

the Senate and appeared in the CONGRESSIONAL RECORD on December 8, 1969.

#### DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Thomas D. McKiernan, to be a consular officer of the United States of America, and ending Mitchell Styma, to be consular officer of the United

States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 10, 1969.

#### U.S. ATTORNEY

James L. Browning, Jr., of California, to be U.S. attorney for the northern district of California for the term of 4 years.

#### U.S. MARSHALS

Lee R. Owen, of Arkansas, to be U.S. marshal for the western district of Arkansas for the term of 4 years.

Lynn A. Davis, of Arkansas, to be U.S. marshal for the eastern district of Arkansas for the term of 4 years.

## HOUSE OF REPRESENTATIVES—Saturday, December 20, 1969

The House met at 12 o'clock noon.

Rev. Jack P. Lowndes, Memorial Baptist Church, Arlington, Va., offered the following prayer:

*For unto you is born this day a Saviour, which is Christ the Lord.—Luke 2: 11.*

As the Christmas season approaches, our hearts soften in the glow of the love and light that shines so brightly still from the manger of Bethlehem. Cause this blessed influence not only to soften our hearts but to cleanse them of sin and selfishness and to strengthen them for the tasks and duties of this all-important hour. Help Christ and His way of life and peace be in the center of our hearts and not crowded into a corner. Bowing now in the presence of our living Lord, give us reverence for Thee and the life entrusted to us. Help us to dedicate ourselves to honesty in speech and thought. Nourish in us the desire to seek and find the truth about our world, about ourselves, and above all about Thee. May there be no lowering of our highest Christmas standards as we celebrate the birth of Jesus, but rather an exalting of them during this holiday season.

Enable us to respond at this Christmas season with love for the loveless, hope for the hopeless, and the joy the world can neither give nor take away.

Now we pray especially for the Members of this 91st Congress as they approach the end of this session. After months of labor and struggle with most important matters, many are weary—give them rest. Some are anxious and troubled—give grace sufficient for every need. Some are tempted—give strength to resist and overcome.

Thou hast been our dwelling place in all generations and our sure defense today. Whether here or elsewhere, abide in us all and give us Thy peace. In the name of Christ 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 without amendment a joint resolution and a concurrent resolution of the House of the following titles:

H.J. Res. 764. Joint resolution to authorize appropriations for expenses of the President's Council on Youth Opportunity.

H. Con. Res. 473. Concurrent resolution authorizing the Clerk of the House to make a

correction in the enrollment of the bill (H.R. 14751).

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

H.R. 14733. An act to amend the Public Health Service Act to extend the program of assistance for health services for domestic migrant agricultural workers and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14580) entitled "An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic development within a framework of democratic economic, social, and political institutions, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14751) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14794) entitled "An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes."

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

S. 1933. An act to provide for Federal railroad safety, hazardous materials control and for other purposes.

The message also announced that the Senate agrees to the amendments of the House with an amendment of a joint resolution, of the Senate, of the following title:

S.J. Res. 154. Joint resolution to authorize and request the President to proclaim the month of January of each year as National Blood Donor Month.

The message also announced that the Secretary be directed to return to the House of Representatives its message informing the Senate that the House had agreed to the amendments of the Senate to the bill (H.R. 9634) entitled "An act

to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources," in compliance with a request of the House for the return thereof.

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

#### [Roll No. 344]

Abbitt	Edwards, Calif.	May
Adams	Esch	Miller, Calif.
Alexander	Evins, Tenn.	Montgomery
Andrews, Ala.	Fallon	Morse
Ashbrook	Findley	Moss
Ashley	Fish	O'Neal, Ga.
Baring	Fisher	Ottinger
Bell, Calif.	Fulton, Tenn.	Pepper
Berry	Gallagher	Poage
Bevill	Goldwater	Powell
Blanton	Gray	Purcell
Bolling	Green, Oreg.	Quillen
Brasco	Griffiths	Rees
Brock	Hall	Relief
Cahill	Halpern	Rostenkowski
Carey	Harrington	St Germain
Celler	Hastings	Sandman
Chisholm	Hays	Scheuer
Clancy	Hébert	Sisk
Clark	Jarman	Snyder
Clay	Jonas	Stelger, Ariz.
Collier	Kirwan	Stephens
Collins	Kleppe	Stokes
Conyers	Kluczynski	Sullivan
Corman	Landgrebe	Tunney
Cowger	Latta	Watkins
Cunningham	Lipcomb	Widnall
Dawson	Long, La.	Williams
Dent	Lowenstein	Wilson, Bob
Derwinski	Lukens	Wright
Diggs	McClory	Wyder
Eckhardt	Martin	Zion

The SPEAKER. On this rollcall 337 Members have answered to their names, a quorum.

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

#### PERSONAL EXPLANATION

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

Mr. NICHOLS. Mr. Speaker, on Monday, December 15, when the House unanimously passed H.R. 15095, I was unavoidably absent from the Chamber attending a meeting between a delegation from my district and an official of one of our Federal agencies. Had I been present, I would have joined my colleagues in voting for this bill. I would like

the RECORD to show how I would have voted on this legislation.

#### PERSONAL ANNOUNCEMENT

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

Mr. FULTON of Pennsylvania. Mr. Speaker, on Wednesday, December 3, 1969, the leadership on both sides of the House indicated there would be no legislative business before the House on Thursday, December 4, 1969. This was due to the withdrawal of legislation from the Education and Labor Committee.

Consequently, I scheduled conferences at my Pittsburgh office for Thursday, December 4, 1969, and arranged for consultations with citizens and groups about their problems—legislation, appointments, and so forth.

This arrangement saved these people from having to come to Washington, D.C., to see me, and gave them the opportunity for a personal interview. I like to take care of the needs, and follow the recommendations of my constituents where I can.

Several Members who did not return to serve their districts, but remained in Washington, called two quorums. Therefore, I missed two quorums, rollcalls No. 302 and No. 303 because of my official duties at my Pittsburgh office. These quorums were unexpected even by the leadership.

#### POOR LIGHTING IN THE OLD SUPREME COURT CHAMBER

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

Mr. MINSHALL. Mr. Speaker, it has been my privilege to serve on the House Appropriations Committee for 11 years and have participated in numerous House-Senate conferences in the Old Supreme Court Chamber. The lighting in this antiquated chamber leaves much to be desired and was highlighted several days ago that because of the lack of illumination a Member of the other body complained that he could not read the dollar figures in a bill under consideration. Accordingly, I am calling to the attention of my colleagues a letter that I have just delivered to the Speaker's office:

WASHINGTON, D.C.,  
December 20, 1969.

HON. JOHN W. MCCORMACK,  
Speaker of the House of Representatives,  
The Capitol.

DEAR MR. SPEAKER: As we approach the closing days of this first session of the 91st Congress, it has been my privilege to serve on two Appropriations Committee conferences, held in the Old Supreme Court Chamber. The fate of many billions of dollars is being decided in those historic surroundings, but I would hazard the guess that we are doing our work by considerably less candlepower than illuminated it during the 19th century. It is essential that we be able to read the small print—especially the smaller dollar figures—and, with the present

inadequate lighting system this poses an eye-straining problem.

Accordingly, I respectfully request that you have the Architect of the Capitol make arrangements for an adequate lighting system for the benefit of the many conferences which are held in this chamber. I recognize and respect the desire to preserve the room for its historic significance, but I am certain temporary fixtures could easily be installed for conference purposes and would cost a mere pittance and perhaps save the taxpayers billions.

At this point, I feel something like the man in Lincoln's anecdote who prayed, "Oh, Lord, give us a little more light and a little less noise."

With warmest personal regards,

Sincerely yours,

WILLIAM E. MINSHALL,  
Member of Congress.

#### RINGING OF TWO BELLS ON VOTES AND THREE BELLS ON STRAIGHT QUORUM CALLS

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

Mr. HUTCHINSON. Mr. Speaker, I have a suggestion to make. Since Members are no longer required to "qualify" to vote on record rollcalls, there appears to be no further need to differentiate between "two-bell" and "three-bell" votes.

I therefore suggest, Mr. Speaker, that the signal system be changed and that two bells be used for every vote and three bells signal only straight quorum calls.

#### TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, in 1967 the United States produced 17,098,000 short tons of meat, more than any other country. This amounted to 21.6 percent of the world's total production.

#### CONFERENCE REPORT ON H.R. 15149, FOREIGN ASSISTANCE APPROPRIATIONS, 1970

Mr. PASSMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 15149) making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Illinois will state his parliamentary inquiry.

Mr. YATES. At what point is it in order to make a point of order against the conference report?

The SPEAKER. The Chair will state in response to the parliamentary inquiry of the gentleman from Illinois that such a point of order would be in order after the reading of the report or the gentleman can reserve a point of order now

before the reading of the statement accompanying the report.

Mr. YATES. Mr. Speaker, I reserve a point of order on the conference report.

The SPEAKER. The gentleman from Illinois reserves a point of order on the conference report.

Is there objection to the request of the gentleman from Louisiana?

Mr. FRASER. Mr. Speaker, reserving the right to object with reference to the unanimous-consent request that the statement of the managers on the part of the House be read in lieu of the report, I would like to ask the chairman of the Subcommittee on Appropriations, the gentleman from Louisiana (Mr. PASSMAN), if in the event the point of order against the conference report is not sustained, I would like to have some assurance from the gentleman that we would have an opportunity to talk about some of the problems contained in the report—problems which many of us find with this conference report. We had but very little opportunity to discuss these matters at the time the original bill was considered. I assume the subcommittee chairman will indulge us in that respect?

Mr. PASSMAN. Mr. Speaker, if the gentleman will yield, under the rules on the conference report the gentleman managing the bill is given 1 hour, and members of the subcommittee usually have priority on that time.

I shall, in explaining the bill, try to answer brief questions with brief answers. I hope after I have explained the conference report that there will be no need for the gentleman to ask any questions. In other words, I am not going to cross any bridges until I get to them.

Mr. FRASER. Mr. Speaker, I object to the unanimous-consent request.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report. (For conference report and statement, see proceedings of the House of December 19, 1969.)

Mr. YATES. Mr. Speaker, I make a point of order against that portion of the conference report which provides funds for the purchase of planes for the Republic of China on the ground that it is an appropriation that is not authorized by law.

I read from the conference report on the authorization bill which appears in the CONGRESSIONAL RECORD of December 18 on page 39841 relating to the military assistance, section 504 of the act.

The House bill authorized a total of \$454,500,000 for military assistance of which \$350,000,000 was for worldwide allocation; \$50,000,000 for Korea; \$54,500,000 for the Republic of China.

The Senate amendment authorized a total of \$325,000,000 without any allocation to specified countries.

The managers on the part of the House agreed to the authorization of \$350,000,000 without specifying any country allocation. They found it impossible to obtain agreement to a larger total for military assistance and believe that any specific additional allocation for Korea or for the Republic of China would result in a drastic curtailment of the worldwide

authorization which would be detrimental to our national security.

So in the basic law, in the authorization law there is no allocation specifically of funds for any country and I suggest that the appropriation of funds in a specific amount for military assistance to a particular country is without authorization of law.

The SPEAKER. Does the gentleman from Louisiana (Mr. PASSMAN) desire to be heard on the point of order?

Mr. PASSMAN. I do, Mr. Speaker.

Mr. Speaker, first of all there is nothing in the military assistance paragraph directing the purchasing of any type of equipment. There is language appropriating a specific amount of funds for China, but there is no language anywhere in the bill stating the type of military equipment that will be provided to any nation.

Furthermore, the military assistance appropriation language is within the jurisdiction of the conference committee because the language was in the bill as it passed the House.

As a matter of fact, everything in title I is not yet authorized.

Mr. YATES. Mr. Speaker, may I be heard further?

The SPEAKER. The Chair will hear the gentleman further.

Mr. YATES. Mr. Speaker, the statement of the gentleman from Louisiana that there is no specific allocation of funds in the bill to a particular country apparently is at odds with the statement in the conference report.

It is stated on page 7 of the conference report with respect to amendments Nos. 23, 24, 25, and 26, under the heading "Military Assistance":

Insert appropriate section numbers; appropriate \$404,500,000 instead of \$454,500,000 as proposed by the House and \$350,000,000 as proposed by the Senate;—

Then there is this language, Mr. Speaker:

and restore language deleted by the Senate earmarking \$54,500,000 for the Republic of China.

Mr. Speaker, if that is not a specific allocation, I do not know what it is.

Mr. PASSMAN. Mr. Speaker, may I be heard further?

The SPEAKER. The Chair will hear the gentleman.

Mr. PASSMAN. Mr. Speaker, I am going to repeat what I said previously, and that is there is no language in this bill designating the type of rifles, planes, tanks, or any other type of equipment that will be furnished to any nation.

We did, of course, earmark funds for China and Korea but all appropriation bills earmark funds for specific purposes in one form or another, and it is within the prerogative of the committee to indicate, if we really wanted to, where the funds are to go and to what nation for every appropriation paragraph in the bill.

I want to have it understood that there is nothing in the bill anywhere that indicates the type of equipment that will be purchased or delivered to any nation. That decision, of course, is made by the Department of Defense. In addition, we

went to conference with the language in the bill that had been approved by the House and we were operating within the rules and procedures of the House when we did so. I do not believe that a point of order is valid.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. YATES. Is it in order for me to ask the chairman of the committee, who just made the argument, for a clarification of his statement and representation that there is no specific allocation of funds in this bill for any country? Does that mean that the President does not have to provide these funds, but can consider this fund entirely a general fund and allocate moneys as he wishes to without any reference to the Republic of China?

The SPEAKER. The Chair will state that that is a matter for discussion between the gentleman from Illinois and the gentleman from Louisiana, and is not a proper parliamentary inquiry.

Mr. YATES. Mr. Speaker, the reason I ask that question is that the gentleman has represented to the House that this is a general fund and that there is no specific allocation of funds. If that is true, then I have no point of order. But if, in fact, as I read this point of order, namely, that there is proposed to be an allocation of funds for the Republic of China, then I shall persist in my point of order.

The SPEAKER. The Chair feels that that is a matter about which the gentleman may make an inquiry of the gentleman from Louisiana, and it is a matter of the gentleman from Louisiana to respond if he so desires.

The Chair will hear the gentleman from Illinois further on his point of order.

Mr. YATES. First, I therefore ask the gentleman from Louisiana, in view of his statement that this is an allocation of general funds without a specific allocation to any nation, does that mean, therefore, that there is no specific allocation of funds to the Republic of China?

Mr. PASSMAN. I shall respond again as I have previously. The gentleman understands the legislation. He understands it as well as I do. The entire foreign aid program is handled on an illustrative basis, and when the Congress authorizes funds, it does not spell out in the authorizing legislation for what purpose the money is to be spent. You may be trying to make legislative history, but I would assume that we are going to move on the basis of the language of the bill and not on what the gentleman from Illinois would like to have me say. The President of the United States can impound all of the funds. The President of the United States could allocate all funds, as far as I know, to one nation. He could allocate all the funds for tanks. He could allocate all the funds for planes.

This program is on an illustrative basis. The gentleman understands I would not let him put words in my mouth in order to make his case for some sub-

sequent motion. I rest my case on the language in the bill. I respectfully ask the gentleman to read the bill, and that is my understanding as what we are going to legislate.

Mr. YATES. Mr. Speaker, I should like to make a further inquiry of the gentleman. The conference report uses this language—"and restore language deleted by the Senate earmarking \$54,500,000 for the Republic of China."

Mr. PASSMAN. That is correct.

Mr. YATES. Do I correctly understand that the gentleman is now telling the House that that is purely illustrative and is not a specific allocation of funds for the Republic of China?

Mr. PASSMAN. You have been talking about planes. You have not been talking about a specific sum of money. Certainly there is a specific appropriation for military assistance, and then the language also states that not less than \$54,500,000 shall be available for the Republic of China.

Mr. YATES. So that that is not illustrative but is a specific allocation.

Mr. PASSMAN. As the amount of money is concerned; not so far as the type of equipment is concerned.

Mr. YATES. Mr. Speaker, I renew my point of order.

Mr. ZABLOCKI. Mr. Speaker, may I be heard on the point of order?

The SPEAKER. The Chair recognizes the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Speaker, I rise in support of the point of order and to express my strong opposition to the conference report on foreign aid appropriations.

This report contains a line item for foreign military assistance of \$404.5 million. That amount is \$54.5 million more than the amount which the House authorized yesterday by approving the conference report on the foreign aid authorization bill.

For that reason, I believe that this conference report is completely and flagrantly out of order. Let me cite to this body rule XXI, part 2, of the Rules of the House of Representatives. It states:

No appropriation shall be reported in any general appropriations bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

Let me also cite the interpretation which has been given to this rule, an interpretation which may be found in paragraph 835 of the rules:

In the administration of the rule it is the practice that those upholding the item of appropriation should have the burden of showing the law authorizing it.

I would be pleased to know where the House conferees find anything in the law which would authorize an additional \$54.5 million in military assistance.

Mr. Speaker, it is abundantly clear that this conference report stands in violation of the rules of this body.

Let me call to the attention of my colleagues the debate in the other body on Thursday in which the Members of that body only belatedly discovered that the Comptroller General will approve the expenditure of funds from the Treasury which have been appropriated but not

authorized by the Congress without previous authorization.

Many of us in this body of the Congress have been aware of that situation for some time.

It is, nonetheless, a violation of both the spirit and the letter of the Rules of the House for the Appropriations Committee to appropriate funds which have not been authorized—just as it is a violation for authorizing committees to attempt to appropriate funds.

If the Appropriations Committee can appropriate funds in complete disregard of what has been authorized—as it does in the conference report now before us—then why have authorizing committees?

Those of us who serve on authorizing committees might just as well stay home. The hours and days we spend in committee hearings and markup sessions are simply an exercise, when our actions can be honored, ignored, or abrogated at the whim of an Appropriations subcommittee.

Mr. Speaker, the issue before the House today goes beyond the \$54.5 million which exceeds the authorization for military assistance. It goes beyond the issue of whether the United States should be providing a down payment on jet planes for the Republic of China.

Mr. Speaker, I therefore urge that this conference report be defeated in order that the appropriation conference conform to the authority approved yesterday by the House.

Mr. PASSMAN. Mr. Speaker, may I be heard further on the point of order?

Mr. Speaker, it is my understanding that the lateness of the so-called authorization bill, which does not exist in fact, as yet, and the very fact that the majority leader of the other body said there would be no authorization bill, and the chairman of the Foreign Relations Committee said there would be no authorization bill, made it necessary for us to move this bill through the Appropriations Committee, the Rules Committee, and the Rules Committee gave us a rule waiving points of order. We have moved the bill, as I understand it, according to the rules of the House, and this appropriation bill became an authorization bill also, in the absence of any authorization act. Even at this late hour we still do not have an authorization bill because the conference report on the authorization bill was only adopted yesterday by both Houses and has not yet reached the President for his signature.

Mr. GERALD R. FORD. Mr. Speaker, if we follow the argument made by the distinguished gentleman from Wisconsin (Mr. ZABLOCKI) that the particular part to which he objects was subject to a point of order on that basis that it was not authorized by law, then we would have to take the position that no part of this appropriation in the foreign aid program should be on the floor at all today. The whole bill would be subject to a point of order. We cannot pick and choose. We then have to make the argument the whole bill is subject to a point of order, if we are going to argue that a certain part of it is subject to a point of order.

Mr. Speaker, we do as a matter of prac-

tice appropriate money from time to time that is not specifically authorized as a matter of law. Furthermore, in this particular case when the foreign aid appropriation bill came to the floor of the House, a specific rule was granted waiving points or order.

It would be my argument that the benefit of that rule would still be applicable in the consideration of the conference report.

Mr. ZABLOCKI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair will hear the gentleman further.

Mr. ZABLOCKI. Mr. Speaker, does the rule waiving points of order under which the House appropriation bill was considered by the Committee of the Whole House on the State of the Union continue through conference report consideration? Would not the rule apply only for consideration of the appropriation bill waiving points of order during the time it was considered by the Committee of the Whole? Certainly the rule should not carry over to the conference report? If it does the Members of the House abrogate their legislative prerogatives. If this is the case, the gentleman from Wisconsin for one shall never vote for a rule waiving points of order in the future.

It has been cited that the appropriation bill came to this House under a rule waiving points of order and therefore this conference report would be in order. The gentleman from Louisiana claims this appropriation conference report carries its own authorization under the rule waiving points of order granted in earlier consideration.

My parliamentary inquiry, Mr. Speaker, is: Does the rule under which the appropriation bill came to the House carry over and continue into the conference report?

The SPEAKER. The Chair will state that will have a bearing on the point of order that is raised at the present time.

Mr. FRASER. Mr. Speaker, may I be heard in support of the point of order?

The SPEAKER. The Chair will hear the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, let me make clear again what I believe both the gentleman from Illinois and the gentleman from Wisconsin have made clear.

There was a bill which was agreed upon by both the House and the Senate, which set a limit of \$350 million for military assistance. This appropriation measure seeks to appropriate \$404.5 million, earmarking \$54.5 million for the Republic of China. This appropriation measure seeks to appropriate \$54.5 million more than the \$350 million agreed upon by both the House and the Senate, after the bill had been agreed upon in conference.

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

Mr. FRASER. I am glad to yield.

Mr. PASSMAN. Would the gentleman please refer to the public law he is talking about and give us the number of it so that we will know what the gentleman refers to? If he is referring to the conference authorization bill that passed the Senate and the House yesterday, he is making reference to a bill that the Presi-

dent may not even sign. As of today, it has not been signed into law.

If the gentleman is citing some other law, we would like to know its number also. I do not believe the gentleman wants to argue that we should ignore the fact that we have a precedent for moving appropriation bills under a rule. We have moved this bill from the very beginning—to the floor of the House under a rule adopted by this House.

Mr. FRASER. Mr. Speaker, I did not say that the bill had been signed by the President. I said both the House and the Senate acted upon and agreed upon a figure of \$350 million. Now the appropriation conferees bring back a figure of \$404.5 million, with the excess to be given to the Republic of China. I regard this as an affront to our whole procedure.

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

Mr. FRASER. I yield.

Mr. PASSMAN. We are bringing this conference bill back with an appropriation \$50 million below what the House previously recommended; not over, under.

Mr. FRASER. If I may say, in response to the gentleman—

Mr. ARENDS. Mr. Speaker, I demand the regular order.

Mr. YATES. This is the regular order.

Mr. FRASER. In support of this point of order, Mr. Speaker, it is true there is now only one earmarking left which is the excess over \$350 million, apparently due to the conference committee dropping the allocation for Korea in favor of the allocation for the Republic of China. That does not undercut the point of order. It emphasizes why the point of order should be sustained.

#### PARLIAMENTARY INQUIRY

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. YATES. In stating a point of order is it not in order for the person stating it to make a point of order to a part of a bill rather than to the entire bill? Is it not perfectly proper to make a limited point of order, rather than to the entire bill?

The SPEAKER. The Chair can only rule upon the point of order which is made, and the Chair is prepared to rule.

The gentleman from Illinois has raised a point of order against the conference report on the bill H.R. 15149.

The Chair is aware of the fact pointed out by the gentleman from Illinois—that the authorization bill for fiscal 1970, while passed by both Houses, has not yet become law. As pointed out in the debate on this point of order, the conference report now before the House does carry an amount for military assistance that is \$54,500,000 above the figure which would be authorized by H.R. 14580, the Foreign Assistance Act of 1969.

However, the Chair recalls that when this appropriation bill passed the House, it was considered under a rule waiving points of order. The House agreed to a total figure for military assistance of \$454,500,000. The Senate reduced this figure to \$350 million. The conferees have reached an agreement between these

two amounts, as they had the authority to do.

The Chair holds that the conferees have not exceeded their authority and overrules the point of order.

The gentleman from Louisiana is recognized for 1 hour.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Louisiana yield for a parliamentary inquiry?

Mr. PASSMAN. Mr. Speaker, I yield for a parliamentary inquiry.

Mr. GROSS. Mr. Speaker, I desire to make a point of order against consideration of the bill.

Mr. PASSMAN. Mr. Speaker, I yielded to the gentleman for a parliamentary inquiry, not for a motion.

Mr. GROSS. Mr. Speaker, I make a point of order against consideration of the conference report in toto.

The SPEAKER. The gentleman will state his point of order.

Mr. GROSS. Mr. Speaker, I make a point of order against consideration of the conference report on the basis that none of the appropriations contained in the bill H.R. 15149 have been authorized by law.

Mr. PASSMAN. May I be heard on that, Mr. Speaker?

The SPEAKER. Of course, the Chair will hear the gentleman.

Mr. PASSMAN. It is my understanding that the Chair just ruled on that specific point a moment ago. I ask for a ruling, Mr. Speaker.

The SPEAKER. The Chair will state that it overrules the point of order made by the gentleman from Iowa (Mr. GROSS), on the ground that the special rule waived points of order against the provisions of the House bill.

The gentleman from Louisiana is recognized for 1 hour.

Mr. PASSMAN. Mr. Speaker, I yield to the gentleman from Texas, the chairman of the Committee on Appropriations, whatever time he may consume.

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

THE APPROPRIATIONS BUSINESS FOR FISCAL 1970

Mr. MAHON. Mr. Speaker, with the approaching conclusion of the session I think it appropriate that we take a quick look at the approximate results of our actions on the money bills of the year in relation to the revised budget requests from the new administration.

With respect to the current fiscal year 1970, in the appropriation bills—and at this time I refer only to the appropriation bills—and I include the conference reports on three bills not yet cleared by Congress; namely, Labor-HEW, foreign assistance, and the final supplemental.

First. Congress has cut the revised requests by about \$5,604,000,000.

Second. This, we roughly calculate, will translate into an expenditure cut of approximately \$2,900,000,000.

Third. In Defense appropriation requests, we cut—in the two defense bills—\$5,994,000,000.

Fourth. This, we roughly calculate, will

translate into an expenditure cut of approximately \$3,200,000,000.

Fifth. In respect to nondefense appropriations, and this includes the Labor-HEW, foreign assistance, and final supplemental conference reports, Congress has made a net increase of \$390,000,000.

This consists of foreign assistance, a reduction of \$1,120,000,000; Labor-HEW, a net increase of \$1,139,000,000; and on the 10 other bills, a net increase of \$371,000,000.

Sixth. The big chunks of nondefense appropriation increases over the revised budget are these: Education—elementary, secondary, impacted aid, higher education, vocational education—an increase of \$1,093,000,000; clean water, an increase of \$586,000,000; Federal Aviation Administration—equipment and airport aid—an increase of \$140,000,000; and the agricultural conservation program and special milk program, \$279,000,000.

Mr. Speaker, the figures I have given are for fiscal year 1970. There were a handful of items for fiscal 1971 advance funding, notably an item of \$1,226,000,000 for elementary and secondary education, which we disallowed in the Labor-HEW conference report. That item can come in the early education appropriation bill next session.

The advance funding totals for fiscal 1971 are as follows:

Budget requests	\$1,651,000,000
Approved (mass transit)	214,000,000
Reduction	-1,437,000,000

Mr. Speaker, in legislative bills, there are certain prospective actions and inactions importantly bearing on the budget. I have confined my remarks to the appropriation bills only.

Next week, we will undertake to supply more detail.

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

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

Mr. EDMONDSON. I thank the gentleman for yielding and I want to commend the chairman of the Appropriations Committee and to express my deep personal appreciation to the gentleman for bringing these figures to the attention of the House and I hope to the attention of the gentlemen of the press who occupy the gallery immediately behind the gentleman in the well.

It occurs to me that there have been big headlines when the President of the United States has accused this Congress of inflationary pressures by its appropriations while there have been very few headlines and all too little responsible and careful reporting when the facts have been made known on this subject.

The chairman of the Committee on Appropriations has brought very clearly to the attention of this House and to the attention of the Nation what the record actually is at this point. The record is that this Congress has cut very, very substantially the budget submitted by President Nixon last April. The figures that have been presented indicate that the cut is in excess of \$4 billion on the bills that have been completed and on which we have completed action. Also, when we complete action along the lines that the

conference committees have recommended action, if I have correctly understood the chairman, those cuts will be in excess of \$5,700 million; is that correct?

Mr. MAHON. If you include all the appropriation bills for fiscal 1970, dealing with fiscal 1970 amounts, the cut is \$5.6 billion in appropriations, which we roughly estimate to translate into expenditure reductions of approximately \$2.9 billion. That, as I indicated, includes the three conference reports on which action is not yet finalized.

Mr. EDMONDSON. Mr. Speaker, if the gentleman will yield further, either on the basis of expenditure budgets or on the basis of actual appropriations that have been discussed by the chairman—the cut is very substantially below the budget and there is no validity to the administration charge that the Congress is exerting inflationary pressures in the appropriations procedure. On the contrary, and on the record, the Nixon budget recommendations have clearly been more inflationary in the overall than the appropriations finalized by this Congress.

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

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

Mr. BOW. The gentleman from Texas has made a very important statement here.

I would like to ask my distinguished chairman, since he has referred to the Labor-HEW conference having been completed, I should like to inquire of the gentleman when he expects to call up the Labor-HEW conference report.

Mr. MAHON. I would like to see us call up the Labor-HEW conference report and pass it in the House and send it to the other body, if an arrangement can be worked out whereby this can be done. There has been some talk to the effect that the Labor-HEW bill will not be sent to the President before adjournment because the President has indicated that it will be vetoed, and that it is desirable that the veto message come to Congress after we return in January, at which time Congress can take whatever action it desires in the matter.

Mr. BOW. Mr. Speaker, if the gentleman will yield further, would the gentleman agree with me that the Labor-HEW appropriation bill is an important one, and since we have completed the conference on it, it should be sent to the President and that, perhaps, we should not adjourn until we have completed action on all of the appropriation bills?

Mr. MAHON. From the standpoint of the House, if we pass the three remaining conference reports, we will have completed our appropriation work. The matter of a decision on a veto message, if it is to come, could be postponed until January. I understand this is more or less implicit in the letter which the President addressed to the leaders of Congress a couple of days ago.

Mr. BOW. Mr. Speaker, do I understand from what the gentleman has said, that the Labor-HEW conference report referred to will be called up in the House before we adjourn?

Mr. MAHON. I do not know at this

moment. I do not know what may develop. That is a decision not to be made by the gentleman from Texas, but this is a question which is to be determined. I would hope so.

Mr. ARENDS. Mr. Speaker, if the gentleman will yield, as I read the remarks made yesterday in the other body I think the argument made by the gentleman from Oklahoma falls apart in that we have better than a \$3 billion increase in appropriations over what we appropriated last year.

Mr. MAHON. The gentleman is talking in terms of comparing this year with last year?

Mr. ARENDS. That is right.

Mr. MAHON. I do not have that figure before me but as of this date, in appropriations, I think we are definitely below last fiscal year. I will provide a full statement for the RECORD next week.

Mr. ARENDS. It is somewhere over \$3 billion, regardless of the \$5 billion we took out of defense.

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

Mr. MAHON. I yield to the gentleman from New Jersey.

Mr. PATTEN. Mr. Speaker, what job does the President have now in the light of the bill that we passed at the beginning of the year, along with the matter of cutting 6 percent? Have we given the President a formidable task in the way we have done this, or is he all right—can he cut that 6 percent we voted earlier?

Mr. MAHON. Of course, it is up to the President to determine what funds he will expend and what funds he will not expend.

Mr. Speaker, I do not desire to consume further time.

Under leave granted, I include two tabulations of figures on the appropriation bills—again including three conference reports not yet finalized:

*Appropriation bills for fiscal year 1970—Changes from the revised budget (As to fiscal year 1970 amounts)*<sup>1</sup>

NONDEFENSE	
Treasury-Post Office.....	—\$38,482,000
Agriculture (principally Agricultural Conservation Program and special milk programs).....	+251,341,000
Independent Offices—	
HUD.....	—226,099,000
Interior.....	—10,481,000
State-Justice-Commerce—	
Judiciary.....	—121,272,000
Legislative.....	—27,826,000
Public Works-AEC (principally clean water program).....	+552,029,000
Transportation (principally FAA facilities, equipment and aids to airports).....	+89,265,000
District of Columbia.....	—60,332,000
Supplemental (conference report).....	—36,316,000
Subtotal, these 10 bills.....	+371,827,000
Labor-HEW (conference report), principally educational items.....	+1,139,027,000
Subtotal, these 11 bills.....	+1,510,854,000

DEFENSE BILLS	
Military construction.....	—356,844,000
Defense.....	—5,637,632,000
FOREIGN AID	
Foreign assistance (conference report), including \$275,000,000 cut in military credit sales.....	—1,120,654,000
Totals for 1970 in the 14 bills for 1970.....	—5,604,276,000

<sup>1</sup> Change from the budget (New budget authority).

CAPSULE SUMMARY ON APPROPRIATION BILLS OF THE SESSION

(In millions new budget authority)

	Revised budget estimates	Approved	Change
1. The House:			
Fiscal year 1969.....	\$5,400	\$4,819	—\$581
Fiscal year 1970 <sup>1</sup> .....	132,607	126,213	—6,394
Fiscal year 1971.....	425	395	—30
Total.....	138,432	131,427	—7,005
2. The Senate:			
Fiscal year 1969.....	5,850	5,496	—354
Fiscal year 1970.....	135,200	130,318	—4,882
Fiscal year 1971.....	1,651	1,318	—333
Total.....	142,701	137,132	—5,569
3. Enacted: <sup>2</sup>			
Fiscal year 1969.....	5,850	5,388	—462
Fiscal year 1970.....	135,200	129,596	—5,604
Fiscal year 1971.....	1,651	214	—1,437
Total.....	142,701	135,198	—7,503

<sup>1</sup> Translates into approximately \$3,000,000,000 expenditures reduction.

<sup>2</sup> Those figures include amounts in the conference reports on foreign assistance, Labor-HEW, and the final supplemental bills, on which congressional action has not been finalized.

Mr. PASSMAN. Mr. Speaker, may I inquire how much time I have left?

The SPEAKER. The gentleman from Louisiana has consumed 10 minutes.

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

Mr. Speaker, this is one of the few times in my lifetime that I find myself somewhat frightened because I feel that I have not been able to impart to my colleagues the facts of life.

Mr. Speaker, a member of the clergy called me last night about 10:30, and he said, "Mr. PASSMAN, place the security of your country above everything else." He said, "I recall when the Congress refused to fortify Guam, and if we had, we would not have had Pearl Harbor."

Then he said, "I recall when those who were opposing our military posture almost refused to extend the draft, and finally by one vote the draft was extended. Just a few months later we had Pearl Harbor."

Then I call to your attention the development of the A-bomb and the H-bomb, and numerous other incidents. I say that for the benefit of those people who know very little about the need for military assistance to those countries who are willing to go all out to assist us in our efforts to prevent a third world war, which could well be the last one.

So it is a question as to which side you are on. My mother taught me that there are three sides to every question: Your side, my side, and the right side.

Mr. Speaker, it has been a great priv-

ilege for me to chair this committee for the past 15 years, and to make many recommendations contrary to my own personal views so as to try to present a bill that would be acceptable to all.

I was in hope that we had found the right side; that this would be one bill that every Member of this House who loves his country—as I do, and I know you all do—would support as it deals with the security of America.

In all probability I am as conservative a Member of the House as anyone here—maybe more so. I have been handling this bill for 15 years and I have always strived for a low figure, and generally at the expense of irritating many people.

I say when my country is at war, I will support it. I yield, without exception, to the judgment of the executive branch and the military to protect the security of America. For the past 5 years, without exception, I have voted for every penny that the President and our military leaders felt we needed. I am going to pursue this policy until we have achieved peace around the world.

Mr. Speaker, let us discuss this bill. There are going to be some surprises. I want to discuss it fairly and based upon the facts as they apply to this bill compared to last year's bill.

The bill before you, if you include all titles, is \$378,474,000 less than we appropriated last year.

It is \$1,112,501,000 less than the fiscal year 1970 budget estimates.

It is \$49,110,000 less than the House appropriation bill and, of course, \$159,875,000 less than the Senate appropriation bill.

If you look at economic aid only, which is in title I of the bill, this year the budget estimate is \$2,285,020,000.

The House bill recommended \$2,194,180,000.

The Senate bill recommended \$1,676,905,000.

The conference bill recommends \$1,462,530,000.

The conference bill is \$267,650,000 above the House bill and \$214,375,000,000 below what the Senate appropriated, and we are \$822,490,000 below the budget estimate for economic aid.

I might add that this bill is \$181,220,000 below the authorization bill that this House voted for yesterday.

Mr. Speaker, I want to take time now to thank my distinguished and very able friend, Dr. MORGAN, the chairman of the great Committee on Foreign Affairs. He called me to his table last evening after we had left the conference and congratulated me upon this bill and upon the fair manner in which I handled it. He said that he would be on the floor of the House today and speak for the bill. I am very grateful that this distinguished gentleman recognizes the importance of this bill and extended me his congratulations and his pledge of support.

Mr. Speaker, I think it is necessary to go into some of the items in the bill because we have Members on this floor who, looking at the authorizing legislation yesterday, think I am a miracle man and could walk into the conference room

where you have 22 people—Members of the House and Senate—and order those people to keep their mouths shut, listen to me, and do everything I urged. Certainly, I would have been willing to bring the bill back with less money in it, because I am not a foreign aid enthusiast.

But, nevertheless, we do have a compromise bill and this is the very best compromise that we could work out. If you will look at the bill itself, you will see that there is very, very little, even in title I, above what we appropriated last year.

Let us go into some of the individual items in the report.

First, supporting assistance. As you know, the House appropriated \$365 million in 1969. This year we are recommending \$395 million, simply because the President, and those people administering the program, feel that they need more supporting assistance funds for our aid program in South Vietnam.

However, the one thing that makes this bill higher is that we have a lot of "strangers in the deck." Some of you people know what "the deck" means and know what I am talking about. We have several new items in the bill. For example, there is the item for the Overseas Private Investment Corporation. The Senate bill recommended \$75 million. We compromised and allowed \$37,500,000. So we have to take that into account—a brandnew program.

Then we have the prototype desalting plant—a brandnew program. The Foreign Affairs Committee authorized \$40 million. Your committee recommended \$20 million. The Senate bill deleted the \$20 million and in this conference bill we came back with the same figure approved by the House—\$20 million.

If we move to the Alliance for Progress and development loans; for Alliance loans we recommend the identical amount we recommended last year; and the same thing is true for Development Loans. On AID administrative expense the same amount as last year is provided.

