and placing all business operations under similar taxation, *even without reducing expenditures,* at least 80% of all Americans could be excused from paying the personal federal income tax; nevertheless, a brief analysis of federal waste, incompetence, and extravagance is pertinent.

Enormous and omnipresent, these are such that the bewildered taxpayer, laboring to conserve a dollar, is simply overwhelmed.

Although such expenditures are specifically outlawed and there is no provision for them in the budget, the Administration nevertheless spent $425,000,000 in 1966–67, to influence voters into supporting its programs, with 6,858 persons occupied in such publicity.

Federal waste is so vast, widespread, and corrosive that it is simply incomprehensible. While the President was snapping out White House lights to save money and declaring that he was cutting Executive Branch employment by 25,000 he actually added 334,711 to the federal payroll.

The total of money and the near-infinity of items involved in the budget overwhelm the ordinary mind. But any person willing to dig into this jungle is virtually certain to discover ineptitude, inefficiency, and apparent peculation such as should send the perpetrators to a prison rock pile.

Rep. Otis Pike (D-N.Y.) found that the Defense Department, while declaring that it had made a bargain purchase, paid $33,398 for some hardware items regularly selling for $210; it also paid $26.60 each for bolts retailing at $4; and $1.55 for 15-cent washers. The Pentagon was forced to admit the accuracy of the charges.

Why not a taxpayers' court

Since the federal government is so avid in its pursuit of the taxpayers' money, should not wasting it be a criminal offense? When there is evidence of obvious misuse, why cannot we have a Taxpayers' Court empowered to send guilty bureaucrats to prison and to impose heavy fines? Is it not a greater crime to waste or embezzle public funds than for a taxpayer to retain his own?

The Export-Import Bank has, as of 1968, borrowed $13.5 billion from the federal government at 2.4%; this is used as credit advanced to foreigners so they can buy American manufactures. Since such loans are repaid, if at all, in virtually worthless currencies, this project is simply one by which favored corporations sell huge quantities of goods, which are thus virtually given away to entrenched foreign interests.

The Department of Housing and Urban Development has now borrowed $2,787,980,000 *interest free*—with no end in sight.

Our government spent $100 million to build 18 miles of useless highway ending nowhere in a Vietnam jungle.

The greatest waste of all, however, is what is called Foreign Aid. It would cost us $100 billion a year to create a living standard of $200 per capita in the so-called backward or "developing" countries. We have sent so much credit-money abroad that if payment were demanded, it would require approximately $20 billion more in gold than now exists in all our reserves.

Between 1945 and 1966, our foreign aid "totalled $116,065 million, of which $12,300 million was used to buy back our own gold." This entire program has done little other than make enemies; it has helped practically no one, at least any that are deserving.

It has already brought us to the brink of national bankruptcy; and it seems that it could have been motivated by nothing except a subconscious compulsion toward national suicide.

The American income tax

Washington has bureaus in profusion, all dispensing money as if it were golden leaves dropping from autumnal trees. However, one agency stands out above all others; and, because it exacts the toll by which all others operate, its activity is crucial: the Internal Revenue Service.

Our first income tax was imposed during the Civil War emergency. Then, in 1893, Congress enacted a uniform levy of 2% on all incomes exceeding $4,000. When the Supreme Court declared this unconstitutional, agitation began for the 16th Amendment which was finally approved February 3, 1913. Woodrow Wilson had just been elected President, the Democrats were in power, and World War I threatened. The first substantial revenue under the new law was collected in 1916.

The original concept

Every income-tax law ever enacted was—at its inception—based upon the philosophy that it must not touch any portion of income necessary to maintain a decent contemporary living standard. In 1916, the levy was 1% of family incomes exceeding $4,000 (equal to $9,825 in 1968). A surtax of 1% was imposed on incomes between $20,000 and $50,000; this rose gradually to 6% at $500,000.

During World War I Congress reduced exemptions for married couples to $2,000 and increased the surtax on incomes over $100,000 to 65%. A married man with an income of $25,000 paid $2,850—but there were only 5.5 million who paid any tax at all.

When the Republicans returned to power in 1921, they gradually reduced the top levy to 20%, increased exemptions for married couples to $3,500, and established an additional exemption of $400 for each dependent child. A family of four paid $83 in 1928 on a $10,000 income.

The New Deal, even in the depths of the depression, quickly reduced the exemptions for a married couple to $2,500. In 1940, this was further lowered to $2,000; in 1941 to $1,500; in 1942 to $1,200; and in 1944, the exemption for each member of the family shrank to $500. Minimum rates were raised from 4 to 20%; maximum from 79 to 91%.

The 1913 kitten had turned into a voracious tiger. And ever since, these emergency war rates have become more and more onerous; today a $600 exemption (passed by the Republicans in 1947) equals far less than $500 in 1944.

GROWTH OF THE PERSONAL FEDERAL INCOME TAX

Year	Number of returns	Number taxable returns	Total tax	Average tax	Ratio of taxpayers in population
1913	358,000	(?)	$28,000,000	$78	
1916	437,000	363,000	173,000,000	476	1 in each 281
1920	7,260,000	5,518,000	1,075,000,000	195	1 in each 19.3.
1925	4,171,000	2,501,000	735,000,000	294	1 in each 46.3.
1930	3,708,000	2,038,000	477,000,000	234	1 in each 60.3
1935	4,575,000	2,111,000	657,000,000	311	1 in each 60.3.
1940	14,665,000	7,505,000	1,496,000,000	200	1 in each 17.9.
1945	49,865,000	42,764,000	17,225,000,000	403	1 in each 3.1.
1950	52,656,000	38,187,000	18,375,000,000	481	1 in each 3.9.
1960	60,593,000	48,061,000	39,464,000,000	820	1 in each 3.8.
1968	66,000,000	55,000,000	73,200,000,000	1,331	1 in each 3.7.

In these statistics are writ large the most crucial factor in American history during the last 60 years. In 1916, only one person in 281 paid anything; but during World War II such payments were made by one in every 19. In 1925, fewer than 10% of American families paid income taxes. In 1968, there are more taxable returns than families.

In 1929, the personal income tax was 1.15% of the national income; in 1968, 55 million are paying 21%, an average of $1,331, plus any new surtax that may be imposed. In 1925, the per capita personal income tax was $6.37; in 1968, it was $360.

In 1925, it was $29 for each family; in 1968, it is $1,470. Since the peak war year of 1945, this tax has increased almost 300% and now takes about 20% of the national income.

The Internal Revenue Code has created a new American industry. The Internal Revenue Service itself in 1968 had 65,109 employees and its cost of operation is $838,600,000.

But this is only the beginning—in order to keep minute records and wage constant warfare with the IRS, private individuals and corporations must employ armies of experts for their defense. Failure to take the utmost precautions will almost certainly prove fatal; completely honest reporting based on logic and reason may at any time result in utter ruin.

We believe that taxpayers must spend at least $2 or $3 billion a year to prepare returns and protect themselves, bringing the total cost of collecting and paying the federal income tax to $3 or $4 billion.

With the help and counsel of his experts, the multimillionaire is thus able not only to protect himself but also to utilize countless loopholes which make multiple tax-avoidance a legal possibility.

Needless to say, few can employ such high-priced tax counsel. The small businessman is quite helpless; even if he spent all his time studying the Code and court decisions, he still could not guide himself with assurance. If he trusts his own reason or ethics, he will surely be doomed; the Code has neither logic nor justice.

A helpless Congress

Even Congress cannot possibly comprehend the Code. With few exceptions, it simply passes what the bureaucrats propose. Only glaring inequities causing a general outcry will be eliminated. Neither the courts nor IRS itself can comprehend the Code; the individual taxpayer facing this agency is like an ant crushed under a military tank.

Under 1967 schedules, the levy upon incomes reaches 45% at $18,000, 62% at $50,000, and 70% at $100,000. Until 1964, the tax on an income of $18,000 was 53%, after which the percentage rose to 91%.

The total income tax, therefore, including state levies, could, in some cases, have exceeded 92%. If such exactions had actually been enforced, there would have been little incentive to attain a high bracket, for a million-dollar income in a state with a 10% levy would have left only $80,000.

Had the wealthy actually paid such rates, the American elite would have been the most frustrated and defeated ruling class in history. Those who are inventive, superior, acquisitive, crafty, energetic, successful, or ruthless enough to create huge incomes or to amass vast fortunes, are, however, also capable of protecting both, especially by perforating the Code with more loopholes than a sieve.

It is intriguing and informative to analyze the composite returns of the American elite—those with incomes exceeding $500,000. In 1963, 1,187 were in this category; in 1965, almost 2,000. In 1964, 482 incomes exceeded $1 million; in 1965, 646 were in this category. In 1963, 20 of 371 incomes exceeding $1 million paid no tax whatever; in 1964, these numbered 35.

Analysis of million-dollar incomes in 1963

Number	371
Total taxable returns	351
Adjusted gross income	$808,639,000
Taxable income	$543,693,000
Tax paid	$326,477,000
Ratio of Tax to adjusted gross income (percent)	40
Rate on taxable income (percent)	60

However, since the adjusted gross excluded nearly half of all capital gains as well as various other forms of income; and since the adjusted gross was again cut sharply by various exemptions and deductions to obtain the taxable, the following reflects a less inaccurate picture:

Million-dollar incomes in 1963

Long-term capital gains	$741,838,000
(Reduced in adjusted gross to)	(415,285,000)
Salaries	17,041,000
Business and profession	8,225,000
Dividends	349,460,000
Interest	13,649,000
Capital gains plus dividends	1,091,298,000
Percentage of total income	94.3
Rents	$1,539,000
Royalties	5,551,000
Partnerships	13,472,000
Estates and trusts	4,800,000
Miscellaneous	1,068,000
Gross income	1,156,633,000
Ratio of tax (percent)	28.2

Even these totals, however, are far from complete—for they exclude gifts, bequests, inheritances, most pension income, insurance benefits, interest from exempt bonds, rentals reduced by depreciation, royalties eliminated by depletion allowances, and various other sources, which, if included, would reduce the tax-ratio by several additional points.

We must, therefore, conclude that the effective rate of tax paid by the supermillionaires cannot exceed 24%.

The exempt favorites

The Code doubly burdens our most useful and constructive citizens by providing extraordinary exemptions for certain favored individuals and organizations, who pay at most only a small portion of what they should. In Part II we do not exhaust this subject, but we do show that if all persons and organizations were equitably taxed, individual incomes could be exempted sufficiently for them to maintain a decent living standard without federal taxation.

No doubt current evasion and fraud are of such proportions that the federal Treasury is annually deprived of many billions of dollars. And if IRS were freed from its pursuit of small taxpayers, it could concentrate on the criminals who do not pay what they owe under the law.

However, our principal concern is not tax-evasion but legal avoidance, which certainly involves vastly greater sums. It is not the outright criminals who are creating the onerous burdens now borne by our decent citizens.

It is, instead, the great and respectable, the powerful and privileged, the lords of life who grow rich by the legal escape hatches provided in the Code; who buy the services of Congressmen so that they plant loopholes for them in the law; and who spend vast sums to influence all media of communication to twist and obscure the truth concerning the income tax.

It may be that those thus favored under the Code spend one-third or one-half as much to obtain and perpetuate their immunities as they would pay in taxes under an equitable system.

PART II—TECHNIQUES OF AVOIDANCE

The charitable foundation

Foundations constitute one of the more common means of tax-avoidance used by corporations, multimillionaires, and thousands of enterprising middle-income individuals, not only to avoid estate levies, but also to escape taxation on current revenues.

Establishing a foundation offers these advantages to the donor, who can:

1. Continue to control his wealth in perpetuity
2. Designate its management, appointing relatives, friends, or employees as directors
3. Borrow venture capital on attractive terms

4. Escape all or much of his income taxes, particularly by contributing appreciated property, works of art, frozen assets, or white elephant estates—with full deductibility at high valuations.

Since exact definitions do not exist, great confusion surrounds the precise nature of trusts, funds, foundations, and other tax-exempt entities, such as educational, scientific, literary, religious, and other "charitable" institutions. Sec. 501 (c) of the Code lists 17 general categories of tax-exempt organizations classified according to membership and purpose.

Thousands of Groups

There are literally hundreds of thousands of such organizations, described in Sec. 170 (c) of the Code, contributions to which are deductible from adjusted gross income by their donors and which are named in the *Cumulative List* published by the IRS. This contained about 150,000 names in 1964. Since many of these represent churches with thousands of separate congregations, Mortimer Caplin, then IRS Commissioner, estimated that in 1960 there were 1,200,000 tax-exempt entities in the United States.

Just how many of these are "foundations" no one knows. Since the IRS must certify such organization for exemption, it is strange that this agency does not know their number.

In 1948, the Treasury Department estimated there were about 10,000, but in spite of the law requiring detailed foundation reports, the Reese Congressional Committee could obtain no definite information.

In 1964, Secretary Dillon testified, "the Treasury does not know how many foundations there are."

Later Congressman Patman complained bitterly that he could obtain no factual information either from the Treasury or the IRS.

Mortimer Caplin told the Patman Committee that 12,295 exempt organizations filed information returns in 1952 and 45,124 in 1960; he added that 18,298 new "private" foundations were certified from 1954–62. An elaborate table in *Treasury Department Report on Private Foundations* breaks down statistics on 14,850 foundations.

Nature of Foundations

In general, foundations are of two kinds:

1—those set up by testators to avoid the estate tax; and

2—those created by individuals, families, or corporations to reduce current income taxes and to serve as a conduit for various "charitable" and other financial activities, often for their own profit or benefit.

The best known foundations were established to preserve intact certain huge family fortunes, 77% of which would otherwise have gone to the federal government (plus state inheritance taxes).

Often a single family establishes a cluster of them: the Fords have seven, Carnegies five, Rockefellers twelve. Separate funds are often established for individual family members, and even for relatives.

Most prevalent by far—especially since 1945—are the family foundations, large and small, existing as parallel business enterprises. For example, p. 154 of the 1964 Cumulative List shows nine Glazer and seven Glickman foundations; on p. 209, there are 34 under the name of Kaplan. All, of course, were organized as nonprofit entities, with a declared educational, literary, scientific, cultural, religious, or other charitable objective. Although each is operated by its individual founder, any item of property he contributes to it is deductible. Millionaires can thus eliminate all or a large portion of their personal taxes year after year; and such giving can actually save huge sums.

When a foundation is established, (1) the property conveyed to it is a deductible contribution to charity; (2) upon the death of the donor, it is immune to all inheritance and estate taxes; (3) the fortune or business remains intact; (4) if the donor is a parent-company, it continues in business exactly as before; (5) the foundation itself is exempt from all taxation in perpetuity; and (6) the individuals comprising the interlocking directorate can aggrandize themselves by transactions neither charitable nor ethical but quite legal.

Endless Diversity

There is scarcely a wealthy family or significant corporation in the country without its own private foundation. For example, Disneyland is owned by the Walt Disney Foundation. IRS granted tax-exemption to Playboy Foundation "for 'a study of the effect of smut on public morals.' " Among the gifts of this foundation is a grant of $50,000 to the University of Indiana to continue the sex-studies launched by Dr. Kinsey.

Not all foundations have such lofty objectives. An aging Portland, Oreg., millionaire, Spencer R. Collins, organized the St. Genevieve Foundation, which for years supported twin sisters who furnished said elderly gentleman "companionship"; one was paid $36,000 as caretaker of a luxurious house owned by the foundation. Since IRS does not even know how many foundations exist, countless charities may be of similar character.

Tax Free Funds for Israel

Senator Fulbright's Foreign Relations Committee hearings in 1963 established that the Jewish Agency for Israel, Inc., the United Jewish Appeal, the United Israel Appeal, the Palestine Foundation, and the American Zionist Council are all recognized by IRS as "charities," contributions to which are deductible.

The United Jewish Appeal alone had raised more than $1.5 billion in 1963.

Americans Building Constitutionally, Barrington, Ill., now offers to launch professionals, such as doctors, lawyers, architects, engineers, etc., upon the primrose path of tax-immunity.

It claimed 800 members or clients in 1967 scattered over the 50 states; more are being recruited vigorously, and all learn the secrets of foundation-living at the Barrington Institute. These foundations provide such charity as college educations for the children of "administrators."

Since no new legislation resulted from the extensive 1962–64 hearings of Congressman Patman's Committee on Foundations, the only restrictions are in Sec. 503(c) of the Code, which prohibit foundations from (1) lending income or corpus without reasonable interest and security; (2) paying excessive prices; (3) offering its services to anyone on a preferential basis; (4) paying excessive compensation to employees; (5) selling for less than reasonable value; (6) engaging in any transaction substantially diverting income or corpus to the trust creator, a substantial contributor, member of such person's family or a corporation which he owns or controls.

Under these provisions, the ABC foundations seem quite as secure as those set up by the Fords and Rockefellers. Since scholarships (immune to taxation under the Code) paid even to a lineal descendant could not constitute "a substantial diversion of income or corpus," certainly these "charities" can be eliminated or brought under taxation only by such new legislation as that proposed by Congressman Patman; or, better yet, by the reforms advocated in this publication.

The Charitable Deduction

Not only are foundations themselves immune from income taxation. The Code also "grants income, gift, and estate tax deductions to persons contributing to them. . . . In 1963 . . . the charitable deductions claimed by individuals, corporations, and estates" as contributions to exempt entities "diminished Federal revenues by a total of approximately $2,800 million," according to the official *Treasury Department Report* of February 2, 1965.

The 1962 assets of foundations concerning which the Treasury had some specific knowledge in 1965 totalled $16.3 billion.

Among these, the Ford Foundation controlled the largest corpus of accumulations; between 1951 and 1960, the book value of its holdings increased from $492,676,255 to $2,003,027,684. In 1962, its income was $463,-900,502. The market value of its securities now probably exceeds $5 billion.

Pursuing the small businessman or investor, IRS displays unrivalled zeal, but it exhibits extraordinary indifference concerning trusts and foundations. Congressman Patman's Committee studies disclosed that 575 foundations with income exceeding $4.6 billion (1961–64) had disbursements of about $2.2 billion (48%) to "charity," and expenses of $499,959,711. Generously IRS ruled that income in the form of interest, contributions, and capital gains need not be disbursed, yet capital losses may be charged in full against dividend income. Blessed with such immunity and encouragement, the foundations have expanded rapidly into colossi threatening our very existence.

Foundations may be set up for any one of a thousand tax-dodging purposes. Sometimes—although this is contrary to the law—they are established to finance political projects, to reward political hacks (as one of the Rockefeller foundations did). But one of the more common and flagrant foundation abuses is stock-market manipulation.

Between 1951 and 1961, 534 foundations poured $8.6 billion through the exchanges and made capital gains of $1.8 billion. Between 1961 and 1964, 575 of them made $1,339 million this way. The enormous portfolios at the disposal of the large foundations enable them to inflate or depress market prices; Mr. Patman's analysis was that the stock-market crash of 1962 resulted from foundation manipulation.

Fraud and Abuse

Foundations were among the first tax-exempts to profit outrageously through the now popular purchase-and-leaseback operation, by which all parties avoid heavy taxation and place their competitors on the road to bankruptcy.

The Sears Foundation loaned money to its parent corporation at 3%. In fact, foundations have gone into money-lending on a large scale; they risk funds on unsecured loans to favored clients; sometimes they borrow at 4.5 and reloan at 10%; they even lend money for foreign investment.

A prevalent abuse practiced by the interlocking management of corporations and foundations is self-dealing, in which a variety of transactions enrich the donor or parent corporation at the expense of the foundation—and the taxpayers.

More and more capital is fleeing from tax-paying enterprises into foundations, which own and control an ever-increasing number of corporations.

The Solution

When the Ford Foundation obtained 90% of the stock in the Ford Corporation, the family achieved several great objectives and advantages *in addition to tax-exemption*, constituting ample motivation for its creation.

Without current and perpetual tax-immunity, there would be even-handed justice, for we are not convinced that family accumulations should be confiscated through estate taxation.

On the other hand, that all income from Ford stock should go untaxed simply because some words were inscribed on a piece of paper seems even more absurd; for even if the Ford Foundation were to pay a normal corporation tax, it would still have hun-

dreds of millions at its disposal every year for charity.

Foundations pose such a grave danger that some, including Congressman Patman, advocate a 25-year limitation on tenure. However, a simpler and more equitable solution is: Let them exist, but tax them exactly as if they were corporations-for-profit. Only voluntary contributions received by any organization, secular or religious, from their members or the public, should be immune to taxation.

If foundations paid their share of taxes, the onerous burdens on 65,000,000 taxpayers could be greatly relieved—the most exalted charity of all.

We hold that

1—All trusts, foundations, investment charity funds, etc., should pay taxes on all passive or active business income;

2—If they did, some $3 billion additional revenue would accrue to the U.S.; but

3—If the present course continues, losses will hit $6 billion or more by 1980, and by the end of the century there will be virtually no limit to the expansion of foundations and the additional taxes extracted from Americans.

Special immunities

All tax exempts may receive tax free—not only contributions from members and the public—but also unlimited "passive income"—royalties, interest, rentals, and capital gains. Most private secular organizations must file information returns, and if they engage in business competition, they must file returns on Form 990–T, paying full corporation taxes.

To illustrate: Any certified secular "charity" may derive tax-free rent from a building in which a retail establishment operates; but if the tax-exempt *itself* operates such a business, the income becomes taxable.

Religious organizations and sacerdotal personnel occupy a uniquely favored position. All these are free, not only from taxation, but also from disclosure.

For example, the headquarters of a denomination, an association of churches such as the National Council of Churches, or even a single independent congregation, can set up a publishing house and distribute millions of books, or it could own and operate a hotel or a steel mill exempt, not only from taxation, but also from disclosure.

We can only guess concerning the total unrelated business income now accruing to "charities," especially religious entities. Possibly hundreds of thousands of commercial properties are already owned by churches.

Such violations of the First Amendment are not confined to a few churches: they are widespread among many denominations. Hundreds of instances could be cited; and those yet concealed must be infinitely more numerous.

Persecution Versus Subsidies

However, as with so much else, there is another side to the coin. IRS is used by the Administration to enrich its supporters and to harrass and destroy its opponents.

Since, under existing law, tax-exemption for donors to churches and charities is virtually mandatory for survival, IRS has practical life and death power over them.

Exempt entities are forbidden to devote any substantial portion of their income or activities to influencing legislation or supporting candidates for political office. What constitutes "political activity" or a "substantial portion" therefore become crucial questions—bureaucratic decisions concerning these spell extinction or proliferation.

Billy James Hargis, his entire church organization, and his publication, The Christian Crusade, recently incurred the wrath of the IRS. Should not the same yardstick be applied everywhere? Is Hargis no more guilty of political activity than many others who not only enjoy complete immunity but even receive immense subsidies in direct violation of the First Amendment?

The IRS has not only deprived the donors of the Hargis organization of their exemption: it has even reclassified his church in Tulsa as a private business for profit, which, as such, must pay taxes on its income, withhold and remit income and Social Security taxes, and contribute equally with its employees to the latter: a requirement from which all churches are specifically exempted under Sec. 107 (1) and (2) of the Code.

But this is only the beginning: the IRS has now made this ruling retroactive in direct violation of Art. I, Sec. 9, of the Constitution. Although the Hargis organization has been recognized as a church for 17 years, and, as such, entitled to all religious exemptions, and specifically from Social Security, it seems that this was an error from the beginning.

On Jan. 19, 1968, on a 24-hour notice, the Hargis church was forced to pay $61,691.70 in Social Security for the years 1961–66, although the IRS had classified it as a church throughout this period.

NCC's Political Implications

Of course there are certain political implications in broadcasts and publications by Hargis, but no more pervasive than those of the National Council of Churches or many others.

These organizations are not in the slightest danger of losing their exemptions, and some of them even gain huge government subsidies, specifically outlawed in the Constitution.

While labor unions and other groups may prosecute their political activities without limitation, the World Youth Crusade for Freedom, has been denied the tax-exemption necessary for survival. Its crime seems to be that it does not support the Administration.

We certainly do not propose that voluntary contributions to churches be taxed; however, many people feel that it is an outrage for them to receive tax-free business income in competition with their own members and other businessmen.

Summary

If the Code is not revised, the holdings of charities, churches, and other similar exempts will go on increasing until the burden on the remaining taxpayers becomes intolerable.

It is reasonable to conclude that if religious personnel were to pay taxes as do others; if "charitable" exempts were taxed on their unrelated business income; and if the immunities of churches, associations of churches, religious orders, and their members were terminated, the federal Treasury would receive at least $3 billion a year more than it does.

However, if we continue on the present collision course, the current loss will undoubtedly expand to not less than $6 billion by 1980; and beyond that, we can foresee nothing short of fearful cataclysms and ultimate revolutionary expropriation, such as have ruptured and ravaged the tragic past, again, and again, and again.

The Federal power combine

The Department of the Interior has a vast complex of dams and power stations built and operated by the Bureau of Reclamation, which "plans, constructs, and operates facilities to irrigate lands . . . and develop related hydro-electric power . . . in the 17 Western States and Alaska." In addition, work "will be under way in 1968 on 29 projects and 17 units of the Missouri River Basin including . . . projects with estimated costs totalling $133 million." It also operates and will greatly expand a variety of other electric facilities in a 10-state area of the Southeast. By June 30, 1966, 96 Western projects and 13 in the Missouri Basin had been completed, which, together with scheduled additions, are costing $6,061,564,000. The installed capacity of the southeastern power plants alone now totals 2,462,375 Kw's.