If we move into the military assistance program, the recommended appropriation is \$29,500,000 above last year. But we have some people who will tell you that the most important ally we have anywhere in the Pacific is China. If you read the record, you will know they are our greatest ally, and are extending us more privileges, and they will go further to support the United States than any other ally that we could find in that part of the world.

We have many Members on this floor who know very well that the Republic of China is extremely important to us at this time for the reason that we have now agreed to permit Okinawa to revert back to Japan. We do not know what is going to happen after that reversion. But we think we know what will happen. We will not be permitted to operate as freely in those islands in the future as we have in the past, and on account of the concessions made to us by the Republic of China, past presidents have recognized the importance of Nationalist China, and therefore they have been given a total of \$2.5 billion in military assistance over the years, and at this time I will repeat

what I have said previously. The actual amount needed is in the neighborhood of \$400 million, and I mean now, not 3 years from now.

I am of the opinion that next year you will see the Secretary of Defense and the present administration request an amount in the neighborhood of \$600 million for military assistance.

With respect to the language earmarking funds for China, let me give you the sequences: First, as you well know, language was put in the authorizing bill by an amendment adopted by the House earmarking \$54,500,000 for China. The authorizing bill had \$50 million earmarked for Korea. Then on the appropriations bill, in our subcommittee a motion was made to strike out the funds earmarked for the Republic of China. That motion was defeated 8 to 4. Then a motion was made to strike out the funds earmarked for Korea. That was adopted by a vote of 8 to 4. I was one of the four who voted to leave it in.

The bill then went to the full Committee on Appropriations. An amendment was proposed to strike out the money for China. That amendment was defeated in the full Committee on Appropriations by a vote just about 2 to 1. Then the bill came before the House, and a motion was made in the House to strike out the money provided for China. Then a substitute motion was offered to put back the money in the bill and to do the same for Korea. On that vote the House said, 250 to 142, "This money for China and Korea stays in."

Then we moved on to the conference. In the conference the vote on the House side was 9 to 3 to keep this money in for China.

My friends, when we passed this proposal through four important stations—the authorization bill, the subcommittee bill, the full committee bill, and the conference bill—and the Members spoke at every station affirmatively that we have to have this money in the bill for China, and I am surprised, disillusioned, and disappointed to think that there is even one Member on this floor who would attempt to take it out, even after all the affirmative votes I have just mentioned.

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

Mr. PASSMAN. I will yield to the gentleman from Iowa for a question.

Mr. GROSS. Mr. Speaker, did the conference committee take out \$275 million for foreign military credit sales?

Mr. PASSMAN. The answer to that question is, "Yes," and I am glad the gentleman asked that question. This further complicates the bill. The Republic of China is one of our fine cash customers, extremely dedicated to the policies of the United States. This year the Republic of China has made arrangements to buy \$50 million worth of military equipment out of their own strained resources.

The \$275 million is to be used to guarantee credits for nations unable to buy military equipment for cash. China is eligible for a \$50 million loan with which to buy equipment, and they plan to do so. But striking out that title of the bill—the \$275 million—now means there

will be no way we could handle the potential sale. That is another reason why we should not consider taking out this money for China.

May I say this about the military sales program. I have no right to criticize the great Committee on Foreign Affairs but I do not know why they have not brought out an authorization bill for \$275 million, or for whatever amount they felt was necessary. I do not know why their counterpart in the Senate did not act.

Do Members realize that these military credit sales have an average term of 7 years?

Whoever borrows the money pays the prevailing interest rate. If the prevailing rate is 7 percent, they pay 7 percent. Of course, under the arrangement, the producer makes a profit. I do not believe the U.S. Government should be selling military equipment for a profit, but inasmuch as it is part of our overall foreign policy, I believe in the program because if we do not sell military equipment to them, some other country will. The manufacturers pay income taxes to the Federal Government and to the State governments. In addition to that, if a commercial bank makes the loan, it makes a profit.

Of course, I am disappointed that I cannot please all the Members of this House. I wish they would take the time and go into the library and read the history of the vote on the fortification of Guam, then read about the debate on the draft bill which was extended by one vote just before Pearl Harbor.

At this particular time, our leaders say they can prove beyond any reasonable doubt whatsoever that we need to furnish military equipment to some of our allies, and I cannot understand why there would be any opposition whatsoever to that proposition.

Why should I not be disappointed? I have spent hundreds of hours trying to bring in a bill that would please as many Members as possible, including the hawks, the doves, the hummingbirds, and anybody else who wants to soar on birds' wings.

I have done the very best I can. I do not understand how some of my very good friends seem to believe I am a miracle man—that I can go into a conference and tell the Senators, "Listen to me. I know everything."

I cannot deal with these people on that basis. We have to compromise. Every piece of legislation is a matter of compromise.

I repeat, if I may. If you take the "strangers out of the deck"—that is, these new programs, the many schools for Israel, which the sponsors say are badly needed—it is a different picture.

Others said, "We need a desalting plant." I said, "If you make your case, I will support you."

Others on this committee felt that we should have \$75 million for this Overseas Private Investment Corporation. I have never known of any proposal which I thought was so unnecessary, but we had able members on this committee, like my distinguished colleague from Kansas, who said, "I believe it is right." I said to him, "If you think it is right and if you

think it is needed I am going to vote for it." So I defended it and fought to put \$37.5 million in the bill for this new proposal.

I want the Members to know, I want to be fair, and I will be fair. If the time should ever come when I cannot be fair and yield to the other Members and accept their judgment in place of mine on things they know more about, I should leave the Congress.

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

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

Mr. SIKES. I hesitate to interrupt my distinguished friend, who is making a most forceful and eloquent statement, but will the gentleman please clarify this for the benefit of the House.

Do I correctly understand that a vote against the conference report, an effort to reject the conference report, will be a vote against the desalination plant for Israel, against the schools for Israel, and against other important items for Israel, all of which are needed, and which are contained in this bill?

Mr. PASSMAN. The distinguished gentleman is absolutely correct. We move this as a package.

If you defeat this conference report, you defeat funds for every school for Israel in this bill. You defeat the desalting plant. You defeat supporting assistance, which the President says is needed.

You defeat the Alliance for Progress. Every item in this bill will go down to defeat. It is all tied together.

If we go back into conference, we open up the entire bill, and I do not know what kind of a bill you are going to get then.

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

Mr. PASSMAN. I yield to the gentleman from Iowa for a question.

Mr. GROSS. Are there no funds for the Arab and other countries in the Middle East under this bill?

Mr. PASSMAN. Yes. I am pleased the gentleman asked that question.

Yes. There is money in this bill for projects in other countries, such as Morocco and Biafra. And, of course, that would go out, too, if this conference report is rejected.

I want to say, in a joking manner to my very dear colleague, I am not against everything; I am for anything, if you can make a case for it.

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

Mr. PASSMAN. I yield to the gentleman from Massachusetts.

Mr. CONTE. I should like to ask the gentleman a question.

Mr. PASSMAN. Surely.

Mr. CONTE. Could I have 3 or 4 minutes when the gentleman is through, to discuss something?

Mr. PASSMAN. I would rather yield 4 minutes now.

I yield 4 minutes to the gentleman from Massachusetts.

Mr. CONTE. I thank the gentleman.

Mr. PASSMAN. Then I will finish my remarks on the conference bill.

#### PARLIAMENTARY INQUIRY

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. Boogs). The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Under the rules of the House, while the gentleman is on his feet can he yield a stated time? Can he specify the amount of time he will yield?

The SPEAKER pro tempore. The answer to the parliamentary inquiry is that the gentleman from Louisiana, as chairman of the subcommittee, controls the time. He can yield while he is on his feet.

Mr. PASSMAN. Mr. Speaker, I yield the gentleman 4 minutes.

Mr. CONTE. I thank the gentleman.

Mr. Speaker, I am more than pleased with the conference recommendations on economic assistance, more than I was when this body earlier considered this bill.

I think we are in pretty good shape here, although I am disappointed that we did not leave the United Nations program in at \$122 million.

I want to thank the distinguished and able chairman of the Subcommittee on Foreign Operations for his very strong support for these increases in economic assistance. This action reflected a genuine concern for the needs of the less developed nations of the world.

Turning now to the recommendation of \$54.5 million for jets to China, I am very sad and unhappy about that. This money was knocked out in the authorization conference. Why? For the same reasons that we should have knocked it out earlier, and we must knock it out today. This money was never requested by anyone—neither the President, the Secretary of State, the Secretary of Defense, or the Administrator of the AID program. I say this in spite of those fancy yellow-covered top secret documents that we saw on the floor when the bill was debated earlier. To me the whole matter is just plain fishy. The top secret documents said that the jets should be requested in a supplemental bill. Of course, that is the way we should proceed, and the authors of that document recognize it. Why not wait for the supplemental hearings or the hearings on the 1971 fiscal year bill? What is the hurry?

Mr. Speaker, there has been no justification whatsoever for these planes, and I for one am not going to deceive the American people by saying that there has been. For all of these reasons I plan at the appropriate time to get a vote on the earmarking of these funds for China.

Now, I want this completely understood by everyone. If I offer a motion to recommit this bill back to conference, it will have recommendations in there to knock out the earmarking, but I want it completely understood that I am not lowering one penny of military assistance. Therefore, if the Secretary of Defense should care to spend this money for Taiwan, he may do so, or if he cares to spend it for Vietnam or some other country, he may do so. The only thing it will knock out will be the money for Taiwan.

Mr. Speaker, I want it completely understood that I am not cutting and I am not proposing to cut any money from the military assistance program.

I have witnessed several other events this year when we in this body have been prevented from voting on the real issue. I hope this will not happen today, because if it does happen today, then I have but one alternative, and I urge all of my colleagues to do so, namely, to vote down the conference report. This bill passed by five votes last time. I think with only a little bit more work and a little better attendance than we had last time, we could knock down the conference report.

There are a lot of bad things in this bill, but overall again I want to commend the gentleman from Louisiana, because I think he did an outstanding job in putting money back in here for economic assistance.

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

Mr. CONTE. I am glad to yield to the gentleman.

Mr. COHELAN. Mr. Speaker, I congratulate the gentleman on his statement. I hope our distinguished subcommittee chairman, who has done a rather remarkable job in improving development loans and general economic assistance—and, of course, some Taiwan items of military assistance—will yield me some time so that I will be able to discuss the matter in more detail.

I wish to associate myself with the remarks of the gentleman from Massachusetts, because I feel precisely as he does.

Mr. PASSMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Speaker, I thank the gentleman for yielding me this time.

As the ranking minority member of this subcommittee, I want to commend all of the conferees on the part of the House and from this subcommittee who have worked so hard for so long to bring forth a bill that is full of compromise, but that is what is expected when we go into conference, to have a certain amount of give and take and to stay as close as we can to the House figures and the House desires.

The minority of this conference certainly does not agree with all of the items contained in the appropriation bill, but as a compromise it is satisfactory and that is as much as we can say about most of these conferences.

Mr. Speaker, I agree with the distinguished gentleman from Massachusetts (Mr. CONTE) who just said that he was for what was good and beneficial to the country. I, personally, think it is a mistake not to provide for foreign military credit sales and to wait for a supplemental which will be coming up before very long. It is an important part of this bill but has been carried before as title II under the act.

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

Mr. SHRIVER. Very briefly.

Mr. GROSS. That means, then, that you are taking \$275 million out of this bill and inviting the Pentagon to come to Congress early next year to get the same amount of money in a supplemental for the military credit sales? This kind of procedure is not a reduction in spending for foreign aid.

Mr. SHRIVER. Let me say to the gentleman from Iowa that we tried to

vail insofar as the position of the House was concerned. We had a vote on this issue and it was on your side. I went with you in maintaining the position of the House, but we did not prevail.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, for one quick question, this bill is at least \$100 million more than the actual foreign aid appropriation last year; is that not correct?

Mr. SHRIVER. I will come to that in a moment if the gentleman will just wait a minute.

Mr. Speaker, I was pleased also that the conferees agreed to increase the supporting assistance program. You will recall that I contended earlier when the appropriation was before the House that the supporting assistance program was less than it should be and that we were not properly supporting the President in Vietnamizing the war.

Mr. Speaker, this supporting assistance is primarily to be used in Vietnam and to further the President's plan to place greater responsibility for the war in Vietnam upon the people of that country and that Government. The need this year is greater to do more in supporting assistance than I can recall at any time in the past.

The supporting assistance is now in the amount of \$95 million higher than provided in the House version of the bill. We have a total in supporting assistance of \$395 million and most of it—I would say more than 90 percent of it—will be used in connection with Vietnamizing the war, in carrying on the pacification program and in supporting the economy of South Vietnam as well as the refugees of which there are thousands who need this supporting assistance.

Mr. Speaker, I say let us bring the boys back in the manner in which the President has announced it will be done and in withdrawing our troops it is extremely important that we have these funds for Vietnamization. A great portion of this bill has to do with needed spending in Southeast Asia, not only in connection with supporting assistance but also in connection with technical assistance which is in the amount of \$16,750,000 over the House version.

Let me remind you that this is \$181,220,000 less than the authorization bill. It is approximately \$265 million over the House bill, but it is about halfway between the House and the Senate versions. Therefore, we had to give and take as I mentioned a moment ago. It is a true compromise representing approximately the same amount of give and take on the part of the conferees of the two bodies.

Mr. Speaker, the bill is \$378 million below 1969, \$181 million below the authorization, and \$1,222 million below the 1970 estimates.

Mr. Speaker, the bill is important toward settling and Vietnamizing the war in Vietnam. It continues funds for the Overseas Private Investment Corporation to the extent of \$37.5 million. This was a request of President Nixon.

The grand total of this bill is \$378 million less than the 1969 appropriation.

Mr. Speaker, I support the conference report and urge all Members to support the report.

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

Mr. SHRIVER. I yield to the gentleman from New Jersey.

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

Mr. Speaker, I want to commend the gentleman from Massachusetts (Mr. CONTE) for his statement. I shall support his motion to recommit this report. As a House conferee on the authorization for foreign aid I feel strongly that we should increase our military assistance, but keep it untied, in view of unsettled world circumstances.

Mr. Speaker, I have listened with interest to the discussion of this conference report. As one who is anxious to see foreign aid continue, with sufficient funds to provide for adequate programs, I have been disheartened by what has occurred, true, it looks now as if an aid program may be approved. But even now there is no assurance on this point. And it shocks me that Congress, seems to take pride in slashing so deeply into the President's request. Economic assistance is badly needed, and needed now, but we are obviously not responding to that need.

I have been disheartened also by the difficulty this year of going through the necessary legislative processes. I am well aware, for example, that the foreign aid authorization conference report passed this body only yesterday. That this was the case does not, however, excuse us from refusing to take that report into consideration today.

The authorization bill conference report provided for no earmarking of funds for military assistance. In view of earlier House action with respect to military aid to both Korea and Taiwan, the House conferees, naturally, would have preferred to see some reference to at least one or both of these countries in the authorizing legislation. The Senate conferees felt strongly on this point, however, and the House conferees recognized that because of the substantial reduction in the military assistance funds requested, a case could be made against specific earmarking of funds.

It is primarily for that reason, Mr. Speaker, that I find the proposal of the gentleman from Massachusetts persuasive. He advocates that the full \$40,500,000 for military assistance be made available, but with the spending of that money not earmarked but left up to the President.

The contention has been made here again today that there is an immediate need for hundreds of millions more dollars in military assistance than will be provided in this conference report. If that is so, Mr. Speaker, I hope the President makes a prompt request for the funds needed. I assume that such a request—if it is forthcoming—will be submitted to the appropriate committees and not to an individual Member.

It strikes me as irregular and unfortunate that the Appropriations Committee should attempt—as it has this year—to arrogate to itself the responsibility of responding to needs of this type. If China or Korea, or any other friend of ours, is in need I am confident that Congress

will respond appropriately. It is important, however, that Congress be given a full opportunity to evaluate the need for funds through the normal legislative process.

The legislative history of the foreign aid program this year is not a happy one, Mr. Speaker. As a member of one of the committees involved, I can only hope this history will serve as a lesson so that at least some pitfalls can be avoided next year. These close votes on foreign aid—and I have no doubt that another close vote is imminent—are not simply a reflection of Members' disillusionment, or hostility, to the programs themselves. The individual Member this year may be justifiably voting against the parliamentary tangle in which these foreign aid bills have been enmeshed. This tangle, which finds friends of the programs voting for foreign aid, is both undesirable and unnecessary.

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

Mr. PASSMAN. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, as I have said at the time when we were considering the appropriation bill for the foreign aid program that the Secretary of Defense called me prior to the consideration of the foreign aid authorization bill, indicating the support of the Department of Defense for the particular program, the military assistance, for the Republic of China. I said that then, and I reiterate it now. I have been told that the Secretary of Defense has repeated that statement to one or more Members of this body on this side of the aisle. I would not want to speak for them, but they have told me that the Secretary has reiterated his request.

In addition, let me say this: The overall funding for this program in this conference report, I believe, is very satisfactory. Additional money has been made available in the supporting assistance account, which is a very important part of our overall foreign aid program.

Also other items have been increased to more nearly coincide with the recommendations of the President. I think those additional amounts are highly significant, and very badly needed.

I am very fearful, as a practical matter, that if this is returned to conference, those additional sums in economic aid could easily go down the drain.

Now, Mr. Speaker, I am not threatening anybody. However, I think I know a little bit about the conferences on foreign aid appropriation bills, having served in that capacity for 12 years. Those conferences, I know from personal experience, are very difficult conferences.

To achieve a compromise in this instance of substantial increases for economic aid I think is a great victory for a constructive foreign aid program. So, as I say, I would hate to have those particular economic aid programs ending up slashed by sending this bill back to conference. I believe it would be a very serious mistake for those who believe in foreign aid.

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

Mr. GERALD R. FORD. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, would the gentleman agree that the proposed motion of the gentleman from Massachusetts would only remove the earmarking of the funds, and would not reduce the total fund made for this program, so that the way that that \$404.5 million could be spent would then be left to the sole discretion of the executive branch instead of being restricted as it is now? Would that not be more nearly in accord with the desires of the administration?

Mr. GERALD R. FORD. Assume that that is the case—once this bill, however, goes back to conference its fate overall and its fate in reference to these economic aid programs could be in serious jeopardy.

The gentleman may be right on the point that he makes, but I have to look at it from an overall viewpoint of getting as nearly as we can an appropriation bill for the foreign aid program that coincides to the recommendations of the President.

I firmly believe that if the motion to recommit prevails, even though it is less objectionable than it might have been, I am very concerned that the overall appropriation bill could be in jeopardy.

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

Mr. GERALD R. FORD. I yield to the gentleman from Massachusetts.

Mr. CONTE. I just want to say to my leader who has been very fair about this thing, of course, we have eliminated the argument that this is cutting military assistance, all I am doing is eliminating language to earmark money for Taiwan.

But let me point out two things in the conference and may be happening over in the other body right now. One of the Senators said that they anticipated great trouble in the Senate—Senator FULBRIGHT was going to insist on this earmarking for Taiwan being taken out of the bill—and they may be attempting to do this now in the other body—so it may go back to conference as a result of what is going to happen over there.

Second, I do not see anything being endangered in this bill. As you know, I have been a champion of all these causes for the past 12 years, and I do not see anything being endangered because the recommendation is only limited to striking out the money being earmarked for Taiwan which the Senate wants to do. So we go over there and in 3 minutes knock it out.

Mr. GERALD R. FORD. May I respond to that point?

The gentleman from Arizona and I were discussing this precise point just a minute ago, and it certainly is not a formal ruling, but the information I have is once it goes back to conference even with the limited focus in this motion to recommit, the whole conference is open, it is open as to every item and, every decision within the conference can be reconsidered.

I think the add-ons, that are desirable in my judgment in some of these economic programs, could be really in

jeopardy if the motion to recommit prevails.

I do not want to foreclose what might happen. But I know a little bit how these conferences work. The gentleman from Massachusetts and I served on those conferences for a good many years—and I do not want the House to take that gamble. I think it would be a serious step and put in jeopardy these good programs in the economic field that are highly significant and badly wanted by the administration.

May I just close with this comment. I am not going to be intimidated and I hope that this House is not going to be intimidated by the threat of the Senator that the gentleman from Massachusetts named. He is not running this body and I am not going to let him have any influence on it, if I can help it.

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

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. WAGGONER. I want to comment on the statement the gentleman just made at the conclusion of his remarks by saying that what the Senator to whom the gentleman from Massachusetts (Mr. CONTE) referred, is attempting to do in the Senate is exactly the same thing that Mr. CONTE is attempting to do here in the House.

Let the Senate go their way and we will do exactly what we want to do. I do not think we should be intimidated by them.

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

Mr. GERALD R. FORD. I yield to the gentleman from Massachusetts, if he will save at least 30 seconds of my time.

Mr. CONTE. Certainly, these are two different things. The gentleman from Arkansas is trying to strike money, \$54,500,000 from the bill. I am not trying to do that. I am just trying to strike the earmarking. I say that this thing stinks—it stinks—there is some terrible smell about it and I am not going to stand for it and it is that pure and simple.

I am willing to give military assistance all the money it needs, but I am not going to buy this when nobody from the administration has asked for it.

Mr. GERALD R. FORD. Mr. Speaker, let me conclude with this final observation.

The Secretary of Defense has spoken to me and others officially indicating that they want the money.

Second, if this is recommitted even with this limited focus, it opens up the whole conference and the gains that have been made in the economic aid field will be in jeopardy.

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

Mr. PASSMAN. I yield to the gentleman.

Mr. WYMAN. Mr. Speaker, I want to ask the gentleman from Massachusetts a question or two about his motion to recommit.

As I understand it, the gentleman from Massachusetts' motion proposes to take out the earmarking for the Republic of China, and I would like to ask the

gentleman—can you give us any assurance that if the earmarking of this money for Taiwan is removed from the bill, that Taiwan will actually receive any of these funds for the purposes for which the House voted the other day?

Mr. CONTE. If Mr. Laird, the Secretary of Defense, is behind it, it will go to them. He is the boss. He will be the boss in handling this money.

Mr. WYMAN. He may be boss but a lot of other people have something to say about the implementation of the foreign aid program; do they not?

Mr. CONTE. General Warren is head of the military assistance program, and he is under Mel Laird.

Mr. WYMAN. But not all these men or others administering aid programs are sympathetic toward Nationalist China; are they?

Mr. CONTE. I could not tell you. I happen to be a friend of Nationalist China and have been for 12 years. I just do not like the procedure that has occurred here. Ten years ago I voiced exactly the same objection when they tried to earmark \$25 million for Spain.

Mr. WYMAN. I am merely trying to make the point that in that part of the world, the Far East, Nationalist China is one of our strongest allies. The House has voted the money for military assistance to Taiwan. What sense does it make to withdraw the earmarking? Earmarking merely reflects the will of this body. Some in this body are opposed, of course, but we made that determination by majority vote of this body the other day. I reject the gentleman's suggestion that there is something fishy or that something stinks about this. I fear that the gentleman is attempting to confuse the issue. The issue is whether our strongest ally in the Far East is going to have this money for the stated purpose by direction of this Congress.

The majority opinion of the House is that they ought to have the money for that purpose that it is needed and justified, and I hope the gentleman's motion to recommit is defeated.

Mr. PASSMAN. Mr. Speaker, may I reiterate for clarification the points that I explained earlier. I shall not do or say anything that would offend any individual in this House, but it would appear to me that just about the same rule is being practiced in both bodies. Some gentleman in the other body is determined that he shall have his way, even if there is a chance he may risk the security of this country. I do not mean as it would apply to our own security. I am talking about security as it would apply to our concessions, interests, and base rights in the Far East.

Let me say this if I may. On this bill the authorizing committee of the House put this money into the bill. At a subsequent date the Committee of Appropriations and the subcommittee sustained that amount by a vote of 8 to 4. Later we moved into the full committee, and the full committee by a vote of 2 to 1 defeated the amendment to take this item out.

Then when the bill came to the floor, as you well know, on a motion, by a vote of 250 to 142, the language was retained to keep this money in the bill for Korea.

Subsequently the House also approved the language and approved the amount.

The bill moved into conference. The conference likewise by a vote of 9 to 3 approved this package that we agreed upon. At five different important stations along the way in our process of legislating the Members have spoken their minds on the subject. They have set forth rightly that this amount should be in the bill. I cannot understand at this late date why there are a few Members of the House and a few Members of the Senate who may want to change something that has been said several times, "This is the thing to do."

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

Mr. PASSMAN. I yield to the gentleman from California for a question.

Mr. COHELAN. I thank the gentleman for yielding.

Mr. PASSMAN. I yield 1 minute to the gentleman.

Mr. COHELAN. As a member of the subcommittee, I would like to express myself on the conference report.

Mr. PASSMAN. I wish you would.

Mr. COHELAN. I would like to vote for this bill. I want to vote for the bill. But I shall not vote for it if we have the Taiwan reference in the bill.

As I understand, this is what is going to happen.

The gentleman from Massachusetts (Mr. CONTE) will introduce a motion to recommit. The gentleman from Massachusetts has very generously drafted it in such a way that if the State Department, which, by the way, nobody has referred to in this entire discussion—not one word have we heard from the State Department indicating that this language was warranted or justified.

However, on the motion to recommit, the gentleman has left it so that the money is not affected. If the powers that be in the administration, including the Secretary of State, as well as the Secretary of Defense—who incidentally, I suggest, is not running the foreign policy of this Government—determine that something should be done in military assistance, it could be done.

I will support the motion to recommit after striking the language that the gentleman referred to, and if I get that opportunity, I intend to vote for the bill.

However, if we do not, I intend to vote against the bill. I do not think a vote against the bill will be jeopardizing anything. I suggest to Members what will probably happen. We will be back here so fast it will make our heads swim. But we shall have dealt a blow to a very offensive procedure.

The issue of the Taiwan jets needs very little explanation. We have been over this terrain before. First, there was no testimony before the authorizing committee—the Committee on Foreign Affairs. There was no testimony before the Appropriations Subcommittee on Foreign Operations—the Committee on Foreign Operations on which I serve. The only data that have been submitted by the administration is a letter from a faceless bureaucrat in the DOD in response to Mr. PASSMAN's question. This answer, I submit, does not represent the

position of the administration. I, for example, could ask if we should increase \$54 million to Timbuktu and I am sure I would get the same type of general answer that was circulated to justify the Taiwan jets.

Most important, the questionable justification for these jets is the foreign policy implication of these jets. The President has indicated lately, in his steps to begin lifting trade restrictions with mainland China, a new flexible approach to the Far East. The Sato-Nixon agreement, and movements to Vietnamize the war, are further indications of what I consider to be a constructive step in the Far East. Now this House is asked to accept a \$54 million item for Taiwan jets that could have foreign policy implications far in excess of the dollar figure.

There is another issue here. This House yesterday passed an authorization bill that did not include this item. Thus, there is no authority for earmarking this money for Taiwan jets.

Mr. Speaker, in conclusion, I feel that the foreign policy implications of accepting this amendment are so overwhelming that this bill should be returned to conference and have this item deleted. Unless this is done, I may be forced to vote against this foreign assistance appropriation.

Mr. PASSMAN. Mr. Speaker, that is according to the gentleman's interpretation and not according to the votes of the majority committees, the House, and the conferees of both bodies. These votes speak for themselves.

#### PARLIAMENTARY INQUIRY

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. PASSMAN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry. If the motion to recommit reads as follows, will it limit the conference to the consideration of this particular issue, or will the conference as a whole be open for the consideration of all issues in the conference? Let me read the motion to recommit, Mr. Speaker, that will be as follows:

I move to recommit the conference report on the bill H.R. 15149 with instructions to the managers on the part of the House to agree with the amendment of the Senate No. 25.

Mr. Speaker, if that is offered and does prevail, is the conference as a whole free to discuss and decide issues involving the whole bill or all issues within both the House and Senate versions?

The SPEAKER. In response to the parliamentary inquiry, if the motion to recommit with instructions on one item should prevail, then all items in disagreement are open for further consideration by the conference committee.

Mr. GERALD R. FORD. I thank the distinguished Speaker.

Mr. PASSMAN. Mr. Speaker, I yield the remainder of my time to the distinguished gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, this foreign

aid appropriation bill is nearly \$200 million below the authorization which has been approved but has not been signed into law. I think this will be an important consideration for many of those, including myself, who feel foreign aid has been excessive.

I hope and I believe the House will give overwhelming endorsement to the constructive labor of those members of the conference committee whose dedication is producing direction for America's foreign aid program. It allows the Congress to speak. It has been a long time since that could be said.

By placing aid specifically in the hands of our friends, by helping those who help us, we make our aid meaningful, and we make it productive. For too long a period, we have handed out foreign aid to everybody who came along, and often as not, they showed the measure of their appreciation by giving their support to the Communists. Here we have an opportunity to say that we do not approve of that kind of policy and we do not approve of policies which get us nowhere. We want a meaningful aid program and it would be heartening to the American people if we specified that we reject the use of the American taxpayers' money where it is not going to do America any good. It is time to help our friends, and time to begin to specify what we are doing. Here we do that by helping Israel, by helping Korea, and by helping Taiwan.

I believe, Mr. Chairman, that to reject what is proposed by the conferees here would be one of the worst defeats for a strong American diplomatic policy this House has ever voted. I am confident that is not what the House is about to do.

Mr. MORGAN. Mr. Speaker, the conference report on the foreign aid appropriation clearly violates the intent of the rules of this House. It specifically appropriates \$54,500,000 for the Republic of China although this was stricken from the authorization bill which has passed both the Senate and the House and is now on its way to the President for enactment into law. The authorization ceiling for military assistance is \$350 million. This conference report calls for an appropriation of \$404,500,000. I can only regard this as a deliberate flouting of the authorizing process in which advantage is taken of parliamentary technicalities to circumvent the authorization ceiling. While I will reluctantly vote for the conference report because of the urgency of the time element, I am constrained to voice my concern over the danger which is posed to the whole legislative process and the work of the legislative committees. If it had been possible for the authorizing bill to have already been signed by the President, I believe the rules would have made this conference report subject to a point of order. It is a violation of the rules which cannot be enforced because of the present circumstances. I am gravely concerned over what I can only regard as an usurpation of the legislative function by a non-legislative committee.

Mr. RYAN. Mr. Speaker, this conference report making appropriations for foreign assistance for fiscal year 1970

includes \$54,500,000 for the Republic of China which has not been authorized in the Foreign Assistance Act of 1969, H.R. 14580.

Yesterday we adopted the conference report on the Foreign Assistance Act of 1969, and funds for jet fighter planes for Taiwan were not included although previously the House had adopted the Sikes amendment, against which I voted, both on the teller vote and on the separate rollcall vote, when it was before the House on November 20. When the foreign assistance appropriation bill, H.R. 15149, was before the House on December 9, I supported the Conte amendment to strike the \$54,500,000 earmarked for the Republic of China. I also voted both on the teller vote and on the separate rollcall vote against the Broomfield substitute which not only included the \$54.5 million for the Republic of China, but added \$50 million for the Republic of Korea.

Having made my position clear on the authorization and appropriation bills, I voted to send each bill to conference, so that the foreign aid program could move forward and in the hope that the Senate conferees would not agree to the additional \$104.5 million. And the conferees on the authorization bill did reject it. Now we have before us the conference report on the appropriation bill, H.R. 15149, and the conferees have agreed to amend Senate amendment No. 24 by inserting the sum of \$404,500,000 and to amend Senate amendment No. 25 by restoring the language deleted by the Senate earmarking \$54,500,000 for the Republic of China. In other words, the conference report now earmarks \$54.5 million for the Republic of China. I support the motion to recommit to be offered by the gentleman from Massachusetts (Mr. CONTE) to strike out the language earmarking funds for the Republic of China.

According to Mr. SIKES, who offered the original amendment, the \$54.5 million was authorized, "for the purpose of providing a squadron of F-4D aircraft to the Republic of China in Taiwan." Not only was there no budget request for funds for sophisticated military aircraft for Taiwan, but absolutely no justification was made before the Foreign Affairs Committee; it was never considered in hearings before the Foreign Affairs Committee. It was a surprise amendment adopted on the floor of the House after some very fancy footwork. This is a totally unacceptable way to legislate. Despite the fact that no agency of the Federal Government has recommended funds for sophisticated military aircraft for Taiwan, the House, without reflection upon the serious foreign policy implications, proceeded to approve this unjustified expenditure of the taxpayers' money. This is another example of the distortion of our national priorities which the Congress has tolerated for too long. Blind approval of funds for military assistance is one of the principal reasons why U.S. foreign policy produced the tragic war in Vietnam with its dire consequences both at home and abroad.

I am a strong supporter of foreign economic assistance to help developing

nations and support the economic programs recommended in the conference report. Many of them are urgently needed and are in the national interest. It is regrettable that the conference report has been tainted by the inclusion of a squadron of jet fighter planes for Chiang Kai-shek.

If the motion to recommit fails, then the only way to obtain a vote on this issue would be upon the defeat of the conference report. If the conference report were voted down, then the House would have the opportunity to vote separately on each of the 42 Senate amendments. I support Senate amendment No. 24 which eliminates \$54.5 million for a squadron of jet fighter planes for Taiwan, and also Senate amendment No. 25 which strikes the language earmarking those funds for the Republic of China. Under the circumstances, in view of the parliamentary situation, unless the motion to recommit succeeds, the only way to obtain a separate vote on those two amendments is to defeat the conference report—a procedure which will make it possible for us to vote for the important economic programs in title I without having to accept the entire military assistance package.

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

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. CONTE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CONTE moves to recommit the conference report on the bill H.R. 15149 with instructions to the managers on the part of the House to agree with the amendment of the Senate numbered 25.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER. The question is on the motion to recommit.