Scores of projects completed or under construction are listed in the *Appendix* to the *Budget*. Appropriations for this purpose reached $13,387,000,000 in 1967 and will require at least $18 billion. *The Inventory Report on Real Property by the United States* gives the following information for June 30, 1966:

Cost of facilities belonging to the Department of Interior

[In millions]

Utility systems	$5,400
Power development and distribution	5,148
Reclamation and irrigation projects	2,022
Total	12,570

The Bureau of Reclamation poured $807 million into its power cartels during the 12 months preceding July, 1967. Further, 84% of its investment is in utility and transmission systems—a field in which it directly competes with taxpaying enterprise—and only 16% of it is devoted to irrigation.

The TVA

In addition to the vast complex of Reclamation Power Projects, the Tennessee Valley Authority was created under a special act of Congress in 1933 as an independent agency "for the unified development of a river basin comprising parts of seven States."

Total assets of the Authority are $3,043,646,000; borrowings from the public, $495 million; and *interest-free* loans from the government, $2,030,995,000. Its revenues from the sale of 93.1 billion KWH's are $366,400,000 in 1968; nevertheless, it operates under a deficit of $376,147,000, which, of course, must be contributed by the taxpayers.

So here we have a giant utility constructed with interest-free funds which, so far from being repaid, are constantly being augmented. It has gone into a multiplicity of competitive, tax-exempt enterprises, on all of which it loses huge sums of money.

The Agency costs taxpayers more than $100 million a year for interest alone, and almost another $400 million for deficits; if the facility were operated by private industry, it would certainly be paying $200 million in federal income tax.

If TVA were sold, the Treasury and the taxpayers (in addition to the money accruing from the sale) would profit as follows:

Potential savings from the sale of TVA

Recapture of interest	$100,000,000
Annual deficit	400,000,000
Income taxes to be expected	200,000,000
Total	700,000,000

The TVA alone is therefore costing the federal taxpayers $700 million a year, a sum which, by conservative estimate, will grow to $1 billion in 1980. This, of course, is in addition to ad valorem levies, revenues from investors, and income taxes to the state.

INVESTMENT AND LOSSES IN FEDERAL POWERPLANTS

	1968 investment	Tax loss 1968–70	Tax loss 1980
REA	$8,200,000,000	$600,000,000	$1,500,000,000
Reclamation projects	14,000,000,000	2,600,000,000	5,000,000,000
TVA	2,100,000,000	700,000,000	1,000,000,000
Total	24,300,000,000	3,900,000,000	7,500,000,000

Summary

If, then, we were to abolish the tax avoidance now enjoyed by the farm co-ops, the building and loan associations, the mutual

savings banks, the insurance companies, the credit unions, the REA, the Reclamation Projects, the TVA, and other tax-exempts engaged in competitive business, we could expect the following results:

POTENTIAL GAINS FOR THE FEDERAL TREASURY

	1968-70	1980
1. From farm cooperatives	$2,000,000,000	$3,000,000,000
2. From the money-lenders	1,800,000,000	3,200,000,000
3. From the reclamation projects	2,600,000,000	5,000,000,000
4. From the REA	600,000,000	1,500,000,000
5. From the TVA	700,000,000	1,000,000,000
Total	7,700,000,000	13,700,000,000

Gambling: Paradise for criminals

We conclude, therefore, that the 1968-70 loss to the federal Treasury totals about $7.7 billion, which will grow to $13.7 billion in 1980.

The extent of illicit gambling, its effect on government and law enforcement, and the enormous potential revenue which it siphons away from the Treasury, should be matters of vital concern. If we believed that gambling could be eliminated by law, persuasion, religion, force, or any other known means, we would not hesistate to call for its total extirpation; but since this is obviously impossible, the sole issue is whether gambling shall continue as a criminal activity or be made to serve the needs of society.

The people forced the adoption of the Volstead Act as the 18th Amendment to the Constitution in 1919. However, since a large portion of the people did not believe in Prohibition and since even more considered social drinking a private matter, it proved unenforceable.

No one will deny that the fantastic profits from criminal traffic in booze went to mobs and killers: the government never got a penny of it at all; in fact, it was compelled to spend huge sums in attempts to control the crimes which were a by-product of Prohibition.

Since the thirsty multitudes enriched the mobs who purveyed their liquor, the latter soon developed great commercial enterprises in prostitution, narcotics, and murder-for-hire. And since these activities could flourish only when the government looked the other way, the underworld used a substantial portion of its income to purchase politicians and law-enforcement agencies, or to place their own agents in the seats of power.

Prohibition resulted in such shocking corruption that it was repealed by an overwhelming vote on Dec. 5, 1933. The terrorists who had flourished for more than a decade sought other fields, but their consequent activities are still very much in our midst.

Crimes engendered by Prohibition cost the taxpayers untold millions, while in 1965 the U.S. collected excise taxes totalling $3,773,000,000 on the sale of alcoholic beverages.

The New Underworld

Some Prohibition mobsters established themselves in conventional business; the majority, however, continued in variant forms of crime, supplying people with illict merchandise or service. Most of all, they turned to gambling.

The previous generation of gangsters, rum runners, hoodlums, and killers have now become the Mob, the Mafia, the Cosa Nostra. This underworld has an army of lesser hoodlums operating the rackets, collecting the loot, and committing murder whenever expedient.

The Mob buys up politicians wholesale, puts the "Fix" on sheriffs and police chiefs, and penetrates every level of law enforcement. Very few can long remain immune to its money, power and terror.

The Syndicate is everywhere; but gambling, without which it would soon shrivel away, is its principal source of vitality. For sports betting is a weakness shared by millions of American males and a business thoroughly dominated by the Mob. Each year it handles an estimated $20 billion in illegal bets, of which it keeps $7 billion profits.

The Mob has skimmed untold millions from the casinos of Las Vegas, transported the loot to banks in Switzerland, and then "borrowed" it back for investment in apparently legitimate business.

The Spoils

Although IRS can account for only 2% of it, the Justice Department estimates that:

1—Americans lose some $50 billion a year in gambling

2—90 million persons pour this enormous and untaxed sum into the coffers of the gambling lords

3—70% of all Americans gamble to some extent

4—1,600,000 persons are engaged in bookmaking, handling $64 billion annually for horse racing alone.

But this is only the beginning: the numbers racket takes $350,000 a day in Harlem and $600 million annually from New York City; the estimated revenue of 200 crime lords from gambling alone ranges from $10 to $20 billion yearly.

According to an article by Pete Hamil in *Playboy*, there is only one way to eradicate this cancer: by making gambling a federal monopoly, like the national defense or the coinage and printing of money and currency.

Some sincerely believe that legalized gambling would drive the poor into utter destitution; the Drys said the same before the repeal of Prohibition.

Yet there is nothing to indicate that Las Vegas residents gamble any more than their counterparts elsewhere: it is the visitors who play the slots and the gaming tables. Nor would any heavy or large-scale betting be necessary to furnish enormous revenue for the federal Treasury.

As Mr. Hamil points out in *Playboy:* "If each of 90,000,000 gamblers in the country bought one four-dollar ticket on each of the weekly, monthly, and annual lotteries, the gross . . . would be $24 billion, of which the government's share would be 30 percent, or $7 billion.

Horse and dog tracks skim 15 to 20% off every bet, and since illegal wagering must provide a "handle" of at least $100 billion, the federal Treasury could, at regular track rates, obtain at least $15 or $20 billion from this source. The only losers would be the underworld, luxuriating on tax-free revenues of $50 billion or more every year.

Price of Illicit Gambling

Mr. Hamil estimates that taxing at 30% the current profits from illegal gambling would yield $30 billion a year. If gambling were to continue at its present scope, and pay a gross tax of only 15%, it would yield a minimum of $10 billion above administration costs, which would at least double by 1980.

Even more important is the fact that it would eliminate the largest source of income now available to the underworld; no longer would police and other officials be subject to the corruption that is now so prevalent; and many hundreds of thousands of persons now engaged in a criminal pursuit would become honorable citizens, contributing to the support of the federal government and reducing the onerous burdens of the middle classes.

The exempt securities

Congressman Richard Ottinger observed that "one of the nation's richer women put a $56 million legacy into tax-free bonds and was in the enviable position of enjoying a yearly income of more than $1.5 million without having to report it on her income tax return."

Because the Code excludes interest on state or local bonds from gross revenue, an individual may have a multi-million dollar cash income without paying any taxes or even making a return!

In 1965, $97.5 billion of such securities were in force; their average yield was 3.28%, whereas federals paid 4.21 and corporates 4.64%. Local bonds, therefore, provided a tax-free, non-reportable income of $3,207,740,000.

Since almost all of this went into high-bracket incomes, it occasioned a tax-avoidance of some $2 billion. Even such giant utilities as the Salt River Project of Arizona, with a $50 million revenue from the sale of thermal power, can sell unlimited quantities of bonds, the interest from which is tax-exempt to investors.

Wholly tax-exempt securities have zoomed from $35 billion in 1940 to about three times that total now, and about $10 billion of such new bonds are floated annually.

The most intriguing aspect of this extraordinary development is the growth of industrial municipal bonds. In 1967, the Investment Bankers of America estimated that these will "top $1 billion in new issues, double last year's total." Possibly this type will soon outstrip all other tax-exempt bonds.

If exemptions on local securities were eliminated, the prices of old issues would, of course, decline somewhat; and the interest rates on new ones would rise to the level of the federals; but the ordinary taxpayer could be benefitted materially by shifting this burden where it belongs. And the federal Treasury would be enriched by $2 billion in 1970 and by at least $4 billion in 1980.

Capital gains

In 1959, 266 returns reported an average taxable income of $2 million; and 3% of the nation's taxpayers received 36% of the $12.3 billion in long-term gains—during a year when the stock market, because of the great steel strike, was in the doldrums.

Capital assets consist of non-depreciable property with no established cash value, which can rise or fall in price with the market or economic conditions: common forms are vacant land, industrial shares, government securities, convertible bonds, the good will of a business, etc.

When stocks, bonds, and other securities or capital assets are sold above cost, the profit is a capital gain. If the property has been held less than six months, any profit must be listed as earned or ordinary income; if held longer, it is a long-term gain, only half of which is reported under adjusted gross income; or, by an alternative method, the total gain may be taxed at 25%.

In 1964, total adjusted gross income from the sale of capital assets was $8,286 million. This, however, excluded approximately half the gain, which, without the exclusions, totalled $14,494,605,000 in 1963.

Among taxable adjusted gross incomes, this item was reduced to $7,468,326,000, of which only $6,704,542,000 was finally taxable. In short only 47% of the long-term capital gain was taxed at all. And long-term profit exceeded taxable income by almost $200 million.

Capital gains in the top brackets—Incomes exceeding $100,000

Gross income	$7,318,709,000
Adjusted gross income	6,123,376,000
Capital gains	3,402,935,000
Capital gains excluded from adjusted gross	1,195,333,000
Taxable income	4,508,212,000
Tax paid	2,459,708,000
Ratio of capital gains to gross income (percent)	47.7
Ratio of tax to gross income (percent)	36.6

Of the $14,494,600,000 derived from all capital gains, $1,479,993,000 was reported on returns which had no tax liability; of the $13,014,612,000 remaining, $3.4 billion went to incomes exceeding $100,000; since, how-

ever, only $2.2 billion of this appeared as adjusted gross income, on which an average levy of 11% was imposed, this yielded only $483 million.

The Treasury received a grand total of $1.03 billion on gross capital gains of nearly $14.5 billion—an average of 6.6%. An average tax of 25% would have yielded $3,824 million; half of it taxed at 25% and the remainder at 50% would have produced $5,636 million. Our proposal would have meant $4.5 billion more revenue in 1963.

Profits from securities, vacant land, etc., should be taxed like ordinary income, but at reasonable rates: 25% on any taxable portion exceeding $15,000, and 50% on that above $50,000, would be equitable—but with no deductions, exemptions, exclusions, allowances, or loopholes, except the 5% exclusion from income for deposits in retirement trusts.

Since the Treasury received little more than $1 billion in 1963 from long-term capital gains totalling $14.5 billion, it is evident that this income was undertaxed by at least $2.4 billion.

Since profits in this category have increased since 1963 by leaps and bounds, our proposals would increase revenue at least $3 billion in 1970; and, in 1980, by not less than $6 billion—taxes otherwise avoided and lost.

Bequests and gifts

Under present law, the first $60,000 of a decedent's property is exempt from estate tax; a spouse is entitled to an additional 50% marital deduction.

Thus, if a man leaves $120,000 to his wife, all of it will be immune; if the sum is $200,000, $100,000 plus $60,000 will be exempt, while the remaining $40,000 will be taxed; the first $5,000 at 3% and the second at 7%, a ratio which rises to 11, 14, and 18% for each additional $10,000. The levy on $100,000 is $20,700; at $10 million, the tax rises to 77% and totals, $6,088,200.

The estate tax produced $2,111 million in 1964 and $2,454 in 1965; during these years, gift taxes totaled $305 and $291 million respectively. These two sources generated an income which grew from $924 million in 1955 to $3,301 million in 1967. These sums are, however, insignificant compared with the total value of wealthy decedents' estates.

Since large gifts and estates are taxed up to 57.75 and 77% respectively, how can vast accumulations of wealth, passing from generation to generation, yield so little revenue? One thing is certain: it is not the great fortunes that pay the gift or estate taxes—it is the millions of middle-class people who do not make the necessary preparations to avoid them.

Any wealthy person can avoid considerable estate-taxation through gifts.

For example, a man may give his wife $30,000 tax-free plus half of all community property, in addition to the $60,000 exempted from estate taxation. He may also give $3,000 on the same terms to any number of other individuals annually. In this manner, a half million dollars may easily escape the tax collector from a single estate.

Or a man may convey to each prospective heir $20,000 annually at an additional cost to himself of only $1,200, substituting a 6% levy for one as high as 77%. However, since most people prefer to control their accumulations throughout their lives, they usually dispose of them in carefully prepared wills.

Who Pays the Piper?

The great bulk of estate taxes undoubtedly come from median accumulations modestly in excess of $120,000 at the death of the husband or wife and those exceeding $60,000 at the death of the survivor. Since millions in this category have not made sufficient preparation to protect what they have, large—even major—portions of their life-savings constantly fall prey to the probate courts, the lawyers, and the tax-collectors in truly heartrending tragedies.

The wealthy, however, have learned how to protect their estates.

Walt Disney bequeathed half of his $58 million to the Disney Foundation, his private charity trust and Disneyland owner. The other half was set up in a trust fund for his wife, children, and grandchildren; this, therefore, will also escape virtually all taxation unto the third generation—and possibly beyond. A fortune which would have paid the federal government more than $43 million thus goes scot-free.

A book by John D. Cunnion, published by Business Reports, describes the intricacies of 62 wills, all of which illustrate various methods by which estates may escape the tax collector.

Some Reasonable Proposals

We believe that exemptions on estates should at least be doubled, so that a spouse could receive $250,000 tax-free; we believe also that special provisions should be established covering median-sized family businesses and corporations so that they could be transmitted intact.

The confiscatory 77% estate tax has simply resulted in a complex of loopholes depriving the Treasury of many times more revenue than would be lost by reducing the estate tax to 25%—and ending all legal avoidances.

The Double Standard

The IRS prison house has various exit portals; for example, when a man's assets include vacant land or stocks bought years previously at prices far less than present market value; or consists of real estate which has been almost entirely depreciated, only the original cost of the former or the book value of the latter need be computed in determining the estate. For example, stock purchased for $10,000 but now worth $100,000, comprises only a $10,000 item, which the heirs can, after the expiration of one year, sell for $100,000 without incurring any ordinary, estate, or *capital gain* tax-liability. In short, it is possible for heirs to receive and sell property worth millions without incurring one penny of tax-obligation.

The Treasury Department estimates that $13 billion of unrealized long-term appreciation in securities, real estate, etc., escapes all estate and income taxation annually in this manner.

If this actual profit were subjected to present estate-taxes, the federal revenues would probably be enhanced by nearly $5 billion; if estates or heirs were charged the normal capital gains tax, this alone would yield at least an additional $3 billion—which is more than all estate taxes total at the present time.

Compulsive charity

One might well suspect that influential "charities" have had a strong hand in concocting the Internal Revenue Code: for huge profits are possible through gifts to them.

Let us suppose that a man has some stock or other property which has quadrupled in value; if he sells it, he must pay a 25% capital gains tax on the appreciation.

However, he can set this up as a trust-gift to a college, a church or some other "charity"; receive the entire income from it for life; and yet deduct from his own taxable income—*without paying any capital gains tax*—the total present value of the property. Had he sold it first, he would have had to pay the tax, could deduct only the residue as a contribution, and would have had no further income from it.

Under Sec. 170 (b), as amended in paragraph (5), a taxpayer and his "charity" are accorded a novel and extraordinary privilege. If the value of a contribution exceeds the 30% limitation permissible in any one year, the donor may carry forward the excess for five additional years, or until the deduction is entirely exhausted.

Thus, if 30% of the donor's adjusted gross income is $20,000, he may deduct from taxable income a total of $120,000 over a period of six years. And he may continue to operate the property and draw full income from it during the remainder of his life.

In 1964, Sec. 170 (b) (1) of the Code was amended by the addition which established what is called "the Unlimited Charitable Deduction." As a result of this, a man may have a multimillion-dollar income, and by donating some appreciated securities to his own foundation escape all tax-liability.

Gold in Unrealized Gains

Even without the Unlimited Charitable Deduction or the 5-year carryover, however, tremendous profits are available through the contribution of unrealized capital values to "charity." By donating an asset which originally cost $2.4 million but is now worth $14.4 million to his college or his church, a man may actually end up with $1,650,000 more than if he had given nothing at all.

And a gift of $2.5 million to his own private foundation will cost him less than half of what he actually puts into another pocket. Transactions like these are being consummated by wealthy men every day, and that is one of the principal reasons why we have so many private trusts and foundations.

The abuses we are discussing have become so notorious that Washington may at last be ready for some kind of action. According to *U.S. News & World Report*, "the Administration is readying proposals for a drastic overhaul of the laws under which people are taxed on sizable gifts they make" (to relatives and others) "and the estates which they leave at death."

If these proposals are adopted (1) tax-avoidance by means of such gifts "would be all but wiped out;" (2) the incentive to hold appreciated assets until death would be eliminated; (3) the burden of estate taxes on the average executive, the middle-class professionals, and the median family business or corporation would be eased; and (4) as the rules are tightened and the loopholes closed, the top tax rate of 77% on estates would be sharply reduced and, perhaps, the estate exemptions increased proportionately to inflation since 1942.

Even if these proposals were enacted into law, they would still leave undisturbed the right to receive full deductions on the unrealized gains of capital assets given to charities, including foundations controlled by the donor.

Should the above proposals become law, federal revenues would be increased by at least $4 billion in 1970; should the same rules be applied to charitable contributions also, this sum would be not less than $5 billion.

However, if nothing is done, the potential losses to the Treasury will certainly mount to $10 billion by 1980. The reforms, therefore, should go all the way; all unrealized capital gains, no matter what their ultimate destination, should have the *same status* before the law, and should be taxed when transferred to other ownership, no matter what this may be.

Even this, however, by no means reflects the entire picture, for these taxpayers enjoyed substantial but excludable revenues from tax-exempt gifts, bequests, pensions, interest on state and local bonds, rentals reduced by depreciation, royalties eliminated by depletion allowances, and various other sources.

It is certain that the actual incomes could not have averaged less than $700,000: their combined tax rate must, therefore, have been less than 27%; even so, it was three points higher than for those whose incomes exceeded $1 million!

The American elite

At the apex of American life, several thousand individuals or families reside in the economic stratosphere.

Incomes exceeding $200,000 in 1963

Number	6,679
Returns without taxable income	88
Gross income	$4,040,020,000
Adjusted gross income	2,922,058,000
Taxable income	2,136,096,000
Tax paid	1,246,787,000
Long-term capital gains	2,242,962,000
Excludable capital gains from adjusted gross	1,065,085,000
Capital gains included in adjusted gross	1,177,877,000
Dividends received	1,228,579,000
Interest received	85,810,000
Capital gains plus dividends and interest	3,557,351,000
Ratio of these to gross income (percent)	88
Ratio to taxable income (percent)	167
Average gross income	$604,800
Average income from capital gains	336,000
Average included in adjusted gross income	176,000
Average excludable from adjusted gross	160,000
Average income from dividends and capital gains	520,000
Average retained from income	418,200
Average tax paid	186,700
Average effective rate of tax (percent)	30.8

The devices employed by upper-bracket taxpayers to avoid or reduce their tax liability are too elaborate and complicated to describe here in detail.

These are among the more popular: (1) purchase of state, county, and municipal securities; (2) investments in stocks which can later be sold at a large profit; (3) conversion of ordinary income into capital gains; (4) transformation of ordinary income into tax-free investments; (5) division of income within a family; (6) deducting heavy entertainment costs as business expenses; and (7) creation of investment trusts and phantom corporations.

Since, however, some of these devices are available only for those who have very large incomes and who can command the most expert counsel and service, they are unsuitable for hundreds of thousands of investors with smaller incomes, but who, nevertheless, thirst with almost equal avidity to increase their estates by reducing their tax obligations. Here we find those who, earning perhaps from $20,000 to $100,000 of gross income, are discovering a great variety of ways by which to reduce their tax liabilities.

How the Successful Do It

There is a wide circle of strategic individuals whose incomes, after exclusions, are ample to maintain the good life but whose taxes seriously deter building an estate: upper echelons of government bureaucrats, successful businessmen, leading professionals in architecture, engineering, education, law, and medicine; and outstanding entertainment personalities.

They do not indeed control vast fortunes or manipulate great corporations or foundations: but they are essential to all substantial aggregations of capital; or they are so successful in their private business or profession that the tax collector threatens a grievous curtailment of their incomes.

In common with the most affluent, they are faced with the problem of reducing the federal income tax on a $30,000 or $50,000 income to what is normally due on *half* this amount, even as their more opulent brethren seek to avoid all obligations on 75% of million-dollar revenues.

Statistics below show the extent to which incomes in the $20,000 to $100,000 range depend upon industrial securities, for they derived $8,743,440,000 from this source, which was $142.7 million more than they paid in taxes.

And since their profits from such investments continued to increase in bearish as well as in bullish years, we know that such gains must have resulted largely from controlled manipulation. It is also worthy of note that the larger the income, the greater the proportion of capital gains.

Let us assume that a man with a $25,000 salary makes an additional $16,000 on capital gains for 25 years in succession if he saves all of this with accruing interest at 5%, he will accumulate an estate of $768,000.

If he saves only the untaxed portion, and uses the other half to pay his taxes, he will still achieve a nest egg of $384,000.

Incomes ranging from $20,000 to $100,000 in 1963

Number	1,186,667
Untaxable returns	3,775
Gross income	$40,791,297,000
Adjusted gross income	38,683,987,000
Taxable income	30,204,141,000
Tax paid	8,600,729,000
Gain from sale of long-term capital assets	4,600,729,000
Adjusted income from sales of long-term assets	2,227,586,000
Excludable capital gains	2,097,310,000
Average gross income	34,350
Taxable average income	25,450
Retained income of average taxpayer	27,150
Average tax paid	7,245
Average effective rate of tax (percent)	21.1

Principal sources of income

Salaries	$17,327,072,000
Gain from sale of long-term capital assets (512,962 recipients)	4,324,896,000
Income from dividends (786,091 recipients)	4,418,544,000
Total from dividends and capital gains	8,743,440,000
Business or profession	6,743,711,000
Interest	1,576,566,000
Taxable pensions and annuities	180,030,000
Rents	773,947,000
Royalties	107,408,000
Partnerships	4,640,021,000
Estates and trusts	232,206,000

The crucial importance of capital gains can be seen from the fact that if a married man receives a straight salary of $100,000 and has only a standard deduction, his federal tax will be $45,180.

If, however, his salary is $25,000 and he receives additional compensation of $75,000 in the form of long-term capital gains, he will owe only $21,505—a savings of $23,675, which will total $589,375 in 25 years, and, if accumulated at 5%, will grow to well over a million dollars.

We must bear in mind that the totals here given are only a premonition of the future. Industrial dividends, which totalled $11.4 billion in 1963, grew to $21.5 billion in 1966—an increase of 90%.

By 1970, this revenue will probably reach $30 billion and by 1980, $50 billion. Since capital gains grow proportionately and since corporation executives, under the present system, will take increasing portions of their compensation in the form of securities, it becomes obvious that unless this abuse is remedied, the Treasury will be losing billions in 1970 because of this one loophole, and many more billions in 1980.

If the tax-avoidance discussed in the preceding paragraphs and others of a similar nature had been outlawed in 1963, the Treasury would have been enriched by at least $3 billion; if nothing is done, however, that sum will be at least $4 billion in 1970; and such losses may become at least $6 billion by 1980.