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

Mr. CONTE. 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 136, nays 220, not voting 77, as follows:

[Roll No. 345]

YEAS—136

Adams  
Anderson, Calif.  
Ashley  
Barrett  
Blester  
Bingham  
Blatnik  
Boland  
Brademas

Brooks  
Broomfield  
Brown, Calif.  
Broyhill, N.C.  
Burlison, Mo.  
Burton, Calif.  
Button  
Byrne, Pa.  
Cleveland  
Cohelan

Conte  
Coughlin  
Culver  
Daddario  
Daniels, N.J.  
Davis, Wis.  
Delaney  
Dellenback  
Dwyer  
Ellberg

Erlenborn  
Esch  
Evans, Colo.  
Farbstein  
Fish  
Foley  
Ford,  
William D.  
Fraser  
Frelinghuysen  
Gaydos  
Gilbert  
Green, Pa.  
Gross  
Gude  
Halpern  
Hamilton  
Hanley  
Hanna  
Hansen, Idaho  
Harvey  
Hathaway  
Hawkins  
Hechler, W. Va.  
Heckler, Mass.  
Helstoski  
Hogan  
Hollifield  
Horton  
Howard  
Hungate  
Jacobs  
Jones, Ala.  
Karth  
Kastenmeter  
Keith  
Koch

Leggett  
Lowenstein  
McCarthy  
McCloskey  
McDade  
Macdonald, Mass.  
Mailliard  
Matsunaga  
Mayne  
Meeds  
Melcher  
Mikva  
Minish  
Mink  
Monagan  
Moorhead  
Mosher  
Murphy, N.Y.  
Nedzi  
Nix  
Obey  
O'Hara  
Olsen  
Ottinger  
Patten  
Pike  
Podell  
Qule  
Rallsback  
Reid, N.Y.  
Reuss  
Riegle  
Kyl  
Kyros  
Robison  
Rodino

Roe  
Rogers, Colo.  
Rosenthal  
Roth  
Roybal  
Ruppe  
Ryan  
St. Onge  
Saylor  
Scheuer  
Schneebell  
Schwengel  
Shipley  
Smith, Iowa  
Stafford  
Taft  
Thompson, N.J.  
Tiernan  
Udall  
Ullman  
Van Deerlin  
Vander Jagt  
Vanik  
Vigorito  
Waldie  
Weicker  
Whalen  
Wiggins  
Williams  
Wilson,  
Charles H.  
Wyatt  
Yates  
Yatron  
Zablocki  
Zwach

NAYS—220

Abernethy  
Adair  
Addabbo  
Albert  
Alexander  
Anderson, Ill.  
Anderson, Tenn.  
Andrews, N. Dak.  
Annunzio  
Arends  
Aspinall  
Ayres  
Baring  
Beall, Md.  
Belcher  
Bell, Calif.  
Bennett  
Betts  
Biaggi  
Blackburn  
Blanton  
Boggs  
Bow  
Bray  
Brinkley  
Brotzman  
Brown, Mich.  
Brown, Ohio  
Broyhill, Va.  
Buchanan  
Burke, Fla.  
Burke, Mass.  
Burlison, Tex.  
Bush  
Byrnes, Wis.  
Cabell  
Caffery  
Camp  
Carter  
Casey  
Cederberg  
Chamberlain  
Chappell  
Clausen,  
Don H.  
Clawson, Del.  
Colmer  
Conable  
Corbett  
Cramer  
Crane  
Daniel, Va.  
Davis, Ga.  
de la Garza  
Denney  
Dennis  
Devine  
Dickinson  
Dingell  
Donohue  
Dorn  
Dowdy  
Downing  
Dulski  
Duncan

Edmondson  
Edwards, Ala.  
Edwards, La.  
Eshleman  
Fascell  
Feighan  
Flood  
Flowers  
Flynt  
Ford, Gerald R.  
Foreman  
Fountain  
Frey  
Friedel  
Fulton, Pa.  
Fuqua  
Galifianakis  
Garmatz  
Gettys  
Gialmo  
Gibbons  
Gonzalez  
Goodling  
Gray  
Griffin  
Grover  
Gubser  
Hagan  
Haley  
Hammer-  
schmidt  
Hansen, Wash.  
Harsha  
Henderson  
Hicks  
Hosmer  
Hull  
Hunt  
Hutchinson  
Ichord  
Jarman  
Johnson, Calif.  
Johnson, Pa.  
Jonas  
Jones, N.C.  
Jones, Tenn.  
Kazen  
Kee  
King  
Kuykendall  
Landgrebe  
Landrum  
Langen  
Lennon  
Lloyd  
Long, La.  
Long, Md.  
Lujan  
McClure  
McClure  
McCulloch  
McDonald,  
Mich.  
McFall  
McKneally  
McMillan  
MacGregor

Madden  
Mahon  
Mann  
Marsh  
Mathias  
May  
Meskill  
Miller, Ohio  
Mills  
Minshall  
Mize  
Mizell  
Mollohan  
Morton  
Murphy, Ill.  
Myers  
Natcher  
Nelsen  
Nichols  
O'Konski  
O'Neill, Mass.  
Passman  
Patman  
Pelly  
Perkins  
Pettis  
Philbin  
Pickle  
Pirnie  
Poff  
Pollock  
Preyer, N.C.  
Price, Ill.  
Price, Tex.  
Pryor, Ark.  
Pucinski  
Purcell  
Randall  
Rarick  
Reid, Ill.  
Rhodes  
Rivers  
Roberts  
Rogers, Fla.  
Rooney, N.Y.  
Rooney, Pa.  
Roudebush  
Ruth  
Satterfield  
Schadegberg  
Scherie  
Scott  
Sebelius  
Shriver  
Sikes  
Skubitz  
Slack  
Smith, Calif.  
Smith, N.Y.  
Springer  
Staggers  
Stanton  
Steed  
Steiger, Ariz.  
Steiger, Wis.  
Stratton  
Stubblefield

Stuckey	Utt	Whitten	were—yeas 181, nays 174, not voting 78,	Marsh	Roe	Thompson, N.J.
Symington	Waggonner	Wilson, Bob	as follows:	Meeds	Rogers, Fla.	Tiernan
Talcott	Wampler	Winn		Meskill	Roudebush	Ullman
Taylor	Watson	Wold		Mikva	Roybal	Utt
Teague, Calif.	Watts	Wolf		Miller, Ohio	Ruppe	Van Deerlin
Teague, Tex.	Whalley	Wylie		Mills	Ruth	Vander Jagt
Thompson, Ga.	White	Wyman		Mink	Ryan	Vanik
Thomson, Wis.	Whitehurst	Young		Mizell	Satterfield	Waggonner

## NOT VOTING—77

Abbitt	Eckhardt	Montgomery
Andrews, Ala.	Edwards, Calif.	Morgan
Ashbrook	Evins, Tenn.	Morse
Berry	Fallon	Moss
Bevill	Findley	O'Neal, Ga.
Bolling	Fisher	Pepper
Brasco	Fulton, Tenn.	Poage
Brock	Gallagher	Powell
Burton, Utah	Goldwater	Quillen
Cahill	Green, Oreg.	Rees
Carey	Griffiths	Reifel
Celler	Hall	Rostenkowski
Chisholm	Harrington	St Germain
Clancy	Hastings	Sandman
Clark	Hays	Sisk
Clay	Hébert	Snyder
Collier	Kirwan	Stephens
Collins	Kleppe	Stokes
Conyers	Kluczynski	Sullivan
Corman	Latta	Tunney
Cowger	Lipscomb	Watkins
Cunningham	Lukens	Widnall
Dawson	McEwen	Wright
Dent	Martin	Wylder
Derwinski	Michel	Zion
Diggs	Miller, Calif.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Miller of California with Mr. Lipscomb.  
 Mr. Hays with Mr. Widnall.  
 Mr. Hébert with Mr. Hall.  
 Mr. Dent with Mr. Watkins.  
 Mr. Fisher with Mr. Burton of Utah.  
 Mr. Clark with Mr. Cunningham.  
 Mr. Gallagher with Mr. Sandman.  
 Mr. Fulton of Tennessee with Mr. Quillen.  
 Mr. Eckhardt with Mr. Reifel.  
 Mr. Morgan with Mr. Morse.  
 Mr. Fallon with Mr. Martin.  
 Mr. Casey with Mr. Wylder.  
 Mr. Wright with Mr. Zion.  
 Mr. Rostenkowski with Mr. Michel.  
 Mr. Celler with Mr. McEwen.  
 Mr. Pepper with Mr. Lukens.  
 Mrs. Sullivan with Mr. Latta.  
 Mr. Brasco with Mr. Hastings.  
 Mr. Corman with Mr. Kleppe.  
 Mrs. Green of Oregon with Mr. Ashbrook.  
 Mr. Stephens with Mr. Berry.  
 Mr. Montgomery with Mr. Snyder.  
 Mr. Sisk with Mr. Cowger.  
 Mrs. Griffiths with Mr. Derwinski.  
 Mr. St Germain with Mr. Cahill.  
 Mr. Moss with Mr. Clancey.  
 Mr. Kluczynski with Mr. Collier.  
 Mr. Rees with Mr. Goldwater.  
 Mr. Harrington with Mr. Findley.  
 Mr. Evins of Tennessee with Mr. Brock.  
 Mr. O'Neal of Georgia with Mr. Collins.  
 Mr. Tunney with Mr. Stokes.  
 Mr. Edwards of California with Mr. Diggs.  
 Mr. Kirwan with Mr. Conyers.  
 Mr. Bevill with Mr. Clay.  
 Mr. Abbott with Mr. Andrews of Alabama.  
 Mrs. Chisholm with Mr. Powell.

Mr. HALEY, Mr. FLOOD, and Mr. MOLLOHAN changed their votes from "yea" to "nay."

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the conference report.

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

The yeas and nays were ordered.

The question was taken; and there

[Roll No. 346]

YEAS—181

Addabbo	Friedel	Passman
Albert	Garmatz	Patman
Alexander	Giaimo	Patten
Anderson, Ill.	Gilbert	Pelly
Anderson,	Gonzalez	Perkins
Tenn.	Gray	Philbin
Andrews,	Gubser	Pickle
N. Dak.	Gude	Pike
Annunzio	Halpern	Pirnie
Arends	Hamilton	Podell
Ashley	Hanley	Preyer, N.C.
Aspinall	Hanna	Price, Ill.
Ayres	Hansen, Idaho	Pryor, Ark.
Barrett	Hansen, Wash.	Pucinski
Beall, Md.	Heckler, Mass.	Purcell
Belcher	Helstoski	Quie
Bell, Calif.	Hicks	Railsback
Betts	Hogan	Reid, Ill.
Biaggi	Holifield	Reid, N.Y.
Biester	Horton	Rhodes
Bingham	Hosmer	Riegle
Blatnik	Johnson, Calif.	Rivers
Boggs	Kazen	Roberts
Bow	Kee	Robson
Brooks	Keith	Rodino
Broomfield	King	Rogers, Colo.
Brotzman	Kuykendall	Rooney, N.Y.
Brown, Mich.	Leggett	Rooney, Pa.
Buchanan	Lloyd	Rosenthal
Burke, Mass.	Long, Md.	Roth
Bush	McClary	St. Onge
Button	McCloskey	Scheuer
Byrne, Pa.	McCulloch	Schneebeil
Byrnes, Wis.	McDade	Schwengel
Cabell	McEwen	Shriver
Cederberg	McFall	Sikes
Conable	McKneally	Smith, Iowa
Corbett	Macdonald,	Smith, N.Y.
Coughlin	Mass.	Stafford
Daddario	MacGregor	Stanton
Daniels, N.J.	Mahon	Steiger, Wis.
Davis, Ga.	Mailliard	Stratton
Davis, Wis.	Mann	Symington
de la Garza	Mathias	Taft
Dellenback	Matsunaga	Talcott
Dennis	May	Teague, Calif.
Dingell	Mayne	Teague, Tex.
Donohue	Melcher	Thomson, Wis.
Dulski	Minish	Udall
Dwyer	Minshall	Vigorito
Edmondson	Mize	Weicker
Edwards, La.	Monagan	Whalen
Eilberg	Moorhead	White
Esch	Morgan	Wiggins
Farbstein	Morton	Wilson, Bob
Fascell	Mosher	Wilson,
Feighan	Murphy, Ill.	Charles H.
Fish	Murphy, N.Y.	Wold
Flood	Nelsen	Wolf
Ford, Gerald R.	Nix	Yatron
Frelinghuysen	O'Hara	Zwach
Fulton, Pa.	O'Neill, Mass.	

NAYS—174

Abernethy	Daniel, Va.	Harvey
Adair	Delaney	Hathaway
Adams	Denney	Hawkins
Anderson,	Devine	Hechler, W. Va.
Calif.	Dickinson	Henderson
Baring	Dorn	Howard
Bennett	Dowdy	Hull
Blackburn	Downing	Hungate
Blanton	Duncan	Hunt
Brademas	Edwards, Ala.	Hutchinson
Bray	Eshleman	Ichord
Brinkley	Evans, Colo.	Jacobs
Brown, Calif.	Flowers	Jarman
Brown, Ohio	Flynt	Johnson, Pa.
Broyhill, N.C.	Foley	Jonas
Broyhill, Va.	Ford,	Jones, Ala.
Burke, Fla.	William D.	Jones, N.C.
Burleson, Tex.	Foreman	Jones, Tenn.
Burlison, Mo.	Fountain	Karth
Burton, Calif.	Fraser	Kastenmeier
Caffery	Frey	Koch
Camp	Fuqua	Kyl
Carter	Gallifanakis	Kyros
Casey	Gaydos	Landgrebe
Chamberlain	Gettys	Landrum
Chappell	Gibbons	Langen
Clausen,	Goodling	Lennon
Don H.	Green, Pa.	Long, La.
Clawson, Del	Griffin	Lowenstein
Cleveland	Gross	Lujan
Cohelan	Grover	McCarthy
Colmer	Hagan	McClure
Conte	Haley	McDonald,
Cramer	Hammer-	Mich.
Crane	schmidt	McMillan
Culver	Harsha	Madden

Abbitt	Diggs	Miller, Calif.
Andrews, Ala.	Eckhardt	Montgomery
Ashbrook	Edwards, Calif.	Morse
Berry	Erlenborn	Moss
Bevill	Evins, Tenn.	O'Neal, Ga.
Boland	Fallon	Pepper
Bolling	Findley	Poage
Brasco	Fisher	Powell
Brock	Fulton, Tenn.	Quillen
Burton, Utah	Gallagher	Rees
Cahill	Goldwater	Reifel
Carey	Green, Oreg.	Rostenkowski
Celler	Griffiths	St Germain
Chisholm	Hall	Sandman
Clancy	Harrington	Sisk
Clark	Hastings	Snyder
Clay	Hays	Springer
Collier	Hébert	Stephens
Collins	Kirwan	Stokes
Conyers	Kleppe	Sullivan
Corman	Kluczynski	Tunney
Cowger	Latta	Watkins
Cunningham	Lipscomb	Widnall
Dawson	Lukens	Wright
Dent	Martin	Wylder
Derwinski	Michel	Zion

## NOT VOTING—78

Abbitt	Diggs	Miller, Calif.
Andrews, Ala.	Eckhardt	Montgomery
Ashbrook	Edwards, Calif.	Morse
Berry	Erlenborn	Moss
Bevill	Evins, Tenn.	O'Neal, Ga.
Boland	Fallon	Pepper
Bolling	Findley	Poage
Brasco	Fisher	Powell
Brock	Fulton, Tenn.	Quillen
Burton, Utah	Gallagher	Rees
Cahill	Goldwater	Reifel
Carey	Green, Oreg.	Rostenkowski
Celler	Griffiths	St Germain
Chisholm	Hall	Sandman
Clancy	Harrington	Sisk
Clark	Hastings	Snyder
Clay	Hays	Springer
Collier	Hébert	Stephens
Collins	Kirwan	Stokes
Conyers	Kleppe	Sullivan
Corman	Kluczynski	Tunney
Cowger	Latta	Watkins
Cunningham	Lipscomb	Widnall
Dawson	Lukens	Wright
Dent	Martin	Wylder
Derwinski	Michel	Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Moss for, with Mr. Andrews of Alabama against.  
 Mr. Boland for with Mr. Montgomery against.  
 Mr. Hébert for, with Mr. Bevill against.  
 Mr. Harrington for, with Mr. Conyers against.  
 Mr. Rees for, with Mr. Stokes against.  
 Mr. Rostenkowski for, with Mr. O'Neal of Georgia against.  
 Mr. Kluczynski for, with Mr. Martin against.  
 Mr. Morse for, with Mr. Snyder against.  
 Mr. Springer for, with Mr. Ashbrook against.  
 Mr. Widnall for, with Mr. Burton of Utah against.  
 Mr. Celler for, with Mr. Quillen against.  
 Mr. Carey for, with Mr. Watkins against.  
 Mrs. Green of Oregon for, with Mr. Zion against.  
 Mr. Hays for, with Mr. Collins against.  
 Mr. Sandman for, with Mr. Goldwater against.  
 Mr. Hastings for, with Mr. Clancy against.  
 Mr. Erlenborn for, with Mr. Berry against.  
 Mr. Cunningham for, with Mr. Kleppe against.  
 Mr. Cahill for, with Mr. Latta against.  
 Mr. Findley for, with Mr. Lipscomb against.  
 Mr. Brasco for, with Mr. Lukens against.  
 Mr. Clark for, with Mr. Michel against.  
 Mr. Corman for, with Mr. Derwinski against.  
 Mr. Fallon for, with Mr. Brock against.  
 Mr. Gallagher for, with Mr. Reifel against.  
 Mr. Sisk for, with Mr. Hall against.  
 Mrs. Sullivan for, with Mr. Abbitt against.  
 Mr. Miller of California for, with Mr. Stephens against.

Until further notice:

Mr. St Germain with Mr. Evins of Tennessee.

Mr. Wydler with Mr. Collier.

Mr. Kirwan with Mrs. Chisholm.

Mr. Dent with Mr. Dawson.

Mr. Diggs with Mr. Edwards of California.

Mrs. Griffiths with Mr. Pepper.

Mr. Fisher with Mr. Wright.

Mr. Eckhardt with Mr. Fulton of Tennessee.

Mr. Tunney with Mr. Powell.

Mr. DAVIS of Georgia, Mr. BOW, Mrs. REID of Illinois, Mr. MINSHALL, and Mr. KUYKENDALL changed their votes from "nay" to "yea."

Mr. McCARTHY, Mr. SCHEUER, Mr. CULVER, and Mr. TIERNAN changed their votes from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### AMENDMENTS IN DISAGREEMENT

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

The Clerk read as follows:

Senate amendment No. 6: Page 2, line 20 insert: ", except projects or activities relating to the reduction of population growth: Provided further,".

#### MOTION OFFERED BY MR. PASSMAN

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

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 8: On page 3, line 7, strike "\$24,050,000" and insert "\$24,550,000".

#### MOTION OFFERED BY MR. PASSMAN

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

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$26,050,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 31: On page 16, strike out:

"Sec. 121. None of the funds contained in title I of this act may be used to carry out the provisions of section 401(a)(2) of the Foreign Assistance Act of 1969."

#### MOTION OFFERED BY MR. PASSMAN

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

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein with an amendment, as follows: Restore the matter stricken, amended to read as follows:

"Sec. 121. None of the funds contained in title I of this act may be used to carry out the provisions of section 401(a)(2) of the Foreign Assistance Act of 1969.

"Sections of this title which refer to authorizing legislation are hereby amended to conform to the appropriate sections of the Foreign Assistance Act of 1969."

The motion was agreed to.

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

#### GENERAL LEAVE

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the conference report just agreed to.

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

There was no objection.

#### CORRECTION OF THE RECORD

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the permanent RECORD be corrected in two instances where erroneous figures appear in the temporary RECORD at page 40262. In the lefthand column, under amendment No. 16, the figure of "\$255,000,000" should be "\$12,500,000"; and under amendment No. 17, the figure of "\$255,500,000" should be "\$255,000,000".

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

Mr. GROSS. Mr. Speaker, reserving the right to object, it has been virtually impossible to obtain any time or even ask a question in consideration of this conference report. Practically all of the discussion connected with the bill was on the subject of planes for Taiwan. We learned almost nothing about the other provisions of the conference report.

After that exhibition in the well of the House, where at least one Member changed his vote at least three times, I wonder if we ought to give unanimous consent to anything at this stage of the game in connection with this legislation.

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

Mr. GROSS. No, I do not yield at this time.

I call the attention of the House to the fact that during consideration of the foreign aid appropriation bill in the House a few weeks ago, I offered an amendment to include Communist China in the provision of the bill which prohibited economic assistance by the United States to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba or North Vietnam.

My amendment to include Communist China was adopted without any contest whatever, but in the conference between the House and Senate it was dropped from the bill with the greatest of ease. Why?

Communist China is the principal supplier of arms and ammunition to the North Vietnamese. Why should we give a dime's worth of aid to any country that helps Communist China maintain its supply line to the North Vietnamese

whose principal business is the killing of Americans and South Vietnamese?

Why penalize those who traffic with Cuba and not Communist China? Who was responsible for the elimination of this amendment? There has been no time to discuss it and therefore the record is silent. Who in the conference committee had such an affinity for the Communist Chinese that they threw out the amendment?

The conferees say that the planes for Nationalist China are necessary because of the threat from Communist China, but through some sort of mental gymnastics they have refused to put pressure on those who are helping the economy of the Red Chinese. This is unbelievable.

This conference report, Members of the House, will provide at least \$100 million more for foreign economic and military assistance than was appropriated last year. It is more nearly \$400 million because \$275 million for foreign military credit sales was dropped from this bill, but with the open invitation to the Pentagon to request in the first supplemental bill next year the replacement of the \$275 million.

This is the kind of skulduggery that has been practiced in this bill and I, for one, refuse to be hoodwinked.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

#### WORDS OF ADVICE FOR AND MERRY CHRISTMAS TO MR. GROSS OF IOWA

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

Mr. PASSMAN. Mr. Speaker, I am very fond of the distinguished gentleman from Iowa.

I want to say to this fine American that he should do a better job on the committee on which he has the privilege of serving; namely, the Committee on Foreign Affairs, and do his work there, rather than to try to "cut me up" when I try to do a creditable job. If he did then I am sure we would get an authorization bill earlier, and we would not have this annual hassle over who precedes whom.

I recommend to this distinguished American, this distinguished Member of Congress, that he have a close look at the operations of his own committee. Then we would not get into these parliamentary involvements almost on Christmas Eve.

However, I do wish this fine American a Merry Christmas.

#### AUTHORIZING PRESIDENT TO PROCLAIM JANUARY 1970 AS "NATIONAL BLOOD DONOR MONTH"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's Desk the Senate joint resolution (S.J. Res. 154) entitled "Joint resolution to authorize and request the President to proclaim the month of January of each year as 'Na-

tional Blood Donor Month'." with a Senate amendment to the House amendments thereto, and concur in the Senate amendment to the House amendments.

The Clerk read the title of the Senate joint resolution.

The Clerk read the Senate amendment to the House amendments, as follows:

Page 1, after line 7 of the Senate engrossed resolution, insert:

"Sec. 2. Notwithstanding any other provision of law, the citizenship or nationality of Erneldo A. Oliva shall not prohibit the Secretary of the Senate from paying compensation, for a period not to exceed six months, to the said Erneldo A. Oliva while serving as an employee of the Senate."

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

Mr. WIGGINS. Mr. Speaker, reserving the right to object, I take this reservation only for the purpose of asking my colleague from Colorado to explain the nature of the Senate amendment.

Mr. ROGERS of Colorado. The nature of the Senate amendment is to straighten out their own bookkeeping in connection with an employee who is employed by the Secretary of the Senate, to pay compensation for a period of 6 months.

Mr. WIGGINS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Senate amendment to the House amendments was concurred in.

A motion to reconsider was laid on the table.

#### RECOMMENDATIONS OF THE CABINET TASK FORCE ON OIL IMPORT CONTROL

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

Mr. MAHON. Mr. Speaker, I have been very distressed by recent reports as to recommendations that apparently are being advanced by the President's Cabinet Task Force on Oil Import Control.

Apparently the plan is to force a reduction in the price of crude oil by increasing the level of imports.

Mr. Speaker, our country is already dependent on foreign sources for a sizable portion of our total oil requirements. Our national oil policy has recognized that a healthy and growing domestic oil industry is essential to national defense and to our national interests generally. Any action to make us further dependent on foreign sources threatens grave consequences.

The present import program has served the Nation well but even so discovery of new domestic reserves has not kept pace with increases in consumption. It is more important now than ever before that we have conditions which will promote exploration and development of the domestic oil industry.

The implementation of what appears to be the recommendations of the task force increasing imports and sharply re-

ducing prices will hit hardest at the smaller independent producers. And, it should be kept clearly in mind that the independents are the most active in the field of oil exploration and have been responsible for the discovery of 85 percent of new reserves.

Mr. Speaker, irrecoverable losses would accrue to large segments of the domestic oil industry should the recommendations developed by the staff of the task force be implemented. Further, it seems to me that the underlying economic assumptions upon which the recommendations are apparently based are thoroughly unsound.

Mr. Speaker, I wish to document the views which I have expressed by placing in the RECORD a letter which was sent to President Nixon a short time ago by some 90 Members, including myself, on the subject of oil imports. I hope the letter will have the favorable attention of the President.

The letter follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., December 4, 1969.  
The President,  
The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: The undersigned wish to take this means of expressing to you our deep concern about the persistent reports indicating that the Cabinet Task Force on Oil Import Control may propose radical changes in the oil import program. Most disturbing are reports that the present level of imports will be increased and that this action is to be taken for the purpose of forcing a reduction in the price of crude oil.

It is our firm conviction that an increase in the present level of imports would seriously jeopardize our national security and constitute a disservice to the consumers of both oil and natural gas. In this regard, the following considerations appear to us to be conclusively persuasive.

1. Imports of crude oil and refined products now equal more than one third of total U.S. crude oil production. This already is a dangerous dependency, and under no circumstances should it be increased. For example, during the Middle East crisis of 1967, we were barely able to meet the emergency requirements for domestic oil, even for a short duration. Since that time, our petroleum reserve position has deteriorated. Last year, for the first time in our history, crude oil producing capacity declined. In contrast, authoritative forecasts show that our requirements by 1980 will be some 30 percent greater than at present.

2. The Eastern States, including Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, West Virginia, Virginia, Maryland, North Carolina, South Carolina, Georgia, and Florida, are now dependent on foreign source petroleum for 40 percent of their requirements. Any further dependence of this important industrial area on uncertain foreign sources, which experience has indicated would be cut off in time of emergency, could result in critical shortages because domestic supplies and transportation facilities would no longer be available.

3. We already face a most critical natural gas supply problem. The Federal Power Commission and also officials in the Department of the Interior recently have publicly recognized the seriousness of the natural gas supply problem and have called for immediate remedial actions. Increased imports of oil would discourage and further depress the

search for new gas fields and new oil fields—an inseparable activity.

4. All forms of energy are essential to national security. Increased oil imports adversely affect not only domestic supplies of oil and natural gas but also of coal and synthetics such as shale oil.

5. The use of low-cost imported oil appears at first glance to be attractive, and it might very well be so for the short term. But, to do so would put the Nation in a very vulnerable position for the long term. During the 1967 Middle East Crisis, we were the victims of an embargo. It is obvious from previous experience that foreign oil will be cheap only so long as we are not dependent upon it for our needs and security.

6. There have been claims made that the present Mandatory Oil Import Program costs consumers billions of dollars annually. These claims are totally misleading because they are based upon the fallacious assumption that Middle East oil will remain cheap even after we are dependent upon it. Furthermore, these claims disregard the losses to our economy that would result from dismantling the domestic industry which generates billions of dollars annually in revenues to the economy and tax revenues throughout more than half our States which produce oil and gas.

7. Oil imports now constitute the largest commodity deficit item in our balance of trade, totalling \$2.6 billion annually. If the import level is increased, the serious balance of payments problem will be further aggravated.

8. The petroleum industry now markets more Btu's in the form of natural gas than in the form of liquid petroleum. The combined wellhead price of these two products on a crude oil equivalent basis, is less than \$1.90 per barrel. This is lower than the cost of imported oil or natural gas from any source of the world.

9. In 1957-59, the combined weighted wholesale price of the four principal petroleum products was \$3.99 a barrel. In the latest month, September, 1969, these weighted product prices averaged \$3.90. Prices of petroleum are therefore lower today than in the 1957-59 price, while the wholesale price level for all commodities is up almost 14 percent. If price behaviour of all other industries had been as favorable as the oil industry, there would be no problem of inflation today.

10. Recent discoveries in Alaska have been cited by some as providing security of supplies for the future. We think prudence requires caution as to (1) these preliminary but optimistic estimates of reserves and (2) the cost to consumers in the other 49 states. Furthermore, it should be kept in mind that our requirements are growing at a rapid rate; for example, during the past 10 years we found about 35 billion barrels of oil whereas during the next decade if we are to remain secure we must find about 60 billion barrels.

We are also very much concerned about the impact increased imports would have upon the economy of the oil producing states. The cost to the total U.S. economy would aggregate billions of dollars annually through reductions in state and local tax revenues; lower bonuses and rentals from Federal and state lands; losses in employment; and decreases in purchases of equipment, supplies and services from allied industries.

We wish to urge with all the persuasion and force at our command that in our opinion the Nation's security will be dangerously impaired if the level of imports is increased. We direct your attention particularly to the uncertain conditions in Libya and the Middle East which serve to remind us of the folly of becoming dependent upon these sources. In addition, we are firmly convinced that increased imports would bring about serious economic problems, including what we be-

lieve would be a crippling impact upon the already serious balance of payments problem.  
Respectfully,

#### LEGISLATIVE PROGRAM FOR THE BALANCE OF THE DAY

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

Mr. ALBERT. Mr. Speaker, we hope to take up the conference report next on the OEO bill which I understand has just been voted on by the Senate but has not been messaged over here. Pending receipt of it, I ask unanimous consent that the Speaker may declare a recess at any time this afternoon subject to the call of the Chair and that the bells may be rung 15 minutes prior to our reconvening.

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

Mr. WAGGONNER. Mr. Speaker, reserving the right to object, and I will not object, may I ask is it the intention of the leadership not to call up any other conference report today except the OEO authorization bill?

Mr. ALBERT. None of the rest of them are ready. May I answer the gentleman in that way?

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

Mr. GROSS. Mr. Speaker, reserving the right to object, that is hardly an answer to the gentleman's question. Is it proposed to run into tonight?

Mr. ALBERT. No.

Mr. GROSS. Then, the other conference reports that are not ready will not be called up today? Is that correct?

Mr. ALBERT. Would the gentleman be satisfied with the answer that none of them are ready now and we do not anticipate that any of them might be ready this afternoon? But if they are, we would like the indulgence of the House to call them up.

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

Mr. GERALD R. FORD. Mr. Speaker, further reserving the right to object, there is one in which I have a particular interest. I have spoken to the distinguished chairman of the Committee on Appropriations concerning the supplemental appropriation bill which I understand has not yet been filed although permission has been granted to file it tonight. I would want some assurance that unanimous consent would not be asked for consideration of that conference report today.

Mr. ALBERT. I can assure the distinguished minority leader that no effort to bring up the supplemental appropriation bill will be made today.

Mr. GERALD R. FORD. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

#### RECESS

The SPEAKER. Accordingly the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 32 minutes p.m.), the House stood in recess subject to the call of the Chair.

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 21 minutes p.m.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3016) entitled "An act to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 65. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Emogene Tilmon of Logan County, Ark.;

S. 80. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Enoch A. Lowder of Logan County, Ark.;

S. 81. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to J. B. Smith and Sula E. Smith, of Magazine, Ark.;

S. 82. An act to direct the Secretary of Agriculture to convey sand, gravel, stone, clay and similar materials in certain lands to Wayne Tilmon and Emogene Tilmon of Logan County, Ark.; and

S. 2325. An act to amend title 5, United States Code, to provide for additional positions in grades GS-16, GS-17, and GS-18.

#### CONFERENCE REPORT ON H.R. 15209, SUPPLEMENTAL APPROPRIATIONS, 1970

Mr. MAHON submitted the following conference report and statement on the bill (H.R. 15209) making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes.

#### CONFERENCE REPORT (H. REPT. NO. 91-780)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15209) "making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 5, 7, 14, 22, and 25.

That the House recede from its disagreement to the amendments of the Senate numbered 11, 15, 17, 20, 21, 23, 30, and 31, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$300,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment insert "\$700,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,250,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$310,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,300,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$50,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$2,048,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$1,000,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,040,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$50,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$1,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 4, 8, 13, 19, 27, 29, 32, and 33.

GEORGE MAHON,  
JAMIE L. WHITTEN,  
JOHN J. ROONEY,  
TOM STEED,  
DANIEL J. FLOOD,  
JULIA BUTLER HANSEN,  
CHARLES R. JONAS,  
ELFORD CEDERBERG,  
JOHN J. RHODES (except amendment No. 32).

#### Managers on the Part of the House.

ROBERT C. BYRD,  
JOHN O. PASTORE,  
SPESARD L. HOLLAND,  
ALLEN J. ELLENDER,  
JOHN L. MCCLELLAN,  
WARREN G. MAGNUSON,  
JOHN STENNIS,  
MILTON R. YOUNG,  
MARGARET CHASE SMITH,  
ROMAN L. HRUSKA,  
GORDON ALLOTT,

#### Managers on the Part of the Senate.

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15209) making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

## CHAPTER II—INDEPENDENT OFFICES

Amendment No. 1: Appropriates \$300,000 for Federal Labor Relations Council, salaries and expenses instead of \$250,000 as proposed by the House and \$400,000 as proposed by the Senate.

Amendment No. 2: Authorizes compensation of mediators at the rate of not to exceed \$100 per day as proposed by the House instead of \$150 as proposed by the Senate.

Amendment No. 3: Appropriates \$700,000 for Commission on Government Procurement, salaries and expenses, instead of \$500,000 as proposed by the House and \$2,500,000 as proposed by the Senate.

Amendment No. 4: Reported in technical disagreement.

Amendment No. 5: Deletes \$1,443,000 for Commission on Population Growth and the American Future proposed by the Senate.

## CHAPTER III—DEPARTMENT OF THE INTERIOR

Amendment No. 6: Appropriates \$1,250,000 for Bureau of Land Management, management of lands and resources instead of \$1,000,000 as proposed by the House and \$1,500,000 as proposed by the Senate.

Amendment No. 7: Appropriates \$7,500,000 for Office of the Territories, Trust Territory of the Pacific Islands as proposed by the House instead of \$8,380,000 as proposed by the Senate.

Amendment No. 8: Reported in technical disagreement.

Amendment No. 9: Appropriates \$310,000 for Bureau of Sport Fisheries and Wildlife, management and investigations of resources, including \$105,000 for preservation of the steamboat *Bertrand* and its cargo, instead of \$205,000 as proposed by the House and \$414,000 as proposed by the Senate.

Amendment No. 10: Appropriates \$2,300,000 for Bureau of Sport Fisheries and Wildlife, construction, instead of \$2,200,000 as proposed by the House and \$2,600,000 as proposed by the Senate.

Amendment No. 11: Inserts heading.

Amendment No. 12: Appropriates \$50,000 for National Park Service, management and protection, instead of \$220,000 as proposed by the Senate.

Amendment No. 13: Reported in technical disagreement.

Amendment No. 14: Deletes appropriation of \$190,000 for National Park Service, construction, proposed by the Senate.

Amendment No. 15: Inserts heading.

Amendment No. 16: Appropriates \$2,048,000 for Indian Health Services instead of \$3,000,000 as proposed by the Senate.

Amendment No. 17: Appropriates \$1,952,000 for Construction of Indian Health Facilities as proposed by the Senate.

## CHAPTER IV—DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE

Amendment No. 18: Inserts chapter number and appropriates \$1,000,000 for Wage and Labor Standards Administration instead of \$2,000,000 as proposed by the Senate.

Amendment No. 19: Reported in technical disagreement.

Amendment No. 20: Deletes appropriation of \$75,000 for salaries and expenses and \$239,000 for construction at Gallaudet College as proposed by the Senate.

## CHAPTER V—LEGISLATIVE BRANCH

Amendment No. 21: Appropriates \$24,966 for the Office of the Vice President as proposed by the Senate.

## CHAPTER VI—DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES

Amendment No. 22: Deletes \$310,000 for Department of State, salaries and expenses proposed by the Senate for the Passport Office.

Amendment No. 23: Appropriates \$618,000 for Department of Commerce, Environmental Science Services Administration, salaries and expenses, as proposed by the Senate instead of \$418,000 as proposed by the House.

Amendment No. 24: Appropriates \$1,040,000 for Department of Commerce, Environmental Science Services Administration, facilities, equipment and construction instead of \$440,000 as proposed by the House and \$3,582,000 as proposed by the Senate.

Amendment No. 25: Deletes \$5,000,000 for Department of Commerce, Office of State Technical Services, grants and expenses proposed by the Senate.

Amendment No. 26: Appropriates \$50,000 for Department of Commerce, Maritime Administration, State Marine Schools instead of \$130,000 as proposed by the Senate.

Amendment No. 27: Reported in technical disagreement.

## CHAPTER VII—DEPARTMENT OF TRANSPORTATION

Amendment No. 28: Appropriates \$1,000,000 for United States Coast Guard, operating expenses instead of \$1,200,000 as proposed by the Senate.

## CHAPTER VIII—TREASURY DEPARTMENT

Amendment No. 29: Reported in technical disagreement.

## CHAPTER IX—CLAIMS AND JUDGMENTS

Amendments Nos. 30 and 31: Appropriate \$25,021,852 for claims and judgments as proposed by the Senate instead of \$24,491,433 as proposed by the House.

## CHAPTER X—GENERAL PROVISIONS

Amendment No. 32: Reported in technical disagreement.

Amendment No. 33: Reported in technical disagreement.

GEORGE MAHON,  
JAMIE L. WHITTEN,  
JOHN J. ROONEY,  
TOM STEED,  
DANIEL J. FLOOD,  
JULIA BUTLER HANSEN,  
CHARLES R. JONAS,  
E. A. CEDERBERG,  
JOHN J. RHODES  
(except amendment  
32).

*Managers on the Part of the House.*

## CONFERENCE REPORT ON S. 3016, ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 19, 1969.)

The SPEAKER. The gentleman from Kentucky (Mr. PERKINS) is recognized for 1 hour.

## HAPPY BIRTHDAY, MR. SPEAKER

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

Mr. PERKINS. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. I appreciate the gentleman yielding. I take this time to advise the House that this is the eve of the birthday of the world's greatest living legislator, our distinguished and respected Speaker. I join all Members of the House in wishing that tomorrow may be the happiest birthday in the life of our great Speaker, and that he may have many more of them as well as many more years of service in this House and to the people of this great country. Happy birthday, Mr. Speaker.

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

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

Mr. GERALD R. FORD. I can only echo, reiterate, and magnify the words spoken by the distinguished majority leader. It has been a great privilege to serve with the Speaker this year, and I wish him happiness for many more years in the future.

Mr. PERKINS. Mr. Speaker, I likewise echo what has been said by both the majority leader and the minority leader. All of us wish you well for many, many more happy birthdays. You have served this House so ably and well for a long period of time. We all appreciate it.

Mr. Speaker, I call up the conference report on the bill S. 3016 to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize funding for those programs, and for other purposes.

I am happy to tell the Members that the bill we have brought back from conference is in substance the same bill passed by the House 8 days ago.

There were some slight modifications in which both sides gave ground. This is as it should be, and as it has to be in good faith negotiations between the two bodies of this Congress. The essential thing to remember as far as the House is concerned is that we did not give away anything.

The bill agreed to in conference authorizes the appropriation of \$2,195,500,000 for the fiscal year 1970 to carry out the programs established under the act. This is a down-the-middle split between the lesser amount authorized by the Senate bill and the greater amount contained in the House version.

For fiscal year 1971, the House bill had authorized the appropriation of such sums as were necessary. The Senate bill set a specific figure of \$2,148,000,000, plus \$240,000,000 for Project Headstart; \$14,000,000 for special impact programs under part D of title I; \$32,000,000 for legal services; \$80,000,000 for comprehensive health services; \$150,000,000 for emergency food and medical services; \$3,200,000 for senior opportunities and services programs; \$15,000,000 for assistance for migrant and seasonal farm workers programs under part B of title III; and \$50,000,000 for day-care projects, part B of title V.

The bill we brought back from conference authorizes \$2,295,000,000 for the fiscal year beginning next July 1, plus

the amounts authorized by the Senate bill, with these three exceptions:

First, an additional \$15,000,000 for family planning programs;

Second, the additional amount for Headstart would be \$180,000,000; and

Third, the additional amount for emergency food and medical services would be \$112,500,000.

Among other items, the Senate receded from its so-called Murphy amendment. That amendment would have permitted a Governor to veto any legal services contract, agreement, grant, loan, or other assistance, and permitted only a non-delegable override authority to the President.

This feature did not occur in the House bill, and it aroused the stringent objections of the American Bar Association, an organization that has been in the forefront of the fight to bring legal representation within reach of the very poor.

The Senate also gave ground on the Legal Services amendment by the House, which limited the types of "counseling, education, and other appropriate services" which could be provided under legal services programs to "legal counseling, education in legal matters, and other appropriate legal services." The House amendment remains in the bill.

Mr. Speaker, one of the most difficult issues we had to resolve with the Senate concerned section 616 of the act, providing for the transferability of funds from one program to another.

This section presently authorizes and permits 10 percent of the amount appropriated for carrying out any program under the act to be transferred to any other program under the act. But this transfer may not result in increasing the amount otherwise available to the beneficiary program by more than 10 percent.

The Senate bill would have permitted 15 percent to be transferred during the first fiscal year of the new authorization, and 20 percent during the second. It took the celling off the amount by which the beneficiary program could be increased.

The House was content to let present law stand. Nothing to disturb those percentages was included in the House bill.

In the negotiations of Wednesday and Thursday, however, we were obliged to recede somewhat, and accept some of the Senate demands.

The conference bill leaves the 10-percent transferability figure intact for fiscal year 1970, but increases it to 15 percent for fiscal 1971. With respect to the limitation on the amount a beneficiary program can receive from such transfer, we agreed that in the case of a program for which \$10,000,000 or less is available, a maximum of 100 percent may be added. For any program with more than \$10,000,000 available, no more than 35 percent may be added.

Now, Mr. Speaker, the House bill did not provide allocations for specific programs of the amounts appropriated, except for a few instances involving special work and career development programs, Headstart and Headstart Follow Through programs, and the intensive programs to eliminate hunger and malnutrition.

The Senate bill provided special allocations for a number of programs car-

ried out under the act. Briefly, these included:

First, \$890,300,000 for work and training programs;

Second, \$46,000,000 for special impact programs;

Third, \$1,012,700,000 for community action programs including \$338 million for Headstart, \$60 million for Headstart Follow Through, \$58 million for legal services, \$80 million for comprehensive health, \$25 million for emergency food and medical, \$15 million for family planning, and \$8.8 million for Senior Opportunities.

Fourth, \$12,000,000 for rural loans;

Fifth, \$34,000,000 for migrant and seasonal farm workers;

Sixth, \$16,000,000 for administration and coordination under title VI; and

Seventh, \$37,000,000 for VISTA.

The conference bill adopts the plan of the Senate bill, with a major change. As adopted by the conferees, \$328,900,000 must be reserved and made available for each of the 2 fiscal years involved for local initiative programs carried out under section 221 of the act. Only the remainder of the appropriations for each fiscal year would be allocated in the

prescribed manner. The amounts so reserved are not subject to transfer under section 616 of the act.

Mr. Speaker, for the better understanding of the Members of the earmarking features of the House bill, the Senate bill, and the conference bill, I include these tables:

FISCAL 1971

The earmarks in fiscal year 1971 are identical to those in fiscal year 1970. However, several new authorizations are provided as additions to those already contained in the bill. These are as follows:

	Senate bill	Conference report
Unearmarked money.....	\$100,000,000	\$100,000,000
Special impact.....	14,000,000	14,000,000
New careers and mainstream.....	34,700,000	34,700,000
Headstart.....	240,000,000	180,000,000
Legal services.....	32,000,000	32,000,000
Comprehensive health.....	80,000,000	80,000,000
Emergency food and medical.....	150,000,000	112,500,000
Family planning.....	15,000,000	15,000,000
Senior opportunities.....	3,200,000	3,200,000
Migrants.....	15,000,000	15,000,000
Day care.....	50,000,000	50,000,000

The fiscal year 1971 authorization in the Senate bill was 2,732,200,000. The House bill was open-ended. The conference report total for fiscal year 1971 is 2,831,900,000:

FISCAL 1970

	House bill	Senate bill	Conference report
Grand total.....	\$2,343,000,000	\$2,048,000,000	\$2,195,500,000
Title I:		890,300,000	890,300,000
Operation Mainstream and New Careers.....	110,000,000		20,000,000
Special impact.....		46,000,000	46,000,000
Total, title I.....		936,000,000	956,000,000
Title II:		338,000,000	398,000,000
Headstart.....	458,000,000	60,000,000	90,000,000
Follow Through.....	120,000,000	58,000,000	58,000,000
Legal services.....		80,000,000	80,000,000
Comprehensive health.....		25,000,000	62,500,000
Emergency food and medical.....	100,000,000	15,000,000	15,000,000
Family planning.....		8,800,000	8,800,000
Senior opportunities.....		10,000,000	10,000,000
Alcoholic recovery.....		5,000,000	5,000,000
Drug rehabilitation.....		426,400,000	434,400,000
Other—title II.....			
Total, title II.....		1,012,700,000	1,140,200,000
Title III:		\$12,000,000	\$12,000,000
Rural loans.....		34,000,000	34,000,000
Migrants.....		16,000,000	16,000,000
Title VI, Administration.....		37,000,000	37,000,000
Title VIII, VISTA.....			

† \$328,900,000 is for local initiative.

Mr. Speaker, I personally feel that the most important feature of the conference bill is the implicit endorsement of the principle of community action.

Title II of the 1964 act began:

The purpose of this part is to provide stimulation and incentive for urban and rural communities to mobilize their resources to combat poverty through community action programs.

I submit that this bill, like the House bill, is a ringing restatement of our belief in that purpose.

Efforts have been made, in and out of the Congress, to divert us from our course; to turn our backs on the local communities; and to give major responsibility to the State governments for operation of the antipoverty programs.

That issue was fought out on the floor of this House last week. The House acted decisively to head off the drive toward a State takeover.

The House said—clearly enough to be heard all over this land—that the focus of our antipoverty efforts must be where poverty is, and that is in the local communities.

It said that the local people, the local elected officials and community social service agencies, the local poor people themselves, should have the lead in developing and carrying out their programs.

There can be no misunderstanding about that.

I know there may be some disappointment in some of the State OEO offices in State capitals around the country. Some of them were gearing up for the seizure last week.

I am told that on Thursday evening, December 11, some fellow from the office of the Governor of my State held a meeting with the CAP directors and outlined to them the plans that were ready to go into effect.

Generally, I do not like to discommodate a fellow who has his heart set on something as strongly as that. But, Mr. Speaker, he jumped the gun. He was halfway around the track before the House blew the whistle on him last Friday night, December 12, and said: "Look here, boy, you are going in the wrong direction."

We told him in no uncertain terms that it was not going to be his responsibility to take over and run this or that CAP agency; that he was not going to get to say which agency gets closed down and which is allowed to operate. We told him that those matters are going to be left up to the local communities, acting within the guidelines of the Economic Opportunity Act, as amended in 1967.

This House and the Congress specially declined to amend the act in 1969 in this report. The preference for local designation and local running of community action programs remains the law of the land. The law expresses an intention that this preference not be tampered with.

The conference bill underlines that resolve in two particularly clear instances. These were the elimination of the Murphy amendment relating to the Governor's veto over legal services programs; and by providing a special reservation of funds for local initiative programs.

Those actions spell out the intention of the conferees and the Congress itself that the community action programs are and are intended to be locally designated and locally administered.

It was explicitly brought up during the conference by Representative BRADEN that the report should make clear that nothing in this legislation is intended to expand the role of the States in planning, designing, or administering the antipoverty programs. There was no objection raised on either side of the conference table.

On behalf of the people of the local communities, we are saying to the Governors and to the State governments, "We welcome your cooperation and your help."

And we are saying to Director Rumsfeld that we encourage exploration of ways to improve the coordination of State and Federal with local poverty efforts. But we do not intend that you should reverse the decision so forcefully made by this House on December 12 that the preference for local power and local decisionmaking in the poverty area is to remain.

The defeat of those who would have taken local power and local control and replaced it with State control and State power to run poverty programs is a clear expression of the will of this Congress. Any retreat in the direction of surrendering power to the States will be a clear violation of congressional intent.

The degree to which Governors and State economic opportunity agencies should be permitted to expand their efforts in the poverty area must depend upon the degree to which they are willing to cease interference with the local decisionmaking process; the degree to which they cooperate with the Federal

poverty program and with the policy that the Congress is enunciated; and to the degree to which they are willing to supplement Federal and local resources with meaningful financial assistance from the States.

The past record of a number of Governors and State agency personnel is replete with attempts to use these programs for political purposes; with efforts to override or interfere with local decision as to the hiring of staff and with local decision with respect to the nature of programs. This sort of interference must cease.

Mr. Speaker, I submit that the bill we have returned from conference is a good bill and a constructive bill. It is substantially what the President said he wanted, and what Director Rumsfeld said he wanted.

It will, I believe, give the Director the tools he needs to carry out the great program begun with the 1964 act.

Mr. Speaker, I would be remiss if I did not at this point recognize the hard work and the dedication of the participating House conferees throughout the 2 days of sessions we held with the Senate.

I appreciate their good work, and their diligence in upholding the position of the House.

We had not really anticipated a lengthy conference, since the issues outstanding between the two bills were not major. But it was prolonged over 2 days, and Senator NELSON of Wisconsin, the conference chairman, was eminently fair and took pains to see that everyone had an opportunity to speak his piece.

Again I thank all of the conferees for their patience and their tremendously valuable contributions in perfecting the economic opportunity legislation.

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

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

Mr. PUCINSKI. Mr. Speaker, I congratulate the distinguished gentleman from Kentucky for the manner in which he handled this conference and the manner in which he preserved so excellently the position of the House in this.

Particularly am I impressed by the statement the gentleman made just now that we have through this action sustained and retained the complete autonomy and authority and emphasis of the urban areas and the rural areas in trying to resolve the problems where they are the greatest. I think as time goes on and we see the various programs which the communities are developing within their own resources and their own communities, we will see the wisdom of the Congress in remaining with this principle.

I would certainly like to congratulate the chairman. I remind him of the letter I read here on the floor of the House at the time of the debate, from my own mayor, Mayor Daley, in which he pointed out many of these poverty programs are a continuation of the local community programs to deal with the problems and that we should preserve that principle.

I thank the gentleman and congratulate

him for indeed preserving that principle in this bill.

Mr. PERKINS. That was the issue before the House, and the vote preserved that principle, to make sure that the local initiative and the local programs were not destroyed.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I am going to yield to you right away.

Mr. STEIGER of Wisconsin. On this point?

Mr. PERKINS. All right. On this point.

Mr. STEIGER of Wisconsin. I simply want to make the record clear on your statement that—

Nothing in this legislation is intended to expand the role of the States in planning, designing or administering the antipoverty program—

Reading language that was deleted from the conference report, and I simply cannot let this time go by without objecting to the language used by the gentleman from Kentucky in the statement he has just made about any agreement that may or may not have been reached in the conference on the question of increasing the State role. The gentleman from Kentucky is well aware that the conference report to which I affixed my signature on the basis of a language change that was made, which was not, I must say, as much as I would have preferred, says this:

The managers on the part of the House encourage the Director of OEO to explore, along the lines previously mentioned in the House committee report, the opportunities for increased State involvement in poverty programs. It must be quite clear, however, that State domination over program planning, conception, or administration is not intended. Any changes in policy or regulation that would establish a preference for State rather than local determination and local control of community action programs will be inconsistent with the intention of the Congress.

I will say to my friend from Kentucky that this is the intent of the conference. That is the intent of the managers on the part of the House and I do not wish the RECORD to show you or I or any other Members of the Congress have decided to go beyond that. That is the language to which we have agreed. Beyond that we have not gone.

Mr. PERKINS. Let me say to my distinguished colleague that I do not think there is much difference in our viewpoints. I agree to the language that you just read: That the States should not dominate and overrun a local CAP agency, and that is the part you put your signature to and agreed to, and there is nothing in here that is inconsistent with that.

Nowhere in this bill do we increase the authority of the States anywhere, and we do not diminish that authority, either. We simply state where a State tries to dominate a local community action agency that a preference goes to the local community action agency and the State cannot interfere.

Mr. STEIGER of Wisconsin. Will the gentleman yield further?

Mr. PERKINS. I yield further.

Mr. STEIGER of Wisconsin. For one further statement on this matter?

Mr. PERKINS. Yes.

Mr. STEIGER of Wisconsin. I value and appreciate the statement of the gentleman from Kentucky. We have not increased nor have we diminished that which is presently in the act insofar as the authority and the direction for operation in cooperation with the States, if he so desires, so long as this is consistent with the Economic Opportunity Act of 1964 as amended previously and as amended by this conference report. I will say further, Mr. Speaker, that I support this conference report and trust it will be adopted by the House.

I am pleased that the provisions adopted by the other body relating to legal services were dropped. I regret that the House provisions regarding providing funds on an un earmarked basis were not maintained and that less flexibility was given the Director than provided in the Senate-passed bill.

I appreciate the cooperation of the chairman of the full committee in enabling me to serve as a member of the conference.

Lastly, Mr. Speaker, adoption of this report grants to OEO and its Director, Don Rumsfeld, the charter they have for so long been denied. Approval does not indicate agreement with the way this agency has operated in the past. Change is needed but I am confident Mr. Rumsfeld will now be able to get about the business of administering the agency and fulfilling the important role given to it by President Nixon.

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

Mr. PERKINS. I yield to the distinguished gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Because the chairman of our committee made reference to my own remarks during the conference, I want simply to affirm that I did go to some pains to express my own feelings and I felt it was concurred in certainly by those of us on the majority side that nothing in the language of the report should be permitted to be interpreted as providing authority to the Director of the Office of Economic Opportunity to be delegating authority for programs to the State governments.

The reason why I offered that observation was twofold: In the first place, the House of Representatives had, on the Friday before our conference made abundantly clear, a rollcall vote, the margin of which was 68 votes, that we rejected the effort that was made by a number of our colleagues in the House to take the programs of the Office of Economic Opportunity and substantially turn them over to the State governments. It was very clear, therefore, that when I made the observation I did that I was able to point to the strongly expressed attitude of the House of Representatives on that particular point. That is what the fight was all about a few days ago.

And the second reason that I offer my observation with respect to this particular point is that I felt it should be made affirmatively clear in the report so there

would be no misunderstanding that the Director of OEO is not going to be able to come up with some contrived justification whereby he might say, "Oh, well, I do have authority over there or over here in this part of the bill to give some authority or other over to the control of the States." This statement on my part in no way diminishes my agreement with the language of the report that it is appropriate for the Director of OEO to explore along the lines as previously mentioned throughout the House committee report, avenues for greater State involvement in the poverty program.

I thank the chairman for yielding and I hope this helps clarify the subject of our discussion.

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

Mr. PERKINS. I am glad to yield to the gentleman from Minnesota.

Mr. QUIE. I thank the chairman for yielding.

I would say to the gentleman from Indiana (Mr. BRADEMAS) when he said he went to great pains, that I did go through some pain—I felt the pain when he made clear in the conference that the substitute concept did not prevail. I recognize—although I did not say anything about it in conference—that the House refused to take the action which would have required the Director to enter into agreements with the States. However, I heard no agreement on the part of the conferees of the Senate nor any agreement on the part of the members of the House conferees on the Republican side of the aisle to what he said. I noticed that, they too, had a few pained looks.

What I would like to have clear is that the words that were stated in the report of the House on H.R. 12321 were to the effect that the Governors of the several States would be quite satisfied with the effective implementation of the 1967 amendment, and the chairman has no desire, I ask, or the conference report to remove any of the opportunity the Director has to involve the States as was written into the 1967 amendment?

Mr. PERKINS. I think it has been the intent of the Congress all the way along to maintain State involvement where they have good technical assistance programs like they have in some of the States and where there is splendid cooperation. There is room under the legislation for constructive involvement on the part of the States. But on the other hand where the States are not competent and refuse to cooperate and coordinate poverty programs with the local agencies and just want to dominate the local communities—we, by our vote last week and by this conference report certainly, say to those States that want to go beyond the existing authority and dominate local programs, that you do not have any such authority to dominate and overrule and overpower the local CAP agencies, local municipalities, and counties involved in the local effort where there is a dispute. We are saying that the decision should be made in favor of the local agency.

Mr. QUIE. Mr. Speaker, if the gentleman will yield further, the gentleman

did not answer the question which I asked.

The 1967 amendments were not reversed in any way by the language in the conference report. Am I correct?

Mr. PERKINS. The 1967 amendments are not reversed. But in those cases where the States are not competent and where they are interfering with the local CAP agencies, then it is the clear intent of this conference report to put the Director on notice that the decisionmaking role belongs to the local CAP agencies.

But on the other hand, when there is perfect cooperation we do not undertake to diminish any authority that existed in the 1967 limitation.

Mr. QUIE. If the gentleman will yield further, let me ask the gentleman specifically, because the same sentiments that the chairman is now indicating were the same sentiments that I made on the floor about the substitute: That it does not permit the State to dominate, or if the State could not put together a developmental and coordination program acceptable to the Director of OEO, he would not approve it. However, the Director has the power to initiate the purposes of the substitute offered by Mr. AYRES. Let me read the language in section 231(c). It says:

In order to promote coordination in the use of funds under this Act and funds provided or granted by State agencies, the Director may enter into agreements with States or State agencies pursuant to which they will act as agents of the United States for purposes of providing financial assistance to community action agencies or other local agencies in connection with specific projects or programs involving the common or joint use of State funds and funds under this title.

This is in the present act.

What I ask the gentleman from Kentucky is this: Has section 231(c) been repealed at all by the intent of the conference report?

Mr. PERKINS. My answer to the question asked by the gentleman from Minnesota is that we do not diminish the authority of the States—

Mr. QUIE. No, I was referring to section 231(c).

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

Mr. PERKINS. I yield to the distinguished gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I thank the gentleman for yielding, and I would ask the gentleman that the answer, would the gentleman not agree, to the question posed by the gentleman from Minnesota is a clear and categorical "no." We leave the present law as we find it in this conference report. A State may under the 1967 amendments become a community action agency. It may, if it so elects. But under the Hawkins amendment to the 1967 amendment offered by the gentlewoman from Oregon, a local community, be it a city, a county, a township, or a local community, may opt out, and it then retains its full control, full autonomy over the management of its programs subject only to the agreement and arrangements with the Director of OEO. Is that not correct?

Mr. PERKINS. That is correct.

Mr. Speaker, I want to refer the distinguished gentleman from Minnesota to page 18 of the conference report, and I think we should read this language at this point:

It should be noted that in at least two respects the agreement of the conferees underscores the overwhelming determination by the House of Representatives on Friday, December 12, that title II and the programs authorized thereunder are and must remain community action programs. The elimination of the Murphy amendment relating to the Governor's veto power over legal services programs and the provision of a special reservation of funds for local initiative programs underscore the intention of the conferees that the community action program was, and is intended to be, a program locally designed and locally administered. The managers on the part of the House encourage the Director of OEO to explore, along the lines previously mentioned in the House committee report, the opportunities for increased State involvement in poverty programs. It must be quite clear, however, that State domination over program planning, conception, or administration is not intended. Any changes in policy or regulation that would establish a preference for State rather than local determination and local control of community action programs will be inconsistent with the intention of the Congress.

I think that answers the gentleman's question. We do not want to diminish the authority where there is cooperation between the local Community Action agencies and the States, and no authority is diminished. But where there is domination and they are trying to overrun local control, the conference report makes it clear that the preference must be in behalf of the local agency.

Mr. QUIE. I thank the chairman for his answer which was an affirmative answer to the gentleman from Illinois.

Let me just ask one last question in this regard, and that is in regard to changes presently proposed for increasing the State involvement and participation by the Director of the OEO—and I am talking specifically of the proposals spelled out by his assistant, Frank Carlucci. Can the Director make the changes for increased State involvement which he has proposed?

Mr. PERKINS. It is not the intention of the conference report to inhibit State involvement where there is complete cooperation and coordination between the State offices and the local CAP agencies and local municipalities. But where there is a disagreement and a State undertakes to dominate or overrun a community and we have conflict between a State and a local CAP agency, the regulations should not contravene the principle of giving priority to the local communities. If they do, then to that extent there would be a conflict with our intent and the regulations would have to be modified.

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

Mr. PERKINS. I yield to the gentleman.

Mr. QUIE. In the gentleman's estimation, then, the State can assist but not dominate. As the gentleman knows, I strongly favored earmarking the local initiative funds in the conference report, as indicating also my strong desire that

the local communities be able to have the final say in anything in their local community.

Mr. PERKINS. Yes, You and I agree. The local community should have the final say.

Mr. QUIE. That is correct.

Mr. PERKINS. That is what this conference report says.

Mr. QUIE. Mr. Speaker, I did not sign the conference report on the Economic Opportunity Act authorizing legislation for a number of reasons.

No. 1, the President stated earlier this year that OEO was to become a research and innovative agency, and operating programs would be spun-off to traditional agencies. So far, Legal Services, an operating program remains with OEO. I know there are no plans at present to transfer or delegate Legal Services, nor is there an existing agency which would easily assume the administration. However, we should be aware that at present, this program is beginning to fragment in OEO, since VISTA has now gotten into the act and a substantial number of attorneys are assigned to VISTA. Model Cities in HUD has Legal Service attorneys. If the administration should want to consolidate Legal Service programs outside of OEO, the provision in the conference report accepted from the Senate bill would prohibit any delegating of legal services.

Another feature of which I did not agree was the change in section 616 of the Economic Opportunity Act. The present law provides that the Director can shift up to 10 percent of the funds away from any program over which he has authority and may also add 10 percent to any program over which he has authority. I always felt that this was too great a latitude to give the previous Director of the OEO, and therefore feel that a liberalization of this proposal would not be wise at present. If the present Director wants to make a substantial change in programs with shifts in funds from that of which he has already indicated he would expend in his budget presentation to the Appropriations Committee, he should come to the Congress and explain those changes. The Senate amendment to section 616 would have changed the section so funds could be shifted away from any program in the amount of 15 percent in fiscal year 1970 and 20 percent thereafter. No limit was placed on the amount that could have been added to any program. As you see, the conference report changed the above 15 percent back to 10 percent for fiscal 1970 and it permits the shifting of 15 percent away from any program after this fiscal year. The conference agreement, with which I do not agree, also permits a transfer resulting in increases up to 100 percent for a program which is funded at \$10 million or less and an increase of 35 percent if a program is funded at \$10 million or more.

I am not in disagreement, however, with all changes in the House bill where the House conferees accepted Senate amendments. The program on alcoholism is well advised and I do hope the Director will fund it as best he can, since alcoholism is undoubtedly one of the major

causes of poverty, malnutrition and family suffering.

Another change which was well advised is the amendment to Headstart which will permit commingling of Headstart funds for poor children with other funds for nonpoor children in order that Headstart programs may be integrated. While I strongly support integration on the basis of race, I also believe strongly in integration of people of different economic levels. I believe that it can be as debilitating to segregate people who are poor as it is to segregate people who are of a minority race group.

The conference agreed to a change in the Senate language which I proposed, which will require rather than permit the payment of cost of Headstart for the nonpoor either from the family or from other local sources and in the case of the children of the near-poor who need some Headstart experience, a partial payment would be all that was required. I hope in the case of partial payment, the OEO Headstart costs will never be any greater than the present costs for the 10 percent of each class whose parents exceed the poverty level.

I do want to reiterate, however, the words of the conference report that "participation by persons who are not of low income makes a positive contribution to the programs." Persons who are not of low income refers here not only the near poor, but the will to do as well.

Lastly, while I said above there should be no State domination and my efforts for the substitute indicated that it would not have provided for State domination, I also oppose Federal domination. I believe there should be Federal, State and local partnership. The only way that can occur is for State to have an opportunity to coordinate programs to help the poor. I am still convinced that our efforts in the House to substitute were right though unsuccessful. Unless the Director comes to that conclusion, the programs will continue to be dominated by Washington.

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

Mr. PERKINS. I yield.

Mr. DELLENBACK. I do not want to replot the ground that has been discussed for the last 15 or 20 minutes, but I just want to be absolutely certain, if I may direct an inquiry to the gentleman in the well, that the statement of the managers on this measure, as signed by 13 members of the chairman's party and as signed by 5 members of our party, is, as I understand it, a statement to which we all have agreed on this point which has been under discussion.

Mr. PERKINS. The statement of the managers has been given to you along with the signatures of those who agree with it. As the gentleman knows the conference report is controlling and its language is explicit and clear. I do not think it can be misunderstood. It continues the Director's authority to seek the cooperation of the States. But where there are politics being played and the State tries to dominate the local communities, at that point we give preference to the local communities to make the determinations.

Mr. DELLENBACK. I want to pin this point down because there seems to be some difficulty in staying on the specific point involved.

Things that are stated in conference are interesting but not binding, and things that are said here on the floor—

Mr. PERKINS. I do not agree. Things that we say in conference may not be binding, but what we say in the conference report is binding.

Mr. DELLENBACK. Exactly.

Mr. PERKINS. That is correct.

Mr. DELLENBACK. Any references that are made by any of us, including the gentleman in the well, to discussions that may have taken place in the conference committee, but are not reflected in the conference report, are not to be interpreted as binding upon any of us.

Earlier reference was made by the gentleman to a statement allegedly made by the gentleman from Indiana with which some of us do not agree. We did not agree at the time. The statement to which we do not agree is that which is spelled out in the conference report. I do not think the language is ambiguous. State operation not being intended is very clear. But I think also the statement that, "The managers on the part of the House encourage the Director of OEO to explore opportunities for increased State involvement," in accordance with the law, is also equally clear.

Mr. PERKINS. Let me say to my distinguished colleague from Oregon, on behalf of the people of the local communities, we are saying in the conference report to the State Governors, "We welcome your cooperation and your help." We are saying to Director Rumsfeld, "We encourage exploration of ways to improve local, State, and Federal coordination. But we do not intend that you should reverse the decision so forcefully made by this House on December 12 that the preference for local power and local decisionmaking in the poverty area is to remain."

That is what we are saying, and that is my answer to the gentleman. The degree to which Governors and State economic opportunities agencies should be permitted to expand their efforts in the poverty area must depend upon the degree to which they are willing to cease interference with the local decisionmaking process, the degree to which they cooperate with the Federal poverty program and with the policy that the Congress has enunciated, and the degree to which they are willing to supplement the Federal and local resources with meaningful financial assistance from the States. That is what we state in the conference report.

Mr. DELLENBACK. I appreciate the statement of the chairman that it is the language of the conference report that is binding upon the House.

Mr. PERKINS. The language of the conference report is binding.

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

Mr. PERKINS. I yield to the distinguished gentleman from South Carolina.

Mr. RIVERS. Mr. Speaker, included in the conference agreement is language

which, among other things, amends existing law allegedly giving to members of the Armed Forces and their immediate families certain legal assistance if they come within the poverty laws. This is existing law. It is section 222(a)(3) of 43 U.S.C. 2809, and these people are covered now. Should they come within the poverty laws? This seemed to me to be so unnecessary that I called on the Secretary of Defense to see whether or not we had people living in poverty and what his opinion was of this, which seemed to me an unnecessary, almost ridiculous amendment. If military people are living in poverty, they come under the Poverty Act, but because they are, after all, citizens as well as anybody else.

If every time they get help the Department of Defense has to go and transfer money, this seems to me just doubly ridiculous—the transferring of money for services people are entitled to also within the military. We have our Judge Advocates General of the three services located throughout the country. Whenever anybody needs help within the military they always get it. Here is my question. It seemed to me highly unnecessary. We do not need it.

The Secretary of Defense has said this is unwarranted and unneeded. I ask unanimous consent that I may include in the RECORD at this point a letter from the Secretary of Defense on the subject.

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

There was no objection.

The letter is as follows:

THE SECRETARY OF DEFENSE,  
Washington, D.C., December 20, 1969.  
HON. L. MENDEL RIVERS,  
Chairman, Committee on Armed Services,  
House of Representatives, Washington,  
D.C.

DEAR MR. CHAIRMAN: This is in response to your request for comments on a proposed amendment to Section 222(a)(3) of the Economic Opportunity Act of 1964, as amended.

The proposed amendment provides as follows:

"Members of the armed forces, and members of their immediate families, shall be eligible to obtain legal services under such programs in cases where extreme hardship (determined in accordance with regulations of the director issued after consultation with the Secretary of Defense): *Provided*, That nothing in this sentence shall be so construed as to require the director to expand or enlarge existing programs or to initiate new programs in order to carry out the provisions of this sentence unless and until the Secretary of Defense assumes the costs of such services and has reached agreement with the director on reimbursement for all such additional costs as may be incurred in carrying out the provisions of this sentence."

This amendment is unnecessary in view of the specific language in the present law which provides that legal services may be provided for persons living in poverty. Military personnel who are deemed to be "persons living in poverty" are presently covered in the law.

Since the amendment is unnecessary, its net effect is to transfer appropriated funds from the Department of Defense to reimburse the Office of Economic Opportunity for any services provided for members of the armed forces and their immediate families, a clearly inefficient arrangement.

As you know many types of legal services

are provided to our military personnel by legal assistance offices established in the headquarters and field offices of the Judge Advocates General of the three military departments.

If the intent of the amendment is to assure more complete legal services for extreme hardship cases of military members, it is our view that such services could be more efficiently administered by the Department of Defense.

I understand that members of our respective staffs have met on this matter. At that time we furnished your staff a detailed analysis and supporting data.

Sincerely,

MEL LAIRD.

I would like to ask the distinguished gentleman what his opinion is of this amendment.

Mr. PERKINS. Mr. Speaker, I personally believe that the Secretary of Defense controls this amendment altogether. I personally feel that the amendment is meaningless for all intents and purposes, because a close reading of the amendment with respect to legal programs in the conference report will show the gentleman the last sentence states:

*Provided*, That nothing in this sentence shall be so construed as to require the Director to expand or enlarge existing programs or to initiate new programs in order to carry out the provisions of this sentence unless and until the Secretary of Defense assumes the cost of such services and has reached agreement with the Director on reimbursement for all such additional costs as may be incurred in carrying out the provisions of this sentence.

In other words, there must be a meeting of the minds between the Secretary of Defense and the Director of the Office of Economic Opportunity. If the Secretary of Defense takes a notion not to sit down with the Director of the Office of Economic Opportunity and agree on something, the amendment is perfectly harmless and does not carry any import I can see.

Mr. RIVERS. Mr. Speaker, this is my construction. I thank the gentleman.

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

Mr. PERKINS. I yield to the distinguished gentleman from Ohio (Mr. AYRES).

(Mr. AYRES asked and was given permission to extend his remarks at this point in the RECORD, and to include a letter from the assistant director of the National Governors' Conference to Mr. AYRES, and a copy of the assistant director's letter to OEO.)

Mr. AYRES. Mr. Speaker, under permission granted, I include the following letters:

NATIONAL GOVERNORS' CONFERENCE,  
Washington, D.C., December 15, 1969.  
HON. WILLIAM H. AYRES,  
Washington, D.C.

DEAR MR. AYRES: Thank you for your personal leadership to make OEO programs more responsive to the needs of the poor through a closer coordination with related programs at the state level.

I am convinced that the substitute bill would have made it possible in many states to shift from token oriented, project by project grants to a fully coordinated, statewide effort to eliminate the causes of poverty.

Enclosed is a copy of my letter to Director Rumsfeld in which we pledge our continued

cooperation. Perhaps, through a more aggressive implementation of OEO guidelines we can achieve some of the objectives of the substitute bill.

Please call upon me or this office whenever we may be of assistance to you. Kindest regards for the holidays and the new year.

Most sincerely,

JAMES L. MARTIN,  
Assistant Director.

NATIONAL GOVERNORS' CONFERENCE,  
Washington, D.C., December 15, 1969.

Mr. DONALD RUMSFELD,  
Director, Office of Economic Opportunity,  
Washington, D.C.

DEAR MR. RUMSFELD: Congratulations on your hard-won victory to extend OEO authorization for two years without amendments. However, I must agree with Congressman Ayres that the substitute amendments would have made services for the benefit of the poor more effective through a new partnership with the states.

If you can continue your efforts to redraft and strengthen the guidelines for state participation in OEO programs, I am confident that we can not only avoid future confrontations but work together for the strengthening of OEO and its programs.

We stand ready, as in the past, to assist you and your staff whenever possible.

Most sincerely,

JAMES L. MARTIN,  
Assistant Director.

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

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

(Mr. PUCINSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, I will insert in the RECORD an article from the Chicago Tribune from this morning, calling attention to some of the practices of the OEO attorneys in Chicago.

I was happy to join my distinguished chairman in voting against the Murphy amendment because I had great confidence in our former colleague, Mr. Rumsfeld, and his ability to bring some order to this agency.

I hope the gentleman discussed in this article will be one of those to be severed from this agency for his foolishness as reported in the article this morning.

Mr. Speaker, I include at this point the clipping from the Chicago Tribune:

PATRIOTISM A BAD WORD TO OEO  
(By Willard Edwards)

WASHINGTON, December 19.—The principal of the Church Rock, N. M., elementary school was staggered last Nov. 12 to receive a threatening letter from the government. It warned him that he was polluting the youthful minds entrusted to his care and might be the subject of legal action if he persisted in his "offensive" tactics.

The letter was signed by Stephen B. Elrick, an attorney employed at taxpayers' expense in the legal services section of the office of economic opportunity. He is one of 1,850 lawyers now on the federal payroll who provide "legal assistance" to poor people.

Claude Hinman, principal of the school, which has an enrollment of 99 per cent Indian children, learned that he had been guilty of the crime of stimulating patriotism in his charges. He had approved a program to give them "an awareness of the greatness of their country."

"They ought to have an awareness of the faults and errors of their country, as well," wrote Elrick. "It is especially appalling that

Indian children are being forced to participate in this program, when it is their people who have been treated most shabbily of all by the United States."

Elrick expressed his horror at a statement by a Mrs. Stafford, a Negro teacher in the school, who had said: "We should indoctrinate every child with the idea of being loyal to his country."

That was a "sorry philosophy," Elrick declared, for a public school "which should be dedicated to the concept of . . . the presentation of all sides of disputed issues." He continued:

"I find it particularly offensive that you are apparently associating 'patriotism' with support of the war in Viet Nam, which is unquestionably the most controversial war of our time and, in the opinion of many, the most brutal and unjustified."

Elrick then turned his attention to the school bulletin board on which some child had printed "God Bless America."

"It is deplorable," he wrote, "for you to stimulate the expression of what is, in effect, a prayer in violation of the Supreme court's ruling that public schools are to refrain from such activities."

"There is simply no need to offend the sensibilities of some persons by indirectly stimulating the establishment of the Christian (or Jewish) faith among a people who have traditionally held conflicting religious beliefs."

The letter concluded with an ultimatum. If "balance" was not restored to the school programs, "I shall take whatever steps I can to investigate the matter myself and, if necessary, institute legal proceedings."

Principal Hinman referred the letter to School Supt. W. B. Fitzsimmons, who appealed to Sen. Paul J. Fannin (R., Ariz.).

"This is both incredible and awesome," remarked Fannin. "Here we have an OEO staff member who apparently thinks that loyalty to one's country is a 'disputed issue.'"

He fired off a letter Dec. 8 to Donald Rumsfeld, OEO director, suggesting that he inquire into "the continued usefulness of Mr. Elrick in this or any other program in which he is paid by tax money."

Such incidents, he noted, had caused the Senate to approve an amendment to the OEO authorization bill, sponsored by Sen. George Murphy (R., Cal.), giving governors of states control over legal programs for the poor. The House balked and the amendment died in conference.

Rumsfeld, who has been very busy fighting for the life of his agency, hasn't yet replied, but Fannin is confident that the former Illinois congressman will join him in agreement that the teaching of loyalty to the United States is not taboo in American schools.

Mr. SCHERLE. Will the gentleman yield?

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

Mr. SCHERLE. Mr. Speaker, I appreciate the gentleman from Kentucky yielding.

Mr. Speaker, I want to make this statement before we proceed. Historically speaking, this OEO program has no respect whatsoever for any existing Government agency. They have shown a determination to usurp practically all the powers and rights and functions of these other offices. They are involved in almost everything and nothing is sacred. It is an ineffective, bureaucratic, bumbling, corrupt, scandal-ridden organization to the core and does more to bring alienation against all phases of government than all other departments combined.

Mr. Speaker, our office is going to keep

a daily running account of the OEO just to prove that this leopard cannot change its spots.

Mr. PERKINS. Mr. Speaker, I strongly support the activities of CLEO, the Council on Legal Education Opportunity, which was established for the purpose of expanding and enhancing the opportunities to study and to practice law for members of culturally and economically disadvantaged groups. I am advised that during its 2 years of existence, the council has worked toward bringing about a significant increase in the number of law students from these groups, assisting them financially and otherwise while in law school, and increasing career opportunities for them in the legal profession. I am also advised that of the 377 students who have successfully completed the CLEO prelaw summer institutes and thereby become eligible for admission to law school, a large proportion will go on to productive roles in our society within the important profession of law.

I commend the public spirited attitude of the American Bar Association, the National Bar Association, the Association of American Law Schools, and the Law School Admission Test Council, which have cooperated in sponsoring CLEO's activities. And I congratulate the Office of Legal Services of the Office of Economic Opportunity for its role in developing and supporting this worthwhile project. A large part of the council's program—including recruitment, administration, and the summer prelaw institutes—is supported by an annual grant from that Office. In addition, financial assistance to law students has been made possible by grants from the Ford Foundation, the Rockefeller Bros. Fund, the American Bar Endowment, and several other private sources. The law schools have also entered into this significant team effort through providing tuition and fees by scholarships or loan.

CLEO deserves the praise it has received and our continued support. This program can serve as a model for other examples of public-private cooperation to improve the economic and cultural opportunities available to the disadvantaged of our country.

I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 243, nays 94, not voting 96, as follows:

[Roll No. 347]  
YEAS—243

Adair  
Adams  
Albert

Alexander  
Anderson,  
Calif.

Anderson, Ill.  
Anderson,  
Tenn.

Andrews, N. Dak.  
Annunzio  
Ashley  
Aspinall  
Barrett  
Beall, Md.  
Bell, Calif.  
Biaggi  
Blester  
Blanton  
Boggs  
Bow  
Brademas  
Brooks  
Broomfield  
Brotzman  
Brown, Calif.  
Brown, Mich.  
Brown, Ohio  
Burke, Mass.  
Burlison, Mo.  
Burton, Calif.  
Button  
Byrne, Pa.  
Cabell  
Carter  
Casey  
Cederberg  
Chamberlain  
Clausen,  
Don H.  
Cleveland  
Cohelan  
Conable  
Conte  
Corbett  
Coughlin  
Culver  
Daddario  
Davis, Ga.  
de la Garza  
Delaney  
Dellenback  
Dingell  
Donohue  
Dorn  
Dulski  
Dwyer  
Edmondson  
Edwards, La.  
Ellberg  
Esch  
Eshleman  
Evans, Colo.  
Fish  
Flood  
Foley  
Fraser  
Frelinghuysen  
Friedel  
Fulton, Pa.  
Galifianakis  
Garmatz  
Gaydos  
Gibbons  
Gilbert  
Gonzalez  
Gray  
Green, Pa.  
Grover  
Gubser  
Gude  
Halpern  
Hamilton  
Hammer-  
schmidt  
Hanley  
Hanna  
Hansen, Idaho  
Hansen, Wash.

**NAYS—94**

Abernethy  
Arends  
Ayres  
Belcher  
Bennett  
Betts  
Blackburn  
Brinkley  
Broyhill, N.C.  
Broyhill, Va.  
Buchanan  
Burke, Fla.  
Burlison, Tex.  
Bush  
Caffery  
Camp  
Chappell  
Clawson, Del.  
Colmer  
Cramer  
Crane  
Daniel, Va.