Analysis and summary

With exemptions of $8,000 and exclusions of 5% for payments into retirement trusts, single individuals with incomes of less than $15,000 would not have contributed heavily to the federal income tax in 1964.

Since there were only 756,230 in that category; since their gross income was approximately $8.2 billion; since personal exemptions would have totalled $6 billion; and since another $300,000,000 might have been excludable from otherwise taxable income under our reforms as payments into retirement trusts, only $2.7 billion would have been taxable, which, at 20% would have produced $540 million.

Heads of households, entitled to a base exemption of $10,000 and an aditional $1,000 for dependent children, would have had approximately $8.4 billion of taxable income with a total tax liability of $1.7 billion.

The Treasury would, therefore, have had $2.4 billion of revenue from incomes below $15,000.

Although the 1964 rates were lower than those of 1963, the total revenue fell only from $48.2 to $46.8 billion; and the rates among the various classes of taxpayers remained substantially unchanged.

The 23,656,000 returns of 1964 with adjusted gross incomes of less than $3,000 paid only 2.7% of the total tax; the average $53, was therefore scarcely worth the cost of processing.

It was the taxpayers in the $3,000-$15,000 category who carried the principal burden: for they paid 62.8% of the total tax.

Since those with adjusted gross incomes between $15,000 and $50,000 paid another 22.3%, these two ranges contributed 85.1% of the total personal income tax (compared to 88.9% in 1963).

Meanwhile, those exceeding the $50,000 level, with a combined adjusted gross income of $17.26 billion and a probable true income of $23 billion, paid rates of 34.1% on adjusted gross and 30.7% on probable true income—which was almost identical to the percentage of the previous year.

PERSONAL INCOME TAX, 1964

[In millions]

From families/individuals with gross income	Tax collected, 1964	Projected revenue under tax equity reform
Below $15,000	$30,648	$5,750
$15,000 to $50,000	10,484	8,575
Over $50,000	5,692	10,300
Total	46,824	24,625
Net difference	$22,199	

Note that (1) without present exemptions, allowances, exclusions, and deductions, a great many incomes now below the $15,000 line would rise substantially above it; and (2) the 2,454,432 incomes exceeding $15,000 in 1964 would have had exclusions probably totaling $4 billion as payments into retirement trusts, which would reduce the Treasury revenue by approximately $1 billion.

If, then, all single incomes up to $8,000 and family incomes up to $10,000 had been exempt; if 5% exclusions had been permitted for payment into retirement funds or trusts, with a limitation of $1,500; if rates of 20, 25, and 50% had been in effect, as we have pro-

posed; if a limit of $15,000 had been placed on all family exemptions; and if all other deductions had been eliminated, we would have had the results indicated above.

Under our proposals, therefore, the reduction in Treasury income would have been only $22,199 million in 1964. Since the revenue accruing to the Treasury from the personal income tax rose to $55.4 billion in 1996, and is estimated at $62.2 and $73.2 billion in 1967 and 1968, we may be quite certain that the increases of previous years are a continuing and inevitable development.

Including the new surtax, the personal income tax will produce almost $80 billion in 1968 and even more in 1969.

Under a simplified system of taxation, then, about 55 million out of 65 million who filed reports and 41 of 51 million who paid taxes in 1964 would have been exempt:

The number of taxpayers would have been reduced to about 10 million; the Treasury would have received $25 billion less from those with adjusted gross incomes below $50,000.

But by eliminating deductions, exclusions, allowances, and exemptions, even while cutting income taxes from 70 to 50% in the highest ranges, the Treasury would still have received $24.6 billion. The net loss of $22.2 billion could easily have been obtained from sources now largely or wholly exempt, which should be asked to pay their share.

It is not our province to spell out the exact provisions of a new statute embodying our proposals for tax equity. This should be left in the capable hands of Rep. Wilbur D. Mills (D-Ark.), chairman of the House Ways and Means Committee, in which all tax legislation must originate.

The Progressive Benefits

These statistics have already receded into history. There are now many more taxpayers and those in the higher levels have vastly increased incomes. In 1968, the federal government expects to obtain 56.7% more in personal income taxes, even without a surtax, than the $46.8 billion in 1964.

Million-dollar incomes increased from 371 in 1963 to 646 in 1966. We may be sure, therefore, that under our plan the 50% tax on incomes exceeding $50,000 would produce at least $20 billion in 1968 and $40 billion in 1980.

We are also well aware that the statistics for 1963–64 are outdated, and will be much more so in 1980. However, under present tax schedules, the proportions will remain substantially constant.

Any further reduction of Treasury income from the lower brackets as a result of our reform will be fully offset by increased revenues from the higher brackets and from sources now undertaxed or exempt.

In the limited space available here, it is not possible to deal with all areas of tax avoidance in detail, and in fact some must be omitted entirely. These are covered fully in my book *The Great Tax Fraud*, to be published by Devin-Adair and available from Liberty Lobby. Note particularly "Pension and Welfare Funds" and "Tax Exempts in Competition" (chapters X and XI).

Since, therefore, well over $40 billion in new revenue would have been available to the Treasury in 1963 and 1964 under our Proposals for Tax-Equity Reform, we may, with confidence, declare that we could meet all obligations and yet apply nearly $20 billion annually to the reduction of the national debt.

For the majority of Americans this Reform would constitute an unrivaled boom; for single individuals earning less than $8,500 and for families with less than $15,000, there would be virtually no tax.

For those in the $15,000 to $50,000 range, it would provide a simplified system of taxation, remove manifold anxieties and dangers, and reduce their tax liabilities by about 25%.

The millionaires and billionaires would receive ample consideration in the form of equitable and uniform treatment; and they would be provided with generous cash retentions for spending and reinvestment.

Their returns would be infinitely simplified; they could dispense with their high-priced lawyers, accountants, and tax experts; they would retain more than half their incomes; and they would at last perform a portion of their duty by contributing reasonably to the support of the country which has endowed them so magnificently.

SUMMARY—NEW POTENTIAL REVENUE AVAILABLE FROM VARIOUS SOURCES UNDER PROPOSALS FOR TAX-EQUITY REFORM

[In billions of dollars]

	1968–70	1980
The "Charitable" Foundation	$3.0	$6.0
Churches and charities	3.0	6.0
Pension and welfare funds	4.0	8.0
Tax-exempts in competition	7.7	13.7
Depletion allowances	5.0	10.0
Gambling	10.0	20.0
Exempt securities	2.0	4.0
Capital gains	3.0	6.0
Bequests and gifts	5.0	10.0
The American elite	4.0	6.0
Total	46.7	89.7
Reduction because of duplication	4.0	10.0
Net additional revenue	42.2	79.7

Conclusion

Expectations

These proposals would achieve one of the greatest forward steps in the history of government. They would:

1—Free about 80 or 85% of our people from the extortions of an incomprehensible law

2—Enable millions to enjoy a decent life and build a reasonable estate

3—Remove the taint of economic pressure from voluntary support of church and other charity

4—Leave local government sufficient support for schools and other necessary services

5—Strengthen the republican process by placing more of the taxpayer's money in agencies he can to some extent supervise

6—Persuade the rich to work for government efficiency and reduce the federal establishment to the scope intended by the Founding Fathers

7—Save employers untold billions now spent transmitting income and Social Security taxes to the government

8—Reward citizens in proportion to their contributions

9—Insist on justice, equal rights, personal responsibility, and free enterprise

10—Release most of the Nation's money to the control of those who earn it, thereby creating unparalleled prosperity, since middle income people are the producers and careful spenders whose incomes are quickly channeled into trade. Increased business thus generated would produce additional taxes probably replacing half the revenue lost under our proposed exemptions.

It is unlikely that this program will be fully implemented at once; the tax structure must be gradually overhauled. For example, all income taxes for those with less than $8,000 (single) or $15,000 (family) cannot be abolished instantly; they must be reduced gradually.

TRIBUTE TO A DEDICATED PUBLIC SERVANT: HENRY J. HOLTZCLAW

(Mr. CONTE asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. CONTE. Mr. Speaker, on January 21, Henry J. Holtzclaw, former Director of the Bureau of Printing and Engraving, passed away at his Florida home.

As a member of the Treasury-Post Office Subcommittee of the Appropriations Committee, I knew and worked with Director Holtzclaw for 9 years, from my election to Congress until his retirement in 1957.

His retirement also marked the completion of 50 years of Federal service in the Bureau of Printing and Engraving. During this time, Henry J. Holtzclaw set an outstanding example for Federal employees by his dedication, imagination, and administrative talent.

A small measure of the respect and admiration I felt for Director Holtzclaw is reflected in the remarks I made during the Treasury-Post Office Subcommittee hearings in 1957, before Director Holtzclaw's retirement. Under leave to extend my remarks, I would like at this time to insert that tribute in the RECORD:

A TRIBUTE TO A DEDICATED PUBLIC SERVANT: HENRY J. HOLTZCLAW

I am sure all of us in the Congress share the desire that our Government will continue to be able to attract some of the most capable and dedicated young people in our society to careers in the public service. In spite of the criticisms that must be made from time to time over the seemingly clumsy, duplicative procedures that are an inherent part, it seems, of any bureaucratic establishment, we cannot deny that the present stature and greatness of this country is due in no small measure to the selfless, gifted activities of our civil servants.

These are the men and women through the decades who have maintained the pace of expansion within the confines of an organized code of law, who have seen to the Nation's needs in every aspect of our society and our economy, from agriculture to the national defense; from our health to our commerce; and from our natural resources to our monetary resources.

Their record of service is second to none anywhere in the world and anywhere in history. It is because of this tradition that a career in the Federal civil service enjoys more prestige, more stature, and more status than similar service in any other Government in the world.

Those of us in this body who are privileged to serve on some of the Committees whose job it is to associate with the Treasury Department have had occasion in recent years to come to know a man who, as much as any in our time, symbolizes the self-effacing dedication and the quiet skills of the career civil servant, the career public officer.

I speak of Henry J. Holtzclaw, Director of the Bureau of Printing and Engraving.

This agency constitutes our nation's sole source of currency, and if its responsibilities were confined to that single operation, it would fulfill a function vital to the national interest. The Bureau, however, does a great deal more.

For the Post Office Department, the Bureau prints the single and multicolored postage stamps which are a source of great national pride.

For the Department of Agriculture, the Bureau prints food coupons, and for the Department of Defense, it prints military debentures.

In addition to these responsibilities, the Bureau manufactures Federal Reserve notes, savings bonds, and various other instruments of public debt.

Clearly, the Director of the Bureau of Printing and Engraving must preside over a wide range of activities, and in doing so, he must continually pursue quality of craftsmanship in all his products. As Director, however, his responsibilities go far beyond simple quality control. He must devote much of his energies and attention to the problems of the

work force and staff relations. As a public servant, he must be continually conscious of deriving the maximum possible utility from the public finances.

In sum, then, the Director of the Bureau must be quality conscious, cost conscious, and conscious of the problems and needs of the work force. This constitutes a formidable burden for any man, but Director Holtzclaw has performed his duties with distinction, and, in fact, has pioneered new methods of administration.

Director Holtzclaw began his distinguished career in the Bureau of Engraving and Printing on October 8, 1917. Originally a machinist's helper, he rose to become an engineering draftsman, and associate mechanical engineer, and a mechanical expert and designer. In 1938, he became the first Chief of the Office of Research and Development, where he remained until 1949, when he was promoted to the position of Assistant Director of the Bureau. He remained Assistant Director until 1951, when he was promoted to Associate Director. On December 3, 1954, Mr. Holtzclaw was appointed Director of the Bureau, and has rendered outstanding service in that position ever since.

Since Mr. Holtzclaw became Director of the Bureau, the United States has earned the reputation of having the most difficult currency in the world to counterfeit. According to Treasury Department figures, the yearly per capita loss to the general public is only one-quarter of one per cent, or less than $50,000. The excellent record is certainly a reflection of the efforts of our law-enforcement agencies, but, more importantly, it is a reflection of the quality of craftsmanship at the Bureau of Engraving and Printing.

In addition to demanding high quality craftsmanship in the production of our currency, Director Holtzclaw has also consistently opposed efforts to place our currency on a multi-colored basis. His reason for doing so is the already established value of our currency. The paper is distinctive, and the engravings are neither ostentatious nor trivial, but rather, they suitably express the national heritage in which we take so much pride. Furthermore, since they have become familiar to the public, the change to a currency of different sizes and colors would only result in confusion and make counterfeiting much less difficult.

Mr. Holtzclaw's concentration is also apparent in the postage stamps printed by the Bureau, specifically the new multicolored stamp program which has drawn wide acclaim. An example of the characteristic quality of this program is the 4-cent Winslow Homer stamp which was first put on sale on December 15, 1962. This stamp is a reproduction of the original painting "Breezing Up" that hangs in the National Gallery.

A further example of quality in Bureau craftsmanship is the 4-cent Christmas stamp of 1963. This stamp was so popular that 862 million were sold, and the volume would certainly have exceeded 1 billion had the Bureau been able to meet the demand for that particular stamp.

One final example displays not only the quality of craftsmanship effected at the Bureau, but also the efficient administration practiced under Director Holtzclaw's guidance. I speak of the stamp put on sale throughout the country on February 20, 1962, in celebration of the first U.S. manned-orbital space flight. This stamp, which, incidentally, was placed on sale barely minutes after Colonel Glenn had successfully completed his flight, was designed and printed under maximum security conditions with only a dozen of the 150 employees involved knowing the full circumstances of the operation.

In conjunction with his emphasis on quality, Director Holtzclaw is installing in the Bureau a nine-color, web-fed, intaglio printing process. It will be the only one of its kind anywhere, and promises to further enhance the quality of our multicolored postage stamps.

As an administrator, Director Holtzclaw should be considered a pioneer in the field of labor relations. Modernization is necessary for any industry or operation concerned with efficient production, but in many instances members of the work force have suffered as a result. Men too old to be retrained for other gainful employment becoming to their former skills and seniority are caught in the jaws of a society eager to modernize, yet reluctant to provide for the displaced.

Recognizing this unfortunate reality of modern society, as early as 1957 Director Holtzclaw extended to all employees of the Bureau his personal guarantee that none would be separated involuntarily, and that modernization would be geared to manpower availability and work force attrition. In 1951, the Bureau employed 6,528 persons, the estimate employed for fiscal year 1967 is 3,213, a difference of 3,315 persons. This remarkable reduction of the work force was accomplished without a single involuntary separation and was accompanied by a 370-percent increase in unit productivity. The farsightedness of this guarantee of job security is a lesson from which all employers should benefit.

The guarantee of job security to all employees, however, is not the only wise and equitable labor policy practiced in Director Holtzclaw's administration. In 1951, Mr. Holtzclaw issued a policy statement which set forth the fact that the hiring and promotion of employees would be based solely on merit and would be without regard to race, color, or national origin. This policy preceded by 6 years any formal policy enunciated by the Civil Service Commission. Taken on his own initiative and completely without pressure, this policy represents only what Mr. Holtzclaw considered fair and equitable. That 66 percent of the Bureau's work force are Negroes bears witness to the fact that his policy has been adhered to.

Mr. Holtzclaw's nondiscrimination policy and his determination to gear modernization to manpower availability and work force attrition expresses a deep recognition and concern for human values. Most important of all, however, has been his ability to adhere to these policies, while attaining a high degree of modernization in production techniques.

Through modernization and progressive management, Director Holtzclaw has been consistently able to reduce unit costs in the face of ever-growing costs of labor and materials and increasing costs of production. From July 1, 1951, through the estimates for fiscal year 1967, the average annual salaries and wages of all Bureau positions will increase from $3,641 to $6,439, an increase of 86 percent. The average cost of materials during this same period will increase 22 percent. These increased costs, coupled with additional responsibilities, have forced the Bureau to assume additional annual costs of $5,520,000.

During this same time period, however, the average cost of currency and Federal Reserve notes has decreased from $9.91 to $8.41 a thousand. The cost would actually have increased to $19 a thousand had it not been for an annual recurring savings of $17,875,000 realized through management and technological improvements implemented during this period.

This savings is largely the result of the addition of 12 new currency presses, eight in 1957 and four in 1965. These high-speed presses allow printing by the dry intaglio process from 32-subject plates, instead of the old wet intaglio process from 18-subject plates. Not only has this meant savings from increased efficiency, but also implementation of the dry intaglio process has increased the average life of a dollar bill by 30%, thus realizing an annual savings of 1.2 million dollars. These savings, coupled with products of the highest quality and progressive labor policies, constitute a remarkable contribution by Director Holtzclaw to the American public.

In recognition of his distinguished service, Director Holtzclaw received the National Civil Service League's "Career Service Award" in 1957. In July of 1964, the Secretary of the Treasury nominated Director Holtzclaw for the President's Award for Distinguished Federal Civilian Service, and in September of 1964 the Secretary presented to Mr. Holtzclaw the Treasury's highest award, the Exceptional Service Award, in recognition of his "unparalleled example of dedication to economy in Government and effective accomplishment of mission."

Director Holtzclaw has accumulated an exceptional record in public service. He has been a pioneer in technological improvement and industrial relations. His department's products are of unparalleled quality. He has achieved unprecedented savings in government operations. He deserves our recognition and the recognition of the American public, for we are extremely fortunate to have as a dedicated, capable and resourceful a public servant as Mr. Henry J. Holtzclaw.

GUN CONTROL BILL RESTRICTS YOUTH

(Mr. BERRY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BERRY. Mr. Speaker, I have asked consent to insert in the RECORD an article on the new gun control law as seen from the eyes of a teenage youth in my district. The article was written by Bart Dean, of Rapid City, S. Dak.

The young writer points out the undue and unnecessary restrictions of the law. While it may not have been the intent of Congress to impose these hardships, they nevertheless exist under the law and do cause teenage youth considerable inconvenience. An example which is not included in this article is that the young man saved up enough money for a good gun, but then had to buy it in his father's name. The father is also required to go to the store and buy the ammunition which this gun uses for trapshooting.

This picture becomes all the more ridiculous when it is considered that these same teenagers when they reach the age of 18 are not only eligible for the draft, but are drafted and required to carry guns in the defense of our country.

I am sure this particular article will be of interest to every Member of Congress, and I do think that because of the hardships pointed out by Bart Dean some amendments should be made in the existing gun law.

The article follows:

GUN CONTROL BILL RESTRICTS YOUTH

(By Bart Dean)

On Dec. 16, 1968, a federal law became effective which drastically alters the freedom and rights of the teen-age sportsman and imposes certain limitations on all sportsmen throughout the country.

The Gun Control Act of 1968, as passed by the Congress of the United States and signed by President Johnson, very tightly restricts the sale and disposition of firearms and ammunition and also prohibits the sale of hand guns or hand gun ammunition to anyone under 21.

A further provision of the law makes it illegal to sell firearms to anyone not from

a bordering state and stipulates that the bordering state must have passed legislation permitting such sales.

The law requires records to be kept concerning all sales of guns and ammunition. It states that anyone selling firearms or ammunition must have a federal firearms license and must also account for every box of ammunition and every gun sold and an accurate record of all components sold.

In order to buy a box of ammunition or any loading components the sportsman must now give his name, address, date of birth, show adequate identification and have the number of the identification recorded with the dealer or merchant. Furthermore, the dealer must record the date, the manufacturer of the item, the caliber and the quantity. These records must be kept in the store at all times and are open for inspection by anyone so desiring. The individual must also swear that he is not a fugitive from justice or under indictment for, or has been convicted of a felony; is not a narcotic addict, an unlawful user of marijuana or any depressant, stimulant or narcotic drug; or is not an adjudged mental incompetent or has been committed to any mental institution.

Also required by the law is Form 4473, Firearms Transaction Record, put out by the Alcohol and Tobacco Tax Division of the Department of the Treasury-Internal Revenue Service. This form contains four parts:

Section A, which is a description of the firearm stating the type, model, caliber, serial number, and manufacturer;

Section B, containing the buyer's name and address, his height, weight, race, date of birth and place of birth;

Section C, a verification of identity which contains the verifying officials signature, title and location of the official's office as well as the buyer's signature, type of identification, the number of the person's identification (driver's license, Social Security card, etc.) and the date; and

Section D, which is a statement of transfer which contains the seller's signature and title. The buyer must also swear to the restrictions covering mental illness, conviction of crimes and drug addiction, etc.

Vocal opponents of any form of gun registration have loudly declared that the 1968 federal law, while not as restrictive as total gun control, is plenty confining. These people say it virtually amounts to gun registration. One provision of the law, as explained in this article does in fact account for all gun sales from Dec. 16, 1968, onward. The provision requiring the registration of ammunition amounts to a form of gun registration and invasion of privacy, critics say. They point to the record of the kind and caliber of ammunition an individual purchases, this is a tip off to the kind of gun the person owns.

Some well informed people have argued that teen-agers do not need guns. In some areas of the nation this may be true. However, in South Dakota and adjoining western and midwestern states many children—and their parents—look forward to the time when they may take to the field and accompany "Dad" on hunting sojourns. Records of hunting licenses will show that in South Dakota hunting is enjoyed by a large percentage of the teen-age population. The State Game and Fish Department encourages this sport by issuing a general hunting license free of charge to persons between 12 and 16 years of age who have completed firearms safety courses. These courses are usually offered as an approved activity of the public school system.

Shooting is a sport taught by the YMCA and by the Boy Scouts of America and many high schools have gun clubs or sponsor rifle teams. It is so highly regarded by the Boy Scouts that a merit badge is given for marksmanship. Youth leaders feel this recreation teaches a boy to think and to handle firearms safely and often provides extra food for the winter as wild game is a regular dish on many tables.

Critics point out further inconveniences to the teen-age sportsman. They cite the example of the boy of 17 who has been an avid hunter since he was legally qualified to carry a gun in the field and has hunted alone since reaching the age of 16. Up until this time, he has been able to purchase his own ammunition (perhaps with money earned on a part-time or summer job) and could, if he so desired, buy a rifle or shotgun. Now, under existing laws, one of his parents must buy the ammunition or gun for him. Opponents of the law say the teen-ager is deprived of learning one aspect of the management of money and control of his own actions.

Many young men reload shells to save or make money or as a hobby. Under the new law a boy cannot purchase components needed for loading the shells until he is 18 and if he is loading shells for others he is doing so against the law and will be unable to legally do so until he is 21 at which time he must buy a $10 license if he expects to reload shells for his friends. This license must be renewed each year. What had previously been a money saving activity . . . or a relaxing hobby . . . for many teen-agers has now become a business under government control.

Many teen-agers and their parents feel that the new federal law, while perhaps justified in controlling the sale of hand guns and ammunition to street gangs in metropolitan areas, has already worked a severe hardship on the young South Dakota sportsman and young people who enjoy Sunday target practice and participation in trap shoots. They feel the federal law is an unnecessary restriction on the law abiding teen-ager and proclaim that those bent on breaking the law will probably pay very little attention to it or any other law. Supporters say the new law will curtail juvenile crime and prevent indiscriminate sale of ammunition to irresponsible young people and those bent on using firearms in crime.

PROPOSED BIPARTISAN COMMISSION ON PRESIDENTIAL ELECTION REFORM

(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 have cosponsored legislation calling for creation of a bipartisan commission to study election reform. The Commission envisioned in our bill would be composed of three members appointed by the Speaker of the House, three Senators appointed by the Vice President, three officials from the executive branch nominated by the President, and three persons from the private sector, also appointed by the President.

The Commission would address itself to the process by which Americans choose their President and Vice President. It would be required to report to the Congress and the people 1 year after enactment of our bill.

Mr. Speaker, many citizens are frustrated by the national convention nominating process. In those States where there is no direct primary election for President, the rank and file of both political parties feel disenfranchised. They quite properly assert they are denied full participation in selection of their party's nominee for the highest office in the land. Political organizations in some areas fail to reflect the sentiment of the people they are chosen to represent. Candidate selection is often held in the grasp of a mere fragment of the total party membership.

Broad-based political involvement at a local level, and wide membership in political parties is seldom achieved. Some people see this as one failure of our political system.

Further, there has been widespread dissatisfaction with the electoral college, and its function in the selection of our President and Vice President. In 1968, the electoral college provided President Nixon with a clear majority. But what if he had fallen a few electoral votes short of an outright majority? A constitutional crisis was averted last year, but the future is not so secure.

The Commission would have the responsibility of studying the dilemma of the electoral college. It would, if it chose, recommend an amendment to the U.S. Constitution to guarantee popular election of the Chief Executive.

Mr. Speaker, I have no idea what recommendations this blue-ribbon panel would make. I am confident the "pros and cons" of a national presidential preference primary would be discussed fully. Direct election of the President would be compared with the electoral college system on the one hand, and with the several proposed modifications of the electoral college on the other.

Out of the deliberations should come a report which thinking Americans could carefully discuss and assess. Congress and the people deserve the benefit of such a report, for together they have the responsibility to initiate and approve amendments to the Constitution. Such an awesome task cannot be properly discharged unless every possible means of assistance is fully employed.

MIZE OFFERS BILL TO FIGHT DISTRICT OF COLUMBIA CRIME

(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, President Nixon's message on crime in the District of Columbia was a reasoned, moderate approach to a most serious problem. Everyone is aware that the rate of reported crimes of violence in the Nation's Capital has increased alarmingly in recent years, but few are aware that the rate for January 1969, was almost 100 percent above that of a single year ago.

The President recommends aggressive action in several different areas, for crime control in a modern American city is exceedingly complex. It defies the quick answer—the simple solution. Mr. Nixon has promised no utopia. He has advanced a program which, if fully implemented, will be a creditable response to the specter of crime stalking Washington.

MAJOR EXECUTIVE RECOMMENDATIONS

First, and perhaps foremost, Mr. Nixon has advocated the reorganization of the courts of the District of Columbia. His specific proposal provides for 10 additional judges to handle the heavy caseload, totally beyond the capacity of the existing structure to accommodate.

As a practical matter, the prosecutors

have dropped charges against many defendants likely to be convicted if brought to trial. Often defendants stand trial on only one charge, while accused of a multitude of offenses. Such practice is unconscionable, without doubt, but current limitations have permitted no alternative.

The President recommends appointment of 40 additional assistant U.S. attorneys to prosecute, and has extended his support to the Legal Aid Agency's request for an increase in its staff of public defenders. He also recommends acquisition of 1,000 additional police officers. Only they can perform the necessary preventive measures so essential in effective crime control.

AMENDMENT OF BAIL REFORM ACT URGED

Mr. Speaker, one of Mr. Nixon's most urgent recommendations was amendment of the Bail Reform Act of 1966. Under the provisions of this act, a judge is required to release a defendant on personal recognizance, pending trial, if he can establish residence and show that he is likely to appear in court when called.

This act is controlling in all cases throughout the United States where defendants are accused of a Federal crime, such as bank robbery. But its greatest impact is in the District of Columbia, where there is no State jurisdiction, and all crimes are "Federal" crimes. Thus, in the District, defendants accused of crimes of violence, if they can establish some basis for relief, are required by law to be released prior to their trial.

In Washington, hundreds of accused rapists, rioters, armed robbers, and sometimes even murderers, have been released under the Bail Reform Act. The results have been tragic.

Of course, if none of these defendants so released ever committed a crime while out on personal bond, there would be no problem. But as a matter of fact, the recidivist rate in Washington approaches 40 percent for accused felons.

Mr. Speaker, every District of Columbia judge who releases 10 accused felons, as he is required to do by law can expect four of them to commit additional felonies prior to trial.

When Congress passed the Bail Reform Act of 1966, such a high recidivist rate was not anticipated. Members of Congress were not fully informed of the gross delays of justice in the courts.

AMENDMENT TO BAIL REFORM ACT PROPOSAL

Mr. Speaker, today this Congress is fully informed. It is essential that the Bail Reform Act be amended to permit judges to detain, prior to trial, those defendants which they believe will be a menace to society. In the Judicature Act of 1789, the First Congress provided that judges may detain those accused of capital crimes, if they are deemed too dangerous to be permitted freedom prior to trial. Today, judges in the District of Columbia must be permitted that same discretion in noncapital cases. If proper safeguards are applied, a defendant's right to due process will not be infringed upon.

In order to meet this need, I am today introducing legislation identical to that prepared by the distinguished ranking minority member of the House Judiciary Committee, the gentleman from Ohio (Mr. McCULLOCH); the distinguished minority leader of the House, the gentleman from Michigan (Mr. GERALD R. FORD); and others.

This legislation would amend the Bail Reform Act to accomplish the ends which I have discussed, and further would demand that stiff penalties be imposed upon those who, free on bond, commit crimes, or fail to appear when called by the court.

Mr. Speaker, the President has called upon the Congress to enact this type of legislation. The success of the fight against crime in the Nation's Capital depends upon full implementation of the President's program for a safer Capital City. The other body is already holding hearings. I urge the Members of the House to take action on this legislative proposal at the earliest possible time.

CASUALTY-RELATED LIVING EXPENSE REIMBURSEMENT SHOULD NOT BE TAXABLE INCOME

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, today I am reintroducing legislation which will correct an unintentional inequity in the Internal Revenue Code. As the Code now stands, persons whose homes are damaged by a casualty, this is by fire, tornado, hurricane, or other catastrophe, and who are reimbursed by their insurance companies for additional living expenses incurred while their homes are being repaired, must declare such reimbursement as taxable income. This, clearly, was not the intent of Congress in the establishment of the present code.

Many of my constituents in the Fourth District and other residents of the State of Kansas have felt the expense and heartache of severe damage to their homes in the so-called "tornado alley." However, recent news accounts of natural disasters on a nationwide scale make it clear that this is not a narrow, sectional phenomenon. Fires and storms affect the districts of every Member of Congress. I urge my colleagues to join with me in seeking overdue legislative relief for our homeowners who have experienced such losses. This bill would amend the Internal Revenue Code of 1954 to exclude from gross taxable income any reimbursement received from insurance companies for these additional living expenses.

I introduced this bill during the 90th Congress after receiving several inquiries from persons who had suffered the loss of their homes only to be faced with additional loss due to this loophole in our tax code. Correspondence received from the Internal Revenue Service 1 year ago in response to my questions makes it clear that officials in the IRS are aware of this unfair burden placed upon insured individuals who experience such losses. In fact, the Chief of the Individual Income Tax Branch informed the Committee for Legislative Recommendations of the IRS of this situation so that it might consider recommending legislative relief to the Office of the Assistant Secretary of the Treasury for Tax Policy.

Unfortunately, the departmental report on this bill requested from the Treasury Department last year by the House Ways and Means Committee was never received. However, I shall request such a departmental report on this legislation again this year. It is my hope that the correction of this basic inequity would be considered along with other legislation when the House Ways and Means Committee begins tax reform hearings later this month.

SINGLE PERSONS TAX REFORM ACT

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, today I am reintroducing legislation to end the present system of tax discrimination against single persons who are maintaining their own households. This single persons tax reform bill extends head of household benefits to anyone, regardless of age or previous marital status, who furnishes over 50 percent of the cost of maintaining his or her own household.

I introduced identical legislation during the 90th Congress. However, due to other pressing demands, no action was taken. It is encouraging to note that the House Ways and Means Committee will give attention to this bill during its tax reform hearings beginning February 18.

The discrimination against single persons which this bill seeks to reduce has been in the Internal Revenue Code since 1948. In that year, Congress extended income-splitting to married couples for the Federal income tax. The purpose was to adjust the Federal code to provisions in several State tax laws, but the result has been a tax inequity against single persons.

The present law is unrealistic in that it gives no recognition to the expenses that single persons have in maintaining a household. Under the split-income provision it is assumed that it costs twice as much for two persons to live as it does for one. This is not so. Studies of family budgets indicate that it costs about three-fourths as much for one person to live as it does for two. These expenses of single persons, be they widowed, divorced or separated, or unmarried, deserve to be recognized in a tax law.

American taxpayers are overburdened with local, State and Federal taxes. Thus, it is doubly important that the inequities in our tax structure be eliminated as quickly as possible. This legislation will give necessary relief to those single taxpayers who are now inequitably taxed.

CONGRESSIONAL PAY RAISE

(Mr. LANGEN asked and was given permission to extend his remarks at this point in the RECORD and to include a newspaper item.)

Mr. LANGEN. Mr. Speaker, it is no secret that I am opposing the proposed congressional salary raises at this time. I previously joined with others in this body in introducing legislation to rescind the pay hikes.

Apparently a good many of my constituents agree with me. A letter to the editor appeared last week in the Lake Region Press of Alexandria, Minn., and was signed simply "Many Many Farmers." The letter actually is addressed to each of us in this Congress, and it is my hope that you will take particular note of it. It is therefore inserted at this point in the RECORD:

DEAR CONGRESSMAN: I read in the paper you were going to raise your salary up to $50,000 a year. According to my calculations, that represents a pay increase of 67%. That's quite a pay hike, you know it?

It doesn't seem right, somehow, to set your sights so high because pay raises of 5% are considered too high for other government employees, I understand. I suppose, being in the Congress makes a difference in how a person feels about things, though. I wonder if you ever give a ——— how we feel anymore.

Man, it would take a lot of wheat at present prices to pay for that increase, you know it? Let's see now. Wheat was posted at $1.25 per bushel in our elevator today. Since the pay increase we've been talking about amounts to $20,000 a year, it would take 16,000 bushels of wheat at $1.25 per bushel to pay for it.

The average yield in our country, according to the people at the ASCS office, is 25 bushels per acre. Do you realize you are asking for the total production from 640 acres of wheat or the net production from about 2,000 or maybe as much as 3,000 acres of wheat? Man, if I got full parity price for my wheat, I could get along pretty well, without any other income, from about one-third that many bushels per year (or acres per year).

We farmers are getting mighty dissatisfied with our slice of the "Affluent Society" pie. We'd be mighty pleased to hear that you, Congressman, are introducing legislation—sort of paralleling your pay raise, you know—which will give us the "equalizer" we need to continue in the farming business.

Yours truly,

MANY MANY FARMERS.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the editor of the Johnstown, Pa., Observer, received an item that he passed along to his readers which I think should be passed along to my colleagues as a measure of the load of taxes that the American taxpayer is shouldering.

The writer of the article, "How Come I've Got This Dollar Left?" is obviously speaking for the great majority of American taxpayers, not just those in my district.

I commend the article and its message especially to our colleagues on the Ways and Means Committee who clearly have the ability, and responsibility, to ease the financial strain on our citizens:

HOW COME I'VE GOT THIS DOLLAR LEFT?

One of our Ebensburg readers sent us the following item. We'd like to pass it along:

"I think I'm in big trouble.

"I was going through my pockets today and I found something I can't explain.

"A dollar.

"Yes, a whole dollar.

"I've paid my income tax, and my state tax. I've paid amusement tax, sales tax, hospital tax.

"I've paid taxes for Medicare and old age benefits.

"I've paid the liquor tax, the cigarette tax, the automobile tax, the school tax and the tax to put up a bridge at the other end of the country.

"When I paid my lawyer 600 bucks, I pay tax on that—and so does he. I pay tax on the money I gave the baby-sitter and real estate salesman and the man who makes out my income tax form each year.

"So how come I've still got a dollar?

"Obviously, I've made a mistake somewhere and overlooked a tax.

"But I distinctly remember paying my road tax, the excise tax, the defense tax, and the tax to provide more scholarships for kids to go to the university so they can tell me how rotten the system is.

"I've paid my taxes for sewers, bombs, wheat for India, the Senate, hockey rinks and public transportation.

"Yes, I've paid my water tax.

"And when they charge us an air tax to clean up the pollution, I'll pay that, too.

"I confess I haven't paid my death taxes yet.

"But I will.

"I've paid my taxes for parks, fire protection, law enforcement. I've paid my taxes to help the farmer, the Indian and the unmarried mother.

"I wouldn't dream of going fishing, owning a dog or getting married without first paying the tax.

"I pay taxes on the toothpaste I use when I get up in the morning and I pay taxes on the pillow I rest my head on when the day is over.

"How come I've got this dollar in my pocket? Where did it come from? Did somebody put it there to get me in trouble? Is there a tax when you find a dollar like that?

"I'm not sure.

"But I know the government is going to be sore when they find out I've got it."

VIETNAM AND THE SECOND CONFERENCE OF THE WORLD ANTI-COMMUNIST LEAGUE

(Mr. DERWINSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, this past December 15–20, the Second Conference of the World Anti-Communist League was held in Saigon, Vietnam. It is not without extensive political significance that some 200 anti-Communist leaders from the free world convened in this capital for the conference. At a time when the free Vietnamese are fighting for their survival both on the battlefield and also in Paris, the conference proved to be a boundless source of inspiration and encouragement to them. Its results were felt throughout Asia.

For the benefit of our Members and our people in their understanding of WACL and how Asians view the Vietnam problem, I commend the following addresses and notes pertaining to this conference: First, an address by President Nguyen Van Thieu of Vietnam; second, an address by Prime Minister Tran Van Huong; third, remarks by President Thieu at a state dinner; fourth, an address by Dr. Ku Cheng-kang, chairman of the 1968 WACL Council; fifth, a provocative lecture "On the Necessity of a Vietnam Strategy," by Chief of Staff Gen. Cao Van Vien; sixth, a message from President Chung Hee Park of Korea; seventh, a short article by Dr. Lev E. Dobriansky, of Georgetown University, "Stand Fast In Paris Talks"; eighth, WACL's resolution in support of 10th anniversary of Captive Nations Week; and ninth, the Vietnamese position on the Paris peace talks:

SPEECH OF THE PRESIDENT OF THE REPUBLIC OF VIETNAM AT THE OPENING SESSION OF THE GENERAL CONFERENCE OF THE WORLD ANTI-COMMUNIST LEAGUE AND THE ASIAN PEOPLES' ANTI-COMMUNIST LEAGUE, SAIGON, DECEMBER 16, 1968

Mr. Chairman, Distinguished Delegates and Observers, Ladies and Gentlemen, on behalf of the government and the people of the Republic of Vietnam, I extend to you our warmest and most sincere welcome.

I would also like to convey my best wishes to all the people you represent.

Ladies and Gentlemen,

Your presence here today will certainly be considered by future generations as the most crucial historic event of an era when all the nations in the world are united in a common effort to obstruct the communist invasion and establish and maintain freedom, equality and happiness. You are the symbol of our firm determination to succeed in this noble cause.

Your attendance today dramatizes to the world our struggle for justice, freedom and equality. At the same time, you are evidence of the highly valuable international cooperation of our time.

I believe that your presence here will give a chance to all nations and social communities to understand each other better, and to improve and develop existing international cooperation. To attain such goals, I would like to offer you an opportunity to understand a country whose fate affects you all. I invite you to understand its people, the Vietnamese people, as well as the momentous events here which have been the permanent concern of the world.

Today, at this conference hall, I would like to tell you what the Vietnamese people wish to tell all their friends, the freedom-loving and justice-preserving people in the world.

These are the facts closely related to a world wide movement which has to be considered as a common international mission to halt communist aggression. These are the facts about the circumstances, the lessons and the formulas that the Vietnamese people have experienced, endured and applied in order to win a final victory for freedom. These also are the multi-facial images that will bear witness to the different meanings of this struggle which the Vietnamese people have pursued and recognized as a responsibility in our position as an outpost of the Free World.

Ladies and Gentlemen, fourteen years ago, the communist imperialists successfully carried out the first part of their scheme to expand their influence in Southeast Asia when they occupied the northern territory of our country thanks to the 1954 Geneva agreements. The agreements were strongly opposed by the Vietnamese people, who did not sign them. At that time, however, a weak country's call for help in a just cause did not arouse the human conscience, which was buried beneath the shady, opportunistic intrigues of world politics. Under such circumstances, the remaining half of our country was subjected to heavy pressure by international Communism for 14 years.

Today, the whole world has clearly understood the cruel war that the Vietnamese people must face. The communist terrorist activities occurred almost incessantly: every day, every hour, everywhere in our country. After occupying the northern half of the country, the communists did not stop their invasion, as some people falsely believed. On the contrary, the communists increased their efforts to expand their influence all over Southeast Asia. The remaining part of Vietnam was their first target. To win this prize, the communists followed a policy of terrorism. According to the strategy, the enemy's

morale should be the first bastion destroyed. Therefore, the communists created unsafe conditions in the remaining territory in order to depress our morale, to discourage and terrify the Vietnamese people by brutally frustrating all their efforts to resist. Thanks to the communications media, the whole world knows that over 300 thousand communist cadres and troops, supported and armed by the communist bloc, are present on our territory to fight for their goal. But these are only the *remaining* of 401,000 communist cadres infiltrated from Dec. 19, 1959 to Nov. 30, 1968, after having suffered several losses.

These troops are reinforced at the rate varying from 6,000 to 16,000 men per month. Replacements enter South Viet-Nam through the Laotian border areas and through the DMZ, supposedly created by the 1954 Geneva Agreement to prevent all armed contacts between the communists and our half of this country.

With such regular reinforcements, and above all with their policy of crushing the human dignity and even the lives of all people who are for or against them, the communists could launch many acts of terrorism, destruction and death without much difficulty.

Before the March 31 decision to limit the bombing to a part of the North, in the first three months of 1968, the communists had launched 3049 acts of terrorism—shelling, ambushing, attacking and destroying the isolate villages, assassinating innocent civilians, including women and children.

In the following six months, the communists created 6149 similar incidents. The above data prove that the communist terroristic attacks have increased since the day we declared our partial bombing halt on North Vietnam. In November alone, after the total bombing halt declaration, the communists shelled 181 times into the provinces and districts of South Vietnam taking the lives of 502 people and wounding many others, the majority of them were always innocent women and children.

Could you imagine that on the day the total bombing halt of the North was declared, the communists shelled a church situated not very far from this Conference Room with a rocket? It was All Saints Day, and the people were congregating in the church for a mass. There were 80 victims of this shelling—20 dead and 60 wounded.

Despite the silence of this Conference Room, you can be sure that at this very moment when I speak to you, somewhere in this country, at least one if not many of my compatriots are being massacred. They are ordinary farmers, workers, or businessmen busy in their daily work; they could be public health specialists or teachers who are taking care of the local inhabitants or teaching a class; they could be the children themselves, who are just reading their first lessons. The communists massacre these innocent people because they are easy targets. Moreover, the communists believe that the more they use terrorism, the faster they will undermine our will to resist.

However, there is one thing I am sure of: no Vietnamese are discouraged about their country's prospects in its encounter with the communist invasion. In the contrary, thanks to terrorist acts like the ones I have mentioned, the Vietnamese people have come to a better understanding of the real nature of Communism. They know fighting tactics and the objectives of the communist ideology, and they are aware of the fate that this doctrine has reserved for human kind.

All of these facts reaffirm our belief that we must have the right to choose between Communism and a calm life, full of freedom, equality and happiness. Our people are determined to reject Communism and take the road leading toward a noble life of their own making. And, in every moment of difficulty, our people have fought incessantly to protect their right of self-determination. The communists want to throw Vietnam into disorder, and make the Vietnamese people weary and fearful, but their tactics have been rendered ineffective. The concrete successes of our constructive programs are the most eloquent proofs of our stability. Toward the end of 1965, Vietnam's over-all condition was described as quiet, but full of potential trouble. Within the next 20 months, that image was totally shattered by events. Our fiery struggles to fight and build have demonstrated our determination to reject Communism, to lead the Vietnamese people in overcoming the most difficult obstacles, to reinstate faith within all freedom-loving men that Communism will undoubtedly be annihilated in the end. In this relatively short period of time, our closely concerted efforts on the battlefield and on the domestic front have helped us master the military situation, establish political stability, and achieve the most glorious victory of all—the creation of a democracy, with all its constitutional provisions. The improvement in our situation is demonstrated by the communist change of strategy—from armed invasion of our country, they have turned to a political struggle. Communist imperialism has been exploiting the peace-loving mind of the Vietnamese people. In this new attack, they hope to gain the victory which they have failed to win militarily for many years. Communist propagandists have mobilized all their resources to distort the true nature of the struggle that the Vietnamese people have been carrying on.

They are now trying to create misconceptions of the role of the Allied Forces in our struggle. In other words, the communists are trying to take possession of the beacon of freedom, which never exists under communist regimes. Because we have denied their acts of reprisal, except in the territory they control in the North, they hope to benefit from the political issue they have created by holding peace campaigns.

Ladies and Gentlemen,

Despite these communist efforts, I believe that the true nature of the struggle we wage is still recognized by all freedom-loving people and the public opinion of the world. The Vietnamese people know that the present effort aims at protecting the whole territory from the fanatic ambition of the communist imperialists. Our actions, though they are military ones, remain those of indisputable self-defense. The Vietnamese people are basically a peace-loving people. Historically, every Vietnamese has hated and loathed warfare. Yet, Vietnam also possesses a heroic tradition, manifested by our history of fighting to preserve intact the country of our ancestors. Due to this tradition, and to our concept of the supreme right of the nation—the right to live a humane and just life—Vietnamese also know when to fight, when to accept war as a means of survival and improvement. We know that destruction, death and suffering are some of war's effects. However, war has another result: it prevents the spread of such disasters.

This result is the goal of the Vietnamese and other peoples struggling against imperialist communist aggression.

The people of Vietnam also see that due to the crucial position of their country, if the communists win the war here, not only Southeast Asia, but the peace of the whole world will be seriously threatened. Recognizing the importance of the situation here, the Vietnamese have really accepted a most dangerous and painful challenge for the benefit of the whole human race. They obviously fight not only for their people's right to live, or for their country's future peace, but also for all mankinds. For Vietnam is not the final aim of the communists: it is merely part of the strategy they employ on the way to their final objective of conquering the world. Consequently, for many years the Vietnamese have been engaged in a war with a world communist bloc, not with a regional communist force. In an effort to prevent an awful disaster in our age, this country has played the role of a bastion protecting an immense rear, the Free World.

Ladies and Gentlemen, I do not wish to request compensation from any country. I merely emphasize the facts.

I have often insisted that this age is one in which all countries of the world have a common mission—the prevention of disastrous communist aggression. Playing the role of bastion for the Free World, Vietnam just makes some contributions to that mission. Carrying on its task, it is merely bound by its obligations to humanity.

By this, I mean that our people carry on the struggle, not because of any concept of knighthood, but because of these feelings of responsibility.

Our people have proved their fidelity to the concept of responsibility. They promise to overcome all obstacles, to continue to lead an international struggle for the existence of all humanity.

From now on, the Vietnamese people have the right to ask for the cooperation of all free nations in achieving the justice which is the aim of our fight.

Already, many countries have responded to our call. Their support, aid, and cooperation in all types of activity have contributed greatly to the success of the Vietnamese fight. For that precious assistance, they receive the gratitude of the Vietnamese people and all mankind. That precious contribution, however, could not change the true nature of the conflict in Vietnam.

The Vietnamese government and people use their concept of the war's character as the basis for all political solutions to reestablish peace in this part of the world. As we see it, the actual situation of Vietnam is summarized in three important points:

First: The Republic of Vietnam has been a victim of communist aggression, with Hanoi used as a spearhead of invasion.

Second: The presence of the allied countries in Vietnam merely demonstrates the spirit of international cooperation, of sharing a common task—the fight against communist aggression to preserve human peace.

Third: The Vietnamese people have adopted democracy and will preserve it at any price.

A political solution will not respond to the legitimate aims of Vietnamese people and of all peace-loving peoples if it does not recognize these three important points.

All political solutions which do not respond to these points will destroy the spirit of international cooperation, and lead the common fight against communist aggression to a disastrous defeat.

To solve the above points, the government and the people of Vietnam base all their moves toward peace on the following demands:

Communist imperialism must stop all activities under any form against the Republic of Vietnam, because this war was started by the communist imperialists with their strategy of aggression.

Since the Republic of Vietnam has been a direct victim of their invasion, the communist imperialists must deal directly with the government and the people of Vietnam about all items concerning our situation.

Since the Vietnamese people have adopted democracy as the basis for all political activities and social organizations, the government and the people of Vietnam will never accept any communist organization in our territories.

That position is the best one for the Vietnamese people to adopt in order to serve the supreme right of the nation.

That position also illustrates the Vietnamese people's promise to participate in the international anti-communist mission.

That position is reaffirmed as an unchangeable position of the government and the people of Vietnam, a most logical, reasonable and just position.

All circumstances, all further challenges, will only arouse the Vietnamese people's firm determination to protect the above position and to demolish by force all aggressive intrigues of communist imperialism.

Mr. Chairman, Distinguished Delegates and Observers, Ladies and Gentlemen, I have just presented to you the main aspects of our situation: our choice of the ideal of Freedom, our efforts to maintain that choice, and the basic stand that the Vietnamese people have adopted in order to solve the war by a political formula.

I hope my presentation has given you an opportunity to understand thoroughly our country, as well as the crucial importance of a spirit of international cooperation during the current situation. The fate that has been oppressing Vietnam would be a standard one for every country in the world, were the communist doctrine to spread there.

That fate is the suffering from war dangers, and a confused, upset condition of living which has to include more destruction than construction. That fate is the worry caused by a threat to enslave, to smash, to bring a dark future to a society that could loose its reasons for living: freedom, justice and happiness.

Certainly, no country in this world would like to suffer such an end. Certainly, no country in this world would refuse to help push back this menace. This correct understanding and logical demand have showed us the crucial importance of an international cooperative spirit since its most immediate effects will be the active and effective contributions to the struggle against the oppressions that the communists have created in every nation.

I believe that with a firm resolve of international cooperation, we can easily succeed in building up a force capable of smashing any attempts from the communist empire.

In other words, with international cooperation the right cause could be protected efficiently, justice would be carried out everywhere, and the ideal of freedom would certainly snatch the final victory and return happiness to mankind.

Mr. Chairman, Distinguished Delegates and Observers, Ladies and Gentlemen, The formation of this World Anti-Communist League, of which you are representatives, expresses today's clearsighted understanding of the necessity for international cooperation if mankind is to survive and progress.

With a total of 53 member units representing nations and organizations of all nationalities and with the participation of over 30 organizational units from all over the world, the World Anti-Communist League highlights the wide acceptance of the concept of cooperation as well as the genuinely anti-communist stance of the world.

I hope and I am convinced that in the near future the World Anti-Communist League will play the positive role of an international anti-communist force, helping to accomplish the mission of our age: the defeat of Communist aggression, the restoration of happiness of all people of the world, the promise of progress to future generations.