Davis, Wis.  
Denney  
Dennis  
Devine  
Dickinson  
Dowdy  
Duncan  
Edwards, Ala.  
Erlenborn  
Flowers  
Flynt  
Ford, Gerald R.  
Foreman  
Fountain  
Frey  
Fuqua  
Gettys  
Giaino  
Gooding  
Griffin  
Gross  
Hagan

Harvey  
Hathaway  
Hawkins  
Hechler, W. Va.  
Helstoski  
Hicks  
Hogan  
Hollifield  
Horton  
Hosmer  
Howard  
Hungate  
Hunt  
Jacobs  
Johnson, Calif.  
Johnson, Pa.  
Jones, Ala.  
Jones, Tenn.  
Karth  
Kastenmeier  
Kazen  
Kee  
Keith  
King  
Koch  
Kyros  
Langen  
Leggett  
Lloyd  
Long, Md.  
Lowenstein  
Lujan  
Don H.  
McCarty  
McClory  
McCloskey  
McCulloch  
McDade  
McDonald,  
Mich.  
McEwen  
McFall  
McKneally  
Macdonald,  
Mass.  
MacGregor  
Madden  
Mahon  
Mailliard  
Mann  
Mathias  
Matsunaga  
May  
Meeds  
Melcher  
Meskiv  
Mikva  
Mills  
Minish  
Mink  
Mollohan  
Monagan  
Moorhead  
Morgan  
Morton  
Mosher  
Murphy, Ill.  
Murphy, N.Y.  
Natcher  
Nedzi  
Nelsen  
Nix  
Obey  
O'Hara  
O'Konski  
Olsen  
O'Neill, Mass.  
Ottinger  
Patman  
Patten  
Pelly  
Perkins

Pettis  
Philbin  
Pickle  
Pike  
Pirnie  
Podell  
Pollock  
Preyer, N.C.  
Price, Ill.  
Pryor, Ark.  
Pucinski  
Railsback  
Reid, N.Y.  
Reuss  
Rhodes  
Riegle  
Roberts  
Robison  
Rodino  
Roe  
Rogers, Colo.  
Rooney, N.Y.  
Rooney, Pa.  
Rosenthal  
Roth  
Roybal  
Ruppe  
Ryan  
St. Onge  
Schadeberg  
Scheuer  
Schneebeli  
Schwengel  
Shiple  
Shriver  
Skubitz  
Slack  
Smith, Iowa  
Smith, N.Y.  
Springer  
Stafford  
Staggers  
Stanton  
Steed  
Steiger, Wis.  
Stratton  
Stubblefield  
Symington  
Taft  
Talcott  
Taylor  
Teague, Calif.  
Thompson, N.J.  
Tiernan  
Udall  
Ullman  
Van Deerlin  
Vander Jagt  
Vigorito  
Waldie  
Wampler  
Watts  
Weicker  
Whalen  
Whalley  
White  
Whitehurst  
Wilson,  
Charles H.  
Winn  
Wolff  
Wright  
Wyatt  
Wylie  
Wyman  
Yates  
Yatron  
Young  
Zablocki  
Zwach

Nichols  
Passman  
Poff  
Price, Tex.  
Quie  
Randall  
Rarick  
Reid, Ill.  
Rivers  
Rogers, Fla.

Roudebush  
Ruth  
Satterfield  
Scherle  
Scott  
Sebelius  
Steiger, Ariz.  
Stuckey  
Teague, Tex.  
Thompson, Ga.

Thomson, Wis.  
Utt  
Waggoner  
Whitten  
Wiggins  
Williams  
Wilson, Bob  
Wold

Mr. Edwards of California with Mrs. Chisholm.  
Mr. Stokes with Mr. Corman.  
Mr. Downing with Mr. Fascell.  
Mr. Vanik with Mr. Conyers.  
Mr. Feighan with Mr. Miller of California.  
Mr. Diggs with Mr. Rees.  
Mrs. Green of Oregon with Mr. Fisher.  
Mrs. Griffiths with Mr. Purcell.  
Mr. Sisk with Mr. St Germain.  
Mr. Kirwan with Mr. Powell.  
Mr. Gallagher with Mr. Fulton of Tennessee.  
Mr. Tunney with Mr. Dawson.  
Mrs. Sullivan with Mr. Eckhardt.

**NOT VOTING—96**

Diggs  
Downing  
Eckhardt  
Edwards, Calif.  
Evins, Tenn.  
Fallon  
Farbstein  
Fascell  
Feighan  
Findley  
Fisher  
Ford,  
William D.  
Fulton, Tenn.  
Gallagher  
Goldwater  
Green, Oreg.  
Griffiths  
Hall  
Harrington  
Hastings  
Hays  
Hébert  
Heckler, Mass.  
Hull  
Kirwan  
Kleppe  
Kluczynski  
Latta  
Lipscomb  
Lukens  
Martin  
Michel

Mr. LUJAN changed his vote from "nay" to "yea."  
The result of the vote was announced as above recorded.  
The doors were opened.  
A motion to reconsider was laid on the table.

**FURTHER MESSAGE FROM THE SENATE**

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1075) entitled "An act to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:  
S. Con. Res. 51. Concurrent resolution to authorize the Secretary of the Senate to make a technical correction in the enrollment of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

**PERSONAL ANNOUNCEMENT**

Mr. WINN. Mr. Speaker, on rollcall No. 320, I was necessarily absent and not recorded.  
I ask unanimous consent that the RECORD show that had I been present and voting I would have voted "nay."  
The SPEAKER. Is there objection to the request of the gentleman from Kansas?  
There was no objection.

**ENROLLMENT OF S. 3016, ECONOMIC OPPORTUNITY AMENDMENTS OF 1969**

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate concurrent resolution (S. Con. Res. 51).  
The Clerk read the Senate concurrent resolution, as follows:

**S. CON. RES. 51**

*Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize ad-*

So the conference report was agreed to. The Clerk announced the following pairs:

On this vote:  
Mr. Moss for, with Mr. Hébert against.  
Mr. Boland for, with Mr. Andrews of Alabama against.  
Mr. Addabbo for, with Mr. Bevil against.  
Mr. Farbstein for, with Mr. Montgomery against.  
Mr. Kluczynski for, with Mr. O'Neal of Georgia against.  
Mr. Rostenkowski for, with Mr. Collier against.  
Mr. Brasco for, with Mr. Sikes against.  
Mr. Widnall for, with Mr. Baring against.  
Mr. Saylor for, with Mr. Ashbrook against.  
Mr. Sandman for, with Mr. Berry against.  
Mr. Morse for, with Mr. Bray against.  
Mr. Burton of Utah for, with Mr. Zion against.  
Mr. Cahill for, with Mr. Watson against.  
Mr. Cowger for, with Mr. Hall against.  
Mrs. Heckler of Massachusetts for, with Mr. Snyder against.  
Mr. Wyder for, with Mr. Smith of California against.  
Mr. Cunningham for, with Mr. Lipscomb against.  
Mr. Findley for, with Mr. Latta against.  
Mr. Minshall for, with Mr. Martin against.  
Mr. Watkins for, with Mr. Michel against.  
Mr. Lukens for, with Mr. Quillen against.  
Mr. Fallon for, with Mr. Clancy against.  
Mr. Hastings for, with Mr. Collins against.  
Mr. Evins of Tennessee for, with Mr. Derwinski against.  
Mr. Celler for, with Mr. Goldwater against.  
Mr. Hays for, with Mr. Kleppe against.  
Mr. Harrington for, with Mr. Reifel against.  
Mr. Dent for, with Mr. Brock against.  
Mr. William D. Ford for, with Mr. Byrnes of Wisconsin against.  
Until further notice:  
Mr. Abbit with Mr. Hull.  
Mr. Bingham with Mr. Clay.  
Mr. Blatnik with Mr. Carey.  
Mr. Pepper with Mr. Stephens.  
Mr. Clark with Mr. Daniels of New Jersey.

vance funding of such programs, and for other purposes, is hereby authorized and directed to make the following correction:

In section 114 strike out "section 620(d)" and insert "section 602(d)".

Sec. 2. That the Senate recede and concur in the House amendment to the title of S. 3016.

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

Mr. QUIE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Kentucky if he would explain the change that he has discussed.

Mr. PERKINS. Mr. Speaker, as I understand it, the concurrent resolution is to correct certain typographical errors, and also a decision is made as to which title is to be used, whether the Senate title or the House title is to be used. That is all the concurrent resolution consists of.

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

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

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

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. FEIGHAN. Mr. Speaker, I would like the RECORD to show that I was called to the telephone, but had I been present, I would have voted "yea" on the last vote, on the OEO conference report.

#### GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 2 legislative days in which to revise and extend their remarks on the OEO conference report.

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

There was no objection.

#### HOUR OF MEETING ON MONDAY, DECEMBER 22

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 o'clock a.m. on Monday next, December 22.

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

There was no objection.

#### ANNOUNCEMENT OF ORDER OF BUSINESS

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

Mr. ALBERT. Mr. Speaker, we still have undisposed of some five conference reports. Under the present plans, we will take up the Labor-HEW report first on Monday, and the gentleman from Arkansas (Mr. MILLS) has advised me he will

call up the conference report on the tax bill not later than 2 o'clock on Monday afternoon.

Mr. Speaker, I submit that for the information of the Members of the House.

#### DEAN RUSK AS PROFESSOR OF INTERNATIONAL LAW

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

Mr. PUCINSKI. Mr. Speaker, I was deeply concerned to read earlier today an AP dispatch from Atlanta, Ga., that the appointment of Dean Rusk as a professor of international law at the University of Georgia may run into a conflict with the Georgia Board of Regents.

Mr. Rusk has been offered a position as professor of international law at this school, and apparently some of the regents are questioning the appointment.

AP says a split could be expected when the formal vote is asked some time in January.

Mr. Speaker, Dean Rusk is one of the truly great statesmen of our time. I cannot imagine that anyone, anywhere, would oppose his appointment as a member of a university faculty.

Dean Rusk is one of the truly great international minds of our time. When the final chapter of freedom's triumph over communism is written, Mr. Rusk's name will be emblazoned in glorious letters as one of the chief architects of that victory. He is one man who over the years understood the full depth and menace of international communism.

Time and again as U.S. Secretary of State, Dean Rusk has shown courage beyond description, simply because he believed in a cause.

There were many times when he could have compromised with principle.

I would hope that a highly respected institution like the University of Georgia could certainly set aside any prejudices as to his personal political views, or of those who think perhaps he is too liberal in one respect or another, and welcome him to that impressive university as one of the great statesmen of our time.

I would think that every university of this country would give its eye teeth to add this distinguished American and great patriot to its faculty.

For that reason, I hope the board of regents would unanimously welcome this great son of Georgia to the university. He would be an impressive addition to any faculty, whether in Georgia or anywhere else in the world.

We as Americans can thank the Lord that we had a man of Dean Rusk's stature, wisdom, knowledge, perseverance, integrity, intellectual honesty, patriotism, and dedication as Secretary of State during one of the most turbulent periods of our history. I would think Georgia University ought to lock up the contract with no delay before some other great institution of learning steals him away.

#### SCANDAL AT SBA—XI

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, last April 28 I had the duty to report to this House a scandal at the Small Business Administration. I had evidence that the special assistant to the Administrator of the SBA had participated or attempted to participate in shakedowns of prospective applicants for SBA loans. At the time I asked the Administrator to undertake an immediate investigation and to suspend his special assistant, Mr. Albert Fuentes, pending the outcome of the investigation.

Administrator Sandoval, for reasons best known to himself, merely replied that he was asking the Department of Justice to investigate, but in the meanwhile Fuentes would remain on the job. As evidence continued to mount in the case, the Administrator continued to refuse to suspend the special assistant, whether out of some personal loyalty, or partisan myopia I cannot tell. Finally, after a series of events that can only be called tragicomedy, Administrator Sandoval dismissed the man, and a few days later, Fuentes was indicted on charges of conspiracy.

Albert Fuentes has now been convicted of conspiracy, and along with a confederate, one Eddie Montez, sentenced to 2-5-year terms in prison. It is the end of a sorry tale.

I did not make my charges lightly, for I do not take lightly my responsibilities as a legislator. I did not expect the matter to receive the cavalier treatment that it did from Administrator Sandoval.

Even though the case of Albert Fuentes is closed, the scandal at SBA is not over. There are questions that remain to be answered.

For example, it is a serious reflection on Administrator Sandoval that he accepted uncritically the claims of Albert Fuentes that he, Fuentes, was a vastly successful businessman when in fact Fuentes' financial statement was filled with deceit and perjury. It is a mystery to me how the Administrator allowed himself to be conned and gulled by a man so unskilled that he could not fool or intimidate a very poor, very small businessman. Yet it is a fact that this man Fuentes, who was unmasked by the most humble of men, moved about freely and had the full confidence of a man responsible for the operation of a large and very sensitive agency. Surely Mr. Sandoval must have known Fuentes well, or he would have never made the man his special assistant. Or did he? Either way Mr. Sandoval has much to answer for. The silence from his office has been deafening.

In the course of the Fuentes trial, statements were made in press accounts that lead me to believe that there may still be serious deficiencies, and possible malpractices in the SBA in the San Antonio region. I am accordingly obtaining a copy of the trial transcript for further study, and will make such further investigations as may be necessary.

I intend to see what can be done to get SBA to function as it ought to. An agency that a year ago was filled with promise is now going forward on blind inertia, and that is shameful. Programs that were beginning to show real promise now

lie crippled and useless. An agency that formerly had good leadership and excellent ideas is now freighted with political appointees of dubious quality and little merit.

Political payoffs may belong to the victor, but it is the responsibility of the President to govern. I pray that what I have seen at SBA is not an example of that government.

#### THE THREAT TO OUR ENVIRONMENT

The **SPEAKER**. Under a previous order of the House, the gentleman from Indiana (Mr. **HAMILTON**) is recognized for 60 minutes.

Mr. **HAMILTON**. Mr. Speaker, surely one of the most crucial and complex issues facing the American people today is how we can restrain the headlong destruction and fouling of our environment.

The Department of the Interior has a pamphlet entitled, "Man: An Endangered Species?" It pictures man standing at a fork on his environmental road. One signpost reads, "Man, Master of Himself," and the other signpost reads, "Man—An Extinct Species."

The direction man chooses now will move him rapidly along the path toward one or the other destination.

No graver mistake could be made than to think that man, because of his own wit and wisdom, is immune from taking the path toward extinction. A formidable case can be built showing that he is rushing headlong in that direction—corrupting and destroying his lands, rivers, forests, and the atmosphere itself.

The other path open to man we know to be expensive and demanding, but its promise is clear rivers, tall forests, and clean air.

#### AWAKENING CONCERN FOR ENVIRONMENT

One of the heartening signs of American life today is the really fantastic acceleration in the awareness in this country of the dangers to the quality of our environment.

We have in recent years produced a cascade of legislation, and, as a nation, we have made a legal commitment to clean up our water and air. We have added millions of acres to our national park system, expanded our wildlife refuge system, and established scenic rivers and trails.

I believe that the American people are ahead of the politicians on this issue of pollution. Those of us in public life have not adequately, or accurately, assessed their mood. They understand better than we the pace at which pollution is advancing and they are not disturbed greatly by the philosophical niceties of political debate concerning whose responsibility—Federal, State, or local—it is to clean it up. They want us to get on with the job quickly and effectively. They are willing to foot the bill for the costs of it.

Rising concern about the environmental crisis is sweeping the Nation's campuses; the "green power movement" is vying with Vietnam as the student's primary consideration.

We all know the increased activity by State and local governments in pollution

control. The private sector, as well, is acting; many industries are spending large sums of money to assure us that they are good, cooperative citizens.

Members of the Congress are finding that an increasing amount of their time is given to the environment of their districts and the problems of pollution control throughout the Nation.

The evidence is clearly mounting that this Nation is stirring itself about pollution control. We are beginning to understand that America's resources are not limitless and that they have to be wisely used. Men like George Perkins Marsh and Carl Shurz, who were among the first to sound the alarm to conserve, are becoming national heroes.

Our appreciation is growing for President Theodore Roosevelt with his great interest in the outdoors and his concern to preserve the grandeur of the West.

He said:

To skin and exhaust the land, instead of using it as to increase its usefulness, will result in undermining, in the days of our children, the very prosperity which we ought by right to hand down to them amplified and developed.

The American people are beginning to see what can happen to a big country when unplanned growth and exploitation go on. We remember the decade of the 1930's when, in the Great Plains States, thousands of acres of soil which had been stripped of natural grass simply dried up and blew away when the drought came. Soil blew all the way to Washington, D.C., as the dust buried farms in the plains.

We remember the Mississippi fish kill, the death dealing smog in Donora, Pa., in the 1940's, and we are seeing clearly the current byproducts of affluence and technological progress like congestion, pollution, water shortage and all the rest.

Chilling estimates of the threat to our environment shake us out of inertia and complacency. U Thant, the United Nations Secretary General, estimates, for example, that the world has 10 years in which to avoid destruction by improving the environment.

We are beginning to see that man is indeed an endangered species. There is greater awareness that our ecological system is a closed one with all of its elements—land, water, and air—inter-related. The ruination of the land is not an isolated incident. It affects the water we drink and the air we breathe. It upsets the delicate chemical and climatic balances upon which we depend.

#### SOME FRIGHTENING STATISTICS THE URGENCY OF THE CRISIS

The evidence is conclusive that this awakening concern for the environment comes none too soon.

Consider some of the general statistics:

First, water: Today every river system in America suffers from some degree of pollution. Industrial discharges, both treated and untreated, into our rivers and streams equal the raw sewage from almost 170 million people. The sources of usable water are running out.

The Interior Department reports that more than 15 million fish were killed last year by municipal and industrial wastes, which totaled over 18 billion gallons. By

1975, a growing population and increasing urbanization rate will require from \$30 to \$50 billion for municipal sewerage systems, industrial waste treatment facilities, separation of combined storm and sanitary sewers, and for research and development of pollution control methods.

Rivers and lakes receive great quantities of industrial chemicals, debris, pollutants, and oil and these things kill fish and pose hazards to human and animal life.

In the Great Lakes, many recreation and swimming areas have been closed because the water is unsafe for human beings. Lake Erie is practically a dead body of water—its oxygen content is approaching zero. Over 3 million tons of debris and filth pour into it every day. Some of our best fresh water fish have almost become extinct.

The sign, "Polluted Water, No Swimming," has become all too familiar on the beaches and rivers of this Nation. One recent study indicated that about 30 percent of the Nation's public drinking and water systems may fall below Federal standards. Sometimes there is too much water, sometimes too little, sometimes it is too dirty to use. But the basic problem is that we do not manage properly the water resources we have.

Second, air: Air pollution thickens our skies, offends our senses, obscures our visibility, costs us money, destroys plants and property, sickens and kills people—and it is getting worse.

Industrial chimneys in the United States belch 37 million tons of sulfur dioxide every year. Over 90 million autos add 66 million tons of carbon monoxide. Electrical incinerators produce another 5 million tons to help foul the air. These gases kill or stunt plants, affect human nerves—causing irritation and decreased normal brain function, damage buildings and personal property, and leave a depressing, sometimes even fatal, pall over the urban landscape.

Since 1860, the carbon dioxide content of the atmosphere has increased 14 percent, thus reducing oxygen regeneration and adversely affecting the process of photosynthesis whereby all plants require oxygen and sunlight to grow. A recent analysis shows that simply by walking the streets of the New York City for a day, a person would breathe in the toxic equivalent of close to two packs of cigarettes.

According to John Gardner, former Secretary of Health, Education, and Welfare:

There is not a major metropolitan area in the United States without an air pollution problem today, and the problem is getting worse. By 1980, this nation's urban population will increase by a third, the number of motor vehicles by 40 percent, and our demands for energy by 50 percent.

Third, solid wastes: we are surrounded by junk, and we do not know what to do with it.

This Nation produces and discards each day millions of tons of garbage, rubbish, automobile hulks, abandoned refrigerators, slaughterhouse refuse. Each year this waste is enough to fill the Panama Canal four times over. It mars

the landscape, breeds disease-carrying insects and rodents, and much of it finds its way into our air and water.

In my hometown, the city of Columbus, Ind.—a town of only 28,000 people—it is estimated that 130 tons of solid wastes have to be disposed of each day.

The U.S. consumer actually consumes very little. He merely uses things and he never really disposes of them. They survive in some form. A good example is the nearly indestructible aluminum can, produced in the United States at an annual rate of 48 billion. The rate for bottles and jars is 28 billion per year.

By the year 2000, 270 million Americans will live in urban environments. As it is, 70 percent of the population lives on 2 percent of the land. When coupled with the fact that the average American's annual output of 1,800 pounds of solid waste—5 pounds a day—is rising 4 percent a year, the outlook for waste is bleak. Disposal already costs us \$4.5 billion a year.

It is no wonder then that we stand at a critical juncture in the fight against pollution. The crisis is upon us. As Representative MORRIS UDALL says:

In the pursuit of progress man has put strontium ninety in his bones, iodine 131 in his thyroid, DDT in his fat, and asbestos in his lungs. That kind of progress can kill us.

So we come to a new year and find ponds and lakes polluted, air filled with dirt, and solid waste piled high.

They are part of the wreckage and debris of the march of "progress." This should not be the legacy of our great technology.

The Environmental Pollution Panel of the President's Science Advisory Commission wrote in 1965:

Pollution touches us all; we are at the same time polluters and sufferers from pollution. Today pollution adversely affects the quality of our lives. In the future, it may affect their duration.

#### THE CAUSES OF POLLUTION

Why have these things come about? Why do we now find ourselves with our health threatened and our lives at stake?

Pollution of the environment is a complex phenomenon and, as might be expected, the causes are many. They are rooted in the attitudes of the American people.

We have had a country richly blessed and we saw no need to conserve it. The vastness of our resources and the open spaces in this land made planning unnecessary, or so it seemed.

Although there have been prophetic voices of warning—for instance, Washington and Jefferson warned against soil erosion—to most of us the land seemed unlimited.

The farmers who were ruined by soil damage could abandon their gullies, and move inland. There was always more land available.

When the saws ripped through the giant trees, there was not much concern because there was an abundance of these giants in the forests.

When we stripped the land, devastating beautiful forests, it did not really matter because there were acres of beautiful land left.

When the cities sprawled scores of miles into the surrounding countryside,

it did not alarm us—there was lots of open space left.

And when the factories belched clouds of black smoke into the air, that did not bother us either, because the big sky could absorb it.

We pride ourselves on individualism—but individualism can make planning and cooperation more difficult, because the private interest is raised above the public welfare.

Sheer carelessness causes much pollution. A 10-year-old boy throws a tinfoil chewing gum wrapper or tin can into a stream, and it seems such a natural and innocent act. Everybody thinks that his little bit of waste in this vast country just will not create any problems. But in a country with a population of 200 million, one man's small disregard for the health of our environment is multiplied a millionfold.

We must realize that we are all polluters, and an effort to find someone else to blame only delays a solution. The average American simply does not recognize his own culpability as he continues to treat air and water as something to be used, abused, and wasted.

The affluent technology means increased waste. We have always thought that pollution was the price of progress, but now, as many of the experts point out, the opposite is true and unless we stop pollution, it will stop our progress.

For too long we have worshipped economic growth without qualification. But it is not enough to grow. As Senator AIKEN of Vermont says, "We must grow right."

So it is not very hard to understand why we are in trouble in pollution control. It is no great compliment to us as a people but at least it is understandable. And the important thing is that there is the time and the opportunity to do something about it.

#### A CLOSER LOOK

To grasp the magnitude of the challenge before us, a closer look is in order at the sources and effects of the pollution, the efforts to limit it, the problems encountered, the solutions proposed, and the outlook.

#### I. AIR POLLUTION

##### A. SOURCES

The sources of air pollution are essentially two: automobiles and industry. More than half of the contamination in the air over the United States consists of carbon monoxide, most of it issuing from cars, trucks, and buses. More than a tenth of air pollution is hydrocarbons, most of which emanate from auto exhausts as partially burned gaseous compounds.

The second most plentiful gas pollutant is composed of oxides of sulfur, produced by home and factory combustion of sulfur-containing coal and oil.

In 1967, these and other sources hurled 133 million tons of contaminants into the atmosphere. In 1969, the annual rate is 142 million tons—more than our annual production of steel. The increase comes from more people, more autos, more industry, more refuse disposal and largely inadequate control activities. A single four-engine jet expels 88 pounds of pollutants during each takeoff.

This pollution is the direct result of affluence.

We are proud of the 90 million automobiles on the roads of America. We do not think about these cars adding 66 million tons of carbon monoxide, 1 million tons of sulfuroxide, 6 million tons of nitrogenoxide, 12 million tons of hydrocarbons and 1 million tons of particulates annually to the air we breathe.

We are proud of our capacity to produce great amounts of electricity to power this Nation. To do so we annually put into the air more than a million tons of carbon monoxide, 12 million tons of sulfurdioxide, 3 million tons of nitrogenoxide, over 1 ton of hydrocarbons, and 3 million tons of particulate matter due to incomplete combustion.

We are proud of our disposable packaging—metal, paper, glass, plastics. So each of us throws away 1,800 pounds of trash annually which in turn is burned in municipal incinerators, adding a million or more tons each of carbon monoxide, sulfuroxide, nitrogenoxide, hydrocarbons, and particulate matter to the air.

We are proud of the productivity of the American economy and of the major industries like pulp and paper mills, iron and steel complexes, petroleum refineries, smelters, inorganic and organic chemical manufacturers. But each year these plants release into the atmosphere 2 million tons of carbon monoxide, 9 million tons of sulfuroxide, 2 million tons of nitrogenoxide, 4 million tons of hydrocarbons, and 6 million tons of particulates.

We are also proud of individual homeownership in America, but family home construction results in the installation of millions of small furnaces and incinerators that are designed without any thought of air pollution control.

#### B. EFFECTS

Tomorrow morning when you get up, take a nice deep breath. It'll make you feel rotten—

Thus read a recent New York City newspaper ad. Although it may strike us as humorous, the ad was in deadly earnest.

We are not merely dealing with a suffocating haze that offends our senses, soils our laundry, damages our buildings and crops, and corrodes metal.

We are dealing with a killer. People become sick and die from breathing dirty air.

Some complain that pollution soils the paint on their homes and interferes with their ornamental shrubbery.

Some complain that they are tired of brushing soot off the sill every time they open the window for a breath of fresh air.

Some want to end pollution because their citrus groves will not flourish or their cattle will not develop properly in a contaminated atmosphere.

Some—the city planners, airline pilots, farmers, manufacturers—want to end pollution because it interferes with the proper performance of their profession.

Many want to end pollution just because they do not like the smell of it and because the esthetic pleasures of the mountains and the forests cannot be enjoyed.

All of these people have good reason for wanting to stop air pollution, but the

primary reason for controlling it is because it threatens human health.

For example, there have been dramatic instances when air pollution has overtaken both large and small communities.

In December 1930, the thick and stagnant fog enveloped the Meuse Valley in Belgium. Many persons developed throat irritations, coughs, breathlessness, some became nauseated; some died.

In October 1948 a similar fog blanketed the small industrial town of Donora, Pa. Before the afternoon rain cleared the fog away 4 days later, 6,000 persons of the town's 14,000 had come down with an assortment of ills, coughs, sore throats, chest constrictions, headaches, burning sensations, nasal discharge, and vomiting. Twenty persons died.

In December 1952 the city of London had a similar experience causing 4,000 deaths during a 7-day period. Similar episodes occurred again in London in 1962 and in New York City in 1953 and again in 1962.

The occasional air pollution disasters are alarming enough, but to those who live in polluted air, and that includes most of us, the long-term effects of air pollution are more serious.

These include the ills and diseases of the bronchial tree from the common cold to lung cancer. Emphysema is the fastest growing cause of death, and studies have demonstrated that emphysema patients improve sharply when they are protected from air pollution.

In Great Britain the mortality rate from chronic bronchitis varies directly with the amount of air pollution. Chronic constrictive ventilatory disease is aggravated by pollution; so is bronchial asthma.

Air pollution is even connected to the common cold. Study after study has shown that the levels of air pollution correlate directly with increased frequency of acute infections of the upper respiratory tract.

Deaths from lung cancer have been increasing rapidly in recent years and, while many factors are involved, the striking difference between the urban and rural mortality rate for lung cancer points sharply to one of them—air pollution, the levels of which are directly proportional to city size.

But threat to human health is not the only effect of pollution:

First. Air pollution obscures visibility. It is a definite hazard to air, land, and water transportation.

Second. Air pollution attacks materials, and they tarnish, corrode, crack, weaken and discolor.

Women in more than one U.S. city experience the sulfur pollution problem when they develop runs in their nylons while out to walk for lunch.

Sulfur pollution attacks stone statuary and buildings. Cleopatra's needle has deteriorated more since its arrival in New York City in 1881 than it did during the more than 3,000 years it spent in Egypt.

Third. Electrical equipment manufacturers are forced sometimes to use gold for electrical contacts because other metals such as silver corrode in sulfur atmospheres, and the corroded metal resists the passage of electrical current.

Fourth. Air pollution injures and kills plants. Orchids cannot be raised in the metropolitan areas of California, and the growers have had to relocate. In the Garden State, New Jersey, pollution injures the vegetation and damage has been reported to at least 13 commercial crops, including spinach, beets, and others.

The most dramatic destruction of vegetation by air pollution takes place in the vicinity of smelters which discharge large amounts of sulfur pollution in the atmosphere and devastate the countryside.

Fifth. Air pollution hits us squarely in the pocketbook.

We usually are unaware of the money losses chargeable to air pollution and the enormous waste of fuel and sacrifices of efficiency associated with it. Whenever we see that dense black smoke coming from the exhaust pipe of a motor vehicle it is evidence of incomplete combustion and waste.

The annual cost to the Nation in wasted fuel runs into the billions of dollars. Agricultural losses probably exceed \$500 million a year. Exact data are not available on the total cost of air pollution in damage to property, but various estimates have been made. The one most frequently cited is \$65 per capita per year, or an annual cost to the Nation of over \$12 billion. In New York City air pollution adds about \$600 per year in washing, cleaning, repairing, repainting bills to the budget of a family of four.

#### C. GOVERNMENT ACTIVITIES

The Department of Health, Education, and Welfare first authorized an air pollution control program in 1955. The legislation in that year called on the States and local governments to assume the basic responsibility for preventing air pollution. It authorized the Department to conduct research and to provide technical support.

Between 1955 and 1963 it was obvious that the efforts being made to deal with the problem were obsolete and inadequate. This led to the Clean Air Act of 1963 which reaffirmed the policy of State and local responsibility, while authorizing HEW to undertake many new activities in support of State and local efforts. Federal grants resulted in an unprecedented 65-percent expansion in 33 State-controlled programs. Federal abatement actions were initiated, and expanded research efforts got underway.

There were stirrings on other fronts, too, as industry began to think seriously about the problem. As a result, air pollution received more scientific attention.

The amendments to the act in 1965 authorized national standards for the control of motor vehicle pollution in the 1968 model year. The 1966 amendments authorized increased grants to State and local units to maintain air pollution control programs.

In 1967 the Air Quality Act provided a blueprint for a systematic effort to deal with air pollution problems on a regional basis. It calls for coordinated action at all levels of government, with the Federal Government assuming an advisory role in the establishment and publication of strict air quality criteria.

Under the provisions of this act, HEW

defines the broad atmospheric areas of the Nation and designates specific air quality control regions. There are currently 57 air quality control regions in operation, including one in Indianapolis, under the supervision of the National Air Pollution Control Administration—NAPCA—at HEW. The Department also develops and publishes air pollution criteria, indicating the extent to which air pollution is harmful to health and damaging to property, and provides detailed cost-effectiveness information on the techniques for preventing and controlling this pollution.

As soon as the criteria and information are available, the States are expected to develop air quality standards and implementation plans, which are coordinated on a regional basis.

If the Secretary of Health, Education, and Welfare finds that the air quality standards and implementation plans are consistent with the provisions of the Air Quality Act, then these standards and plans will take effect. If the States fail to establish the standards, or if they are not consistent with the act, the Secretary can initiate actions to insure that appropriate actions are set.

In brief, the Air Quality Act of 1967 does these things:

First, it expands and improves research programs;

Second, it provides for planning and control programs on a regional basis;

Third, it requires the establishment of standards and enforcement plans by the States;

Fourth, it establishes a Presidential Air Quality Advisory Board;

Fifth, it requires registration of fuel additives; and

Sixth, it provides for a study of national emission standards for jet aircraft.

According to NAPCA, the total amount of funds budgeted from all sources for fiscal year 1970 to finance the 200 relevant regional, State, and local air pollution control agencies is \$47 million. It was only \$12 million prior to the Clean Air Act of 1963. Some \$20.5 million of this total, however, are Federal funds—indicating a definite lack of adequate local concern and support. Private industry has spent, to date, an estimated \$900 million on control techniques, but this is a small figure considering the need.

#### D. SOLUTIONS

Although we must be alert to the need for additional legislation, the Department of Health, Education, and Welfare feels that the present legislation is sufficient to achieve the degree of air quality sought, provided it is fully funded and the States cooperate. The primary concern now is to encourage the States to provide funds to finance control activities and to take other necessary restrictive steps. Perhaps the President's revenue-sharing plan—which is to provide States with Federal income tax revenues to use at their own discretion—would be of assistance to State and local control agencies. At the local funding level, of the 7,300 communities—as of 1966—with air pollution, less than 20 came close to the per capita expenditure rate of only 35 cents considered a minimum for effective abatement and control.

Funding at higher levels is not going to solve the whole problem, however.

As has been indicated, future legislation is tied to the state of the art of pollution control and to the willingness of the States to carry their essential part of the burden. There are many areas of the law where procrastination by the States could delay effective action for years. Some latitude and freedom is necessary to give the States time to act on their own, with Federal encouragement and support. However, their past record of performance is not encouraging—although it has become more encouraging in recent months—and it is possible that stiffer legislation may be necessary, especially in policing interstate pollution.

Air pollution abatement is going to require a search for alternatives as well. Controlling it might require community decision to invest in mass transportation facilities rather than new highways or a decision to call for the dispersal of factories and plants which spill contaminants into the air, or the use of new types of fuel and new sources of power. Modern civilization would collapse if we were to stop all the activities that contribute to air pollution, but with every advance more attention must be given to its impact on pollution levels.

We need to develop pollution-free alternative sources of power. This means that we look at the electric car, the turbine car and other means of propulsion, as well as other ways of moving large numbers of people around. The convenience of the private automobile may have to be sacrificed in order to insure our future survival.

We have to move rapidly forward in research. There is much we just do not know. Of the three most important aspects of the national air pollution problem—motor vehicle pollution, sulfur oxide pollution from fuel combustion, and nitrogen oxide pollution—only motor vehicle pollution is subject to widely applicable control techniques now available.

As important as it is to expand research and to improve our pollution control efforts, it is even more important to put to work now the techniques and practices we have already developed. As we do, we will find better and cheaper ways to curb pollution.

A stronger Federal-State-local partnership is also obviously needed. In this there are many questions that need to be asked and answered, including: the appropriate responsibility of each partner, how adjoining States and communities can iron out intricate political and social problems to attack a common problem, and the proper place and limitations of Federal incentives to develop air pollution programs.

Above all else, effective pollution control will not occur until there is developed a widespread public attitude on the necessity for aggressive action to clean the air.

#### E. PROGNOSIS

The prognosis allows us no optimism. As Gladwin Hill said recently in a New York Times article:

As America's air becomes steadily more contaminated, activities across the nation to cope with smog appear to be lagging further behind actual needs.

There are some heartening signs of concern on the part of enlightened business leaders, who are responsive to the problems of air pollution control, and people in all sections of the country are more aware than ever before of air pollution. But there is also an abundance of public inertia and outright obstruction. States and localities have penalties for air pollution that are little more than wrist slaps—with fines as low as \$10.

Some say we are actually losing ground in the fight against pollution. Smog grows dense even as we talk about it.

Some scientists say that if we reach the point at which the rate of combustion exceeds the rate of photosynthesis—oxygen production—we shall start running out of oxygen. Then, it will be too late. We will have made our choice. There is clearly no room for complacency.

## II. WATER POLLUTION

### A. SOURCES

The principal sources of water pollution are:

First, municipal sewage: One third of the 19,200 communities with municipal water systems fail to meet existing Public Health Service standards, which generally are not stringent enough and, in some cases, meaningless from the standpoint of pollution control. More than 1,300 communities discharge their wastes into the waters without any treatment; an equal number use only primary treatment, which removes only 30 to 40 percent of the pollutants. Secondary treatment removes 85 to 95 percent of the pollutants.

Second, industrial pollution is twice as big a problem as municipal sewage. The treated and untreated industrial wastes discharged into our waters are equal to the untreated sewage of 165 million people. Industrial effluents are not now effectively regulated, and industry itself has not responded adequately to the needs of pollution control. A major steel manufacturing complex, supposedly a showcase for control efforts, still contributes 10 percent of the total wastes flowing into Lake Erie.

Third, Septic tanks overflow into natural watercourses, leak bacteria into wells, and seep into lakes, causing algae and other nutrients to pollute the water.

Fourth, ships and marine terminals: The discharge of toilet wastes, oil, garbage, and rubbish from ships and marine installations is a major problem, and one which is as yet largely unregulated.

Fifth, pesticides: In 1966, 700 million pounds of pesticides and agricultural chemicals were used, including 45,000 different varieties. Much of it eventually finds its way into the Nation's streams and lakes. The 1966 volume is expected to increase tenfold by 1986. The recently announced Federal ban on all but essential uses of the pesticide DDT within the next few years is a necessary step in the right direction.

Sixth, Silt washes into waters from land erosion and runoff. Agricultural soil erosion by wind and water costs us \$1 billion annually. The results of erosion are sometimes gradual, sometimes quite swift. In either case they are usually devastating and even irreparable. In areas undergoing urbanization, unregulated construction work can cause erosion

to increase at a hundred times the normal rate.

Seventh, Detergents and fertilizers often pass through even secondary waste treatment, and are a major source of phosphate pollution. Phosphate fertilizes vegetation in the water, leading to increased eutrophication. This is reflected in a deficiency of oxygen in the water and eventually an end to animal and plant life.

Eighth, atomic reactors: Their siting, construction, and operation can have immensely detrimental environmental effects, regardless of their beneficial quality in terms of energy generation. Damage and destruction of marine plant and wildlife caused by their discharges—atomic wastes thought harmless and the "hot" water used to cool the reactor—are feared to be extensive. Thermal pollution is a new and alarming form of pollution. Much further research needs to be done in this area before reactor construction is allowed to proceed.

The effects of these and other pollutants on our water resources are enormous and far reaching. As Congressman CHET HOLIFIELD has said:

The environmental shadow on the wall is no larger than a man's hand. It can grow to catastrophic size.

### B. EFFECTS

Water pollution affects human health, bringing disease and death. It can interrupt and upset the delicate and dynamic processes of nature—for example, changing the reproductive rates of birds and fish—and can impair water and soil resources. These effects of water pollution are complicated and seldom well understood.