I hope that in this second General Conference, the problems I have mentioned will be examined and solved by your intelligence, as well by the firm desire for victory that you have brought from all over the world into this Conference Room. I would also particularly remind you that you are at a front line of the international anti-communist war. This hazard is not in vain, for you may realize clearly what is happening. Your presence here gives you facts, upon which you may base the best formula of resistance—such a formula was the main objective of your previous annual meeting.

I thank you for having given me an opportunity to express in words the just cause of the people of Vietnam, and I sincerely wish you success in the General Conference.

Again, through you I would like to send the warm salutations of the people of Vietnam to the fellow fighters and the freedom-loving people all over the world. At the same time, I would give to you and then our people's determined promise to continue till final success our fight for a right cause, justice, and happiness of mankind.

SPEECH OF PRIME MINISTER TRAN VAN HUONG BEFORE THE ASIAN PEOPLE'S ANTI-COMMUNIST LEAGUE, SAIGON, DECEMBER 19, 1968

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen, this Capital of Vietnam takes singular pride in its choice as the site of the World Anti-Communist League and Asian Peoples' Anti-Communist Conference.

I join the President of the Republic of Vietnam who addressed the opening session of the World Anti-Communist League Conference last Monday in conveying to you most warm and sincere greetings of the Government and People of Vietnam.

Everybody is well aware that the situation in Vietnam has reached a crucial stage, perhaps its most decisive phase since the Communist launched their war of aggression on this country.

Your convening here, the activities of your conference, and above all the anti-Communist ideal that your League has championed the past 14 years and is upholding with boundless perseverance and unwavering faith—all these provide encouragement and much confidence for our people in their struggle against aggression and fortify their resolve to solve the problems of war and attain restoration of peace.

More than anyone else you are conversant with the conditions and experience arising from a challenge to realise the true nature and extent of the impact of this devastating war.

The aggressor has always cloaked his nefarious design with such terms as "war of liberation" or people's war."

The nearsighted and the highly gullible are prone to be deceived into thinking that this is an internecine conflict, a sort of civil war involving people of the same blood. But you and I know it for what it really is, that is naked aggression by the Communist imperialists who seek to impose their dream of subjugation of not only 14 million South Vietnamese but also of Asia and the whole world.

This is not mere accusation or idle speculation but concrete fact proven by the policy of the aggressor.

Red China's Lin Piao publicly declared three years ago that a special characteristic of the Chinese Revolution is to seize the rural areas to encircle the cities, finally occupy the cities and thus win victory throughout the country.

In outlining this strategy of world conquest, Lin Piao likened North America and Western Europe to the cities of the world and Asia, Africa, and South America to the rural areas in his anology.

It is obvious that this war which our people are bravely shouldering constitutes one phase—perhaps the fiercest—in the plan for world conquest by the Communist imperialists.

Once this bastion of the Republic of Vietnam falls into Communists hands, the free nations of Southeast Asia will one by one be threatened, invaded and finally subjugated.

As such Free World nations in Europe and America cannot be sure that they shall be able to preserve their sovereignty and protect their people, let alone go to the rescue of their friends in Asia.

Awareness of these Communist goals constitutes in itself the initial step towards a wise solution of the Vietnamese problem since peace, a true peace, just and durable, cannot be brought about by the surrender of a nation, especially when that nation has sacrificed so much blood in one generation for the ideal of freedom.

Neither can peace be attained by concessions to the aggressor on the battlefield or the conference table.

The aggressor should return to his former position! This is the sole, minimum, logical and simplest approach to a solution of the Vietnam issue and a true peace settlement which the South Vietnamese have been longing for.

It is indeed heartbreaking for us Asians when we consider that here in Asia, the cradle of the greatest religions and virtues of mankind, we now see hundreds of millions of Asians oppressed, trampled by the iron heels of believers of the most despotic, atheistic, and inhuman doctrine that history has ever known.

It is also tragic that millions of other Asians, for instance the Vietnamese people, are once again being torn to pieces by the Communist dream of expansion.

Nevertheless, we are of the firm conviction that Asian philosophy and morals are still our sources of strength, enthusiasm, and hope for victory. With hard struggle and reconstruction efforts a free, peaceful and happy Asia shall once again emerge.

I believe that you share with me this cherished thought, a desire that motivates all your endeavours.

I sincerely wish your Conference greatest and most satisfactory success.

TOAST BY THE PRESIDENT OF THE REPUBLIC OF VIETNAM

(At the dinner in honor of the Delegates and Observers to the Second Conference of the World Anti-Communist League and the Fourteenth Conference of the Asian Peoples' Anti-Communist League)

Mr. Chairman of the World Anti-Communist League, Mr. Chairman of the Asian Peoples' Anti-Communist League, Distinguished Delegates and Observers, Ladies and Gentlemen, I am very happy to welcome you in our midst tonight. It is highly significant that your Conference is held this year in the Capital of our Republic which has been and continues to be on the front line of the struggle for freedom, in the face of the relentless efforts of International Communism to extend its rule over this part of the world.

Our thoughts today go to all the noble fighters who have given their lives for the defense of freedom, and to all the peoples who are now suffering under the yoke of Communist Imperialism.

How the peoples in the Countries occupied by the forces of Communist tyranny feel about Communism have been made abundantly clear on many dramatic occasions: At the conclusion of the Korean war, over 22,000 Communist Chinese and North Korean prisoners of war under the custody of United Nations Forces chose freedom in the face of Communist threats and blandishments. The Communist Chinese soldiers were supposed to be "volunteers" fighting against the United Nations Forces. And yet, they chose not to return to their homeland, when they were given an opportunity to escape Communism.

In Viet-Nam, when the 1954 Geneva Agreements partitioned the country and placed the Northern part of Viet-Nam under Communist rule, nearly one million people abandoned all their possessions, their homes and their ancestral lands to seek refuge and freedom in South Viet-Nam, in spite of Communist obstructions and intimidations. Many more would have followed the same path to freedom if they had the possibility.

In Eastern Europe, the valiant insurrection of the Hungarian people in 1956, and the recent attempt of the Czechoslovak peo-

ple against Soviet Russia's domination have indicated eloquently that in the East as well as in the West people everywhere have the abiding attachment and deep aspirations for freedom.

However, since the end of World War II, the Iron Curtain of Communism has not receded. On the contrary, it has stretched over Eastern Europe, the Chinese Mainland, North Korea and North Viet-Nam. It is menacing to extend over the whole of Southeast Asia if the frontline of resistance against Communist expansion in the Republic of Vietnam is to yield under Communist pressures.

What accounts for the advance of the Iron Curtain? According to an old Asian adage, we have to analyze the past in order to face the future.

It appears to me that there are four major reasons which account for the expansion of Communism in the past two decades:

1—The *illusions* in the Free World about the reasonableness of Communist leaders,

2—The flaws was weaknesses in the practice of *containment* in facing Communist expansion,

3—The method of *war by proxy* used by the major Communist powers, and the Communist strategy of war by *infiltration* and *subversion*,

4—The greater *solidarity* of the Communist bloc in comparison with the divergences of views and self doubts among the free nations.

I believe that an objective examination of these main points will help us to meet the Communist challenges more effectively.

First, the Communist expansion at the end of World War II was due in no small measure to the *great illusions* in the Free World based on the wishful thinking that the Communist leaders were essentially social reformers who had been pushed by circumstances to extreme methods, and who could become reasonable and constructive if only we gave them the chance. We have seen that the great hopes that the idealists in the Free World placed on "Old Joe," the late Joseph Stalin, during World War II have ended in tragic disillusionment.

Another example of dangerous wishful thinking was the belief during the Chinese Civil War that Mao Tse Tung and his colleagues were only agrarian reformers. The rude awakening which followed the Communist takeover of the Chinese Mainland has not dampened the feeling among certain segments of public opinion in free and neutral countries that the Peiping regime has behaved in an irresponsible manner only because it has been isolated, and that the remedy to this situation would be the recognition of the Peiping regime by the Free World, and the acceptance of the participation of the aggressive and tyrannical Peiping regime in all the activities of international life.

Today, another dangerous wishful thinking is in the making among some quarters in the Free World. That is the theory that Ho Chi Minh in North Viet-Nam has been pushed by circumstances to be a Communist although he is a nationalist at heart, and that, given adequate opportunities, he can become a Tito of Southeast Asia.

No belief is more illusory and more dangerous.

Ho Chi Minh has become for a long time a fanatic Communist, and he has never hesitated to sacrifice the national interests of Viet-Nam to promote the interests of International Communism. An evidence of this is his liquidation of the nationalist patriots during the Vietnamese struggle for National independence, and his establishment of a Communist regime when this was highly damaging to the cause of Vietnamese independence, at a time when Mainland China was not yet Communist, Russia was too far away for help, and the establishment of a Communist regime in Viet-Nam discouraged any help which might come from the victorious Allies at the end of World War II.

Besides, we should not lose sight of the fact that Tito has been able to maintain an autonomous Yugoslavia because Yugoslavia does not have any common borders with Soviet Russia, otherwise it would have already suffered the fate of Hungary and Czechoslovakia. North Viet-Nam on the contrary has a long common border with Communist China, and could never maintain a defiant or independent line of action from Communist China.

We should also keep in mind that a Communist Viet-Nam can become another center of Communist aggression and expansion regardless of whether it can be independent or not of Communist China, in the same fashion that Communist China has become another center of Communist aggression regardless of whether it is in harmonious relations or not with Soviet Russia.

The *second factor* in the Communist advances since the end of World War II is the nature and practice of the *containment policy* against Communism in the last two decades. In the face of a wholly defensive policy of the Free World, International Communism has been constantly probing in various areas of the world in their relentless drive for expansion. Unless containment *at least* strictly guarantees the *status quo*, each gain for the Communist camp is a net and definite loss for us.

Against an aggressor who has made no secret of his ultimate purpose of world domination, we should keep him on the defensive, and maintain the flame of hope in the hearts of the multitude of people now living under Communist tyranny.

In its drive for expansion, International Communism has been skillfully alternating armed aggressions and negotiations. But as the late President John F. Kennedy pointed out, the Communist approach to negotiations is "What is mine is mine, what is yours is negotiable". The Free World should be constantly aware of this warning if we want to hold our ground against Communist expansion.

The *third* element in the struggle between International Communism and the Free World is the fact that the Communist powers have, in the context of the nuclear stalemate, invented the method of *war by proxy*, by instigating, supporting, and arming insurrections and aggressions committed by their satellites and agents. In this fashion, they intend to bog down and wear out the great powers of the Free World, while avoiding direct retaliations against themselves.

As you remember, as early as 1961, Khrushchev publicly supported the so-called "wars of national liberation".

A few years later, in 1965, Lin Piao developed the theory that Communism should be expanded first over the underdeveloped areas of the world leading to the gradual isolation and collapse of the great powers of the West, in the same fashion that the Chinese Communists first took over the rural areas before they surrounded and submerged the cities on the Chinese Mainland.

In this machiavellian strategy, the Communists have perfected the tactics of aggression by infiltration, subversion and terrorism.

Nowhere are these strategy and tactics put into practice more vividly than in Viet-Nam.

The war in Viet-Nam is a test case. If successful in Viet-Nam, the Communists will certainly apply again these strategy and tactics, with more fervor than ever, not only in the surrounding areas of Southeast Asia, but in other areas of the world as well.

The *fourth* factor which deserves consideration is the fact that, in this ideological struggle, the Communists enjoy far greater solidarity among the Communist bloc than a free country, fighting for self-defense, can enjoy from other countries of the Free World.

In the Viet-Nam war, militarily the North Vietnamese aggressors have been receiving large supplies of modern weapons from Soviet Russia, Communist China, and the Communist countries of Eastern Europe. A part of these supplies are even transported to North Viet-Nam by ships from free countries of the West.

While a number of people in the West criticize our defense of freedom in Viet-Nam, one of the big arguments between Soviet Russia and Communist China is as to who, between the two, is actually helping more the North Vietnamese Communists, while each of them claims to contribute the greater share, and to support more fully the North Vietnamese aggression.

In political warfare, not only all the Communist countries but also Communist and leftist organizations everywhere, in neutral as well as in free countries, give the Viet-Cong constant and enthusiastic support, while the free peoples are divided by divergences and self doubts and sometimes dwell more in the shortcomings of the defenders than on the crimes of the aggressors.

Mankind is now at an important juncture of history.

To defend freedom, free people everywhere must stand solidary and united. We must maintain our firm purposes and persevere in our efforts.

The answer to Communist expansion is not in unilateral concessions, but in the establishment of conditions which could strengthen our common defense, and would hopefully bring back some day the light of freedom to the oppressed peoples now suffering under Communist slavery.

In the Free World, the classification has been made between the "hawks" and the "doves."

Among those who are dedicated to the ideals of freedom, I do not think that the differences are really substantial between the hawks and the doves.

I do not believe that the so-called hawks love to wage war for the sake of war, and I do not believe that the so-called doves are willing to sacrifice freedom to have a peace which can be only temporary.

I am however concerned about the "ostriches" who think that they can conjure away the storm by putting their heads under the sand.

To achieve the peace of the free and of the brave, we should be constantly vigilant, and be ready and willing to make sacrifices if need be, and to have the courage and the wisdom to persevere until freedom is preserved and secured.

In this pursuit, may I ask you, Ladies and Gentlemen, to join me in a toast to the triumph of freedom and justice throughout all the corners of this world, and to the everlasting solidarity among free men everywhere.

ADDRESS BY DR. KU CHENG-KANG, CHAIRMAN OF THE 1968 WACL COUNCIL, AT THE OPENING CEREMONY OF THE SECOND CONFERENCE OF THE WORLD ANTI-COMMUNIST LEAGUE

I have the honor to declare the formal opening of the Second Conference of the World Anti-Communist League.

Since its first Conference at Taipei of the Republic of China, in September, 1967, the World Anti-Communist League has taken up the historic mission of fighting for human freedom and world peace.

In the last fifteen months we have seen a rising tide of freedom against the forces of enslavement in all parts of the world. Though the liberalization movement in Eastern Europe and particularly that in Czechoslovakia has been temporarily suppressed by Soviet armed might, the flames of freedom will continue to burn until they become an

unextinguishable conflagration. The continued intensification of the anti-Communist and anti-Mao Tse-Tung struggle on the Chinese mainland has kept the Peiping regime on the brink of collapse. The intensified internal conflicts and mutual rivalries in the Communist bloc as well as the gradual awakening of the free peoples to the need for stronger unity to resist Communist aggression show unmistakably that the forces of freedom are becoming ever stronger.

In this titanic struggle for freedom, all of us of the World Anti-Communist League will be our best in Asia, Africa, Europe, and the Americas. Our just cause, our firm stand, and our positive actions will make the League the vanguard of the times. Before turning over my responsibilities as Chairman of the Council to my distinguished successor, I wish to salute all member units of the League for the important contributions they have made to the common cause in the last fifteen months.

Of course, not everything is as rosy as we should like it to be. The air is still thick with appeasement and International Communism is still threatening to expand outward both in the Orient and in the West. Soviet military forces have extended towards the Middle East and the Mediterranean. Chinese Communist infiltration, subversion, and armed threats have been directed against many Nations in Asia. And recent developments in Vietnam with the Paris peace talks are confronting Asia with a grave crisis in her struggles for freedom. It is against such a background that the Second Conference of the League is being held at foremost front line of the fight for freedom; the capital of the Republic of Viet-Nam. The time and place of the Conference are ample evidence of its extraordinary political significance.

On behalf of the League, I want to pay our highest respect to President Nguyen Van Thieu of the Republic of Vietnam, whose Government and people are gallantly resisting Communist aggression, and to the American and other allied forces who have been making immense sacrifices in important contributions in the fight for the preservation of the independence and freedom of Vietnam. I must also express my sincere appreciation for the elaborate arrangements made by the Host Chapter for the second WACL Conference and the 14th APACL Conference in the midst of a full-scale war. Moreover, I extend my hearty welcome to all of you distinguished Delegates and Observers, who have come from long distances to attend the Conferences here in spite of all difficulties and dangers.

We meet in Saigon today to express the support that the forces of justice unanimously render to the Republic of Vietnam in its fight for freedom and independence, to show the solidarity of the free peoples in their uncompromising struggle against the wicked forces of Communism. We are meeting here in order that the world situation may develop in a more correct direction and open up the prospects of a brighter future for the cause of freedom, and for the early realization of the aims and objectives of League.

Therefore, we must work in unison to insure the success of this Conference and to make our influence more widely felt. As I see it, what we should work for here is the formulation of a common global strategy against Communism so that all the forces of freedom may work in coordination and take concerted action to defeat the enemy. For this reason, the meeting of the Executive Board in Saigon last May resolved that at this Conference there should be a special session devoted to the subject of "Countermeasures to the So-called People's War". The fruitful findings of the discussion shall become the substance for a common global strategy. With your permission, I should like to offer my own personal views as to what its basic principles should be.

First, its aims should be the preservation of the freedom and security of the entire free world, paying equal attention to both Europe and Asia, so that the free world may present a united front against a divided Communist camp.

Secondly, it should fight back against any Communist aggression by the combined strength and concerted action of the free world, with regional, collective security organizations established to frustrate the enemy's tactics of defeat-in-detail.

Thirdly, it should take counter offensive measures against the enemy on all fronts, ideological, political, economic, and social, in order to weaken the enemy and intensify his internal crisis to insure victory in necessary military actions.

Fourthly it should take advantage of the internal conflicts of International Communism and first strike against its most madly adventurous and isolated entity, while at the same time, giving active support to those fighting for freedom behind the Iron Curtain in order to hasten the early disintegration of the Communist tyranny.

Fifthly, it should assert the firm conviction that freedom will ultimately triumph and thus doing away with the mistaken policies of appeasement.

These five points have been arrived at through painful experiences in long-time struggles with Communism by many free nations. I believe that to follow these principles will insure victory. The Declaration of the League and the Common Program of Action adopted at the First Conference have already shown that these are the aims and purposes of our endeavors. May these form part of our discussions and resolutions so that other people will be persuaded to accept them for implementation.

We are most concerned over the peace talks in Paris. We firmly support the principle that any peace settlement should be based on preserving the independence and freedom of the Republic of Vietnam and maintaining a lasting peace in Asia. The allies must not fall into the Communists' peacetrap, nor allow them to gain at the conference table what they have failed to get on the battlefield. We hope that the NATO will be further strengthened, that an Asian and Pacific Regional Collective Security Organization will be soon created, and that there will be in Africa and Latin America their respective arrangements for common defense and mutual security. We will support efforts made by all nations to resist Communist aggression and to frustrate all Communist attempts at infiltration and subversion. We will give all possible moral and material support to the liberalization movement in Eastern Europe, the anti-Communist and anti-Mao Tse-tung struggle on the Chinese mainland, the anti-Kim Il Sung struggle in North Korea, the anti-Ho Chi Minh struggle in North Vietnam and to all other enslaved peoples in their struggles for freedom. We will promote stronger mutual economic assistance and technical cooperation among the free nations and urge the highly developed nations to render necessary and adequate assistance to the many developing nations in Asia, Africa, and Latin America in order to strengthen the free world. We will give expression to the best qualities of Oriental and Western humanism to fight better on the ideological front. In particular, we expect that the United States will, abiding by the basic principles on which the United States has been founded and in the light of actual needs, adopt a global strategy that pays equal attention to both Europe and Asia, and play the leading role in facilitating the achievement of the objectives I have submitted to you.

In closing, I want to thank all member units and friends of the League for their wholehearted cooperation and support given me during my tenure of office as Chairman of the WACL Council, especially for their warm response to the statements I have made on important developments of the world situation from time to time. My thanks are due to Dr. Jose Ma. Hernandez, Secretary-General of the WACL, for his hard work and cooperation. Now I have the honor to present Dr. Phan Huy Quat, whom we all know and respect, the Chairman of this Conference, a position to which he was elected at yesterday's meeting of the WACL Council. I am sure that under his able leadership, our League will see great growth and development. I wish the Conference every success in the early realization of the aims and purposes of the WACL and the consequent victory of the cause of freedom. And the best of health to all of you.

ON THE NECESSITY OF A VIETNAM STRATEGY

(By Gen. Cao Van Vien)

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen, for reasons beyond my control, I am faced tonight with the great honor and also the great challenge of speaking to you. I consider it a great honor, for at no time in my long career as a soldier and a military leader have I been given the task of addressing such a distinguished audience.

A great challenge, it also is, for among the many guests and officials here tonight, a great many—possibly the entire congregation—are heads and shoulders above me in intellectual capacity. But a challenge is a challenge, and as you know, an airborne officer never refuses a challenge, however difficult it may be.

The topic, which I have chosen for tonight, of course, has something to do with my profession. It is the problem of a proper strategy, which we of the Free World should devise and adopt to bring the Vietnam conflict to an end, successfully.

Mr. Chairman, Ladies and Gentlemen, in the olden days, when war was still the monopolistic concern of emperors and kings and a small number of captains with political ambitions, Strategy enjoyed an incomparable reputation as a science. It was considered as an essential instrument of victory or the very cause of defeat in all military conflicts.

Against this context, one easily understands why the name of Karl von Clausewitz (1780–1831) became a household word, and Sun-tze's grew to be venerated in both East and West. Also against this context, one appreciates why Liu Pei, one of the scions of the famed Han dynasty, humbled himself three times to win the services of Kwon Ming, the most remarkable strategic mind of the Three Kingdoms period.

With the great scientific strides made by man in the past hundred years, however, the nature of war itself appears to have changed. Instead of a confrontation of wills, it seems to have grown into a contest basically involving such material means as industrial capabilities, production of weapons, and others. In the present day, war also has become total in character, encompassing all aspects of a nation's life and bringing about a radical change in principles guiding its conduct.

On the basis of history-making developments in the recent past, one can say that such notions as military doctrines, strategies and tactics have given way to technical inventions and scientific discoveries as potential solutions to the problems created by the state of war. Contemporary history includes many examples pointing to the bankruptcy of Strategy as the primary war-winning factor.

It is my view that France defeated Germany in World War I *not* because of a better strategy and, thus, its strategically inexplic-

able victory over the German armies in 1918 includes the very seeds of its debacle twenty years later. I am also of the opinion that the Anglo-U.S. Alliance of the early forties, after saving Western civilization from the prospects of a new Dark Age made more protracted and terrible by novel scientific inventions, forfeited one third of mankind to Communism in the decade following V-Day simply because of the non-existence of a proper strategy.

Let me also tell you of my view that the Korean and Indochina wars ended in conditions unfavorable for the Free World simply because it did not have a proper global strategy to counter the new perils engendered by that of the Communists, which is based on "revolutionary" wars and "limited" conflicts.

In the case of the present Vietnam crisis, too, the many great difficulties encountered by the forces of Freedom should not be traced to our lack of manpower or material resources or to our unwillingness to endure hardship. They should instead be attributed to the absence of a doctrine that should encompass, as the enemy's does, all fields of activities—political, military, economic and diplomatic—out of which a proper military strategy may be developed.

It is a matter of course that if such a strategy may be devised, the initiative would be ours in all respects, and one of its natural consequences would be the reduction of the enemy to the defensive and the limitation of his freedom of action. But before I may venture a few ideas on the proper strategy to be adopted for the Vietnam conflict, let us first have a look at the various strategic tenets that were developed and formulated through the ages, and some of the main points of the most important and lasting doctrines.

In the words of nineteen-century author Karl von Clausewitz "Strategy is the art of making use of a nation's military capabilities to realize its political objectives." Many years later, in 1939, an English military student by the name of Liddell Hart and a French writer by the name of Raymond Aron also gave similar definitions.

In my opinion, such a definition is rather narrow in scope as it gives too much importance to the purely military aspects of a conflict and too little consideration to what Napoleon Bonaparte (1768–1821) referred to as the "sacred part" of strategy. Without this, strategy would be nothing but the totality of war techniques at a given time and, thus, would include such immovable rules as may be applicable to any army, anywhere and at any time. If such is the case, there cannot be more than a strategy. Indeed, strategy cannot be so very simple.

Before going any further, let me try first to define strategy as *the art of influencing the outcome of a conflict of wills, especially through the use of force.* It thus ensues that any strategy should be made up of three separate parts: (a) the planned objective, (b) the means available for its realization, and (c) the plan according to which the said means are used for its attainment.

In the course of the long history of human conflicts, there have been devised many strategies and strategic doctrines. I shall not mention them all, though. What, I think, is of interest to us at the present moment is the strategic approach the Communists have been using—rather successfully—in their avowed conquest of the world.

Communist theoreticians are, of course, many. But leading them all are Vladimir Ilich Oulianow alias Lenin and Josef Vissarionovich Dzugashvili alias Stalin. Both men were known to consider revolutionary wars as the principal means of realization of their global objectives and they have proposed the three following concepts: unity among the people and armed forces, primary importance of the rear, and psychological preparation before any military action of importance.

The first of these principles has had its clearest reflection in the war opposing the Communist and Nationalist forces over 20 years ago on the Chinese mainland. In other revolutionary wars, which take place in smaller geographical contexts, the second principle is of the greatest importance. A winning counter strategy must therefore include measures to eliminate base areas, as they are havens Communist troops may rest and recuperate to prepare their next moves under the safest conditions. So far as the psychological preparation is concerned; it should be noted that this is nothing new as it has been implemented by the armed forces of every country but the Communists have on the whole attached more importance to the practice than non-Communist countries.