Polluted water, like polluted air, is becoming a pervasive and perverse symbol of 20th-century progress. Water pollution can be seen in practically every body of water; it can be smelled; it can be tasted when it comes from your own taps. Lakes are becoming semisolid trash heaps; rivers, like the Cuyahoga in Cleveland, are fire hazards because of floating oil.

It is ironic that man has learned to cope with most of his natural enemies but when it comes to water, he cannot cope with himself. Water is his most abused natural resource. He has polluted every major river system in the United States, and that pollution load has increased sixfold in 60 years.

The Mississippi River turns up millions of dead fish every year. The Merrimack has turned filthy brown and bubbles like soda pop. Scavenger eels in the Hudson cling to wastes and even attack sanitary engineers taking water samples. The Missouri sometimes runs red with blood from slaughterhouses, and carries gobs of animal waste as big as footballs.

From a health standpoint, by one HEW estimate, about 8 million people are drinking from municipal water systems that contain more bacteria than is regarded as "safe" under Federal standards. In one State, 30 percent of the water systems are contaminated by bacteria.

In addition to the bacteriological danger, there is the pesticidal one. It is now known that the concentration of pesticides builds up geometrically as they

progress through the food chain—water to seaweed to fish to birds to mammals and man. Residues of DDT have been discovered in Antarctic penguins, Alaskan polar bears, and in fish in the remote expanses of the Pacific. One part DDT in 1 billion parts water will kill blue crabs in 8 days.

Water pollution also produces a great excess of nutrients, primarily phosphates and nitrates, which deplete the oxygen supply available to waterplants and fish. The excess nutrients also produce growths of algae that clog waterways, smell foul, and destroy the recreational value of any affected body of water. It is estimated that, because of the rapid buildup of excess nutrients, Lake Erie has aged, biologically, 15,000 years since 1920.

The process of aging, or "eutrophication" in scientific terms, was recently described by Peter Schrag in the Saturday Review:

All lakes grow old as they collect runoff and materials from the surrounding shores. Over thousands of years they eventually accumulate enough silt from erosion and organic materials to turn them into marshes and, finally, into dry land . . . man has accelerated that process with his wastes and sewage.

#### C. CURRENT GOVERNMENT ACTIVITIES

John T. Barnhill, Deputy Commissioner of the Federal Water Pollution Control Administration—FWPCA—at the Department of the Interior, has outlined a five-way sharing of responsibilities in this area, based on cooperative Federal-State-local programs.

First. The State has the primary responsibility for water pollution control. It sets quality standards and applies its laws and regulations, including enforcement. It also ascertains waste treatment requirements and provides technical assistance to local governments and industries. Certain of the States provide financial assistance in the construction of municipal treatment plants.

Second. Local governments construct, operate, and maintain their municipal treatment works, and enforce their regulations and ordinances. They may also provide technical assistance to industries.

Third. Industries are obligated to handle their own pollution. They can institute in-plant waste reductions, and must operate their own treatment works when separate from municipal works. They can also reduce pollution output through changes in the manufacturing process.

Fourth. Universities conduct research, provide consultative services, and train the manpower needed by the other sectors in the national cooperative program.

Fifth. The Federal Government plays a leadership role in control efforts, and supplements State and local programs. Among other activities, it develops comprehensive pollution control programs and coordinates these with the States and with the programs of other agencies. It carries out Federal enforcement responsibilities. And, most importantly, it makes grants to the States to strengthen and improve the programs for which they have primary responsibility, to mu-

nicipalities to assist in construction costs of treatment plants, and to universities for research.

The Federal Water Pollution Control Act of 1956 established the basic Federal responsibilities in this area. The act was strengthened in the amendments of 1961, 1965—the Water Quality Act—and 1966—the Clean Water Restoration Act. Under the Water Quality Act, quality standards are to be set by each State, and if they do not, then by the Federal Government, for all of the U.S. interstate waters. The Clean Water Restoration Act provides the means with which to meet the standards, with emphasis on increased Federal participation in the construction costs of treatment works. The 1965 act provides the tools, the 1966 act the muscle, to accomplish the pollution control task.

On the three main Federal programs—setting of standards, grant programs, and research and development efforts—the grant program is the most important. Under the allocation formula of the Clean Water Restoration Act, the local share of project costs is 70 percent and the Federal share 30 percent, when the States do not contribute. But if the States provide 25 percent of the cost, the Federal share can be as much as 55 percent and the local share as low as 20 percent. Currently, only 14 States, including Indiana, have established matching fund programs which fully qualify for Federal assistance. Under the Indiana program, local project costs are divided in this manner: Federal Government, 30 percent; State government, 25 percent; and local government, 45 percent.

Since 1957, various Federal grant programs have provided more than 9,500 grants to assist in the construction of treatment works. The total cost has been about \$6 billion, including Federal outlays of \$1.36 billion. So each Federal dollar spent has spurred 3.5 local and State dollars to be spent. These efforts have resulted in the upgrading of waste treatment facilities for 75 million persons, and in improved waters in about 74,000 miles of waterways.

Despite these efforts, however, an extensive water pollution problem still exists, in part due to lack of Federal funds, but also due to the recalcitrance of some of the States, which have refused to establish stringent enough quality standards. Evidence of waning Federal patience on this matter is revealed by a recent action of Secretary of the Interior Hickel. For the first time, he has acted, under the authority of the Water Quality Act, to supersede the States and has required Iowa to provide secondary treatment for sewage dumped into the Mississippi and Missouri Rivers by December 31, 1973. Until this action, some States had not complied with Interior Department insistence that secondary treatment be required.

Recently the General Accounting Office reported that the Federal Government's water pollution control program had not accomplished what could have been achieved with the funds thus far used, and recommended substantial policy and procedural revisions.

#### D. SOLUTIONS

The General Accounting Office's report said:

These projects have contributed to abating water pollution because the problem would have been worse if the projects had not been constructed.

The benefits have not been as great as they could have been because many waste treatment facilities have been constructed on waterways where industrial or municipal polluters continued to discharge untreated or inadequately treated wastes into these waterways.

The program has been administered for the most part using a shotgun approach—awarding construction grants on a first-come-first served or readiness-to-proceed basis. Little consideration has been given to the immediate benefits to be attained by the construction of individual treatment plants.

This approach can no longer be justified. Grants should be awarded on a more systematic basis, giving consideration to benefits to be attained from the construction of individual treatment facilities.

More consideration could be given to planning and implementing water pollution control programs on a river basin basis.

The present level of Federal funding will not be sufficient to enable a significant increase in the effectiveness of the program.

In view of the magnitude of the problem, and on the basis of the present level of Federal funding, it will be many years before the construction grant program is completed.

The Federal Water Pollution Control Act provides that priorities for construction grants be established on the basis of financial and water pollution control needs. GAO believes that priorities should be established on the basis of benefits to be obtained and that a coordinated effort is required on the part of all polluters of a waterway to attain the maximum benefits from the construction grant program.

As with air pollution, the single most urgent need is higher funding levels for Federal programs. At least \$30 to \$50 billion needs to be spent in the next 5 years for new municipal treatment works, separation of combined storm, and sanitary sewers, industrial water treatment facilities, and for research and development. The response to the obvious need has been entirely inadequate. Presidents Johnson and Nixon have only requested a paltry \$214 million for fiscal year 1970. Fortunately, the Congress appropriated \$800 million.

The Clean Water Restoration Act authorized \$3.6 billion in grants for fiscal years 1967-71 for waste treatment plant construction. Despite a \$586 million increase in the fiscal year 1970 appropriation for this program—from \$214 million to \$800 million—however, there is still a \$900 million funding gap between authorizations and appropriations.

Even with the funding increase for fiscal year 1970, the backlog of cities awaiting funds is growing constantly. Indiana currently has a backlog of some \$28 million in requests for Federal assistance; the figure for the counties of the Ninth Congressional District is \$2 million. Although Federal funds have increased, Indiana only appropriated State funds on the basis of the original Federal figure of \$214 million, so there will be a shortfall unless an emergency appropriation is passed.

The increase in funding levels will have a twofold impact. First, it will mean the initiation of a number of heretofore postponed projects, and the concomitant elimination of the excuse used locally for not adhering to the cease and desist pollution orders issued by the State health department. It will also mean that localities will be in an improved position to meet the timetables for making necessary improvements in existing facilities, which in several instances are not operating at maximum efficiency.

If the increased funds are not allocated properly and more systematically, however, they will not be as beneficial as they could be. A systems approach that considers the benefits as well as the costs of the projects, and which takes into account actions that industrial polluters could take, would be a much more productive approach. As it is, Federal grants on a first-come-first-served basis do not consider regional needs or a national plan, and can be easily negated by other sources of pollution.

A total systems approach means a national commitment to stop, not merely impede, water pollution. A professed commitment to protect an environment that ends with a squabble over sewer taxes is no commitment at all.

If such a national commitment does not develop in an adequate and rapid fashion, it may have to be prodded a bit. Such prodding could come from two sources: effluent charges and a pay-as-you-go financing plan for treatment plants.

The rationale and system for imposing effluent charges on industry is discussed at further length in the recommendations that follow. The principle is simply this: he who pollutes must pay the cost of purification. This principle has been used to a high degree of success in the Ruhr Valley of Germany, where a ruhrverband—a cooperation society of 250 municipalities and 2,200 industries along the river—assesses fines on the polluters. The larger the amount of pollution, the higher the fine. These assessments, carefully calculated, have enabled the Verband to build 102 purification plants since 1948, and have encouraged members to follow Voltaire's advice and clean up their own backyard.

It may be that the effluent charges will be passed on to consumers in the form of higher prices. As a recent New York Times editorial pointed out, however:

Americans may have to resign themselves to paying a little more for the fruits of industry if they are to enjoy them in an environment still tolerable enough to let them enjoy anything at all.

The pay-as-you-go plan is designed to make long-range programs less dependent on undependable annual congressional appropriations. As described by Secretary Hickel, it is a \$15 billion, 20-year plan for Federal-State-local cooperation to attack water pollution. Under it, the Federal Government would guarantee the principal costs and the local governments would guarantee the interest costs on the bonds necessary to finance municipal treatment plants. The pay-as-you-go feature amortizes the huge cost—estimated at \$10 billion on sanitary sewers and \$5 billion on storm

sewers, an equally bad source of pollutants—making it possible to launch the program without large initial expenditures. The Federal Government would provide guidance and the capital investment, while the local communities provided the work.

A plan like this one is necessary because, in the absence of self-regulation, it may be necessary to impose regulations from above, while at the same time providing a program with which the regulations can be met.

Another solution depends upon a grassroots environment protection effort and calls for increased activity of citizen pressure groups, groups that can influence the pollution-control decisions of elected officials through concerted action. The recently created Long Island Environmental Council is an example of this type of effort of building a constituency for conservation.

It is not sufficient, of course, just to clean up our waters after they have been polluted. Effort must be made to find and eliminate the source of pollution. One congressional committee is now holding hearings to determine why the soap and detergent industry continues to use phosphate as a leading ingredient of household detergents.

#### E. PROGNOSIS

Whether or not we can control pollution is still in doubt. The metaphor still is valid: Man stands at the crossroads. He must choose now to move decisively in the direction of control of his environment.

By the year 2020, the Ohio River Valley will be withdrawing 70 percent of the estimated water supply for use; in other areas the figure is higher. This suggests the magnitude of pollution control problems. The House Appropriations Committee stated recently that projected capital outlays required for waste treatment, sanitary sewers, and water cooling needs are estimated at \$20 billion for the 5-year period 1969-73.

Signs of hope are coming from several sources:

Indications of a long overdue "get-tough" policy on the part of the Federal Government are finally appearing. The Interior Department announced in October 1969, that Federal construction grants for sewage plants will henceforth be available only to municipalities that agree to provide secondary treatment for sewage. Also, the House and Senate have passed the Water Quality Improvement Act of 1969, which places an absolute monetary liability on oil firms for pollution damage from offshore drilling rigs operating beyond the 3-mile limit, and which otherwise regulates liquid and solid discharges from marine facilities, whether floating or land based.

The President's Panel on Oil Spills has also recommended the adoption of an escrow concept, whereby our offshore mineral resources are held in reserve until that future time when the skills and techniques of oil production have become safe.

Finally, conservationists and citizens in general are rejecting the use of waterways to any detectable degree as channels for carrying away fluid wastes, which there is ample technology for handling in other ways.

The most hopeful sign of all is the mounting public concern with pollution, and the demand for action. A Gallup poll early in 1969 revealed that 86 percent of the population is either "deeply" or "somewhat" concerned about pollution. The hope is that this public concern will soon translate into fiscal and organizational efforts to meet the problems.

#### III. SOLID WASTE DISPOSAL A. SOURCES

Our land is about to be engulfed by solid wastes. The monuments of our civilization may become heaps of automobile hulks, glass bottles, tin and aluminum cans, used packaging, discarded rubber tires, and other debris.

Since 1950, the Nation's population has risen 30 percent, but the solid waste load has increased 60 percent, and should increase another 50 percent in the next decade. Currently, some 200 million tons of solid wastes are accumulated annually. On a per capita basis, the average daily generation of wastes is 5.3 pounds; it will rise to an estimated 8 pounds by 1980.

The increase in wastes comes from, first, more people; second, greater consumption of commodities; and third, affluence—which has caused the regular discard of items that were once saved. The level of discard is awesome—Americans, in a year's time, throw away 48 billion cans, 26 billion bottles, 30 million tons of paper, 4 million tons of plastics, and 100 million rubber tires weighing a million tons in the aggregate. Also, by 1980, we will be discarding an estimated 10 million motor vehicles a year.

These wastes are not always placed in the proper receptacles or junkyards, either. Evidence of our slovenly attitude with regard to waste disposal comes from a spot check of a 1-mile stretch of Kansas highway, where, among other things, 770 paper cups, 730 empty cigarette packs, 590 beer cans, and 130 soft drink bottles were found on the shoulder. This is hardly convincing evidence of a desire to clean up the environment.

Waste disposal problems have sources that are also organizational and administrative in nature, in addition to the basic human, attitudinal problem. Historically, solid waste management has been characterized by minimum attention, minimum funding, and minimum application of technology. Since the bulk of solid wastes are deposited on one spot of unmovable local land, the disposal problem is a local one; with air and water pollution, the flowing air currents and rivers make the problem more regional and national oriented. But there is considerable reluctance on the part of the local authorities to attack the problems of waste disposal aggressively, making use of the available technology, management techniques, and disposal systems. With responsibility for solid waste management fragmented and diffuse, small local political jurisdictions with insufficient resources, techniques, and motivation often cannot handle the job.

#### B. EFFECTS

Waste disposal problems may soon approach the existing crises in air and water pollution. Refuse storage, collec-

tion, transportation, and processing currently directly and indirectly affect some 80 percent of the population, and employ 337,000 people in handling urban wastes alone.

The specter of inadequate waste disposal has arisen because of three main factors:

First, there is a diminishing amount of disposal space. A year's rubbish from 10,000 persons covers an acre of ground 7 feet deep. The Panel on Social Indicators, established by former HEW Secretary John Gardner, has noted that:

We start with the fact that the total weight of materials taken into the economy must ultimately equal the total weight of the wastes discharged, plus any materials recycled . . . Since Malthus' time, the possibility of resource scarcity has held the attention of economists and laymen alike. Available evidence today suggests, however, that resource scarcity has not posed a threat to American economic growth over the last 60 years, nor is it likely to over the next 50 years.

The same cannot be said of the new type of scarcity: man's limited capacity to absorb wastes. The present levels of pollution are serious enough. But unless we develop new technologies of recycling, they could become much worse.

The spatial problem is most acute in urban areas, which are the origins of most refuse—because that is where most of the population lives. Close-in urban land is too expensive for municipal purchase and use as a dump, and other sites are too far away because of prohibitive transportation charges.

Second, costs of refuse collection and disposal are rapidly rising. The present annual national costs are in excess of \$4.5 billion, and this figure does not include storage and handling costs to householders, losses in property values due to refuse, the value of reusable materials, and individual health costs due to pollution-caused diseases. New York City alone spends \$150 million annually. The average community outlay for collection and disposal, according to a 1968 survey by the Public Health Service, is almost \$7 per person a year.

Third, facilities are becoming inadequate. That traditional community eyesore—the town dump—operates in most communities haphazardly and inefficiently. Most community leaders have more or less ignored it. Today, the press of the problems of solid waste disposal have caused them to give it priority consideration.

Seventy-five percent of the Nation's trash still goes to open dumps, but the Public Health Service estimates that 94 percent of the dumps and 75 percent of the incinerators now used are inadequate with respect to sanitation and pollution. Only 5 percent of refuse is disposed of by the sanitary landfill method, in which each day's deposit is covered with about 6 inches of dirt, making it rodent-proof and odorless.

The scope of the problem is immense. According to one former Federal official half the communities with more than 2,500 people are not doing even a "minimally acceptable" job of collection and disposal.

Even Thor Heyerdahl on his recent oceanic voyage in a reed boat noted large amounts of floating wastes, in-

cluding plastic bottles and containers, hundreds of miles from land. Apparently, there is no place to hide from man's mounting piles of trash.

#### C. CURRENT GOVERNMENT ACTIVITIES

The Federal Government has only recently begun to cope with the problems of solid waste disposal. For many years it was considered exclusively within the domain of local government.

The Solid Waste Disposal Act, passed in October of 1965, was the first substantial Federal effort in this field. It created the forerunner of the present Bureau of Solid Waste Management at HEW, and made that agency responsible for the implementation of the act. The Bureau is a part of the Environmental Control Administration and is charged with the achievement of environmental goals through the management of solid waste to minimize pollution and improved reuse and recycle techniques for discarded materials.

Under the 1965 act, the Federal Government is given primary responsibility for a program of research and for technical assistance and matching grants to States and localities to help in the development of disposal processes. Federal funds were not available simply to help communities finance disposal of waste. The thrust of the legislation was to help finance new and promising techniques of waste disposal with the hope of developing widely usable procedures.

Most of the States have availed themselves of these grants, their average size being about \$50,000, but total appropriations for the solid waste program have remained far below authorization levels. During fiscal years 1966-70, total authorizations for this program were \$44.6 million, but total appropriations were only \$12.7 million, a funding gap of 70 percent, or \$31.9 million. This is hardly a wholehearted effort to solve the problem. A restructuring of the Federal Government's efforts is imminent.

The President's Environmental Quality Council has recently set up a committee under the chairmanship of HUD Secretary George Romney to examine the appropriate role of the Government in solid waste management.

Senator MUSKIE introduced in April 1969, the Resource Recovery Act which would extend the Solid Waste Disposal Act for 4 years. It authorizes \$733 million for 5 years to carry out HEW activities under the act and provides for studies on economical means of recovering useful materials from solid wastes, for demonstration projects to test recovery techniques, for construction grants for the building of disposal facilities, and for the establishment of Federal standards for solid waste disposal and collection systems. At the end of the first session of the 91st Congress, only Senate hearings had been held on the bill.

#### D. SOLUTIONS

Richard Vaughan, Director of the Bureau of Solid Waste Management, says that we need to spend \$2 million a day, or \$835 million a year, for 5 years just to "upgrade existing collection and disposal practices to a satisfactory level." This funding amount is far above current expenditures. Some increase is obviously needed if the Bureau is to help the States

and localities with their critical disposal problems. A sweeping revision of the Nation's attitude toward waste disposal is also needed. For too long now, we have simply tried to make the problem go away by ignoring it. But the discards from our affluent society no longer permit us to do that.

Public concern for this problem is now manifesting itself. State budgets are starting to show specific items for waste disposal programs and communities across the Nation are beginning to tackle the difficult problem of disposal. Public and private concern must continue to press for acceptable solutions, and demand that debris and trash be removed and reduced to the maximum extent feasible in every community.

From the standpoint of techniques, there have been numerous stopgap suggestions to handle the disposal problem; for example, trash compaction into blocks, pneumatic tube disposal systems, railroading rubbish to distant abandoned mine pits, and more easily destructible packaging.

These approaches will help, but not solve, the problems. In the long run, only a radical change in people's patterns of consumption and disposal will work. The traditional solution with trash is to "burn it or bury it." In time this approach must be discarded and a new closed system adopted of "use and salvage, reprocess and reuse." Refuse should be reclaimed and broken down into its constituent parts for reuse. Reprocessing automobile bodies is a case in point. The U.S. Bureau of Mines, which is involved in research in resource recovery, estimates that if all solid waste were properly incinerated, it would yield salvageable metals worth more than \$1 billion each year. A ton of recycled wastepaper alone can provide an amount of wood pulp equivalent to 17 pulped trees. Tax and other incentives could be instituted to spur industries and municipalities to develop new and more efficient methods of solid waste disposal and reuse. Clearly, it is time for more extensive investigation of this closed system approach, because we will soon reach a point when the cost of getting rid of used material is so high, in economic and environmental terms, that the cost of renovating it would represent a saving.

Changes in funding levels, attitudes, and disposal techniques will do little good, however, if their benefits cannot be applied at the critical local and State levels. To assist in their application, the ad hoc Committee on Solid Waste Management of the National Academy of Sciences-National Academy of Engineering has recommended in a recent report that three crucial steps be taken on the Federal level:

1. That there be established a solid waste management information center to accumulate, evaluate, and disseminate all applicable information . . . with the general objective of increasing the rate of application of present and future technology and implementing improved waste management at all levels.

2. That research, development, and large-or-full-scale demonstrations of solid waste systems and components be carried out with demonstrations in metropolitan areas where solid waste problems derive from several sectors of the community—these activities to

include the technological, operational, and economic factors for the newest and best approaches to storage, separation, collection, transportation, salvage, processing, preparation of recycle, and deposit.

3. That there be substantial effort to improve system business management, planning, and manpower training including coordination with other federal, state, regional, and local government groups and with private operators.

Efforts such as these should help local operating agencies to better apply existing technology, technology that is not now applied because of inadequate acceptance of the problem and insufficient information on available disposal techniques.

#### E. PROGNOSIS

Experts foresee the day when the accumulation of rubbish and gases from its incineration will be as troublesome over the face of the earth as are the wastes in a spacecraft. We can hope that we still have time to act. According to environmental expert Frank Stead, it will take 16 years to bring about basic changes in solid waste management, 2 years to convince the public that new concepts will be successful, 4 years to put through the necessary legislation and 10 more years to put the changes into effect.

The ad hoc committee at the National Academy of Sciences foresees no dramatic breakthrough in this area, but rather step-by-step efforts to reduce or solve one problem at a time. In the aggregate, the committee says, a number of small improvements systematically applied can bring substantial progress.

#### IV. WHAT MUST BE DONE

##### A. THE INDIVIDUAL

We must begin with ourselves. Individual attitudes toward the quality of our environment are the basis for a new national attitude toward our environment.

There are several requirements to the new approach to the environment. In the words of President Johnson:

Our conservation must not be just the classic conservation of protection and development but a creative conservation of restoration and innovation.

Its concern is not with nature alone but with the total relation between man and the world around him. Its object is not just man's welfare but the dignity of man's spirit.

Such an approach requires us to become discriminating critics, asking hard questions about local public works projects, including road and dam building, real estate development, and even fishing, hunting, and camping sites. The questions are:

What is desirable? Does it bring serenity, beauty, quiet, or does it bring noise, clutter, pollution, congestion?

It requires us to weigh alternatives. Before a swamp is filled, a stream dammed, a road built, an airport sited, or a power-plant constructed, all the options must be weighed. In this view, technology is our tool for better and worse; it can be our blessing and our brain; it can be a social benefactor and a social calamity.

This total approach requires us to look not only at isolated local fragments, like the Santa Barbara oil spill or effluence

from Gary, Ind., steel mills, but to attack our problems in their ecological entirety, seeking a balance between technology and a clean environment.

The new, total approach to the environment is marked by a realization that pollution control is necessary not for man's enjoyment alone, but also for his survival. It recognizes that in our independent system, the plants help to renew the air, the air helps purify the water, and the water irrigates the plants. Damage to one facet of the system throws everything off balance.

The purpose of the total approach is to enhance the quality of life for all those living today and for generations to come, and to make environmental concern a preoccupation rather than a mere passing fancy. We must avoid a continuation of the situation described by former Secretary of the Interior Stewart Udall, who said:

We have developed a whole new generation of sedentary, city-bound citizens, whetted by spectatorship in the air-conditioned advantages of glassed-in living into acquiescing to the diminution of the spacioussness, the freshness, the green splendor of the American earth.

There is much that individuals, with the right attitude toward their environment, can do to promote its quality.

Recently, a group of my colleagues in the House called for the 1970's as "the environmental decade." They urged all Americans to make a New Year's resolution for the next decade, as follows:

I pledge that I shall work to identify and overcome all that degrades our earth, our skies, our water and the living things therein, so that the end of the Environmental Decade of the 1970's may see our environment immeasurably better than at the beginning.

The adoption of such an attitude toward our environment is essential to our survival. A genuine grassroots campaign is needed to develop a fundamental, broadly based movement, involving all the people and encouraging them to act together to improve the quality of the world in which they live.

Each person should keep in mind the rights and duties of all citizens as proposed by President Johnson:

The right to clean water—and the duty not to pollute it.

The right to clean air—and the duty not to defoul it.

The right to surroundings reasonably free of manmade ugliness—and the duty not to blight them.

The right of easy access to places of beauty and tranquility where every family can find recreation and refreshment and the duty to preserve such places clean and unspoiled.

The right to enjoy plants and animals in their natural habitats—and the duty not to eliminate them from the face of the earth.

There is much work that individuals can do, including work for community-wide planning; good zoning ordinances strongly enforced; effective conservation agencies; modern methods of solid waste disposal; adequate open space for playgrounds and recreational areas; downtown malls and areas; protection of water courses and wildlife; a trail system for walking, hiking, and jogging; conservation education in our local schools; underground utility lines; and proper

maintenance of public places and a personal code of conservation ethics for everyone.

In addition he can join groups that work for a better environment, urge organizations to undertake a conservation project, encourage youth groups toward conservation goals, beautify our own homes and neighborhoods, urge the news media to work on behalf of conservation, urge service clubs and schools to support good conservation projects, organize conferences on beautification and conservation in local communities, clean up our communities, support the city council and the county commissioners in their efforts to achieve better utilization of natural resources, speak to our elected representatives and let them know of support for sound conservation practices, and even support bond issues and tax increase where necessary to improve the communities environment.

Such work may not make the headlines but it will make a better environment.

One goal of the new approach to the environment is to make conservation prevalent in the legislative halls of city, county, State, and Federal Governments; in the mass communication media; at public meetings; in the service clubs; in the women's organizations; and in the Nation's schoolrooms.

Young people especially, should be encouraged to develop a sense of national stewardship, a feeling that man is part of, not a part from, nature.

##### B. THE PRIVATE SECTOR

The private sector of the Nation must become aggressively involved in pollution control. There are many encouraging examples that suggest a dramatic change is taking place in the business community's attitude toward pollution.

Examples of voluntary private sector action to control its own pollution come from Bethlehem Steel and Ford Motor Co. These are only two of many firms that are now trying to catch up with public expectations with respect to pollution.

At Bethlehem Steel, 6.5 percent of the company's entire capital investment for the past 5 years has gone to water and air pollution abatement. In the next 5 years, the figure will rise to 11 percent. Their Burns Harbor, Ind., plant includes a \$43 million water treatment facility that is holding the plant's pollution of Lake Michigan well within State regulated margins.

Ford Motor Co. is now spending \$500 million annually on air pollution control and automotive safety. Since 1957, hydrocarbon emissions from their cars have been reduced by more than 80 percent, and carbon monoxide emissions have been cut by two-thirds. Henry Ford II has realistically noted:

Before too many years have gone by, the only market left for motor vehicles will be the market for vehicles that are virtually emission free.

These are not easy decisions for American business, and some of the expenditures might raise an eyebrow or two among stockholders. But without the active involvement of business, the chances

of success against pollution are not encouraging. The private sector simply must become concerned about the quality of the environment and act to meet the challenges if pollution control is to be achieved.

I agree with former HEW Secretary John Gardner, who said recently:

Industry should commit itself to end pollution. Again, some farsighted business leaders have already done so, but the record of industry as a whole has been deplorable. It has lied to the public and to itself about the seriousness of the problem. We are just beginning to grasp the immense complexity—and danger—of environmental pollution. It is not wholly an industrial problem, but industry has a crucial role in it and could contribute enormously to its solution—if only by forswearing its practice of emasculating pollution control legislation as it moves through Congress. Public anger over pollution is rising, and the time for effective action has come.

C. GOVERNMENT

Without doubt, Government will have to bear the major burden in the efforts to control pollution. All levels of government must place it high on their agendas for action. Several specific steps should be taken, including:

First. National commission and joint congressional committee: To help insure the prominence pollution control deserves, a National Commission for Environmental Quality should be established. Creation of these bodies will produce expertise and research material, provide a national platform for environmental experts to educate the American public and the Congress, help generate changes in national attitudes, and pro-

duce action on systematic oversight of our environment.

I have recently introduced a bill which authorizes their creation.

The Commission would be composed of non-Federal, independent environmental experts and would submit an annual report to the President and to the Congress concerning the status and condition of the Nation's environment, and its judgment concerning present and foreseeable trends affecting that environment.

The joint committee would be responsible for, first, conducting a comprehensive study and investigation of appropriate matters contained in any environmental quality report transmitted to the Congress, and second, making an annual report on environmental quality to the Congress and to the appropriate committees of Congress.

Second. Education: We must multiply our efforts to promote environmental education.

Elvis J. Stahr, Jr., former president of Indiana University and now head of the National Audubon Society, has noted that our schools and colleges "have done a demonstrably miserable job of educating about the fundamentals of man's relation to nature and the balance of nature. Somehow, more environmental awareness must be fed into curriculums all along the line."

To help insure the development of this awareness, I have cosponsored the Environmental Quality Education Act. It provides for environmental curriculum development by colleges and universities, teacher training, pilot projects, and

support for environmental courses in schools and local communities.

The Executive Office of Science and Technology has recently published a report entitled, "The Universities and Environmental Quality," which recognizes the need for improved educational facilities in this area. The report recommends that the Federal Government support the formation of schools of the human environment at colleges and universities, just as it now supports schools of agriculture and public health. These schools would have a commitment to solve the environmental problems that now exist, and would enable concerned students to educate themselves in this vital area.

Third. Level of funding: The most important step needed to save our environment is the enactment of higher funding levels for pollution control. The basic legislation to combat pollution has already largely been passed; it is now necessary to provide adequate financial resources to insure that the performance matches the promise. More generous funding would allow us to expand our parks, playgrounds, wild rivers, scenic trails, seashores, fish, and wildlife areas.

The economic cost of environmental protection is so high that a commitment of the citizenry similar to that required by war is necessary if this problem is to be successfully resolved. Environmental protection is an expense that only wealthy nations can afford, but it has become an expense we avoid at our peril.

That we are avoiding this expense is apparent from this table, compiled by the Citizens Advisory Committee on Environmental Quality in August of 1969:

FUNDING OF FEDERAL ENVIRONMENTAL CONTROL PROGRAMS  
[By fiscal years, in millions of dollars]

Program	1965	1966	1967	1968	1969	1979	Program	1965	1966	1967	1968	1969	1970
<b>Solid Waste Disposal Act:</b>							<b>Land and water conservation fund:</b>						
Department of the Interior:							Authorization <sup>2</sup> .....					260.0	200.0
Authorization.....		3.0	6.0	10.8	12.5	12.3	Appropriation.....	122.1	95.0	113.1	164.5	124.0	124.0
Appropriation.....		1.4	4.3	3.4	1.9	1.7	Gap.....					95.5	76.0
Gap.....		1.6	1.7	7.4	10.6	10.6	<b>Highway Beautification Act:</b>						
<b>Department of Health, Education, and Welfare:</b>							Authorization.....	160.0	160.0	(0)	26.1	31.3	31.3
Authorization.....		7.0	14.0	19.2	20.0	19.8	Appropriation.....	70.8	81.5	(0)	0	(0)	(0)
Appropriation.....		4.3	12.3	15.4	13.3	14.9	Gap.....	89.2	78.5		26.1		
Gap.....		2.7	1.7	3.8	4.7	4.9	<b>Treatment plant grants:</b>						
<b>Air pollution control:</b>							Authorization.....	150	150	450	700	1,000	1,000
Authorization.....	25.5	30.5	46.0	109.0	185.0	134.3	Appropriation.....	141	173	203	214	214	214
Appropriation.....	21.0	26.6	40.1	64.2	88.7	95.8	Gap.....	9		247	486	786	786
Gap.....	4.5	3.9	5.9	44.8	96.3	38.5	<b>Water and sewer grants:</b>						
							Authorization.....	200	200	200	420	605	605
							Appropriation.....		100	165	165	135	135
							Gap.....	200	100	35	255	470	470

<sup>1</sup> Estimated.  
<sup>2</sup> In fiscal years 1966-68 program level was determined by actual receipts to the fund plus receipts in excess of appropriations for prior years. Amendments to the act in fiscal year 1969 guaranteed an annual income to the fund of \$200,000,000 for 5 years.  
<sup>3</sup> House committee allowance July 10, 1969.

<sup>4</sup> Amendments to the 1965 act changed funding from straight authorization to contract authorization. No new funds appropriated in fiscal year 1968.  
<sup>5</sup> Not available.  
<sup>6</sup> Appropriation higher than authorization shown because of open-end authorizing provision then in law.

The Congress has appropriated \$800 million, rather than the absurdly low \$214 million recommended by the President, for treatment plant grants for fiscal year 1970, but that is the only substantial change in these figures. The table reveals a total appropriation gap for pollution-control programs in fiscal year 1969 of \$534.2 million.

Arnold Reitze, Jr., greenpower activist, noted accurately that when public con-

cern "grows to the point where it manifests itself in a willingness to approve expenditures commensurate with the task before us, then, and only then, will there be a chance for reversing the deterioration of our environment."

Funding of State and local pollution control efforts must also be increased. They are as bad, if not worse, than the Federal Government in this regard. State budgets are minuscule. In Ohio, the

Water Pollution Control Board operates with a budget of \$500,000 and air pollution control operates with \$150,000. In Indiana, the State water pollution control agency has \$481,000 in State funds and the air pollution control agency operates on \$88,000 in State funds for fiscal year 1970.

Expenditures of this magnitude pre-determine the result. State grants to local governments for pollution control

are not available, and this, in turn, denies local governments Federal matching funds.

Fourth, new legislation: Although the major pollution control legislation is on the books, the search for more effective laws must continue. One new proposal should be given the most careful consideration.

It would impose a Federal effluent charge on industrial firms that discharge waste into water, levied on a per pound basis. The charges would vary according to the toxicity and quantity of the pollutants, thus providing an incentive for industry to reduce the amount of its effluent discharges. This tax incentive would be an environmental appreciation allowance and would make industry pay for its own mess, rather than make those pay who suffer from costs of pollution clean-ups. To encourage consideration of this approach, I have introduced legislation in the House establishing an effluent tax system, and requested committee hearings.

This approach to pollution control is supported by the findings of a recent General Accounting Office report, which indicated that industry, not municipalities, is the primary villain in water pollution. The report, in one instance, described a stretch of the Mississippi River where \$7.7 million spent on municipal disposal sewage plants since 1957 had reduced pollution in the river by 3 percent—while industrial waste discharges had increased 350 percent in the same period.

Obviously, such a proposal prompts differing views. Dr. Lee Du Bridge, the President's science adviser, has suggested that—

The taxpayer and consumer, not industry, must pay for environmental improvements . . . companies couldn't pay dividends if profits were low.

Congressional hearings would afford an opportunity to expose these differing viewpoints for public discussion and examination.

New tax legislation should also be considered to put the cost of developing new methods of solid waste disposal on the manufacturer and user of bottles, cans, automobile hulks, and the like, so as to encourage the development of disposable containers.

Fifth, State and local action: Executive action by the Federal Government simply will not solve the problems of pollution. The burdens of control are too many, too costly, too complex to be handled exclusively by any one level of government.

Cooperation is the key—among Federal and State Governments, and among States and localities. It is essential if pollution is to be controlled.

Regional interstate cooperation must be expanded. Rivers and streams do not always follow State boundaries.

The primary State responsibility in combating pollution under present laws is for enforcement of Federal standards created by congressional action like the Air and Water Quality Acts. Since State governments, fearing loss of industry, may be loath to rigidly enforce standards and levy effluent charges, however, the necessity of increased regional coopera-

tion, such as interstate river basin authorities, is apparent. An example is the Ohio River Valley Water Sanitation Commission, which persuaded 3,000 industries and cities to spend \$1 billion diverting 99 percent of their effluence to sewage plants. Other examples are the 57 Air Quality Control Regions established under the Air Quality Act of 1967.

Such partnership efforts are urgently needed. The problems here are complex, but they must be met. Among them are: the appropriate responsibility of each partner in regional programs, the development of quality standards and how they are applied equitably, the proper role of the Federal Government, the use of Federal taxing power for incentives, and the best ways to get adjoining States to join together in common cause.

Each State, alone, must also do a better job in planning, organizing and administering pollution control programs. There has been insufficient overall environmental planning in State and local agencies. Multiyear comprehensive environmental health plans should be required from State and local governments receiving funds to combat pollution.

Within many State bureaucracies there is a profusion of conflicting State agencies dealing with pollution control. To be effective and efficient, responsibility must be centralized and cohesive, rather than fragmented as it often is now. Management specialists should be brought in to restructure State pollution control offices.

States can take the initiative in the formation of environmental trusts, like the one Maryland has already formed. The Maryland trust was formed by the State legislature as a quasi-public agency in 1967. The bylaws state that the trust is dedicated to "conserving, improving, stimulating and perpetuating the environment." The trust has, in turn, created 23 countywide committees which survey the local area and recommend county needs to the trust's board.

At the local level, national resource problems are frequently obscured and fragmented, and given only secondary consideration. This need not be the case, however. Local elected officials will respond to aggressive public opinion for environmental quality, as evidenced by 581 municipalities in seven northeastern States which have started "conservation commissions" that are rapidly becoming a most effective new arm of local government. Consisting of five to nine local citizens they are charged with managing natural resources in their area. They try to accommodate competing needs, such as developing industry and saving wetlands, and have succeeded in striking a balance between development and preservation.

Sixth, research: We must move rapidly forward in research.