China's Mao Tse-tung was to expand and adapt these principles to the particular conditions of Asian and African countries in the late forties and fifties. Through his many writings, Mao proposes six principles: withdraw when the enemy advances, attack when the enemy withdraws, strategy of the few against the many, tactics of the many against the few, live on the enemy's supply, and let the army live among the people as fish in water.

But, still in Mao's view, one of the prerequisites for a successful prosecution of revolutionary wars is the ability of the leaders to mobilize the people politically. Said he: "What is political mobilization? Political mobilization of the masses requires that the people and the armed forces be well aware of the political objectives of the struggle. Each and every soldier and citizen must fully grasp the necessity of prosecuting the war effort and how it affects him personally."

It thus is evident that Mao pays great attention to the problem of mobilization of the masses, allying the masses closely with the armed forces and using man as the main instrument of struggle. Lin Piao was to develop the Maoist theory and use it as the main principle guiding the conduct of the many wars Communist China has been a party to.

Lin is not exactly a military strategist as his contribution to martial literature consists merely of interpretative articles of Mao's thoughts, especially since the Chinese Communist leader stopped writing on military affairs in 1941. As Minister of Defense, however, Lin once sketched Peking's strategy in a long newspaper article that stressed the importance of the two following principles: unity among the people and the armed forces, and encirclement of the townships by the countryside.

In the Vietnam war, the insurgents have constantly tried to apply Lin's principles. Thus, if we are to resist them successfully, we have to give careful consideration to these two strategic points in our attempt to devise a proper counter-insurgency approach.

Against Mao's and Lin's strategic thoughts, military leaders the Free World over, it must be said, have not come up with anything effective enough to counteract them. What are known as gradual dissuasion and flexible response have proved to be inadequate and their deficiencies have led to many limited conflicts. Such conflicts as the wars in Korea, Indochina, North Africa, the Middle East, and the Congo, and such crises as the ones in Hungary, Cuba, and Berlin, are more than adequate proof that these deficiencies may very well gradually erode the military posture of the Free World and tip the balance in favor of the Communists.

Indeed, for nearly a quarter of a century, the Moscow-Peking axis has been rather successful in nibbling away at the free nations of the world, in their effort to enslave mankind, they have consistently refused to directly challenge the U.S. but have tried with different degrees of success to convert wars of independence into anti-American struggles. For whoever knows that this indirect strategy has been instrumental in the elimination of the West from continental China and a considerable part of Southeast Asia, and also should be viewed as the cause of so many of the Free World's headaches in the Middle East, Latin America, and Vietnam, its efficiency seems beyond question.

At the base of this indirect strategy is the idea of establishing a security margin and of attempting to enlarge that margin while trying to reduce that of the enemy. The larger this security margin, also called freedom of action or initiative, the more varied the tactics one may employ. Let us look at the Vietnam conflict and the security margin respectively enjoyed by Washington and Hanoi.

For many years, the U.S. has had but two choices: either to continue to fight with self-imposed restraints or half-heartedly as it is now doing, or bring the war to North Vietnam and be ready for a much broader conflict that may lead to World War III. Meantime, North Vietnam and the National Liberation Front (NLF) of South Vietnam may assault the American embassy in Saigon, encircle Khe-sanh, attack South Vietnamese cities, mine such internationally frequented waterways as the River of Saigon, pound at merchant ships, raid and mortar hospitals, murder hundreds of innocent civilians, and kidnap third country nationals, without precipitating a decisive counterblow.

Why is that so? An answer to the question may be found in the very nature of the Communist strategy, which is one encompassing the entire world and whose success or failure definitely depends on certain external and internal factors.

Vis-a-vis the outside world, the Communists resort to all forms of peaceful struggle. For whoever may not be convinced of their effectiveness, a quick look at present-day America and the immense domestic problems created by the Vietnam war, would be enough to make him revise his opinion. Communist agents the world over have repeatedly appealed to the American people not to support "this dirty war" and by doing so, they have been rather successful in giving the average American a complex of guilt that has its clearest reflections in anti-war movements and the number of U.S. draft-dodgers.

In addition to the above, international public opinion has also been maneuvered to create as many difficulties as possible for the American administration within the U.S. through what may be called the political and psychological front. This, as a rule, takes the form of continued psychological warfare actions that aim at the erosion of popular confidence in Washington in the handling of the simplest domestic development which ostensibly has nothing to do with the Vietnam conflict.

In the implementation of the indirect strategies, however, the real decision is sought more often than not at the level of the local conflict where three decisive elements are clearly distinguished: material capabilities, moral strength, and duration of the fighting period.

If one's material strength should exceed that of the enemy to a considerable extent, the other two factors need not be substantial. If not, one should be well motivated and prepared for a long struggle. These factors influenced Russian strategy in Czechoslovakia and in Korea but results varied greatly from one case to the other because the U.S. reacted differently in each instance.

In so-called revolutionary wars, the rebels,

as a rule, do not have strong military means. They, therefore, have to think of their struggle in terms of years and decades, hoping to demoralize their opponents. In this context, it seems only a matter of course that such a conflict always is fought on two equally important planes: the military plane and the psychological plane.

In the present situation in Vietnam, all these elements are clearly in evidence. The lower morale of the Communist troops, which was very high in the early years of the insurrection, is being offset by an increasing reliance on material means. And although the Hanoi leadership still speak of continuing the fight for another decade or two, indications are many pointing to their desire to reach a decision much earlier than the end of this century.

With all of these points in mind, I have sketched a Vietnam strategy that does not claim to be the only one possible at this time. For all its imperfections, let me enumerate its main points before setting to the task of discussing its merits and limitations. This strategy, which I would call one of isolation, includes seven steps:

(1) Separation of the guerrillas from the local population so that their infrastructure may be eliminated; (2) Isolation of the local and regional troops from Main Force units so that they may not rely on one another and be more easily destroyed; (3) Neutralization of in-country base areas; (4) Neutralization of base areas in neighboring countries; (5) Establishment of an anti-infiltration barrier along the 17th Parallel from Dong-ha to Savannakhet; (6) Separation of the enemy's front and his rear by an amphibious landing in the area of Vinh or Ha-tinh; (7) Formulation of a Thai-Lao-Viet-Khmer alliance.

Most of the measures enumerated are purely military in character and cannot be expected to solve the Vietnam problem entirely. Prior to discussing them in detail, let me once again emphasize the total character of this our conflict, for the solution of which there must be a set of social, economic, and political measures likely to strengthen our military position and consolidate our gains on the battlefield.

At the base of the Strategy of Isolation should be our unmitigated adherence to the principle of service to the people. Only if the average person is convinced of the Government's good intentions, can he be expected to keep away from the Communists, thus depriving them of the opportunity to live among the people as fish in water. Only then can the legitimate administration succeed in eradicating the Communist infrastructure in the villages and, in so doing, wreck the enemy's strategy of encirclement of the urban areas by the countryside.

In order to isolate the enemy from the people, the administration must constantly make a many-pronged effort which should not only result in better security and well-being for the masses but also must seek their approval and allegiance, thereby reducing popular grievances and depriving the insurgents of the condition *sine qua non* for fostering subversive warfare in hiding among a discontented people. At this point, I should like to recall the observations of a French writer by the name of Roger Trinquier, author of *La Guerre Modern* (Modern Warfare), where he shows himself to be a very shrewd observer of military developments in modern times. Trinquier suggests among other things that the problem of revolutionary wars can only be solved by meeting the peoples' aspirations with the help of a system of cadres imbued with the spirit of public service.

Before going further, let me once more go back to Lin Piao's principle of encirclement of the townships by the countryside, which, I think, is the basis of the Communists' global strategy as well as the one they follow in limited conflicts. Possibly the single exception, which confirms the general rule, is their *Tet* assault on the cities of South Vietnam but they might have embarked on that road with the hope of gaining control of the countryside as a bonus payment for their bold attacks on the cities.

Against such a strategy, ours also should place the emphasis on the countryside. We Vietnamese should devote all our time, energy and resources to the Revoluntary Development program so as to liberate the countryside. In this undertaking, the Malaysian experiment can supply us with many valuable lessons. Like the Kuala Lumpur government, ours should not shirk from strong measures, especially when these constitute the only answer to the difficult problem of population control, without which nothing may be undertaken to improve their standard of living and make them positively loyal to the Republic.

Militarily, however, the liberation of the countryside is inadequate as a counter insurgency measure. It is a matter of common knowledge that the Communist military strategy is one combining guerrilla and classical warfare, using local troops for small harassing actions and large units infiltrated from North Vietnam for their major operations. If those forces should be permitted to complement one another, the Vietnam conflict may last for a very long time, indeed.

For this reason, if we should simply work toward the elimination of guerrilla elements without containing the flow of infiltrators, the result would not be hard to predict. Infiltration from North Vietnam must be checked completely if the Communist threat is to be brought under control in the South. It is my view that air raids over North Vietnam cannot completely interdict the constant flow of arms and men into South Vietnam. Something else must be attempted.

Let us now look at a map of Asia and consider the geographical position of the Philippines, Malaysia, and the Republic of Korea, which at one point or another in their recent histories, have been faced with a Communist-sponsored insurrection. These countries are either archipelagoes or peninsulas connected to the Asian continent by a narrow neck of land. As Communist infiltration naturally came from the sea, the anti-infiltration task was made much easier than in Vietnam.

In the case of our country, which has a long land frontier to the West as well as an equally extensive coastline to the East, there are many natural sea and land corridors of infiltrations, through which the Communists have been able to carry the materials of war to their South Vietnamese accolytes much more easily than to their comrades in Korea, the Philippines and Malaysia.

After trying many formulas to curb North Vietnamese infiltration, the allies have found none to be adequate. It is my view that a barrier cutting through all the main corridors of infiltration should be established South of the 17th Parallel, going from Dong-ha in Quang-tri Province to the Laotian city of Savannakhet on the Lao-Thai border. Let me also tell you that this defensive system should not be a Maginot or Siegfried-type line or a curtain of barbed wire. Rather, it should be a system of operational bases manned by about three divisions of troops, whose task would be to eliminate Communist elements presently warring in Southern Laos and threatening South Vietnam and Thailand.

This project of a barrier, however, would not be welcomed by the neutralist government of Laos as it can be construed as a violation of the 1962 Geneva Agreement. Should the difficulties encountered in this undertaking be insurmountable, the allies in Vietnam would have yet another option: an invasion of the southern panhandle of North Vietnam.

Of course, as the Republic of Vietnam does not nurture any territorial ambition, such an action would not result in the occupation of North Vietnamese land. The landing of troops North of the present demarcation line between the two Vietnams should simply aim at imposing a solution on Hanoi.

If this option were to be selected, the landing could be made just North of the 18th Parallel and South of the Song-ca river, in the area of Ben-thuy from where allied troops could push through to Linh-cam and Nape or from Linh-cam to the Mu-gia Pass, where the enemy is known to concentrate his troops for the Southward March. In short, the plan would secure the occupation of the general area where the Ho Chi Minh trail begins, thus interdicting Communist infiltration at its very source. Such a plan would probably be feasible with the deployment of three infantry divisions and two armored divisions.

The suggested course of action would per force be construed as a violation of the 1954 Geneva Agreements on Vietnam but the time may come when consideration of such subtleties of international law will have to give way to the requirements of the battlefield, especially if the truth should dawn on policy-makers in allied countries that limits imposed on military commanders may forever deprive them of the victory they deserve.

However, with or without such an approach to a solution to the problem of war in Vietnam, the security of Indochina in the years to come can only be assured by a combination of military and political measures that should ultimately result in a Thai-Lao-Viet-Khmer alliance. Such an alliance will sooner or later come into being, for all these Indochinese states are presently threatened by Communist imperialism, and regardless of their political systems, will some day recognize that a united front is the only effective course to counter Hanoi's aggression.

In other words, the Thai-Lao-Viet-Khmer alliance is a strategic measure that could put an end to North Vietnam's territorial and ideological ambitions by isolating the Hanoi *régime* from their local communist henchmen. South Asian stability will then be on much safer ground and the Chinese threat much less serious.

Before concluding this talk, let me reiterate that the present Vietnam conflict is total in character, that it demands a solution which should not only be politico-military but also should not neglect such other aspects as diplomacy, culture, education and economy.

Mr. Chairman, Ladies and Gentlemen, the war in Vietnam has lasted long enough to convince us that a totally new approach should be devised to successfully counter the Communist danger. Successful we must be, for otherwise there will be more Vietnams in the years to come. The current disturbances in Thailand constitute, I think, the most eloquent proof that the Reds have not in any way abandoned their final aim of world conquest—in spite of their loud protests of adherence to the notion of co-existence.

So long as poverty prevails in the world, Communist agents can easily start subversive wars and so long as there is a big difference between have and have-not nations, Lin Piao's "encirclement of the townships by the countryside" still stands the chance of leading Communism to a global victory. For, on a global plane, "the townships" are the industrial nations of Europe and North America and "the countryside" consists of the underdeveloped countries of Asia, Africa and Latin America. World domination by Peking, thus, is a definite possibility we have to counter at any cost.

The Free World, just in order to survive,

should demonstrate unity and determination. United, we are very strong, and determined to be free, we will remain free. But we have to close ranks *now* and stop bickering among ourselves for petty causes. A united front is our sole road to salvation, for we must remember that the enemy is still pretty much alive and waiting for a propitious moment to strike what may be the *coup de grâce* for our cherished Liberty.

If we are united, it will not be very difficult to devise an effective global strategy to counter the Communist peril. It is my humble view that anti-Communist fighters should drive this point home to their governments and peoples, for realization of this verity is the prerequisite for the crystallization of an anti-Communist strategy that may contain the Reds and convince them of the necessity to leave free nations alone.

Thank you for your attention.

MESSAGE FROM HIS EXCELLENCY PARK, CHUNG HEE TO THE SECOND WORLD ANTI-COMMUNIST LEAGUE CONFERENCE, DECEMBER 16, 1968

Mr. Chairman, honorable delegates, ladies and gentlemen! I express my sincere appreciation to all of you for your dedicated efforts to maintain the peace and security of the free nations of the world during the past year. You have fought against Communist aggression and brigandage with firm determination under the spirit of the charter adopted at the inaugural meeting of the World Anti-Communist League.

During the 50 years that have passed since the Bolshevik Revolution of 1917, the inconsistency between theory and practice of communism has been clearly proved, and they still hope to subjugate the entire world by subversion or open aggression.

During the past year alone, Soviet Russia invaded Czechoslovakia with Warsaw Pact troops to crush a reviving desire for freedom so deeply cherished by the Czechs; North Vietnam continues its acts of hostility; and Communist North Korea adds to its efforts to infiltrate our free republic in the vain hope of overthrowing our freely elected government.

The threat of Communist China against all Asian countries continues to increase.

It is our task to come to the aid of all those who are so heroically fighting against Communist aggression. Now is the time for us to pledge ourselves in unity to persevere at all costs until the monstrous red shadow of communism has been replaced by the light of freedom throughout the world.

Honorable delegates! I am firmly convinced that the World Anti-Communist League has a very great part to play in the crusade for world freedom. In each of your countries it is you who will guide, instruct and lead your people. It is you who will work for international unity. I fervently pray for your success in this great task for which you have so courageously volunteered. You are, indeed, volunteers for freedom!

History of mankind has always been on the side of justice. Victory will be God's reward to those who fought for the justice. It is my earnest wish that the successful completion of this conference will bear valuable fruit of eventual victory over communism.

STAND FAST IN PARIS TALKS

(By Prof. Lev E. Dobriansky)

A recent trip to South Vietnam has convinced me that if we're to achieve victory in Vietnam, our representatives must hold and stand fast in the Paris peace talks. This conclusion is based on discussions I was privileged to enjoy with Vietnamese President Nguyen Van Thieu, Prime Minister Tran Van Houng, U.S. Ambassador Ellsworth Bunker, and scores of others grappling with the problem in Saigon. Anything less than a principled and courageous stand at Paris will mean eventual disaster for freedom in Vietnam and throughout southeast Asia.

The purpose of my visit to Vietnam in December was threefold: fact-finding, service as an observer at both the World Anti-Communist League Conference and that of the Asian Peoples' Anti-Communist League, and the opportunity of discussing fundamental issues with people at the highest levels in this war area. My purpose was more than adequately realized, and the politico-economic knowledge I acquired at first hand is precious in itself. This was obtained not only from the reams of material given me but also from conversations with delegates to the conferences, the President and his cabinet members at the Presidential Palace, the Chief of Staff of AVN, General Cao Van Vien, and others at various dinners and business meetings.

In a sense, Saigon is less secure than other parts of South Vietnam. As the capitol of this courageous and rapidly developing Republic, it is the chief target for infiltration, subversion, and terrorism on the part of the Red aggressors, which proximately embraces totalitarian Hanoi and its twin arms, the political National Liberation Front and the guerrilla Viet Cong, and ultimately includes Red China and the chief tangible supporter, Russian Moscow. Bombardments by our B52s were heard daily and in the early hours of the morning. Despite the obvious risks of attending such international conferences in Saigon at this time, the armed protection provided by the President seemed ample. Only one delegate was assassinated, and one permanently maimed as a result of a thrown grenade.

In two addresses to the WACL conference I emphasized the primacy of the threat of Soviet Russian imperio-colonialism in Asia and the necessity for a strong position against any concessions to the Red aggressors in Paris. On the basis of my own work *The Vulnerable Russians*, an autographed copy of which was presented to President Thieu, I also stressed the captive nation status of North Vietnam and the vulnerabilities of the Soviet Russians who are the main backers of Ho Chi Minh. Incidentally, the President was particularly intrigued by the jacket of *The Vulnerable Russians* because of its chess game overtones. A fundamental fact, which is too frequently ignored in American discussions on Vietnam, is that the Red-sponsored Vietnam war is an integral and inseparable part of the global conflict. One among many of the gross myths circulated in this country, both by calculating Communists and their New Left associates and by well-meaning but uninformed Americans, is that this "dirty war" is an isolated phenomenon.

Another occasion during which I stressed this and other myths circulating in the United States was the dinner hosted by General Vien. It was my privilege to deliver the response to the General's address and also to moderate the questions and answers. I dwelled heavily on the classical Russian pattern of total war as seen in Vietnam. Most Americans are unaware of the fact that the mythical "George Washington" Ho Chi Minh, whose hands reak with the blood of hundreds of thousands of patriotic Vietnamese who also fought against French colonialism, is a graduate of Moscow's political warfare school, the Far Eastern University. In this case, the classical pattern encompasses the myths of this being simply a civil war, the NLF being an indigenous contender of the democratically elected Saigon government, the spurious "George Washington" being a Vietnamese nationalist and an independent agent, the Americans being "imperialists" and "aggressors" etc. Substantially, this pattern has been repeated over and over again—in Eastern Europe, China, Korea, Cuba etc.—and the basic question is simply how many more lessons do we need to learn about the enemy, his intentions, and his designs?

In conclusion, it cannot be too strongly emphasized that the classical Russian pattern, executed in this case by Hanoi, extends to the diplomatic domain as well as to others. Diplomacy is an operational instrument of valuable import for Red political warriors as is economics, military science, propaganda and a host of other activities. As I pointed out in one of my Saigon addresses, "The Red totalitarian axis of Moscow-Peking-Hanoi is attempting to achieve at the conference table what it has been unable to attain on the battlefield." The Vietnam war can be brought to a successful conclusion if we hold in Paris and permit the military to secure South Vietnam. This means that in Paris our representatives must refuse recognition to the NLF, a paper political organization, as a separate bargaining entity and, above all, to accede to any coalition government idea. The history of Eastern Europe is replete with the driving wedge of coalitionism leading to Red takeovers. This is the objective Moscow, Peking, and Hanoi seek, and they're depending on past American experience, impatience, and losses, as well as persistent anti-Vietnam war propaganda and demonstrations in the United States, to achieve this goal. My theory in this context is that Moscow is increasingly feeling the economic burden of supporting Hanoi and with its mounting costs in the Middle East, would like to realize relief through American appeasement in Paris. Seeing things in balance and perspective is the sine qua non of this situation. The tour to Saigon afforded this to me.

RESOLUTION IN SUPPORT OF THE 10TH ANNIVERSARY OF THE CAPTIVE NATIONS WEEK, JULY 13–19, 1969

In view of the fact that since 1959—when the U.S. Congress passed the Captive Nations Week Resolution and President Dwight D. Eisenhower signed it into Public Law 86–90—All Communist Capitols have bitterly denounced the Annual Week as being inimical to their fundamental interests; and also in view of the fact that to the mounting consternation of Moscow, Peiping, Havana and others, the Captive Nations Week Movement has steadily grown in the United States, and every President in this decade has issued a proclamation in behalf of the independence and freedom of every captive nation in Central Europe, the Soviet Union, Asia and Cuba;

In the belief that the movement to support freedom and liberation of all captive nations has now taken hold in numerous other countries in the free world as evidenced by week observances in the Republic of China, Korea, Argentina, Australia and a number of other countries;

Maintaining that, for the security of the free world and for cold war victory over the deadly forces of communism and Sino-Soviet, Russian imperio-colonialism, it is indispensable for all free men regularly to make known their determination never to acquiesce to the permanent captivity of the 27 nations in the red empire;

The Second Conference of the World Anti-Communist League now resolves that:

The League and its members and associated groups will exert every effort to make the 10th Anniversary of Captive Nations Week on July 13–19, 1969, the most successful yet by:

1. Urging each head of state to issue a captive week proclamation patterned after that of the President of the United States;

2. Conducting observances of the Week in member countries and utilizing all media so that our combined message will be conveyed to the Captive Nations; and

3. Dispatching the published results of this event to the National Captive Nations Committee in Washington, D.C., for their appropriate transmission to the United States Congress and the President of the United States.

Submitted by Rama Swarup, Chief Delegation, India.

VIETNAMESE DELEGATION'S POSITION ON THE PARIS PEACE TALKS

Ladies and Gentlemen, while the world opinion is in favor of the Paris peace talks, the communists in South Vietnam abusing the name of deliberation continue terrorist acts, assassination to kill countless women and innocent children. In western countries: Americans bored with the lasting war begin to put forth inaccurate policies. A great number of political leaders as well as religious ones hypnotized by communist propaganda support peace by requesting for the U.S. bombing halt. Invisibly, they have encouraged the communists to prolong terrorism and assassination.

On November 1, 1968 right after President Johnson's order to halt bombing over Hanoi, the government and the National Assembly of the Republic of Vietnam, though they did not oppose the bombing halt, professed their position. The westerners hypnotized by the communists were astonished, thinking that the Vietnamese government was so strict. They made such criticism: Why can't you live together in peace and forget enmity while you are also Vietnamese. In Europe, the Communist parties of Italy, France, Belgium, etc. . . . still remain in the community of these nations.

These mistakes exist so long as you are unaware of the true nature of communism, especially Mao-Tse-Tung communism and Ho Chi Minh communism. The French communists and the Italian communists carry on their struggles in the observance of law and politics. The Soviet communists, communist China, and the Vietnamese communists step by step use their armed forces in terrorist acts and assassination to take over the government.

The Communists of 1917, always follow the same way:

1. Internally, they kill every non-communist element and deny whatever form of opposition. (The Soviet invasion in Czechoslovakia is a typical example).

2. Externally, they make incessant expansion. Russia entirely respects this project of expansion of the Tzarist regime. Mao-Tse-Tung on the other hand directs his view to Southeast Asia, India, South America, Africa.

Strategically the Communists always carry on the program on external organization beginning with all forms of coalition, Liberation to isolate and antagonize opposite parties among themselves. When holding the power to govern, they kill the elements which have closely cooperated with them (Coup d'Etat in Prague in 1948).

Where armed force does not prevail the Communists make temporary peace and realize the strategy of one step backward for the sake of two steps forward.

In Viet Nam, the Indochinese Communists under Ho Chi Minh's leadership have accurately executed this strategy:

After the birth of the Communist party on January 6, 1931 in Hong Kong, the communist elements were taught that if they were captured by the French secret agents, what they would say was to denounce the nationalist elements, their accomplices.

In 1942, Ho Chi Minh vowed to join Vietnam Cach Mang Dong Minh Hoi (a United National Front) assigned to set up cells in the North, Ho deceived Nguyen Hai Than, Truong Boi Cong etc. . . . in placing the resistance organization under the direction of the communist cadres. Only until the Conference at Lieu Chau was held, Ho began his professed treachery.

In 1946, under the pressure of the Chinese troops and with the threat of the French, Ho Chi Minh set up a national communist government to lull the nationalist elements. As soon as they come to terms with the French (convention de Fontainebleau), the communists use all their force to destroy all nationalist parties. The Vietnamese people still remember the events concerning On Nhu Hau, Vinh Yen, Yen Bay, the Troskyte cadres Duong Bach Mai, Ta Thu Thau, Tran Van Thach, the nationalist leaders, Hoa Hao Pope Huynh Phu So, Ho Van Nga, Nguyen Van Sam, Truong Tu Anh.

In 1954, bored with the everlasting resistance the Communists signed an agreement on the division of VN. But at that time, they disperse their underground cadres, hide their weapons to prepare for the present aggression.