Much research is needed; for example, in the recycling or "looping the system" aspect to the total environmental approach, discussed earlier. How do we get continuous reuse and regeneration of the water, fuel, and chemicals that we now waste because we consider them garbage? Man should instead strive to par-

allel natural decay by recycling the wastes.

Resalvaging already keeps 80 percent of all mined copper in circulation. But U.S. incinerators now destroy about 3 million metric tons of other valuable metals a year; magnetic extraction could save the metal and reduce incineration by 10 percent. Another help would be packaging materials that, following use, rot rapidly when discarded. Intensive research is needed in this area, too.

This research must also seek alternatives. The internal combustion engine is the single worst polluter. The electric car and the turbine car must be looked at. A pollution-free engine must be developed and put to use. Industrial and powerplants must be shown clean burning fuels and production methods which do not ravish the environment.

But, just as important as research, is the application of the know-how we now have. Improvements in pollution control will come forth, but we cannot wait.

#### CONCLUSION

The threat to our environment is apparent. We stand at the crossroads with a clear choice. We can, if we will, choose the direction of preserving and improving the quality of our environment. It is not an easy choice, and it promises no quick, easy solution. But, in time, it does promise clean air, clean water, and tall forests.

It is easier and less expensive to go in the other direction. But its promise is also apparent; dirty air, polluted water, ravished land, and, in time, extinction.

If the greatest thing since creation—the Apollo 11 moon landing—was worth \$25 billion, how much is the creation worth?

#### THE FIRST SESSION OF THE 91ST

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 25 minutes.

Mr. STAGGERS. Mr. Speaker, "The thing now is people power," said an unidentified observer. "You don't cram things down peoples' throats any more."

As evidence, Congress has been hearing from the people this year. In truth, the song they sing does not carry an orchestral harmony. But to those who listen, there is an underlying consonance which cannot be mistaken. It is gradually drowning out the raucous calls for the impossible. The keynote is, "Beware." This country is not about to plunge into the chaos of revolution.

The whirling wheel of change which has distracted our attention for some years brings with it an unprecedented technological progress rather than the lure of a new social order. That progress has furnished us with more reasons than ever for sticking to the old paths of work and integrity and human compassion. It is about at the point of lifting the whole race of men out of the muck of want and suffering into the high ground of a satisfied plenty. We would be deplorably foolish if we should assume that the unrest which has troubled us is indeed a search for a new philosophy of economics and of social order. For 200 years we have been building a great na-

tion on a solid foundation. Today we have no intention of wiping out all our achievement in response to the siren call of the incapable and the discontented.

A business forecast—and it bears every mark of responsible reasonableness—sees a new decade, the seventies, in which “economic growth will continue at a brisk clip, carrying the United States to levels of output and income never seen before and not even imagined two decades ago. Rising population and rising incomes will open new markets, and advancing technology will provide new ways to serve these markets.”

Continuing, the forecast suggests that conceivably the 1970's could contain “a real start on the problems that have tormented the United States for the last generation.” Many of those problems grow out of the difficulty of adjusting to rapid change, producing some elements in society who have not kept up with progress.

The forecast suggests:

For a real solution to its problems, the United States must seek to improve the lot of the losers without stripping the winners of what they have honestly come by. \* \* \* It is a problem in social engineering and technological engineering greater than this or any other country has ever dealt with. But the United States has a long record of successful problem solving.

This is not the ominous rumbling of impending disintegration in the social and political structure. On the contrary, it is the voice of impatience with the unwarranted distractions which puzzle as well as perturb us. It is the voice of some 72 million Americans pursuing their appointed tasks day after day in confident assurance that their labor is not in vain.

As a prop for this position, we may remind ourselves that only two modern nations on the face of the globe have survived the changes of the centuries with government structure unimpaired. Two forces are highly disruptive of social stability: wild fluctuations in the economic order; and bitter and savage wars. England and the United States have been subjected to the strain of both these forces almost without interruption through the centuries. England has been described as a democracy within an empire. It possesses a constitution supposedly unwritten, yet rigid enough to withstand all pressures hitherto brought to bear on it. The United States has a constitution supposedly written, yet flexible enough to make allowances for change. It is a democracy within a republic.

Within the year, in addition to all the other changes, the United States has been subjected to important political changes. Elsewhere, it might have meant confusion and disruption on a continental scale. Here, but for the fervid coverage of the news media, a new President or a new Governor might be inducted into office with scarcely a ripple on the even flow of events outside government offices.

In fact, in the advanced democracies represented by England and the United States, government has become depersonalized. It is an elemental force, controlled by the invisible and unworded agreement of a highly complex social organization. It does not depend on in-

dividual government officers, or even on political parties. The only time a politician is his own man, speaking his own piece, is while he is still a candidate. Once in office, he is caught up in the irresistible movement of social advance, a captive to forces outside his control. That is why a party platform must be accepted as a sort of canvas of public opinion, rather than as a blueprint of proposed performance.

Enough has been said to make plain the conviction that the Government of this country, though a representative government in form, is indeed a true democracy. The will of the people prevails. Their agents in Washington would do well to pay deference to their collective wisdom. And the fruit of the deliberations of the first session of the 91st Congress is proof of the earnest endeavor of legislators to give heed to the signs of the times.

This has been a thinking Congress. Strong pressures from many angles have not been sufficient to provoke hasty action. From the first days of January to the present hour there has been appraisal and reappraisal of the various problems needing solution. A decision, once made, represents the best judgment of the Members as to the popular will.

It would be a waste of space to go through this list of measures and to try to point out just what each would do. In general, it may be said that as a whole the new laws represent no radical break with the past. We have recognized and honored our commitments to the rest of world, and at the same time have endeavored to relinquish some of our responsibilities where they can be taken over by others.

On the domestic front, the emphasis has been on the grave national problems of the age. We have tried to find a remedy for the social and moral sickness of society, represented by crime and violence. Other laws are intended to strengthen the consumer-oriented legislation initiated in previous Congresses. These include laws dealing with hazardous materials and articles in the home as well as in industry, with usurious interest rates, with pollutants in the air, in water, and in the soil. Medical research and development has been given strong encouragement, and a further help for our veteran dependents has been a major concern.

Quite a number of our proposals have received overwhelming support when they finally reached the floor of the House. We are satisfied that they had the approval of the people in equally strong measure. Other proposals won or lost by slim majorities. These represent the burning issues of the day. As a nation, we have yet to make up our minds about them.

It is a matter of real satisfaction to me that I have had the privilege of working in a congressional committee which is truly people-oriented. The bills developed by that committee have been uniformly well received by the Congress. And I want to thank the members of that committee, from both sides of the aisle, who have worked so diligently and so faithfully in the public interest through long hours of testimony and discussion.

The work of the 91st is, of course, not

finished with the close of the year. We will resume in January, where we leave off in December. During the days remaining this calendar year, it is my ardent hope that we will be able to strengthen social security benefits. My aim is, and has been, a full 15-percent increase. Another aim was a restoration of the old and original \$1,200 exemption allowance on income tax returns. It seems probable that part of this desirable reform in the income tax law will be made this year, the other parts will have to be done later.

This Congress will adjourn within a few days, and carry with it into the Christmas season the satisfaction of a job well done. In my opinion, we have met our responsibility to the Nation, and to our own particular constituents, in a competent manner. This is not a perfect world, and we are not perfect individuals. But we have followed the light, as we could see it.

The old clock of time ticks on, as someone has said, and it does not help to throw stones at it. We must hope for a world that grows better and better, and strive on with all our might to make it so. And so I would say to myself and to all my colleagues:

By thine own soul's law learn to live,  
Sing thou thy song, and do thy deed,  
Hope thou thy hope, and pray thy prayer.  
Be not afraid to pray; to pray is right,  
Pray, if thou canst, with hope, but ever pray,  
Though hope be weak, or sick with long  
delay,  
Pray in the darkness if there be no light.

#### ON HANDLING STUDENT DISORDERS

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, this session of the Congress has brought forth a good deal of controversy with respect to the procedures for handling campus disorders. I fear that more often than not we have managed to generate a good deal of more heat than light. All manner of solutions have been offered, including imposition of penalties on the students and instructors involved through Federal legislation.

I have taken the position that if we are to preserve our present concept of higher education and academic freedom, responsibility for controlling student disorders must clearly rest with the academic officials directly in charge of these institutions working with local civil authorities when necessary. It seems clear to me that the academic community must “control its own house” if academic freedom is to be maintained. And, of course, it goes without saying that disruptive student demonstrations cannot be tolerated. Peaceful and orderly demonstrations are acceptable until they reach the point of disrupting the principal function of the institution, that of educating students.

Mr. Speaker, I think the University of Iowa at Iowa City, Iowa, has done an excellent job of utilizing this approach. Earlier this fall officials there took great pains to advise students not only of their rights, but their responsibilities as well.

It is quite clear from the information provided to the students that disruptive conduct will not be tolerated.

The university recently experienced its first disruption since the rules were issued. Several students attempted to forcibly eject a representative of the Department of Labor from the university placement office. Several of those involved were alleged to have been members of the Students for a Democratic Society—SDS. Several nonstudents were involved as well.

The university through its vice president, Philip G. Hubbard, has announced prompt action against all involved, student and nonstudent alike. This is commendable, and Dr. Hubbard and the other officials of the university deserve our full support in their efforts.

For the benefit of my colleagues, I would like to insert in the RECORD at this point the information published by the university on student rights and responsibilities, together with Dr. Hubbard's statement on the current disorder:

[From the University of Iowa Student Guide, 1969-70]

#### POLICIES RELATED TO STUDENT RIGHTS AND RESPONSIBILITIES

Because the aims and interests of individuals generally differ and sometimes conflict, the structure of any community necessarily reflects compromise. This is especially true of a public university, whose philosophy and policies must satisfy the very diverse aims and interests of students, scholars, and citizens at large.

Presumably you came to The University of Iowa realizing that neither this nor any other institution would exactly suit your aims and interests. Presumably, you chose Iowa because, among the institutions you considered, Iowa offers the "climate of learning" you believe suits you best.

It is a major university, not primarily in size—it is, after all, the second smallest of the Big Ten schools, and far smaller than the nation's largest—but in the breadth and quality of its programs.

It is a liberal university, in its regard for essential rights and freedoms, including freedom of speech and lawful assembly . . . freedom to teach, to learn, and to pursue truth wherever its paths may lead . . . and the rights to a uniform application of rules and equal access to facilities and services.

Many of the values and standards of behavior in an academic community—such as personal character, dignity, and integrity—are best transmitted by example, persuasion and mutual respect. Such an unwritten code is most appropriate to the philosophy of this institution.

That some formal regulation does exist here, however, is hardly out of tune with the concept of compromise applying to community life everywhere. Just as the aims and interests of individuals differ and conflict in all communities, so all communities must adopt whatever regulations their members require to insure "the greatest good for the greatest number." Acceptance of and adherence to these fundamentals of freedom and order are necessary for continued membership in the community.

When members of this community consider what matters may require regulation by written code, these guidelines apply:

1. All the University's resources must be fully employed in the intellectual and personal development of its students.
2. Institutional regulations should be adopted only when necessary to the achievement of the University's academic goals, the safety and freedom of individuals, or the orderly operation of the University.
3. Students should be encouraged to partic-

ipate, through orderly procedures, in the establishment and revision of regulations governing their conduct.

4. Regulations should be clearly stated, and made conveniently available to every student.

5. Disciplinary action for violation of regulations should be corrective, rather than punitive.

6. Disciplinary procedures should be consistent with the principle of due process, channels of appeal should be clearly defined, and information relating to appeals should be readily accessible to all students.

Institutional regulations cannot provide specifically for every question of conduct under every set of circumstances which might arise; they are intended to define the practices ordinarily necessary to maintain working order in a complex system, and to protect the essential freedoms of everyone in the community.

The initiation and review of University policies and regulations rest with general University committees, which submit their recommendations to the University President.

Committees dealing with the extracurricular activities of students are composed of faculty members and students. Representatives of the appropriate administrative offices serve as consultants or ex-officio committee members.

All student members of committees are appointed by the University President, from nominations submitted by the Student Senate.

Student and faculty members are equally empowered to introduce topics for the agenda, to debate proposals, and to vote on all actions. Student members contribute most effectively to the work of the committees by maintaining regular lines of two-way communication with the Student Senate and with other groups and individuals interested in their committees' particular areas of concern.

As members of the larger community of which the University is a part, students are entitled to all the rights and protections enjoyed by other members of that community. By the same token, students are also subject to all civil laws, whose enforcement is the responsibility of duly-constituted civil authorities.

It should be emphasized that when a student's violation of civil law also adversely affects the orderly operation of the University, the University must enforce its own regulations regardless of any civil proceedings or dispositions.

Responsibility for judicial action on violations of University regulations is assigned to the Dean of Students and the Committee on Student Conduct. Final authority in all cases rests with the University President and the State Board of Regents.

The following are the primary statements of University policies on rights and responsibilities of students. It is to your advantage to give them a careful reading, and to keep your copy at hand for reference.

Interim changes in extracurricular regulations are published in the student-edited newspaper, *The Daily Iowan*. A complete set of current general University regulations is always available in the Office of Student Affairs. For information on curricular matters, consult the University's General Catalogue.

#### CODE OF STUDENT LIFE, 1969-70

(NOTE.—Although the 1969-70 Code has received final approval from the President and is therefore effective for the 1969-70 academic year unless and until amended by approval of the President, no part of the Code is ever "final" in the sense of not being subject to further review and revision. It is anticipated that certain provisions of the Code will be reconsidered again this year by the Committee on Student Life and recommendations for further revision submitted to the President. After his approval, amendments are effective upon publication in *The Daily Iowan*.)

#### General conduct regulations

Academic institutions exist for the advancement of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop a capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students are expected to exercise their freedom to learn with responsibility and to respect the general conditions conducive to such freedom. Accordingly, the University has developed the following general regulations pertaining to student conduct which provide and safeguard the right of every individual student to exercise fully his freedom to learn without undue interference by others.

Any student who commits any of the following acts of misconduct shall be subject to disciplinary action by the University. These regulations shall apply only where a student's misconduct has adversely affected some University process or function or some other distinct and clear interest of the University as an academic community. These regulations shall be construed so as not to abridge any student's constitutional rights of free expression of thought or opinion, peaceable assembly, or the petition of authorities.

1. Academic dishonesty, including the acquisition of honors, awards, certification or professional endorsements, degrees, academic credits, or grades by means of cheating, plagiarism, or falsification with respect to any examination, paper, project, application, recommendation, transcript, or test, or by any other dishonest means whatsoever, or aiding or abetting another student to do so. Violation of this section will normally be handled within the college or department concerned, with provision for appeal.

2. Willful misrepresentation of any material fact to any member of the faculty or staff of the University or to any office, department, or committee thereof (including the Committee on Student Conduct), or willful misrepresentation to anyone, within or without the University community, of his status with the University or of the support, sponsorship, or approval by the University of the services or activities of any person, group, or organization.

3. Willful failure to comply with a proper order or summons of any properly identified<sup>1</sup> member of the faculty or other University official acting within the scope of his authority, or willful failure of a student to identify himself by stating his name to such faculty member or official.

4. Forgery, alteration, or misuse of any University record, document, or student identification card.

5.<sup>2</sup> (a) Intentionally disrupting the orderly processes of the University or

(b) intentionally obstructing or denying access to services or facilities by those entitled to use such services or facilities or

(c) intentionally interfering with the lawful rights of other persons on the campus or

(d) inciting others to do acts proscribed by paragraphs (a), (b), or (c) of this section.

6. Willful demonstrations within the interior of any University building or structure, except as specifically authorized and subject to reasonable conditions imposed to protect the rights and safety of other persons and to prevent damage to property.

<sup>1</sup> By stating his name and title if requested by a student.

<sup>2</sup> This regulation was adopted by the State Board of Regents February 9, 1968, and is applicable to all Regents institutions.

7. Unauthorized entry into or occupation of any University room, building, or area of the campus, including such entry or occupation at any unauthorized time, or any unauthorized or improper use of any University property, equipment, or facilities.

8. Intentional setting of fire in any University building or on the campus without proper authority, or intentional sounding of a false fire alarm in any University building or on the campus.

9. Theft or wrongful appropriation, or willful destruction, damage, defacing, or mutilation of any property belonging to or in the possession or custody of another member of the University community or of the University.

10. Assaulting, threatening, physically abusing, unduly harassing, or endangering in any other manner the health or safety of any person on the campus or at any University sponsored or supervised function or event.

11. Use or possession of serviceable firearms, ammunition, explosives, fireworks, or other dangerous articles within any University building or University approved housing, on the campus, or at any University sponsored or supervised function or event, except in authorized facilities.

12. Possession or consumption of any alcoholic or other intoxicating beverage within any University building or University approved housing (except married housing), on the campus, or at any University sponsored or supervised function or event, except as expressly permitted under Social Regulations, Section 2, of the Code of Student Life.

13. The manufacture, processing, or sale of any narcotic drug, marijuana, or other addictive, dangerous, or hallucinogenic substance or the administering thereof to any other person without his knowledge and consent.

14. Violation of any other regulation contained in the Code of Student Life or any other rule, regulation, or policy which may be promulgated by the President of the University or his authorized representative, by any college, department, dormitory, office, or other facility within the scope of its authority, or by the State Board of Regents, provided such rules, regulations, or policies were published, posted, or otherwise adequately publicized or the student had actual knowledge thereof. All provisions contained in University residence halls contracts which pertain to personal conduct shall be deemed rules subject to this regulation with respect to all dormitory residents.

15. Any other conduct or action in which the University can demonstrate a clear and distinct interest as an academic institution and which seriously threatens—

- (a) any educational process or other legitimate function of the University or
- (b) the health or safety of any member of the academic community.

#### Social regulations

1. Social Functions: When a student organization recognized by the University sponsors a social function, it is the responsibility of the sponsoring organization to provide adequate supervision and to ensure compliance with civil law and with the Code of Student Life. Sponsorship is determined by an organization's planning, promoting, and financing of the function rather than by the number of members attending the event.

2. Drinking: Alcoholic beverages may not be served on campus or in approved housing. If alcoholic beverages are served at a social function (not held on the campus or in approved housing), it is the duty and responsibility of the sponsoring organization to provide adequate supervision and to ensure full compliance with all applicable civil laws pertaining to the consumption of alcoholic beverages.

3. Open Houses and Visitations: An open house is a social function during which rooms in an approved housing unit are open

to the public. A visitation is a social function during which the residents of an approved housing unit may invite guests, including guests of the opposite sex, into their own rooms.

A reasonable policy governing open houses and visitation shall be adopted by each fraternity and sorority chapter; by the general council of each residence hall; or by students occupying each approved housing unit not a residence hall, fraternity, or sorority. The policy shall provide:

- (a) the schedule of hours and days for visitation and open house;
- (b) rules for the conduct of residents and guests at various types of open houses and visitations;
- (c) procedures for registering guests;
- (d) procedures for amending and for providing exceptions; and
- (e) means of enforcement.

Open houses and visitations are permissible any day of the week between the hours of 12 noon and one half hour before the closing hours for women's residences as provided in Housing and Hours Regulations, Section 8, of the Code of Student Life.

Each residence hall, fraternity, sorority, and other housing unit shall inform the Office of Student Affairs of its policy. The Office of Student Affairs will acknowledge immediately in writing receipt of such policies. The policy of each fraternity, sorority, residence hall, and other approved housing unit shall become effective immediately upon receipt by the Office of Student Affairs except where the policy requires the Office of Student Affairs to make special preparation for implementation.

#### Housing and hours regulations

1. Reporting Correct Address: Each student is required to report his correct address at the time of registration each semester or session. This reported address must be the student's actual place of residence. Any change of residence made during the semester or session must be reported within three days to the Registrar's Office. Failure or refusal to comply with this regulation is cause for cancellation of registration.

2. Approved Housing: Single, undergraduate students who will not be twenty-one years of age on or before the last day of the semester are required to live in housing approved by the University or in parental homes. University approved housing includes University residence halls, social fraternity and sorority chapter houses, and approved rooming houses. Students subject to the approved housing regulation are responsible for determining that their housing is approved. Failure or refusal to comply with this regulation is cause for cancellation of registration.

3. Special Permission to Live in Unapproved Housing: Application for special permission to live in unapproved housing must be made in person at the Off-Campus Housing Office, 106 Jessup Hall, prior to the beginning of the semester or session. Single, undergraduate students under twenty-one, upon application, may be given special permission to live in unapproved housing for the following reasons:

1. Living with adult relatives
2. Medical necessity
3. Religious necessity
4. Work situations in which the student receives at least one-half of the monthly rent in exchange for services.

4. Conditions for Approval of Off-Campus Housing: Approval of any off-campus housing located within the postal territory of Iowa City or Coralville will be granted by the Office of Student Affairs upon the following conditions: (a) premises found to satisfy University health and safety standards; (b) lessor agrees in writing to comply with University policy on fair housing practices; (c) lessor agrees to enforce all applicable University rules and regulations regarding student conduct, housing, and hours, and (d)

adequate adult supervision is provided. A listing of all housing which has been approved is available to students in the Office of Off-Campus Housing, 106 Jessup Hall.

5. Certified Housing: As a service to students eligible to live in unapproved housing, the Office of Off-Campus Housing maintains a listing of certified housing. Certification is granted to any off-campus housing upon the conditions that (a) the premises are found to satisfy University health and safety standards and (b) the lessor agrees in writing to comply with University policy on fair housing practices. A listing of available certified housing is maintained on the bulletin board on the ground floor of Jessup Hall.

6. University Policy on Fair Housing Practices: It is the policy of the University that lessors, approved or certified, shall rent to all students on the basis of their individual merits as persons without exclusion or discrimination on the basis of race, creed, color, or national origin. A signed non-discrimination pledge is required of all approved or certified lessors. Any complaint of discrimination in housing should be submitted to the chairman of the University Committee on Human Rights within sixty days of the alleged act of discrimination. The name of the current chairman of the Committee may be obtained from the Office of Student Affairs, 111 Jessup Hall. The State of Iowa and the City of Iowa City also have fair housing codes which may be applicable.

7. Guests: Entertainment of guest of the opposite sex in approved housing is to be confined to the public areas except during open houses and visitations. For policies and procedures regarding open houses and visitations, see Social Regulations, Section 3. Guest closing hours for all approved student residences are as follows:  
Sunday-Thursday 11:45 p.m.  
Friday and Saturday 12:45 a.m.

8. Closing Hours for Women's Residences: Closing hours shall be defined at the LATEST hour for a student's return to her housing unit. The regular closing hours are in effect whenever the dormitories are open for residency. This includes summer session, examination, registration, and vacation periods. All undergraduate women other than those included in the Privileged Hours Program have 12 midnight closing hours Sunday through Thursday and 1 a.m. closing hours Friday and Saturday nights throughout the academic year with the following exceptions:

1. 2 a.m. closing hours on Friday and Saturday, Homecoming Weekend.

2. 1 a.m. closing hours the night before classes are suspended prior to University vacation periods (Thanksgiving and the night before Mercy Day continuing through the week of examinations).

9. Privileged Hours: Women who are sophomores, juniors, or seniors or who will attain the age of twenty-one during the semester may request permission to participate in the Privileged Hours Program in accordance with AWS regulations. Freshman women are subject to 12 midnight and 1 a.m. closing hours with no exceptions for the first semester. Second semester freshman women have 12 midnight closing hours Sunday through Thursday and may request privileged hours Friday and Saturday nights with parental permission.

10. Overnight Sign-Outs. Undergraduate women students may sign out to be away from their place of residence on Friday and Saturday nights in accordance with AWS regulations. Overnight absence without proper sign-out is a violation of University regulations and may be cause for disciplinary action, including suspension from the University.

#### RECOGNITION OF STUDENT ORGANIZATIONS

1. Eligibility: Any group or organization which consists primarily of University students and whose purposes are consistent with the educational objectives of the University

is eligible for recognition by the University. Recognized student organizations must comply with all regulations contained in the Code of Student Life and are entitled to certain privileges such as the use of University facilities and services as hereinafter provided. Recognition of a student organization by the University does not constitute an endorsement of its program or purposes, but is merely a charter to exist. Additional information and regulations concerning student organizations are contained in the Student Organizations Handbook.

2. **Membership Policy:** It is the policy of the University that all recognized student organizations be able to exercise free choice of members on the basis of their merits as individuals without restriction as to race, color, or national origin. Any student organization whose choice of members is subject to approval by national or other non-University organizations, or which is required by a non-University organization to procure a recommendation from an alumnus or any other person not currently an active member of the local organization prior to admitting a person to membership, is ineligible for recognition by the University.

3. **Officers:** Only registered University students or members of the faculty or administrative staff may be principal representatives of a recognized student organization. Each organization must identify at least two and no more than four principal representatives.

4. **Recognition Procedure:** Recognition of student organizations which are residential living units (residence halls, fraternities and sororities) is granted by their respective governing bodies (Associated Residence Halls, Interfraternity Council, and Panhellenic Council) with the concurrence of the Committee on Student Life. Recognition of all other student organizations is granted under the auspices of the University of Iowa Student Association Senate: (a) Charters are issued by the Student Senate to student organizations which are eligible for permanent recognition; (b) Provisional recognition not to exceed 12 months may be granted by the Office of Student Affairs with the concurrence of the Student Senate Committee on Student Organizations to ad hoc organizations which are eligible for temporary recognition. Application forms for recognition are available in the Office of Student Activities and must be signed by a principal representative of the organization.

5. **Registration:** On or before October 1 of each year, every recognized student organization must submit a registration statement to the Office of Student Affairs setting forth completely and accurately all of the information requested on the registration form. Such forms are available in the Office of Student Activities and must be signed by an authorized member of the organization. Thereafter, during the year, recognized student organizations shall, within a reasonable time, report to the Office of Student Affairs any amendments to or changes in their constitutions, bylaws, principal representatives, advisers, or programs. Recognized student organizations shall also submit any additional information or data requested from time to time by the Office of Student Affairs or the Committee on Student Life.

6. **Annual Report:** Before the close of each academic year, every recognized student organization must submit an annual report to the Office of Student Affairs. Such annual report shall consist of a clear and concise statement summarizing the activities and programs of the organization during the year and must be signed by a principal representative of the organization. Failure to file a timely annual report is cause for revocation of recognition.

7. **Revocation:** Recognition may be revoked by the recognizing agency (Student Senate, Associated Residence Halls, Interfraternity Council, Panhellenic Council) for

good cause. The procedure followed must guarantee the student organization reasonable notice and opportunity to be heard prior to any action on the proposed revocation.

8. **Appeals:** Student organizations may appeal any adverse decision of a recognizing agency to the President of the University or his designated representative.

9. **Advisers:** Student organizations are encouraged to have advisers who are members of the University faculty or administrative staff; any recognized student organization which is financed, in whole or in part, by an allocation from student activity fees or through assessments collected by the University is required to have such an adviser.

10. **Finances:** Any recognized student organization financed in whole or in part by an allocation from student activity fees or through assessments collected by the University is required to utilize the services of and transact all business through the Auditor of Student Organizations. Any other recognized student organization may elect to utilize the services of the Auditor of Student Organizations on a voluntary basis. There is no charge for this service. All organizations required to utilize the facilities of the Auditor must deposit all organizational funds and income with the Auditor and shall not deposit funds or maintain an account in any other place. For further information, consult the Student Organizations Handbook.

11. **Official Listing:** Only recognized and registered student organizations will be listed in the organizations section of the University Directory and other official University publications.

#### *Regulation of student organizations*

1. **Use of University Space and Facilities:** Recognized student organizations may use University space and facilities subject to the requirements of the regular University program. Requests for reservations for the use of University rooms, auditoriums, and other facilities shall be submitted at least one week in advance to the Office of Space Assignment and Utilization, 102 Jessup Hall. Exceptions: Requests for the use of Iowa Memorial Union facilities are to be submitted to the IMU Scheduling Office, located on the main floor of the Union, and requests for the Field House or the Armory are to be submitted to the Offices of the Director of Athletics and of the Commandant of the ROTC, respectively.

2. **Charges for Use of Space and Facilities:** Recognized student organizations will be permitted to use available University space and facilities without charge except to defray any extra costs or expenses incurred by the University in making the facility available; provided that if the student organization charges admission or otherwise solicits funds from the public, the normal rental fee for the facilities will be charged.

3. **Fund Raising:** Recognized student organizations may engage in fund-raising activities, provided such activities are registered with the Office of Student Affairs at least one week in advance. Registration forms are available in the Office of Student Activities and must be signed by a principal representative of the sponsoring student organization.

4. **Registration of Programs to which Admission is charged:** Recognized student organizations may sponsor entertainment or lecture programs to which a general admission fee is charged, provided such programs are registered with the Office of Student Affairs at least one week in advance. Registration forms are available in the Office of Student Activities and must be signed by a principal representative of the sponsoring student organization. No contracts or other financial commitments should be made by the sponsoring organization until registration has been completed. Organizations utilizing the services of the Auditor of Student Organizations must make all financial arrangements

through the Auditor's office. The sponsoring organization must have a balance on hand in its treasury sufficient to cover the cost of the program, including facility rental, speaker's fee, advertising, and any other expense, or adequate funds must actually be deposited with the organization by an underwriter, which funds cannot be repaid until all costs and expenses incurred by the organization in presenting the program have been fully satisfied. No advertising or publicizing of any commercial product or trade name shall be permitted. In scheduling programs, sponsoring organizations must observe the calendaring regulations established by the Student Activities Board.

5. **Solicitation on Campus:** For the purposes of this chapter, the term "solicitation" means the seeking of funds or other support, such as signatures, food, or supplies, by a recognized student organization from persons outside its membership. Thus, solicitation could include, for example, such activities as the sale of goods or services, the distribution of literature, materials, or products, or the sponsoring of rallies, parades, or similar events. Recognized student organizations may solicit at reasonable times and places on the campus and under reasonable conditions imposed by University officials charged with control of areas involved, provided such solicitations are not inconsistent with the stated purposes of the sponsoring organization or with the educational purposes of the University, and provided such solicitations are registered with the Office of Student Affairs at least one week in advance. Registration forms are available in the Office of Student Activities and must be signed by an authorized member of the sponsoring student organization. General solicitation of students is ordinarily conducted in the Iowa Memorial Union and is normally restricted to the Gold Feather Lobby. Requests for reservations in the Gold Feather Lobby are to be submitted to the Office of Student Activities at least one week in advance. As nearly as space permits, each recognized student organization shall be entitled to one reservation (up to five consecutive days) per month. In addition to this reservation, unreserved space will be allocated to organizations by request on a daily first come-first served basis. Special requests for space elsewhere in the Union or on campus may be granted due to unusual circumstances. The Office of Space Assignment and Utilization may also designate certain locations on the outdoor campus which may be used for solicitation subject to any reasonable conditions imposed. The organization conducting a solicitation must be identified at every location by means of a sign or an announcement.

6. **Guest Speakers:** Recognized student organizations may invite guest lecturers, panel participants, discussion leaders or others from off-campus to speak or otherwise participate in campus programs, provided such programs are registered with the Office of Student Affairs at least one week in advance. Registration forms are available in the Office of Student Activities and must be signed by a principal representative of the sponsoring student organization. No arrangements with guest speakers should be made by the sponsoring organization until registration has been completed. In the event the speaker or the issues are controversial, the Office of Student Affairs may require the sponsoring organization (a) to secure a tenured member of the faculty to chair the program and (b) to provide for the speaker to be subjected to questions from the audience at some time during the program.

7. **Sponsorship:** Sponsorship is determined by an organization's participation, alone or with others, in planning, publicizing, and financing, rather than by the number of members attending or participating in an event. An event is considered to be sponsored by an

organization if it is planned, announced, discussed, or financed by the organization, such as when organization members are notified in a regular or special meeting or by a special announcement or posting, or when the financial responsibility is met by the organization.

8. Posters: Recognized student organizations are permitted to advertise and publicize forthcoming campus activities or events by means of posters, banners, and other displays on University bulletin boards and elsewhere on campus as authorized by the Director of Space Assignment and Utilization, provided all such posters, banners and displays must be approved in advance by the Office of Space Assignment and Utilization. Posters and other displays to be posted on campus bulletin boards may not exceed 11 x 14 inches in size. The name of the organization sponsoring a campus activity or event must appear on every display, and no advertising or publicizing of any commercial product or trade name is permitted. For further information, students may consult the Office of Space Assignment and Utilization, 102 Jessup Hall.

9. Trips: Off-campus trips sponsored by recognized student organizations must be registered at least one week in advance with the Office of Student Affairs. Registration forms are available in the Office of Student Activities and must be signed by a principal representative of the sponsoring student organization.

10. Enforcement: Any recognized student organization which violates any University rule, regulation or policy shall be subject to disciplinary action in accordance with established procedures, which may result in the loss or suspension of recognition or the imposition of other sanctions.

#### *University policy on undergraduate residence groups*

1. General Policy: Fraternity regulations are based upon a policy to: (a) integrate the fraternity system into the general University student housing and group living program. University dormitories and fraternity houses are each to be considered as constituting an integral part of the general plan of University housing and every effort will be expended to insure full occupancy of all group living quarters whether University or fraternity owned; (b) assure, insofar as is possible, solvent, successful, and effective operation on the part of each individual fraternity chapter as a housing unit and living group; (c) maintain different types of living groups so that each student may have a choice of dormitory or fraternity group living as a part of his education program in order that he may utilize non-classroom time in such a way as to supplement the work of the classroom in his individual development.

2. House Residency: Only qualified members and pledges and authorized employees may reside in fraternity chapter houses.

3. Housemother: Each house must have a housemother or other authorized chaperon in residence. No housemother or chaperon is to be employed or released by the fraternity without the approval of the Office of Student Affairs.

4. Vacation Operation: Fraternity chapter houses may remain open during school year vacations only with the permission of the Office of Student Affairs.

5. Financial Operations: All undergraduate fraternities must subscribe to participate in the Fraternity Business Service.

6. Governing Organizations: Undergraduate men's and women's fraternities shall be governed by the Interfraternity Council and Panhellenic Council, respectively, which governing bodies may establish, consistent with provisions of the Code of Student Life, additional rules and regulations for recognition of new fraternities, membership selection standards, and standards of conduct.

All amendments to the constitution or by-laws of the Interfraternity Council or Panhellenic Council shall be approved by the Committee on Student Life.

#### *University policy on graduate and professional fraternities*

The responsibility for the regulation and governing of graduate or professional fraternities shall be that of the Dean of the respective College (within the framework of general University policy).

#### *General*

The Code of Student Life is applicable to all students attending the University of Iowa, including undergraduate, graduate, professional, and parttime students, continuously at all times, whether or not the University is in session, from the date of their initial registration at the University for as long as they are students, regardless of whether or not they are currently registered at the University.

It is the duty and responsibility of all students to acquaint themselves with all provisions of the Code and particularly with the rules and regulations pertaining to personal conduct, and every student will be conclusively presumed to have knowledge of all rules and regulations contained in the Code from the date of his initial registration at the University. The Code may be amended at any time by authority of the President of the University. Amendments are effective upon approval of the President and publication in the Code of Student Life, provided that if the President deems an amendment of immediate importance it shall be effective from and after publication in the Daily Iowan (which will be conclusively presumed to be adequate notice to all students). A full and complete text of the Code and other general University rules and regulations of personal conduct currently in effect, including all amendments, shall be on file in the Office of Student Affairs at all times and shall be available for inspection by students. The Office of Student Affairs shall be responsible for making available to students copies of all amendments deemed of immediate importance and for distributing copies of such amendments to all housing units, affected student organizations, and otherwise as the Dean of Students deems appropriate, provided that failure to make such distribution shall not affect the effectiveness of such amendments.

#### *POLICY REGARDING USE OF DRUGS*

The use of marijuana, LSD, amphetamines, sedatives, and tranquilizers by students is a matter of concern to educational institutions throughout the United States. This concern is shared within the University of Iowa because evidence shows that some of the drugs represent health hazards and because the use or possession of the first two is unlawful. The others should be used only under current medical supervision.

As a matter of policy the University cannot condone the use by students of drugs which are illegal and which may involve substantial physiological or psychological hazards or lead to interference with the rights and privileges of others. As an educational institution the University endeavors to protect and assist students by providing reliable information about the hazards. Such information is available through Student Health and the University Counseling Service. Any discussions between individuals and the professional staffs in these offices are treated as confidential medical information. Groups may enlist the assistance of the staff as speakers or discussion leaders and, of course, may utilize outside speakers and other sources at their own discretion.

#### *Disciplinary action*

The use of marijuana, LSD, hallucinogens, or other dangerous drugs will not of itself be regarded as an act calling for disciplinary action. However, students who violate other sections of the Code of Student Life while

under the influence of these drugs will be subject to disciplinary action on the basis of their offenses.

Hallucinogens are especially dangerous when administered to anyone without his knowledge. Any student administering marijuana, LSD, or any other hallucinogen or similar drug to any member of the University community without the latter's knowledge, or knowingly permitting others to do so, will be subject to disciplinary action up to and including expulsion. This regulation is intended for the protection of innocent students and clearly involves a separable University interest. Consequently, it will be enforced independently of any criminal prosecution.

University property is not to be used for the unlawful manufacture, processing, or sale of marijuana, LSD, hallucinogens, or other dangerous drugs. Violators are subject to disciplinary action up to and including expulsion and, in addition, may be reported to appropriate civil authorities.

#### *STUDENT BILL OF RIGHTS*

It is the policy of The University of Iowa that each student shall be guaranteed the following rights and freedoms; enumeration of these rights or registration at the University shall in no manner be construed to nullify or limit any other constitutional or legal rights or freedoms possessed by students as citizens or residents of the United States or of the State of Iowa:

1. The right to participate freely in University sponsored services and activities without discrimination based on the student's race, creed, or national origin.
2. The right to obtain a clear statement of his basic rights, obligations, and responsibilities concerning both academic and non-academic student conduct.
3. The right to be evaluated in the classroom solely on the basis of academic achievement and fulfillment of educational requirements with freedom of expression protected and respected.
4. The right to organize and join associations in order to promote common interests.
5. (Affiliation with recognized student organizations.)<sup>3</sup>
6. The right of protection from the maintenance by the University of records reflecting the student's beliefs or his political activities and associations except for counseling records, health records, and records of disciplinary proceedings, and the right of protection from the release to persons outside the University community of such records as well as academic and disciplinary records without the express consent of the student or a court order.
7. The right to petition for changes in either academic or non-academic regulations, procedures, or practices.
8. The right to be represented by a democratic student government.
9. The right to have clearly defined means to participate in the formulation and application of institutional policy affecting both academic and nonacademic student affairs. The student's participation shall include his right to gain access to information, to express his views, and to have these views considered.
10. The right of protection from the placement of non-University financial obligations on the student's University account without the express consent of the student.
11. (Unreasonable searches and seizures.)<sup>3</sup>
12. The right to be free from disciplinary action by the University for misconduct except under reasonable rules which have as their substantive basis the protection of some clear and distinct interest of the University as an academic institution.