In 1962, the Communists signed the Laotian Agreement so as to employ Laotian territory to send men and weapons to South VN.

The world opinion is unaware of the communist preparations since 1950. At the time, the Communist China made up a free Government of Thailand in Yung Nam. The North Vietnamese communists on the other hand prepared for the infiltration into Laos; they recruited the guerrila war experienced platoon leaders dyed their teeth black had them practice chewing bitter nut, smoking black tobacco. These cadres were sent to Sam women, disguising themselves as Laotian Nua, Xieng Khuang and married Laotian people. That is Laotian Liberation Front namely Pathet Laos whose leader Souphana Phouvong set his headquarters at Do Luong (Nghe An north of Central Vietnam).

They have forgotten that Ho Chi Minh, an efficient aide of Borodine, who had been elected Political Commissar of South East Asia for a long time.

Therefore, we must understand the invasion of South Vietnam as inevitable since South Vietnam obstructs the Communist expansion.

Therefore, this war is only the first step of communist Mao Tse Tung's scheme of expansion.

Therefore, the struggle of the Vietnamese people is also the struggle to protect this outpost of the Free World.

Today when the world opinion is misled, when the Americans are weary under the pressure of various peace movements, Thailand, the Philippines, Indonesia are still worrying about whether they should go all out against Communism or not? Accept a neutrality is only the beginning of a surrender and letting the communists annihilate us.

When has this present war restarted? After 1954, the underground communist cadres gradually consolidated their organization in the rural area. From 1958, assassinations began. In December 1960, the National Liberation Front was organized. The communists had converted the previous policies of the United Vietnam Front into those of the National Liberation Front. At that time, the U.S. had not intervened in Vietnam. The U.S. only helped settling the refugees and their help was of a completely social and economic nature. There was no "foreign invasion" and there was no need for a liberation. The communists continued increasing their infiltration of troops and arms. In December 1964, the Maddox was attacked. In January 1965, a number of U.S. installations in Vietnam at Danang were shelled. Only then that the U.S. started bombing the North as a retaliatory measure. In April 1965, the Government of Vietnam formally requested military help from the U.S. in order to efficiently protect freedom.

The U.S. Armed Forces only came to Vietnam on the request of the Republic of Vietnam. How could this act be branded as an "American invasion".

This is also a misunderstanding on the part of the U.S. political circle, especially the excessive honesty of our American friends. On an international scale the Government and also the U.S. politicians have turned themselves, into the masters of this present war. The communists have taken advantage of this short coming, and led many people within the Free World to criticize the U.S. as a powerful country in the process of annihilating a tiny North Vietnam.

In fact, everyone knows that the U.S. only wages a limited war with limited means in order to "halt all expanding invasion".

Due to these misunderstandings of the U.S. politicians, due to the one-sided reasoning of many political and religious leaders of America and Europe, the Vietnam war now has been considered as a U.S.-North Vietnam war.

From this basic error, a "solution to end the Vietnam war" has been wrongly initiated.

How can there be negotiations when war has never been declared?

How can we talk of a U.S.-North Vietnam negotiation when the U.S. is only invited to help South Vietnam?

How can there be negotiations when there is no invader on the one hand, and the willingness to recognize the National Liberation Front on the other?

How can there be negotiations when we already know that whenever thirsty communism remains, there will be no permanent peace?

How can there be negotiations when the cease fire agreement signed at Pan Mun Jom have extended from 1952 to the present?

How can negotiations bring fruitful results when Germany has been parted since 1945, when the North Korea and South Korea situation still remain a concern?

There can be no real peace when only temporary armistice is possible.

How can we deceive ourselves when the Western Bloc has not clearly recognized the situation.

When the hot war stops, the cold war will continue.

The cease fire is only a temporary appeasement between communism and the Free World.

When the Vietnam furnace momentarily stops, another furnace in Thailand or somewhere else will start.

If our aspirations for peace are excessive, if we only dream of construction, sooner or later, we will have to face another total war created by the communists that will be even more ferocious than the II World War.

Ladies and Gentlemen:

Through the above presentation, you have probably understood our position on peace for the Vietnamese people:

1—The prime condition must be that North Vietnam has to engage in a solemn and direct discussion with the Republic of Vietnam. The U.S. intervene only on the request of Vietnam, therefore, a U.S. North Vietnam negotiation is infeasible.

2—The basic condition is the return to the condition after the 1954 Agreement:

(a) Re-establish the Demilitarized Zone.

(b) Re-establish enlarged family relation.

(c) Stop the cold war, the two parts will concentrate their efforts in construction, stop all attacks, each to his own part, free choice of friends, the laws have been declared, the constitution has been adopted, each part will keep its own sovereignty.

(d) The unification will wait until time erases all hatred, until the North sincerely refrains from using force, until the people in the two parts can freely and truly use their voting privilege.

(e) Every South Vietnamese can live in this nation, and all of their civil rights if they respect the Constitution adopted on 1 April 1967.

(f) Adopting the above conditions, the armed forces of the foreign countries will gradually withdraw from South Vietnam.

The North Vietnamese troops will be sent back to the North. A joint committee composed of representatives of North Vietnam, the Republic of Vietnam and the United Nations will be set up to control the withdrawal.

The troops of the United States and the allied nations have come to this country upon the request of the Republic of Vietnam and therefore any more of these troops should be arranged between the government of the Republic of Vietnam and these friendly countries so that the withdrawal will not cause any trouble and particularly will not give a chance to North Vietnam to launch a surprise attack. The Republic of Vietnam has right to request a number of the allied forces to stay at a number of bases until the goodwill required of the North Vietnamese will be clearly proved. The armed forces of the Republic of Vietnam will be strengthened, which is however the internal affairs of this country.

The above basic points represent our stand in the following problems which have been always faced by the Vietnamese.

1. *The Coalition Problem:* As experienced in the past, we have adopted coalition with the communist for two times. We understand that the North Vietnam communist will never cease to get use of its power or accept a lawful political struggle like other communists in Europe and America.

2. *The General Election:* The concept of one man one vote will be considered only in a country where the people may be really empowered to vote. In Vietnam, this right is deprived of by communist terrorism and assassination and consequently the result of the election will be easily attained by themselves.

The concept of one man one vote will be valid only when it is covered by the present constitution of the Republic of Vietnam. The people will have civil right when the communist or its menace still exists.

3. *The Cease-Fire:* The Vietnam war has no front line, Communist Cadres have infiltrated by small groups everywhere. A ceasefire will mean the withdrawal of the North Vietnamese troops from the territory of the Republic of Vietnam and the centralization of the allied forces in one base. The armed forces of the Republic of Vietnam will continue their mission in re-establishing order and carrying out police operation within the border.

4. *The Guarantee:* Peace should be guaranteed. Who will insure the withdrawal of the North Vietnamese troops which will be removed to Cambodia or Laos and will return right after that?

The International Control Committee has proved its incapability. The United Nations is not recognized by North Vietnam. The Armed forces of the friendly nations are considered the guarantee as required. The allied forces may be requested by ourselves to leave a maximum strength of 100,000 people to control the Cambodian and Laos frontiers and along the 17th parallel. The North Vietnam may have the same control on the other side of the border with the help of the Russian or Polish troops.

5. *The Negotiation:* After the exchange of the family information will be adopted by both sides, the economic transactions will be arranged and carried out step by step provided that such relations should not be exploited for propaganda purpose by any side.

The cultural relation will be reconsidered as the communist propaganda is prohibited in the Republic of Vietnam.

Ladies and Gentlemen,

Being the soldier fighting for freedom, we understand too well the communist deceitful scheme.

After careful study, we need to make all peoples of the world to understand thoroughly the true nature of the war in Vietnam.

If you accomplish such mission, you have not only realistically support the Vietnamese people but also fought for the Peace for mankind.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MONAGAN, on February 6, for 15 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. FASCELL, on May 20, for 60 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. GROSS, for 60 minutes, today; to revise and extend his remarks and to include certain pertinent material.

Mr. FEIGHAN, for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. MCCLURE) to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 30 minutes, on February 6.

Mr. ROBISON, for 10 minutes, today.

Mr. MCCLORY, for 10 minutes, today.

Mr. HECHLER of West Virginia, for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. CUNNINGHAM (at the request of Mr. MCCLORY), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. HOWARD) to revise and extend their remarks and include extraneous matter:)

Mr. CULVER, for 10 minutes, today.

Mr. FLOOD, for 1 hour, on February 18.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. RARICK in two instances and to include extraneous matter.

Mr. CONTE.

Mr. HOLIFIELD, for Thursday, February 6; and to include extraneous matter in the body of the RECORD.

Mr. WILLIAM D. FORD (at the request of Mr. HOWARD), to follow Mr. HOWARD'S special order of today.

Mr. ADAMS (at the request of Mr. HOWARD), to follow the remarks of Mr. WILLIAM D. FORD during the special order of Mr. HOWARD of today.

Mr. GROSS to extend his remarks immediately preceding the vote on the adjournment resolution.

Mr. HALL to extend his remarks immediately preceding the vote on the adjournment resolution.

(The following Members (at the request of Mr. MCCLURE) to extend their remarks and include extraneous matter in the Extensions of Remarks of the RECORD:)

Mr. POLLOCK.

Mrs. MAY.

Mr. LANGEN.

Mr. DERWINSKI in three instances.

Mr. SCHADEBERG.

Mr. HALPERN in two instances.

Mr. QUIE in two instances.

Mr. MIZE.

Mr. ROBISON.

Mr. ASHBROOK.

Mr. STEIGER of Wisconsin in two instances.

Mr. DENNEY.

Mr. KLEPPE.

Mr. HORTON.

Mr. KUYKENDALL.

Mr. HOSMER in two instances.

Mr. ANDERSON of Illinois in two instances.

Mr. REID of New York in three instances.

Mr. ZWACH.

Mr. WATSON.

Mr. MCDONALD of Michigan.

Mr. MILLER of Ohio in two instances.

Mr. WYMAN in three instances.

Mr. BOW.

Mr. BETTS.

Mr. RHODES.

Mr. MCCLURE.

Mr. MYERS.

Mr. ADAIR.

Mr. CHAMBERLAIN.

Mr. NELSEN in three instances.

Mr. BRAY in two instances.

Mr. BROYHILL of Virginia in two instances.

Mr. RAILSBACK.

Mr. ARENDS.

Mr. SHRIVER.

Mr. FULTON of Pennsylvania in five instances.

(The following Members (at the request of Mr. HOWARD) to revise and extend their remarks and include extraneous matter:)

Mr. O'HARA in two instances.

Mr. DINGELL.

Mr. CASEY in two instances.

Mr. WILLIAM D. FORD in three instances.

Mr. EVINS of Tennessee in two instances.

Mr. FRASER.

Mr. FUQUA.

Mrs. GRIFFITHS in two instances.

Mr. HANNA in two instances.

Mr. PODELL in two instances.

Mr. STUCKEY in two instances.

Mr. GONZALEZ in seven instances.

Mr. COHELAN in four instances.

Mr. CELLER in two instances.

Mr. ROONEY of New York.

Mr. WOLFF in four instances.

Mr. DANIELS of New Jersey in two instances.

Mr. BOGGS.

Mr. PATTEN in two instances.

Mr. DULSKI in three instances.

Mr. TUNNEY.

Mr. DELANEY in two instances.

Mr. PERKINS in two instances.

Mr. PICKLE in five instances.

Mr. ULLMAN in five instances.

Mr. PEPPER.

Mr. FRIEDEL in three instances.
Mr. DE LA GARZA in two instances.
Mr. RYAN in three instances.
Mr. BRASCO.
Mr. MILLER of California in five instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 769. An act to name the bridge to be constructed across the Mississippi River linking the States of Tennessee and Missouri in honor of a former Member of the House, Robert A. "Fats" Everett; to the Committee on Public Works.

ADJOURNMENT

Mr. HOWARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Thursday, February 6, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

484. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

485. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

486. A letter from the Comptroller General of the United States, transmitting a report of requirements contracting and other aspects of small purchases in the Department of Defense; to the Committee on Government Operations.

487. A letter from the Secretary of Commerce, transmitting an annual report on the activities of the Office of State Technical Services for fiscal year 1968, pursuant to the provisions of section 14(b) of the State Technical Services Act of 1965; to the Committee on Interstate and Foreign Commerce.

488. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Federal Communications Commission as of December 31, 1968, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. H. Res. 89. Resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes; (Rept. No. 91–15). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 6167. A bill to provide that the U.S. District Court for the Western Division of the Northern District of the State of Illinois may hold court at Rockford, Ill.; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 6168. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 6169. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

By Mr. ASHLEY:

H.R. 6170. A bill to authorize the disposal of 100,000 short tons of lead from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. AYRES (for himself and Mr. QUIE):

H.R. 6171. A bill to establish a Department of Education and Manpower; to the Committee on Government Operations.

By Mr. BELL of California:

H.R. 6172. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 6173. A bill to amend the Military Selective Service Act of 1967 in order to provide for the deferment of police officers from training and service under such act; to the Committee on Armed Services.

H.R. 6174. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 6175. A bill to provide an elected Mayor, City Council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 6176. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

H.R. 6177. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

H.R. 6178. A bill to provide for an Administrative Counsel of the Congress; to the Committee on House Administration.

H.R. 6179. A bill to amend the Federal Food, Drug, and Cosmetic Act to protect children and others from accidental death or injury by authorizing safety closures to be required for drug containers; to the Committee on Interstate and Foreign Commerce.

H.R. 6180. A bill to amend the Hazardous Substances Act to provide safe packaging of toxic household substances in order to protect children; to the Committee on Interstate and Foreign Commerce.

H.R. 6181. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 6182. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

H.R. 6183. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

H.R. 6184. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 6185. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for a taxpayer or spouse who is a student at an institution of higher education; to the Committee on Ways and Means.

By Mr. BENNETT (for himself, Mr. ABBITT, Mr. ADDABBO, Mr. BEVILL, Mr. BYRNE of Pennsylvania, Mr. CABELL, Mr. CARTER, Mr. FREY, Mr. GETTYS, Mr. HALPERN, Mr. LIPSCOMB, Mr. PIRNIE, Mr. POLLOCK, Mr. STUBBLEFIELD, Mr. UTT, and Mr. WILLIAMS):

H.R. 6186. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. BETTS:

H.R. 6187. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 6188. A bill to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States; to the Committee on the Judiciary.

By Mr. BOLLING:

H.R. 6189. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

H.R. 6190. A bill authorizing the construction of certain improvements on the Blue River, vicinity of Kansas City, Mo., and Kans. in the interest of flood control, water quality control, recreation, and fish and wildlife enhancement; to the Committee on Public Works.

By Mr. BRASCO:

H.R. 6191. A bill proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

H.R. 6192. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BRAY:

H.R. 6193. A bill to protect consumers and others against misbranding, false invoicing, and false advertising of decorative wood and simulated wood products; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts:

H.R. 6194. A bill to amend the Internal Revenue Code of 1954 to provide loss carryover rules where an insurance company becomes taxable as a different type of insurance company; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 6195. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 6196. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 6197. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committeed with a firearm; to the Committee on the Judiciary.

H.R. 6198. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 6199. A bill to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself and Mr. MCCLORY):

H.R. 6200. A bill to provide for the withdrawal of second-class and third-class mailing permits of mail users who have used these permits systematically in the mailing of obscene, sadistic, lewd, or pandering mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELANEY:

H.R. 6201. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6202. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 6203. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. DENT (for himself, Mr. PERKINS, Mr. GAYDOS, Mr. DANIELS of New Jersey, Mr. HATHAWAY, Mr. BURTON of California, Mr. SCHEUER, Mr. CAREY, and Mr. THOMPSON of New Jersey):

H.R. 6204. A bill to strengthen and improve the protections for the interests of participants in and beneficiaries of employee welfare and pension benefit plans, and for other purposes; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 6205. A bill to require that any recording of any song or other verbal material set to music which is sold in interstate commerce be accompanied by a printed copy of the words thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 6206. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

H.R. 6207. A bill to impose a minimum income tax on certain individuals and corporations with substantial incomes; to the Committee on Ways and Means.

H.R. 6208. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 6209. A bill to authorize the acquisition and maintenance of the Goddard rocket launching site in accordance with the act of August 25, 1916, as amended and supplemented; to the Committee on Interior and Insular Affairs.

H.R. 6210. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act for the purpose of strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration and enforcement of that act and of State and local laws relating to food, drugs, devices, or cosmetics, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6211. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act as to improve the safety and reliability of drugs; to the Committee on Interstate and Foreign Commerce.

H.R. 6212. A bill to amend title 18 of the United States Code to make the robbery of a cooperative bank, which is a member of the Federal home loan bank, a crime; to the Committee on the Judiciary.

H.R. 6213. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

H.R. 6214. A bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market; to the Committee on Ways and Means.

H.R. 6215. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low income and lower middle income persons; to the Committee on Ways and Means.

H.R. 6216. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 6217. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 6218. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, fish and wildlife, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 6219. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 6220. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 6221. A bill to maintain and improve the income of producers of crude pine gum, to stabilize production of crude pine gum, and for other purposes; to the Committee on Agriculture.

By Mr. EDWARDS of California:

H.R. 6222. A bill to provide for meeting the manpower needs of the Armed Forces of the United States through a completely voluntary system of enlistments, and to further improve, upgrade, and strengthen such Armed Forces, and for other purposes; to the Committee on Rules.

By Mr. EVANS of Colorado:

H.R. 6223. A bill to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado; to the Committee on Interior and Insular Affairs.

By Mr. GILBERT:

H.R. 6224. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 6225. A bill to amend the Communications Act of 1934 to provide for the licensing of television networks to assure that their operations are in the public interest; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 6226. A bill to amend title 10 of the United States Code to establish an equitable survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

By Mr. HANLEY:

H.R. 6227. A bill to amend section 5 of the Water Pollution Control Act, as amended, to authorize the Secretary of the Interior to undertake a research and demonstration program for the improvement of the quality of the Nation's lake waters; to the Committee on Public Works.

By Mr. HAWKINS (for himself, Mr. REID of New York, Mr. BURTON of California, Mr. CAREY, Mrs. CHISHOLM, Mr. CORMAN, Mr. DIGGS, Mr. EDWARDS of California, Mr. KASTENMEIER, Mr. MORSE, Mr. REES, Mr. RYAN, Mr. SCHEUER, Mr. STOKES, Mr. TUNNEY, and Mr. CHARLES H. WILSON):

H.R. 6228. A bill to further promote equal employment opportunities of American workers; to the Committee on Education and Labor.

By Mr. REID of New York (for himself, Mr. HAWKINS, Mr. ANDERSON of California, Mr. BROWN of California, Mr. CLAY, Mr. COHELAN, Mr. DAWSON, Mr. HALPERN, Mr. HATHAWAY, Mr. MEEDS, Mr. NIX, Mr. O'HARA, Mr. QUIE, Mr. ROYBAL, Mr. THOMPSON of New Jersey, and Mr. VAN DEERLIN):

H.R. 6229. A bill to further promote equal employment opportunities for American workers; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 6230. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 6231. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6232. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6233. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. HICKS:

H.R. 6234. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. HORTON:

H.R. 6235. A bill to provide for the issuance of a special postage stamp honoring the 100th anniversary of professional baseball; to the Committee on Post Office and Civil Service.

H.R. 6236. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 6237. A bill to amend title XVIII of the Social Security Act so as to include, among the health insurance benefits covered under part B thereof, coverage of certain drugs; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 6238. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. JONES of North Carolina:

H.R. 6239. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 6240. A bill to amend the act entitled "An act authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minnesota," approved December 21, 1950; to the Committee on Foreign Affairs.

By Mr. LEGGETT:

H.R. 6241. A bill to amend the Federal Water Pollution Control Act to prevent pollution of water by oil, and to establish a revolving fund for the removal of oil discharged into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

H.R. 6242. 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.

H.R. 6243. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. McCLURE (for himself and Mr. HANSEN of Idaho):

H.R. 6244. A bill to enable the Secretary of Agriculture to extend financial assistance to desertland entrymen to the same extent as such assistance is available to homestead entrymen; to the Committee on Agriculture.

H.R. 6245. A bill to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of the Federal reclamation laws; to the Committee on Interior and Insular Affairs.

H.R. 6246. A bill to permit a compact or agreement between the several States relating to taxation of multistate taxpayers; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 6247. A bill to retain May 30 as Memorial Day and November 11 as Veterans Day; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 6248. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the East Side division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 6249. A bill to amend the Federal Aviation Act of 1958 to provide that certain provisions of insurance contracts covering loss of life or personal injury of passengers being transported in air transportation shall be null and void; to the Committee on Interstate and Foreign Commerce.

H.R. 6250. A bill to amend the Federal Aviation Act of 1958 to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public, and to make it a felony to carry or attempt to carry firearms or explosives on board commercial aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. MESKILL:

H.R. 6251. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 6252. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 6253. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 6254. A bill to impose a minimum income tax on certain individuals and corporations with substantial incomes; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 6255. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 6256. A bill to prohibit certain conflicts of interest on the part of officers of the Government having responsibilities with respect to the banking and monetary system; to the Committee on Banking and Currency.

By Mr. PATTEN:

H.R. 6257. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6258. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 6259. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. PODELL:

H.R. 6260. A bill to provide Federal assistance to improve the educational services in public and private nonprofit child day care centers; to the Committee on Education and Labor.

H.R. 6261. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 6262. A bill to provide funds on behalf of a grateful Nation in honor of John F. Kennedy, 35th President of the United States, to be used in support of construction of educational facilities at Kennedy College, Wahoo, Nebr., as a distinguished and permanent living memorial to his life and deeds; to the Committee on Education and Labor.

By Mr. QUILLEN:

H.R. 6263. A bill to prohibit the Administrator of Veterans' Affairs from requiring an annual income statement from certain pensioners who are 72 years of age or older; to the Committee on Veterans' Affairs.

H.R. 6264. A bill to provide for orderly trade in glycine; to the Committee on Ways and Means.

By Mr. QUILLEN (for himself and Mr. RIVERS):

H.R. 6265. A bill to provide that a headstone or marker be furnished at Government expense for the unmarked grave of any Medal of Honor recipient; to the Committee on Armed Services.

By Mr. RANDALL:

H.R. 6266. A bill to provide for orderly trade in iron ore, iron, and steel mill products; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 6267. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's or widow's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. RIEGLE:

H.R. 6268. A bill to provide for the establishment of a Commission on Afro-American History and Culture; to the Committee on Education and Labor.

By Mr. RIVERS:

H.R. 6269. A bill to provide for the striking of medals in commemoration of the 300th anniversary of the founding of the State of South Carolina; to the Committee on Banking and Currency.

By Mr. RODINO:

H.R. 6270. A bill for the elimination of health danger to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

H.R. 6271. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

H.R. 6272. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

H.R. 6273. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSTENKOWSKI:

H.R. 6274. A bill to provide funds on behalf of a grateful Nation in honor of John Fitzgerald Kennedy, 35th President of the United States, to be used in support of educational facilities at John F. Kennedy College, Wahoo, Nebr., as a distinguished and permanent living memorial to his life and deeds; to the Committee on Education and Labor.

H.R. 6275. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. ROTH:

H.R. 6276. A bill to provide for the elimination of all grade crossings along the high-speed rail line between Washington and New York City; to the Committee on Public Works.

By Mr. ROTH (for himself, Mr. FREY, Mr. MIZELL, and Mr. WEICKER):

H.R. 6277. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. RUMSFELD (for himself, Mr. CLEVELAND, Mr. SCHWENGEL, Mr. ANDERSON of Illinois, Mr. TAFT, Mr. BIESTER, Mr. BROCK, Mr. BUSH, Mr. CONABLE, Mr. COUGHLIN, Mr. DELLENBACK, Mr. ERLENBORN, Mr. GROVER, Mr. HARVEY, Mr. MCCLORY, Mr. MACGREGOR, Mr. MICHEL, Mr. MORSE, Mr. MORTON, Mr. QUIE, Mr. RAILSBACK, Mr. RUPPE, Mr. STEIGER of Wisconsin, Mr. WHALEN, and Mr. WYDLER):

H.R. 6278. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. ST GERMAIN (for himself, Mr. BROOMFIELD, Mr. JOHNSON of California, Mr. DENNEY, Mr. FULTON of Tennessee, Mr. DANIELS of New Jersey, Mr. EDWARDS of California, Mr. DONOHUE, Mr. BARRETT, Mr. HALPERN, Mr. FARBSTEIN, Mr. KARTH, Mr. BOLAND, Mr. DUNCAN, Mr. HOWARD, Mr. SISK, Mrs. HANSEN of Washington, Mr. KYROS, Mr. NEDZI, Mr. BEVILL, Mr. COWGER, Mr. HAYS, Mr. ROBERTS, Mr. ST. ONGE, and Mr. HOSMER):

H.R. 6279. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself, Mr. DENT, Mr. NIX, Mr. GOODLING, Mr. DADDARIO, Mr. MILLER of California, Mr. DORN, Mr. BUTTON, Mr. PRICE of Illinois, Mr. BROWN of California, Mr. POLLOCK, Mr. BIAGGI, Mr. ESCH, Mr. STEED, Mr. HORTON, Mr. GILBERT, Mr. CAREY, Mr. REUSS, Mr. PEPPER, Mr. OTTINGER, Mr. BINGHAM, and Mr. GETTYS):

H.R. 6280. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself, Mr. ROGERS of Colorado, Mrs. MINK, Mr. MATSUNAGA, Mr. GONZALEZ, Mr. MOLLOHAN, Mr. FRIEDEL, Mr. HATHAWAY, Mr. RANDALL, Mr. FISHER, Mr. CHARLES H. WILSON, Mr. JOELSON, Mr. BURKE of Florida, Mr. GALLAGHER, Mr. RIEGLE, Mr. EILBERG, Mr. PUCINSKI, Mr. CONYERS, Mr. MIKVA, Mr. TIERNAN, Mr. ANDERSON of Tennessee, Mr. DULSKI, Mr. DIGGS, Mr. HICKS, and Mr. WALDIE):

H.R. 6281. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 6282. A bill to amend title 23, United States Code, to authorize additional mileage to permit needed adjustments in the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 6283. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption for each dependent of the taxpayer who is permanently handicapped; to the Committee on Ways and Means.

H.R. 6284. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

H.R. 6285. A bill to amend the Internal Revenue Code of 1954 to allow an individual an income tax deduction for the expenses of transportation to and from work; to the Committee on Ways and Means.

H.R. 6286. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 6287. A bill to abolish the National Capital Planning Commission and to transfer its functions to the Commissioner of the District of Columbia; to the Committee on the District of Columbia.

H.R. 6288. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 6289. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 6290. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to any individual who may not make a joint return but maintains his own household as his home; to the Committee on Ways and Means.

H.R. 6291. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts received for additional living expenses arising out of a casualty loss to the residence of the taxpayer and paid pursuant to a policy insuring such residence; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 6292. A bill to name the Veterans' Administration hospital at 2615 Clinton Avenue, Fresno, Calif., the B. W. Gearhart Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. STEIGER of Arizona:

H.R. 6293. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TALCOTT:

H.R. 6294. A bill to auhorize the Secretary of the Army to undertake a study of landslides and flood control in Monterey and San Luis Obispo Counties, Calif.; to the Committee on Public Works.

By Mr. TUNNEY:

H.R. 6295. A bill to amend title 37 of the United States Code in order to provide for the payment of an allowance to members of the uniformed services in missing status; to the Committee on Armed Services.

H.R. 6296. A bill to create a commission to make a comprehensive study and investigation of the discharge of oil and other pollutants from vessels, onshore and offshore facilities, and other sources into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

H.R. 6297. A bill to provide for the establishment of a national cemetery in Riverside County in the State of California; to the Committee on Veterans' Affairs.

H.R. 6298. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds in the Riverside-San Bernardino area of the State of California; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 6299. A bill to authorize the Administrator of the Federal Aviation Administration to release restrictions on the use of certain real property conveyed to the city of Redmond, Oreg., for airport purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. UTT:

H.R. 6300. A bill to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trusts and retirement annuity contracts; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 6301. A bill creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WAMPLER:

H.R. 6302. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 6303. A bill to amend the Internal Revenue Code of 1954 to increase the amount of credit allowable for investment in property used to protect the health of miners; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 6304. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. FLOOD (for himself, Mr. SCHNEEBELI, Mr. ROONEY of Pennsylvania, Mr. EILBERG, Mr. NIX, Mr. FULTON of Pennsylvania, Mr. GAYDOS, Mr. JOHNSON of Pennsylvania, Mr. MOORHEAD, Mr. BIESTER, Mr. GREEN of Pennsylvania, Mr. DENT, Mr. BARRETT, Mr. VIGORITO, Mr. CLARK, Mr. WATKINS, Mr. BYRNE of Pennsylvania,, Mr. MCDADE, and Mr. COUGHLIN):

H.J. Res. 380. Joint resolution consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on the behalf of the United States, and for related purposes; to the Committee on the Judiciary.

By Mr. CELLER (for himself, Mr. BIAGGI, Mr. BINGHAM, Mr. CAREY, Mr. CONABLE, Mr. DELANEY, Mr. DULSKI, Mr. FARBSTEIN, Mr. HALPERN, Mr. HANLEY, Mr. KOCH, Mr. MCEWEN, Mr. MCKNEALLY, Mr. MURPHY of New York, Mr. PIKE, Mr. PIRNIE, Mr. PODELL, Mr. REID of New York, Mr. ROBISON, Mr. ROSENTHAL, Mr. SCHEUER, and Mr. WOLFF):

H.J. Res. 381. Joint resolution consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes; to the Committee on the Judiciary.

By Mr. MORTON (for himself, Mr. FALLON, Mr. GARMATZ, Mr. FRIEDEL, Mr. LONG of Maryland, Mr. GUDE, Mr. BEALL of Maryland, and Mr. HOGAN):

H.J. Res. 382. Joint resolution consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.J. Res. 383. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. BELL of California:

H.J. Res. 384. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

H.J. Res. 385. Joint resolution authorizing the President to proclaim annually the week including August 15 as "National Allegiance Week"; to the Committee on the Judiciary.

H.J. Res. 386. Joint resolution authorizing the President to proclaim annually the week including September 15 and 16 as "National Hispanic Heritage Week"; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 387. Joint resolution to declare the policy of the United States with respect to the recommended identification of its historical economic system involving responsible individual enterprise of free men; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.J. Res. 388. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CONTE:

H.J. Res. 389. 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. DONOHUE:

H.J. Res. 390. Joint resolution authorizing the President to proclaim annually the week including February 14 (the birthday of Frederick Douglass) as "Afro-American History Week"; to the Committee on the Judiciary.

H.J. Res. 391. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

H.J. Res. 392. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.J. Res. 393. 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. FLOOD:

H.J. Res. 394. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD:

H.J. Res. 395. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. GILBERT:

H.J. Res. 396. Joint Resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.J. Res. 397. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.J. Res. 398. 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. LENNON:

H.J. Res. 399. Joint Resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. McCULLOCH:

H.J. Res. 400. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 401. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 402. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. MILLS:

H.J. Res. 403. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 404. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.J. Res. 405. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.J. Res. 406. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROTH:

H.J. Res. 407. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.J. Res. 408. Joint resolution to create a Joint Committee on Crime, the Courts, and Law Enforcement; to the Committee on Rules.

By Mr. SKUBITZ:

H.J. Res. 409. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. TAYLOR:

H.J. Res. 410. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.J. Res. 411. 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. TEAGUE of California (by request):

H.J. Res. 412. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. ZWACH:

H.J. Res. 413. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. BELL of California:

H. Con. Res. 125. Concurrent resolution to express the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. FEIGHAN:

H. Con. Res. 126. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian civil war; to the Committee on Foreign Affairs.

By Mr. LUKENS (for himself, Mr. ANDERSON of Illinois, Mr. BIAGGI, Mr. BOLAND, Mr. BROCK, Mr. CLEVELAND, Mr. DON H. CLAUSEN, Mr. DEL CLAWSON, Mr. CUNNINGHAM, Mr. DAWSON, Mr. DELLENBACK, Mr. DICKINSON, Mr. EDWARDS of California, Mr. FISHER, Mr. HUNT, Mr. JOHNSON of Pennsylvania, Mr. McDONALD of Michigan, Mr. MOSS, Mr. NELSEN, Mr. PODELL, Mr. SCHADEBERG, Mr. TALCOTT, Mr. ZION, Mr. ZWACH, and Mr. FULTON of Pennsylvania):

H. Con. Res. 127. Concurrent resolution, Biafra: The need for an immediate ceasefire; to the Committee on Foreign Affairs.

By Mr. LUKENS (for himself and Mr. FRIEDEL):

H. Con. Res. 128. Concurrent resolution, Biafra: The need for an immediate ceasefire; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Con. Res. 129. Concurrent resolution urging the President of the United States to take appropriate action to protect U.S. exports of certain agricultural commodities; to the Committee on Ways and Means.

By Mr. RIEGLE:

H. Con. Res. 130. Concurrent resolution to express the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. WHITTEN:

H. Con. Res. 131. Concurrent resolution expressing the opposition of the Congress to the proposed consumption taxes of the European Economic Community on oilseed products; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI:

H. Con. Res. 132. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian civil war; to the Committee on Foreign Affairs.

By Mr. BROTZMAN:

H. Res. 210. A resolution, disapproval of rates of pay recommendations; to the Committee on Post Office and Civil Service.

By Mr. CULVER:

H. Res. 211. A resolution to amend rules X, XII, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 212. A resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DAWSON:

H. Res. 213. A resolution to authorize the Committee on Government Operations to conduct studies and investigations with respect to matters within its jurisdiction, and for other purposes; to the Committee on Rules.

H. Res. 214. A resolution providing for the expenses of conducting studies and investigations authorized by rule XI (8) incurred by the Committee on Government Operations; to the Committee on House Administration.

By Mr. DICKINSON:

H. Res. 215. A resolution disapproving the recommendations of the President with re-

spect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H. Res. 216. A resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. EVINS of Tennessee:

H. Res. 217. A resolution to provide funds for the study and investigation authorized by House Resolution 66; to the Committee on House Administration.

By Mr. FASCELL and Mr. CHAPPELL:

H. Res. 218. A resolution relative to the hijacking of U.S. aircraft; to the Committee on Foreign Affairs.

By Mr. HANNA:

H. Res. 219. A resolution to designate the year of 1969 as "International DeMolay Year"; to the Committee on the Judiciary.

By Mr. MONAGAN:

H. Res. 220. A resolution to establish the Select Committee on Coordinated Crime Control; to the Committee on Rules.

By Mr. TALCOTT:

H. Res. 221. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. WINN:

H. Res. 222. A resolution disapproving the recommendations of the President with respect to the rates of pay of Members of Congress transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 6305. A bill for the relief of Miss Josephine Martinez; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 6306. A bill for the relief of Manohar U. Hasrajani; to the Committee on the Judiciary.

H.R. 6307. A bill for the relief of Angelo Ventrella, Vincenza Ventrella, Oronzo Ventrella, and Mary Ventrella; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 6308. A bill to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Rachetto; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI:

H.R. 6309. A bill for the relief of Giovanni Avitabile; to the Committee on the Judiciary.

H.R. 6310. A bill for the relief of Rosaria Cuciuffo; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 6311. A bill for the relief of Michael Rutt; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 6312. A bill for the relief of Florencia H. Fernandez; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 6313. A bill for the relief of Antonina Amadeo; to the Committee on the Judiciary.

H.R. 6314. A bill for the relief of Bernardo Amato; to the Committee on the Judiciary.

H.R. 6315. A bill for the relief of Guiseppi Ancona, Maria Ancona, and their daughter, Maria Ancona; to the Committee on the Judiciary.

H.R. 6316. A bill for the relief of Concetta D'Amico; to the Committee on the Judiciary.

H.R. 6317. A bill for the relief of Filippo Di Maria and Calogero Di Maria; to the Committee on the Judiciary.

H.R. 6318. A bill for the relief of Giuseppe DiMartino; to the Committee on the Judiciary.

H.R. 6319. A bill for the relief of Luciano Dimino, Antonina Scarpulla Dimino, and Maria Giuseppina Dimino; to the Committee on the Judiciary.

H.R. 6320. A bill for the relief of Giovanni Li Vorsi; to the Committee on the Judiciary.

H.R. 6321. A bill for the relief of Luigi Lo Mascolo; to the Committee on the Judiciary.

H.R. 6322. A bill for the relief of Faro Mazzola; to the Committee on the Judiciary.

H.R. 6323. A bill for the relief of Marco Pezzino and Rosaria Pezzino; to the Committee on the Judicary.

H.R. 6324. A bill for the relief of Giuseppe Purpura; to the Committee on the Judiciary.

H.R. 6325. A bill for the relief of Francesco Rosa; to the Committee on the Judiciary.

H.R. 6326. A bill for the relief of Lionel Rovira; to the Committee on the Judiciary.

H.R. 6327. A bill for the relief of Antonino Speciale; to the Committee on the Judiciary.

H.R. 6328. A bill for the relief of Giuseppe, Calogera, and Giovanna Turco; to the Committee on the Judiciary.

H.R. 6329. A bill for the relief of Stefano Vaccaro; to the Committee on the Judiciary.

H.R. 6330. A bill for the relief of Andrea and Sabina Ventilato and Maria Teresa Ventilato; to the Committee on the Judiciary.

H.R. 6331. A bill for the relief of Francesco Vitale; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 6332. A bill for the relief of Franco and Ida Angelucci; to the Committee on the Judiciary.

H.R. 6333. A bill for the relief of Antonio Balsamo and Maria Balsamo; to the Committee on the Judiciary.

H.R. 6334. A bill for the relief of Antonio Alberto Gomes Barbosa; to the Committee on the Judiciary.

H.R. 6335. A bill for the relief of Alessandro Berardinelli and family; to the Committee on the Judiciary.

H.R. 6336. A bill for the relief of Rosina Cavaliero; to the Committee on the Judiciary.

H.R. 6337. A bill for the relief of Biagio Ciccarello; to the Committee on the Judiciary.

H.R. 6338. A bill for the relief of Giorgio Colarusso; to the Committee on the Judiciary.

H.R. 6339. A bill for the relief of Silverio Conte, his wife, Lucia Conte, their son, Aniello Conte, and their daughter, Silvanna Conte; to the Committee on the Judiciary.

H.R. 6340. A bill for the relief of Gaetano D'Antona; to the Committee on the Judiciary.

H.R. 6341. A bill for the relief of Jose Santos Fontes; to the Committee on the Judiciary.

H.R. 6342. A bill for the relief of Ekaterini Giannasmidou; to the Committee on the Judiciary.

H.R. 6343. A bill for the relief of Constantinos and Anna Kritikos; to the Committee on the Judiciary.

H.R. 6344. A bill for the relief of Caterina Leto; to the Committee on the Judiciary.

H.R. 6345. A bill for the relief of Matteo Marascia; to the Committee on the Judiciary.

H.R. 6346. A bill for the relief of Giuseppe Matorano; to the Committee on the Judiciary.

H.R. 6347. A bill for the relief of Konstantinos Orfanakos; to the Committee on the Judiciary.

H.R. 6348. A bill for the relief of Calogero Palermo and Adelina Turco Palermo; to the Committee on the Judiciary.

H.R. 6349. A bill for the relief of Guido Paribello; to the Committee on the Judiciary.

H.R. 6350. A bill for the relief of Ioannis Perris, also known as John Perris; to the Committee on the Judiciary.

H.R. 6351. A bill for the relief of Camola Pulicono; to the Committee on the Judiciary.

H.R. 6352. A bill for the relief of Mario Rossi; to the Committee on the Judiciary.

H.R. 6353. A bill for the relief of Ettore Salerno; to the Committee on the Judiciary.

H.R. 6354. A bill for the relief of Franseco Spadaro; to the Committee on the Judiciary.

H.R. 6355. A bill for the relief of Giuseppe Tarara; to the Committee on the Judiciary.

H.R. 6356. A bill for the relief of Vasil and Anthoula Thanasis; to the Committee on the Judiciary.

H.R. 6357. A bill for the relief of Arnaldo M. Xavier; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 6358. A bill for the relief of Palmira Guasergna Panettiere; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 6359 A bill for the relief of Dr. Edgardo S. Alday; to the Committee on the Judiciary.

H.R. 6360. A bill for the relief of Rosa Binetti; to the Committee on the Judiciary.

H.R. 6361. A bill for the relief of Arnaldo Cefalo and his wife, Cristina Cefalo; to the Committee on the Judiciary.

H.R. 6362. A bill for the relief of Angelo Ferrante and his wife, Maria Ferrante, and their son, Daniel Ferrante; to the Committee on the Judiciary.

H.R. 6363. A bill for the relief of Pietro Ferrantelli; to the Committee on the Judiciary.

H.R. 6364. A bill for the relief of Mrs. Solita Nahon Herman; to the Committee on the Judiciary.

H.R. 6365. A bill for the relief of Catalina Chien Hsia; to the Committee on the Judiciary.

H.R. 6366. A bill for the relief of Mrs. Aranka Mlinko; to the Committee on the Judiciary.

H.R. 6367. A bill for the relief of Piadosa Rodio; to the Committee on the Judiciary.

H.R. 6368. A bill for the relief of Mercedita O. Rodriguez; to the Committee on the Judiciary.

H.R. 6369. A bill for the relief of Ninfa Gemma Sinagra; to the Committee on the Judiciary.

H.R. 6370. A bill for the relief of Antonino Urso; to the Committee on the Judiciary.

H.R. 6371. A bill for the relief of Hoan Roah Yuan; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 6372. A bill for the relief of Kudret Gonlualcak; to the Committee on the Judiciary.

H.R. 6373. A bill for the relief of Giuseppe Musa; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.R. 6374. A bill for the relief of Arcangelo Borrelli; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6375. A bill for the relief of Amalia P. Montero; to the Committee on the Judiciary.

H.R. 6376. A bill for the relief of Tove Belstrup Nielsen; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 6377. A bill for the relief of Lt. Col. Earl Spofford Brown, U.S. Army Reserve (retired); to the Committee on the Judiciary.

H.R. 6378. A bill for the relief of Noel S. Marston; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 6379. A bill for the relief of Mr. and Mrs. Anselm C. Griffith and children; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 6380. A bill for the relief of Suey Fong Lee; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 6381. A bill for the relief of John Anthony Bacsalmassy; to the Committee on the Judiciary.

H.R. 6382. A bill for the relief of Julita Capote; to the Committee on the Judiciary.

H.R. 6383. A bill for the relief of Antonio Ciancio; to the Committee on the Judiciary.

H.R. 6384. A bill for the relief of Luciano Di Salvo; to the Committee on the Judiciary.

H.R. 6385. A bill for the relief of Frank J. Kreysa; to the Committee on the Judiciary.

H.R. 6386. A bill for the relief of the estate of Albert W. Small; to the Committee on the Judiciary.

H.R. 6387. A bill for the relief of Stamatina Zoe; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 6388. A bill for the relief of Donald W. Wotring; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 6389. A bill for the relief of Visitacion Enriquez Maypa; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 6390. A bill for the relief of Pio de Flaviis; to the Committee on the Judiciary..

H.R. 6391. A bill for the relief of Carmen Mercado; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 6392. A bill for the relief of Raffaele Antoci; to the Committee on the Judiciary.

H.R. 6393. A bill for the relief of Domenico Graziadio; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 6394. A bill for the relief of Maria Manuala de Jesus Gambino; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 6395. A bill for the relief of Maria Leilany Fernandes Leite; to the Committee on the Judiciary.

H.R. 6396. A bill for the relief of Francesco P. Massafra; to the Committee on the Judiciary.

H.R. 6397. A bill for the relief of Mostafa Mirhashemi; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 6398. A bill for the relief of Ventura Latorre, Alba M. Latorre, Ricardo Latorre, Roberto Latorre, and Hernando Latorre; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 6399. A bill for the relief of Efigenia Agbayani Quitasol; to the Committee on the Judiciary.

By Mr. MANN:

H.R. 6400. A bill for the relief of Reddick B. Still, Jr., and Richard Carpenter; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 6401. A bill for the relief of Miss Margaret Gale; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 6402. A bill for the relief of Sanborn Lumber Co., Inc.; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 6403. A bill for the relief of Anna Ruzzo; to the Committee on the Judiciary.

H.R. 6404. A bill for the relief of Myron Stachawiez; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 6405. A bill for the relief of Jon R. Olson; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 6406. A bill for the relief of Michele Barbera; to the Committee on the Judiciary.

H.R. 6407. A bill for the relief of Mohamed Khaled Mokayesh; to the Committee on the Judiciary.

H.R. 6408. A bill for the relief of Sushil Kumar Verma; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 6409. A bill for the relief of Gaetano Battiniello; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6410. A bill for the relief of Expedito Soriano Angco; to the Committee on the Judiciary.

H.R. 6411. A bill for the relief of Marcelo P. Antolin; to the Committee on the Judiciary.

H.R. 6412. A bill for the relief of Sicinio V. Apigo, Sr.; to the Committee on the Judiciary.

H.R. 6413. A bill for the relief of Ricardo B. Bellosillo; to the Committee on the Judiciary.

H.R. 6414. A bill for the relief of May Avila Bermudez; to the Committee on the Judiciary.

H.R. 6415. A bill for the relief of Honesto P. Bombon; to the Committee on the Judiciary.

H.R. 6416. A bill for the relief of Julio F. Buenaventura; to the Committee on the Judiciary.

H.R. 6417. A bill for the relief of Apolinar Cabiao; to the Committee on the Judiciary.

H.R. 6418. A bill for the relief of Jose P. Campos; to the Committee on the Judiciary.

H.R. 6419. A bill for the relief of Estrella B. Cleto; to the Committee on the Judiciary.

H.R. 6420. A bill for the relief of Patria M. Cordero; to the Committee on the Judiciary.

H.R. 6421. A bill for the relief of Lorenza J. de Leon; to the Committee on the Judiciary.

H.R. 6422. A bill for the relief of Eleuteria P. de Mesa; to the Committee on the Judiciary.

H.R. 6423. A bill for the relief of Jaime Pico de Vera; to the Committee on the Judiciary.

H.R. 6424. A bill for the relief of Editha F. Dumo; to the Committee on the Judiciary.

H.R. 6425. A bill for the relief of Dominador G. Ferreria; to the Committee on the Judiciary.

H.R. 6426. A bill for the relief of Rosendo J. Franada; to the Committee on the Judiciary.

H.R. 6427. A bill for the relief of Mathilda M. Guanso; to the Committee on the Judiciary.

H.R. 6428. A bill for the relief of Miss Belen T. Guerrero; to the Committee on the Judiciary.

H.R. 6429. A bill for the relief of Miss Bok Soon Lee; to the Committee on the Judiciary.

H.R. 6430. A bill for the relief of Isidro L. Marcojos; to the Committee of the Judiciary.

H.R. 6431. A bill for the relief of Alfredo S. A. Marfori; to the Committee on the Judiciary.

H.R. 6432. A bill for the relief of Zacarias Quitoriano Montero; to the Committee on the Judiciary.

H.R. 6433. A bill for the relief of Zenda B. Paguyo; to the Committee on the Judiciary.

H.R. 6434. A bill for the relief of Bernardita C. Perena; to the Committee on the Judiciary.

H.R. 6435. A bill for the relief of Felisa C. Perena; to the Committee on the Judiciary.

H.R. 6436. A bill for the relief of Elenita Sandil Policarpio; to the Committee on the Judiciary.

H.R. 6437. A bill for the relief of Rene Angel C. Primitivo; to the Committee on the Judiciary.

H.R. 6438. A bill for the relief of Crisostomo P. Punzal; to the Committee on the Judiciary.

H.R. 6439. A bill for the relief of Leoncio and Agipita Poblete Punzal; to the Committee on the Judiciary.

H.R. 6440. A bill for the relief of Isabelita C. Reniedo; to the Committee on the Judiciary.

H.R. 6441. A bill for the relief of Angelina R. Reyes; to the Committee on the Judiciary.

H.R. 6442. A bill for the relief of Concordia Alcaraz Sandel; to the Committee on the Judiciary.

H.R. 6443. A bill for the relief of Rosalina C. Sibayan; to the Committee on the Judiciary.

H.R. 6444. A bill for the relief of Rosenda H. Taong; to the Committee on the Judiciary.

H.R. 6445. A bill for the relief of Maremma H. Unite; to the Committee on the Judiciary.

H.R. 6446. A bill for the relief of Bienvenido F. Velasco; to the Committee on the Judiciary.

H.R. 6447. A bill for the relief of Elena F. Viloria; to the Committee on the Judiciary.

H.R. 6448. A bill for the relief of Mrs. Beatriz S. Vinluan and Bruno S. Vinluan, Jr., her minor son; to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 6449. A bill for the relief of Cho Young Suk; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 6450. A bill for the relief of Rivka Avital and her infant daughter, Samdar Avital; to the Committee on the Judiciary.

By Mr. REES:

H.R. 6451. A bill for the relief of Rebecca Yaker Appelbaum; to the Committee on the Judiciary.

H.R. 6452. A bill for the relief of Vicente C. Capacite; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 6453. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders; to the Committee on Armed Services.

By Mr. ROSTENKOWSKI:

H.R. 6454. A bill for the relief of Giuseppe Tornatore; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 6455. A bill for the relief of Maria Celeste de Almeida Albuquerque; to the Committee on the Judiciary.

H.R. 6456. A bill for the relief of Antonio Martins Da Silva; to the Committee on the Judiciary.

H.R. 6457. A bill for the relief of Alzira Fernandes Marques; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 6458. A bill for the relief of Dr. Jacques Charbonniez; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 6459. A bill for the relief of Mrs. Jasmine T. Dillon; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 6460. A bill for the relief of Rafael F. Calaguas; to the Committee on the Judiciary.

H.R. 6461. A bill for the relief of Orlando D'Amato; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.R. 6462. A bill for the relief of Elio Domestici; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 6463. A bill for the relief of Josephine P. Hynes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII.

49. By the SPEAKER: Petition of Henning B. Dieter, Chattanooga, Tenn., relative to confiscation of property; to the Committee on the Judiciary.