<sup>3</sup> Statements on these subjects have been under consideration but are not in final form at this time. Discussions will be continued by the relevant groups during the academic year.

13. The right to due process in any action brought or taken by the University against the student which can reasonably be expected to affect the student's status with the University or any of its constituent parts or agencies.

14. (Unaltered status while disciplinary proceedings pending.)<sup>2</sup>

15. The right to protection from ex post facto regulations.

#### JUDICIAL STRUCTURE TO HANDLE STUDENT NON-ACADEMIC MISCONDUCT

The violation of student non-academic responsibilities as set forth in The University of Iowa Code of Student Life will be adjudicated by three different types of judicial agencies:

- (A) The Committee on Student Conduct
- (B) The Office of Student Affairs
- (C) Various student conduct committees and other non-academic boards

#### A. Committee on student conduct

##### 1. Jurisdiction

The Committee on Student Conduct will have jurisdiction over cases referred to it by various campus disciplinary agencies. It will hear all cases involving possible suspension or dismissal of the student from The University of Iowa for disciplinary reasons. All appeals of actions taken by the Office of Student Affairs (other than traffic court cases) will result in a hearing before this committee. The committee will also review appeals from lower court decisions and from Office of Student Affairs decisions involving traffic court cases. Such a review may or may not result in a new hearing before the Committee on Student Conduct. The student party making an appeal to the Committee on Student Conduct must file a written statement of appeal with the Chairman. This statement must be filed no later than one week after the action under appeal has been taken. Such written appeals will be read by the seven member board (see A.4.C), and they must receive an affirmative vote by three of the members before a new hearing is granted.

##### 2. Jurisdiction and procedures regarding organizations

Original jurisdiction of disciplinary cases involving recognized student organizations shall lie with the appropriate court governing the organization or, in cases where no such court exists, with the Office of Student Affairs. Decisions by those bodies may be appealed to the Committee on Student Conduct. Alleged violations of a nature serious enough to result in the possible withdrawal of recognition of the organization or the curtailment of activities essential to the organization's continued well being (such as the right to recruit new members) shall be referred by the lower bodies to the Committee on Student Conduct.

Five votes shall be required to withdraw recognition of an organization or to curtail the performance of its essential activities. Those persons recognized as the accountable student officers of the organization (and their counsel) shall appear before the Committee on Student Conduct to hear the charges and present the organization's defense. Hereafter, in applying the reading of this document to organizations, the term "organization" (accountable student officers) may be substituted for "student" with no basic changes in meaning or procedures.

##### 3. Appeals

Students who are parties to a case may appeal from the Committee on Student Conduct to the President of the University. Such appeals shall be submitted to the President in writing within 72 hours after receipt of the decision being appealed.

##### 4. Membership

(a) The Committee on Student Conduct will consist of eleven members, six of whom shall be nominated by the Faculty Senate

and five of whom shall be nominated by the Student Senate for appointment by the President.

(b) The Chairman shall be appointed by the President. The Chairman shall have voting rights and shall have served on the committee at least one year prior to his appointment as Chairman. The term of chairmanship shall be one year.

(c) Sitting on each case will be a seven (7) member board consisting of at least three (3) faculty members (including chairman) and three (3) students selected by the Chairman from among the committee members.

(d) Both sexes must be represented on the board at each hearing.

(e) Terms of committee members will ordinarily be for two years with staggering terms to allow for continuity.

#### 5. Procedure

Cases to be heard by the Committee on Student Conduct will usually be brought to the committee by the Office of Student Affairs. A member of the Office of Student Affairs will have the responsibility for preparing the complaint against the student at the committee hearing. In cases involving appeals of action taken by various conduct committees, the committee concerned will have the responsibility of presenting charges and evidence against the student. Such a presentation by a committee will be conducted in consultation with the member of the Office of Student Affairs familiar with Committee on Student Conduct procedures. The student may also consult with the Office of Student Affairs before his hearing. The following regulations will govern hearings conducted by the Committee on Student Conduct:

(a) Hearings: The Committee shall determine whether the hearing shall be closed or open to the public. The student may request an open hearing but the Committee shall decide. Only those persons directly involved with a case may attend a closed hearing: the Committee on Student Conduct, the student or organization whose case is being heard, the person or persons presenting the charges, and witnesses during their testimony. Hearings shall be informal in nature and designed to place the student as much at ease as possible to facilitate communication and understanding. Cases of original jurisdiction or appeal shall be decided by a simple majority (4 votes). A separate vote will be taken to determine sanctions if the student has been found in violation. Action to suspend or dismiss a student requires five votes.

(b) Record of Proceedings: A record of all hearings will be made on a tape recorder, and the chairman will provide a secretary to keep a written digest of the proceedings. Both records will be kept by the chairman in a locked file. Tapes of cases resulting in penalties such as suspension or dismissal shall be kept on file for two years; all other tapes shall be kept for six months. After the appropriate time has elapsed the content of the tapes will be erased and the tapes re-used. The written record shall be destroyed upon student's graduation or after four years. Only those persons directly involved with a case may have access to the records pertaining thereto: the Committee on Student Conduct, the student or organization (and counsel) whose case is being heard, and the person or persons presenting the charges.

(c) Notice of Hearing: The chairman of the Committee on Student Conduct or his agent shall give the student written notice of the specific charges against him, the person or persons making the charges, a list of the eleven members of the Committee on Student Conduct and the time and place of the hearing of his case. Such notification shall be made at least five (5) days before the hearing.

(d) Challenge: Within twenty-four hours following the receipt of notice, the student

may challenge the right of any member of the Committee on Student Conduct whom he feels might be prejudicial to his case to take part in the hearing. The challenge shall be submitted to the chairman whose responsibility it shall be to examine the reasons for the challenge and accept or reject it.

(e) Appearance Before the Committee: The student may elect to appear before the Committee in person to present his defense, or he may elect not to appear. Should he elect not to appear, the hearing shall be held in his absence.

(f) Counsel: The student appearing before the Committee on Student Conduct may be assisted by an adviser of his choice at the hearing.

(g) Testimony: The student will have the opportunity to hear and refute all testimony against him. Where witnesses present evidence against him, he will have the opportunity to hear and question these adverse witnesses. Where the evidence is presented in writing, he will have the right to see and refute such written testimony. The student may present any evidence in his own behalf, may reply to charges in his own words, and may present witnesses in his own behalf.

(h) Proof: The burden of proof will rest upon those bringing the charge, and all matters upon which the decision is based must be introduced as evidence during the hearing. Formal rules of evidence will not be followed; however, improperly acquired evidence shall not be considered.

(i) Student Status: The student's status at the University will not be altered pending final disciplinary action on the charges. His right to be present on the campus and to attend classes will not be suspended except for reasons relating to the well being of himself, other members of the University community, or University property.

(j) Notification of Decision: The decision of the Committee will be conveyed to the student as soon as possible following the hearing, and confirmed in writing within 24 hours of the hearing. When a decision results in a change in the student's University status copies of the letter of notification of decision will go to the Dean of Students the college of student registration, the Registrar, and, in the case of unmarried students who have not reached their majority, to their parent or guardian. Disclosure of decisions made by the Committee on Student Conduct shall not be made except at the request of the student. However, if the offense with which he is charged is a prior matter of public record the decision may be made public.

#### B. Office of student affairs

##### 1. Jurisdiction

The Office of Student Affairs has original jurisdiction in cases referred to it by a variety of agencies both on and off the campus. In addition, it can act with original jurisdiction on cases referred to it by various conduct committees. Various sanctions may be imposed by this office including that of disciplinary probation. All cases coming to the attention of the Office of Student Affairs in which suspension or dismissal from the University would be a likely sanction must be referred to the Committee on Student Conduct.

##### 2. Case Referral

Cases coming to the attention of the Office of Student Affairs may be referred to the Committee on Student Conduct.

##### 3. Appeals

Students who are parties to the case may appeal disciplinary decisions made by the Office of Student Affairs to the Committee on Student Conduct.

##### 4. Disciplinary Counseling

The Office of Student Affairs will be responsible for the disciplinary counseling

which will take place both in regard to students referred to it from various agencies and also for students who have received hearings and received various sanctions from the Committee on Student Conduct. In addition, students may be referred by lower student committees to the Office of Student Affairs for disciplinary counseling.

#### C. Student conduct committees

##### 1. Jurisdiction

Student courts will be set up in most types of residence units and these courts will have jurisdiction over members of their resident units, except in those cases serious enough to result in possible probation, suspension, or dismissal.

##### 2. Case Referral

Cases may be referred from these committees to either the Office of Student Affairs or to the Committee on Student Conduct. When cases are referred from these committees to the Committee on Student Conduct, this referral may take place in consultation with a member of the Office of Student Affairs.

##### 3. Appeals

Students who are a party to the case and appealing the actions of conduct committees at this level will appeal their cases directly to the Committee on Student Conduct as specified in Section A.1.

##### 4. Membership

Membership on conduct committees at this level will be determined by the unit concerned.

##### 5. Procedures

Hearing procedures will be determined by the various conduct committees and by the unit concerned. Such procedures should be consistent with the basic requirements of due process: The burden of proof shall rest upon those bringing the charges; the student shall have the right to call witnesses to testify in his behalf; the student shall be permitted to question adverse evidence; and the student may be assisted by an advisor.

#### D. Amendments

Any person or group proposing amendments to this document must submit such amendments to the Student Senate and the Faculty Council for recommendation. Such proposed amendments must be recommended by a two-thirds majority of both bodies before being submitted to the University President for final approval.

#### ACADEMIC MISCONDUCT

As stated in Section 1 of the Code of Student Life general conduct regulations, violation of the regulations for academic misbehavior is ordinarily handled within the department or College concerned. The following procedure applies specifically to the Colleges of Liberal Arts, Education, and Nursing, and is generally representative of procedures in the other undergraduate Colleges. Students in other Colleges who wish more specific information should inquire at the office of their respective dean.

##### 1. Reporting of plagiarism and cheating

All cases of plagiarism and cheating in the College of Liberal Arts shall be reported for action to the Office of the Dean of the College through departmental channels with a statement of the necessary facts. The department and the instructor concerned may also submit recommendations in each case for appropriate disciplinary action.

##### 2. Disciplinary action

a. By the Instructor: The individual instructor may reduce the student's grade, including the assignment of the grade of "F" in the course. A report of this action should always be sent to the Dean's Office.

b. By the Dean: The Dean of the College, or a student-faculty committee appointed by him, may impose the following or other penalties as the offense may warrant: dis-

ciplinary probation, assessment of additional hours for the bachelor's degree, suspension from the College or recommendation of expulsion from the University by the President.

##### 3. Referral to university committee on student conduct

a. By the Dean: In the cases of flagrant or repeated offenses or for other reasons deemed sufficient by the Dean of the College, he may, at his option, refer the case and records to the Student Conduct Committee of the University for appropriate action.

b. By the Student: If the student feels that the penalty imposed by the Dean is unjust, the student may appeal to the University Committee on Student Conduct by filing a written request to this effect with the Dean of Students.

##### 4. Record of disciplinary action

The Dean's Office shall maintain a record of disciplinary cases and disposition thereof, and shall notify such other agencies of the University as are concerned with action taken in the case. The Dean shall determine whether or not the disciplinary penalty imposed is to be recorded by the Registrar upon the student's transcript of college courses. The student involved shall be informed that a record is being kept of the offense.

Graduate College: Questions of academic dishonesty arising within the Graduate College are treated on an individual basis. Generally, the questions are handled at the departmental level. If a departmental decision is appealed, the Dean may appoint an appeals committee of faculty and students from a slate of nominees prepared by the Graduate Council and the Graduate Student Senate, to recommend an appropriate course of action.

#### JOINT STATEMENT ON RIGHTS AND FREEDOMS OF STUDENTS

The Joint Statement on Rights and Freedoms of Students was drafted as a cooperative project among national educational associations representing faculty members, students, and administrators. This effort began in the fall of 1966, and various interim drafts were published in educational journals and discussed by relevant groups from time to time. The University of Iowa recognized the value of this effort at an early date and approved the underlying principles before the final draft was ratified by the participating organizations in the fall of 1967. While the specific rules and procedures which govern the University, e.g., the Code of Student Life, the disciplinary procedures, and the Student Bill of Rights, are controlling, every effort has been made to make them consistent with the Joint Statement. Inconsistencies among the specific rules and procedures are to be resolved in light of the fundamental principles enunciated in the Joint Statement. The text of the Joint Statement reads as follows:

##### Preamble

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Institutional procedures for achieving these purposes may vary from campus to campus, but the minimal standards of academic freedom of students outlined below are essential to any community of scholars.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger com-

munity. Students should exercise their freedom with responsibility.

The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. Each college and university has a duty to develop policies and procedures which provide and safeguard this freedom. Such policies and procedures should be developed at each institution within the framework of general standards and with the broadest possible participation of the members of the academic community. The purpose of this statement is to enumerate the essential provisions for student freedom to learn.

##### I. Freedom of access to higher education

The admissions policies of each college and university are a matter of institutional choice provided that each college and university makes clear the characteristics and expectations of students which it considers relevant to success in the institution's program. While church-related institutions may give admission preference to students of their own persuasion, such a preference should be clearly and publicly stated. Under no circumstances should a student be barred from admission to a particular institution on the basis of race. Thus, within the limits of its facilities, each college and university should be open to all students who are qualified according to its admission standards. The facilities and services of a college should be open to all of its enrolled students, and institutions should use their influence to secure equal access for all students to public facilities in the local community.

##### II. In the classroom

The professor in the classroom and in conference should encourage free discussion, inquiry, and expression. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

##### A. Protection of Freedom of Expression

Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

##### B. Protection against Improper Academic Evaluation

Students should have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

##### C. Protection against Improper Disclosure

Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, advisers, and counselors should be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student.

##### III. Student records

Institutions should have a carefully considered policy as to the information which should be part of a student's permanent educational record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records should be separate, and the conditions of access to each should be set forth in an explicit policy statement. Transcripts of academic records should contain only information about academic status. Information from disciplinary or counseling files should not be available to unauthorized persons on campus, or to any person off campus without the express consent of the student involved except under legal compul-

sion or in cases where the safety of persons or property is involved. No records should be kept which reflect the political activities or beliefs of students. Provisions should also be made for periodic routine destruction of non-current disciplinary records. Administrative staff and faculty members should respect confidential information about students which they acquire in the course of their work.

#### IV. Student affairs

In student affairs, certain standards must be maintained if the freedom of students is to be preserved.

##### A. Freedom of Association

Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free to organize and join associations to promote their common interests.

1. The membership, policies, and actions of a student organization usually will be determined by vote of only those persons who hold bona fide membership in the college or university community.

2. Affiliation with an extramural organization should not of itself disqualify a student organization from institutional recognition.

3. If campus advisers are required, each organization should be free to choose its own adviser, and institutional recognition should not be withheld or withdrawn solely because of the inability of a student organization to secure an adviser. Campus advisers may advise organizations in the exercise of responsibility, but they should not have the authority to control the policy of such organizations.

4. Student organizations may be required to submit a statement of purpose, criteria for membership, rules of procedures, and a current list of officers. They should not be required to submit a membership list as a condition of institutional recognition.

5. Campus organizations, including those affiliated with an extramural organization, should be open to all students without respect to race, creed, or national origin, except for religious qualifications which may be required by organizations whose aims are primarily sectarian.

##### B. Freedom of Inquiry and Expression

1. Students and student organizations should be free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. They should always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations students or student organizations speak only for themselves.

2. Students should be allowed to invite and to hear any person of their own choosing. Those routine procedures required by an institution before a guest speaker is invited to appear on campus should be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities should not be used as a device of censorship. It should be made clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

##### C. Student Participation in Institutional Government

As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The

student body should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of the student government and both its general and specific responsibilities should be made explicit, and the actions of the student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.

##### D. Student Publications

Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world at large.

Whenever possible the student newspaper should be an independent corporation financially and legally separate from the university. Where financial and legal autonomy is not possible, the institution, as the publisher of the student publications, may have to bear the legal responsibility for the contents of the publications. In the delegation of editorial responsibility to students the institution must provide sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community.

Institutional authorities, in consultation with students and faculty, have a responsibility to provide written clarification of the role of the student publications, the standard to be used in their evaluation, and the limitations on external control of their operation. At the same time, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. As safeguards for the editorial freedom of student publications the following provisions are necessary:

1. The student press should be free of censorship and advance approval of copy, and its editors and managers should be free to develop their own editorial policies and news coverage.

2. Editors and managers of student publications should be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes should editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers should be the agency responsible for their removal.

3. All university published and financed student publications should explicitly state on the editorial page that the opinions there expressed are not necessarily those of the college, university, or student body.

#### V. Off-Campus Freedom of Students

##### A. Exercise of Rights of Citizenship

College and university students are both citizens and members of the academic community. As citizens, students should enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy and, as members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership. Faculty members and administrative officials should insure that institutional powers are not employed to inhibit such intellectual and personal development of students as is often promoted by their exercise of the rights of citizenship both on and off campus.

#### B. Institutional Authority and Civil Penalties

Activities of students may upon occasion result in violation of law. In such cases, institutional officials should be prepared to apprise students of sources of legal counsel and may offer other assistance. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the institution be asserted. The student who incidentally violates institutional regulations in the course of his off-campus activity, such as those relating to class attendance, should be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure.

##### VI. Procedural standards in disciplinary proceedings

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance, and admonition. At the same time, educational institutions have a duty and the corollary disciplinary power to protect their educational purpose through the setting of standards of scholarship and conduct for the students who attend them and through the regulation of the use of institutional facilities. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, proper procedural safeguards should be observed to protect the student from the unfair imposition of serious penalties.

The administration of discipline should guarantee procedural fairness to an accused student. Practices in disciplinary cases may vary in formality with the gravity of the offense and the sanctions which may be applied. They should also take into account the presence or absence of an honor code, and the degree to which the institutional officials have direct acquaintance with student life, in general, and with the involved student and the circumstances of the case in particular. The jurisdictions of faculty or student judicial bodies, the disciplinary responsibilities of institutional officials and the regular disciplinary procedures, including the student's right to appeal a decision, should be clearly formulated and communicated in advance. Minor penalties may be assessed informally under prescribed procedures.

In all situations, procedural fair play requires that the student be informed of the nature of the charges against him, that he be given a fair opportunity to refute them, that the institution not be arbitrary in its actions, and that there be provision for appeal of a decision. The following are recommended as proper safeguards in such proceedings when there are no honor codes offering comparable guarantees.

##### A. Standards of Conduct Expected of Students

The institution has an obligation to clarify those standards of behavior which it considers essential to its educational mission and its community life. These general behavioral expectations and the resultant specific regulations should represent a reasonable regulation of student conduct but the student should be as free as possible from imposed limitations that have no direct relevance to his education. Offenses should be as clearly defined as possible and interpreted in a manner consistent with the aforementioned principles of relevancy and reasonableness. Disciplinary proceedings should be instituted only for violations of standards of conduct formulated with significant student participation and published in advance through such means as a student handbook or a generally available body of institutional regulations.

### B. Investigation of Student Conduct

1. Except under extreme emergency circumstances, premises occupied by students and the personal possessions of students should not be searched unless appropriate authorization has been obtained. For premises such as residence halls controlled by the institution, an appropriate and responsible authority should be designated to whom application should be made before a search is conducted. The application should specify the reasons for the search and the objects or information sought. The student should be present, if possible, during the search. For premises not controlled by the institution, the ordinary requirements for lawful search should be followed.

2. Students detected or arrested in the course of serious violations of institutional regulations, or infractions of ordinary law, should be informed of their rights. No form of harassment should be used by institutional representatives to coerce admissions of guilt or information about conduct of other suspected persons.

### C. Status of Student Pending Final Action

Pending action on the charges, the status of a student should not be altered, or his right to be present on the campus and to attend classes suspended, except for reasons relating to his physical or emotional safety and well-being, or for reasons relating to the safety and well-being of students, faculty, or university property.

### D. Hearing Committee Procedures

When the misconduct may result in serious penalties and if the student questions the fairness of disciplinary action taken against him, he should be granted, on request, the privilege of a hearing before a regularly constituted hearing committee. The following suggested hearing committee procedures satisfy the requirements of procedural due process in situations requiring a high degree of formality.

1. The hearing committee should include faculty members or students, or, if regularly included or requested by the accused, both faculty and student members. No member of the hearing committee who is otherwise interested in the particular case should sit in judgment during the proceeding.

2. The student should be informed, in writing, of the reasons for the proposed disciplinary action with sufficient particularity, and in sufficient time, to insure opportunity to prepare for the hearing.

3. The student appearing before the hearing committee should have the right to be assisted in his defense by an adviser of his choice.

4. The burden of proof should rest upon the officials bringing the charge.

5. The student should be given an opportunity to testify and to present evidence and witnesses. He should have an opportunity to hear and question adverse witnesses. In no case should the committee consider statements against him unless he has been advised of their content and of the names of those who made them, and unless he has been given an opportunity to rebut unfavorable inferences which might otherwise be drawn.

6. All matters upon which the decision may be based must be introduced into evidence at the proceeding before the hearing committee. The decision should be based solely upon such matters. Improperly acquired evidence should not be admitted.

7. The decision of the hearing committee should be final, subject only to the student's right to appeal to the president or ultimately to the governing board of the institution.

STATEMENT BY PHILIP G. HUBBARD, VICE PROVOST

After consultation with University staff members who are familiar with the circumstances of an incident Wednesday afternoon

in the University Career Counseling and Placement Office, I believe there is sufficient evidence to warrant the filing of charges against certain individuals involved. It appears that not more than 10 or 12 persons were involved, although some of them may not have violated University regulations.

Charges of violating University regulations will be filed with the Committee on Student Conduct against students involved, and against Students for a Democratic Society, the organization which sponsored the activity. Civil charges will be brought against non-students involved in the incident.

We expect to act in the next few days, following completion of our investigation.

### SCHWENGEL COMMENDS NIXON ADMINISTRATION ON FIRST YEAR'S RECORD

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, we are now rapidly approaching the end of the first year of President Nixon's administration. And what a great year it has been for America. President Nixon has done a magnificent job of getting this country back on the track and headed toward fulfillment of our historic destiny. His achievements are all the more laudable in view of the fact that many of his efforts have been stalled or stymied in the Congress where his party is still a minority.

Let me summarize briefly the President's achievements to date:

#### NEW DIRECTION IN FOREIGN POLICY

Among the accomplishments were:

The Nixon doctrine, set forth at the outset of his round-the-world tour, calling for a new kind of partnership for peace and security.

Agreement with Japan on the difficult question of Okinawan reversion.

New life for the Western European alliance, dramatized by the President's visit to Europe.

New posture toward the countries of Eastern Europe, symbolized by the visit to Romania, the first by any President to a Communist country.

A new policy for Latin America, unveiled in the first Presidential address ever televised live to the other nations of the Western Hemisphere.

A series of initiatives to probe the possibilities of moving toward a political settlement of the conflict in the Middle East.

Continued efforts to end the tragedy of starvation in Biafra.

Proposals for reforms in foreign aid and trade.

The signing of the Nuclear Nonproliferation Treaty.

The opening of the strategic arms limitation talks in Helsinki.

A new policy on the use of chemical and biological weapons.

A Presidential directive to implement significant overseas personnel reductions, to cut back the American presence and to streamline operations.

#### NEW DIRECTION IN VIETNAM

After years in which American involvement has constantly increased, 60,000 troops were withdrawn.

Casualties fell to a 3-year low.

The continued progress in the Presi-

dent's Vietnamization program enabled him to put into effect an orderly timetable for the withdrawal of American forces.

#### NEW DIRECTION ON THE DRAFT

President Nixon instituted major reform in selective service.

The first draft lottery since 1942 was conducted.

The period of draft vulnerability was reduced from 7 years to 1 year.

Young men will now know at age 19 the degree of likelihood that they will be drafted and can plan accordingly.

Draft calls for November and December were eliminated entirely, and the January 1970 call sharply reduced.

The first system of youth advisers to the Selective Service System was inaugurated.

An intensive review of the other major aspects of draft policy—including the deferment question—is now underway.

#### NEW DIRECTION IN DEFENSE POLICY

The Nixon administration conducted the most thorough review of worldwide military strategy and force options ever undertaken, which resulted in:

Presidential approval of explicit criteria for strategic sufficiency.

Presidential approval of explicit budgeted strategy guidelines for planning the defense force posture, which will reduce and stabilize defense spending over the next 5 years.

Presidential establishment of an inter-agency Defense Program Review Committee to insure balanced review of defense policy and program issues in the light of our overall national priorities.

Initial construction of an anti-ballistic-missile system to protect our deterrent and to defend the American people against accidental nuclear attacks or nuclear blackmail by third countries.

#### NEW DIRECTION IN GOVERNMENT ORGANIZATION

President Nixon undertook the most sweeping reform of government machinery since the Hoover Commission, including:

The establishment of four new Cabinet level domestic Councils and numerous other new planning groups.

The revival of the National Security Council and other reforms in foreign policy machinery.

The establishment of common regional boundaries and headquarters for the field operations of the major domestic departments.

A program for consolidating Federal grant programs.

A new Office of Child Development to implement the President's commitment to improve the first 5 years of life.

Complete reorganization in such areas as the Manpower Administration and the Office of Economic Opportunity.

The most thorough reform proposal in history for the Nation's Post Office system.

#### NEW DIRECTION IN FEDERAL-STATE-LOCAL RELATIONS

The President's "New Federalism" proposals marked a historic turning point:

For the first time in history, the President proposed the sharing of Federal revenues with the States and localities.

In another historic innovation, the President proposed that administration of manpower training be turned over to State and local governments.

#### NEW DIRECTION IN WELFARE

The President introduced dramatic new concepts for helping the disadvantaged. They include:

The first major reform in welfare in over a generation, a new family assistance plan for helping people move from welfare rolls to payrolls.

A new manpower training program to prepare workers for new jobs.

The first comprehensive reform of unemployment insurance in the history of that program.

The elimination or reduction of taxes for some 17 million low-income persons.

The first Presidential commitment to put an end to hunger in America, including an expanded food stamp program and free food stamps for the very poor.

New initiatives to provide more low-income housing.

Strong efforts to eliminate racial discrimination in the job market and new programs for strengthening minority business enterprise.

Proposals for social security reforms, including larger benefits and a provision that future benefits be tied to the cost of living.

#### NEW DIRECTION ON THE ECONOMY

The President carried on a rigorous and unrelenting fight against inflation:

The Federal budget was cut by more than \$7 billion.

A program for gradually phasing out the 10-percent surtax was proposed.

A plan of responsible tax reform was laid out, including substantive proposals for making the tax structure fairer.

#### NEW DIRECTION AGAINST CRIME

The administration asked for more money for crime fighting.

More personnel were assigned to the war on crime.

Structural reforms in crime fighting included new antiracketeering field offices.

New laws were requested for combating organized crime, District of Columbia crime, pornography, and narcotics.

The President directed that reforms be made in Federal correctional institutions.

#### NEW DIRECTION FOR TRANSPORTATION

Long-range efforts to meet the transportation crisis were introduced, including:

A \$10 billion, 12-year mass transit program, the largest ever.

A \$2.5 billion, 10-year program to improve airway facilities and equipment.

An immediate increase in the number of air traffic controllers.

A decision to build a supersonic transport.

The first comprehensive reform of merchant shipping legislation since 1936.

#### NEW DIRECTION IN HEALTH AND SAFETY

Significant, new steps were taken to protect public health and safety, including:

A comprehensive series of consumer

protection proposals to safeguard the "Buyers' Bill of Rights."

Steps to protect the public against pesticides and other potentially dangerous materials in the food supply.

A strong new approach to enforcing occupational safety and health standards.

The first Presidential message in history on the subject of the population explosion.

A strong coal mine safety bill.

During his busy first year, the President traveled to 14 foreign countries, officially received 13 heads of government or heads of state as his guests, in the exercise of a new foreign policy aimed at peace and stability in the world. He sent 31 messages to the Congress, proposing historic changes in domestic policy. It was a year of substantial progress toward changing the Nation's mood, reordering its priorities and reorganizing its institutions. At the end of the year, the American people—68 percent of whom expressed approval of the way the President was doing his job—could look forward to the new decade with increased confidence and hope.

President Nixon said last October:

We intend to begin a decade of government reform such as this nation has not witnessed in half a century.

The record of his first year in office gives solid substance to this promise, for it was a year of reform that set a new direction for America in both foreign and domestic policy.

#### DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS—CONFERENCE REPORT

Mr. FLOOD submitted the following conference report and statement on the bill (H.R. 13111) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970:

#### CONFERENCE REPORT (H. REPT. No. 91-781)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13111) "making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1970, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 11, 12, 18, 42, 43, 46, 48, 55, 61, 62, 63, 64, 65, 66, 68, 70, 73, and 77.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 17, 20, 21, 22, 23, 24, 40, 47, 49, 67, 71, 79, 80, 81, 82, and 85; and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$655,772,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amend-

ment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$12,335,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$72,352,500"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$108,800,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$47,500,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$190,362,500"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$171,256,500"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$30,644,500"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$146,334,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$106,978,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$103,694,500"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$164,644,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$76,949,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$24,342,500"; and the Senate agree to the same.

Amendment numbered 36: That the House

recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$76,658,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$234,470,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$11,722,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$149,050,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$330,876,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: "\$30,000,000 shall be for equipment and minor remodeling and state administrative services under title III-A of said Act of 1958;"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$107,500,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$18,250,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$148,881,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$6,737,000"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$5,083,000"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$120,000,000"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment

insert "\$28,360,000"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$10,000,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$30,226,500"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$911,350,000"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"Sec. 407. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"Sec. 408. Except as required by the Constitution no part of the funds contained in this Act may be used to force any school district to take any actions involving the busing of students, the abolishment of any school or the assignment of any student attending any elementary or secondary school to a particular school against the choice of his or her parents or parent."

And the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"Sec. 409. Except as required by the Constitution no part of the funds contained in this Act shall be used to force any school district to take any actions involving the busing of students, the abolishment of any school or the assignment of students to a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 4, 5, 6, 7, 15, 16, 25, 26, 41, 50, 51, 52, 56, 57, 72, 83, and 84.

DANIEL J. FLOOD,  
WILLIAM H. NATCHER,  
NEAL SMITH,  
W. R. HULL, Jr.,  
BOB CASEY,  
GEORGE MAHON,  
GARNER E. SHRIVER,

*Managers on the Part of the House.*

WARREN G. MAGNUSON,  
JOHN STENNIS,  
ALAN BIBLE,  
ROBERT C. BYRD,  
SPESSARD L. HOLLAND,  
JOHN O. PASTORE,  
NORRIS COTTON,  
HIRAM L. FONG,  
J. CALEB BOGGS,  
MILTON R. YOUNG,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1970, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

#### TITLE I—DEPARTMENT OF LABOR

##### MANPOWER ADMINISTRATION

Amendment No. 1: Appropriates \$655,605,000 for "Manpower development and training activities" as proposed by the House instead of \$675,605,000 as proposed by the Senate. The managers on the part of the House are in agreement with the directions contained in the Senate report with regard to the Neighborhood Youth Corps.

Amendments Nos. 2 and 3: Strike language proposed by the Senate.

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will appropriate \$36,116,000 instead of \$35,325,000 as proposed by the House and \$36,907,000 as proposed by the Senate and will insert language proposed by the Senate to provide that the funds remain available until June 30, 1971.

Amendments Nos. 5, 6, and 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendments which revise legal citations.

Amendments Nos. 8 and 9: Provide \$655,772,000 for "Limitation on grants to States for unemployment compensation and employment service administration" instead of \$630,772,000 as proposed by the House and \$657,700,000 as proposed by the Senate, and provide \$15,000,000 for the contingency fund as proposed by the Senate instead of \$12,000,000 as proposed by the House.

##### LABOR-MANAGEMENT RELATIONS

Amendment No. 10: Appropriates \$12,335,000 for "Labor-Management Services Administration, salaries and expenses" instead of \$9,585,000 as proposed by the House and \$12,426,000 as proposed by the Senate. The conferees have agreed to the full amount of \$2,000,000 requested for the "organized crime program."

##### WAGE AND LABOR STANDARDS

Amendment No. 11: Appropriates \$12,050,000 for "Wage and Labor Standards Administration, salaries and expenses" as proposed by the House instead of \$12,300,000 as proposed by the Senate. The conferees are agreed that, within the amount allowed, high priority should be given to the high-hazard inspection training and education safety program.

##### BUREAU OF LABOR STATISTICS

Amendment No. 12: Strikes language proposed by the Senate.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
CONSUMER PROTECTION AND ENVIRONMENTAL HEALTH SERVICE

Amendment No. 13: Appropriates \$72,352,500 for "Food and drug control" instead of

\$72,007,000 as proposed by the House and \$72,698,000 as proposed by the Senate.

Amendment No. 14: Appropriates \$108,800,000 for "Air pollution control" instead of \$93,800,000 as proposed by the House and \$116,900,000 as proposed by the Senate.

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that \$45,000,000 of the funds appropriated for "Air pollution control" shall be available to carry out section 104 of the Clean Air Act.

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides language with regard to the merging of certain unexpended balances of previous appropriations.

#### HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Amendment No. 17: Corrects typographical error.

Amendments Nos. 18 and 19: Appropriate \$360,302,000 for "Mental health" as proposed by the House instead of \$385,000,000 as proposed by the Senate; and provide that \$47,500,000 shall be for grants pursuant to parts A, C, and D of the Community Mental Health Centers Act instead of \$42,500,000 as proposed by the House and \$52,200,000 as proposed by the Senate.

Amendments Nos. 20 and 21: Appropriate \$224,033,000 for "Regional health planning and services" as proposed by the Senate instead of \$207,143,000 as proposed by the House; and provide that \$100,000,000 shall be available for grants pursuant to section 314(d) of the Public Health Service Act as proposed by the Senate.

Amendments Nos. 22, 23, and 24: Appropriate \$100,000,000 for "Regional medical programs" as proposed by the Senate instead of \$76,000,000 as proposed by the House; provide that \$73,500,000 shall be for grants pursuant to title IX of the Public Health Service Act as proposed by the Senate instead of \$50,000,000 as proposed by the House; and provide that \$24,771,000 shall be for development, assistance, and chronic disease control activities authorized by the Public Health Service Act as proposed by the Senate.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides for grants of \$3,500,000 and loans of \$6,500,000 pursuant to the District of Columbia Medical Facilities Construction Act of 1968.

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides language with regard to the merging of unexpended balances of certain previous appropriations.

#### NATIONAL INSTITUTES OF HEALTH

Amendment No. 27: Appropriates \$190,362,500 for "National Cancer Institute" instead of \$180,725,000 as proposed by the House and \$200,000,000 as proposed by the Senate.

Amendment No. 28: Appropriates \$171,256,500 for "National Heart Institute" instead of \$160,513,000 as proposed by the House and \$182,000,000 as proposed by the Senate.

Amendment No. 29: Appropriates \$30,644,500 for "National Institute of Dental Research" instead of \$29,892,000 as proposed by the House and \$32,000,000 as proposed by the Senate.

Amendment No. 30: Appropriates \$146,334,000 for "National Institute of Arthritis

and Metabolic Diseases" instead of \$137,668,000 as proposed by the House and \$155,000,000 as proposed by the Senate.

Amendment No. 31: Appropriates \$106,978,000 for "National Institute of Neurological Diseases and Stroke" instead of \$101,256,000 as proposed by the House and \$112,700,000 as proposed by the Senate.

Amendment No. 32: Appropriates \$103,694,500 for "National Institute of Allergy and Infectious Diseases" instead of \$102,389,000 as proposed by the House and \$105,000,000 as proposed by the Senate.

Amendment No. 33: Appropriates \$164,644,000 for "National Institute of General Medical Sciences" instead of \$154,288,000 as proposed by the House and \$175,000,000 as proposed by the Senate.

Amendment No. 34: Appropriates \$76,949,000 for "National Institute of Child Health and Human Development" instead of \$73,098,000 as proposed by the House and \$80,800,000 as proposed by the Senate.

Amendment No. 35: Appropriates \$24,342,500 for "National Eye Institute" instead of \$23,685,000 as proposed by the House and \$25,000,000 as proposed by the Senate. The managers on the part of the House agree with the expression in the Senate report that sufficient funds from this appropriation shall be used to employ 25 additional staff for this new institute.

Amendment No. 36: Appropriates \$76,658,000 for "General research and services" instead of \$73,658,000 as proposed by the House and \$79,658,000 as proposed by the Senate.

Amendment No. 37: Appropriates \$234,470,000 for "Health manpower" instead of \$218,021,000 as proposed by the House and \$251,200,000 as proposed by the Senate. The increase over the House bill includes \$5,599,000 for institutional support programs, \$4,000,000 for direct loans to health professions students, \$1,250,000 for direct loans to nursing students, \$5,000,000 for the scholarship program, and \$600,000 for grants to the schools of public health. The conferees are agreed that any increase in funds for student assistance under this appropriation for fiscal year 1971 shall be budgeted for loans rather than scholarships or fellowships.

Amendment No. 38: Appropriates \$11,722,000 for "Dental health" instead of \$10,722,000 as proposed by the House and \$11,887,000 as proposed by the Senate. The increase over the amount provided in the House bill is for the Dental Auxiliary Program.

Amendment No. 39: Appropriates \$149,050,000 for "Construction of health educational, research, and library facilities" instead of \$126,100,000 as proposed by the House and \$160,000,000 as proposed by the Senate. The increase over the amount provided in the House bill includes \$15,000,000 for teaching facilities for health professions schools, \$2,000,000 for schools of nursing to provide funds to meet a very serious situation in Boston, \$5,000,000 for health research facilities, and \$950,000 for medical libraries. The conferees are agreed that 20 percent of the \$15,000,000 for teaching facilities for health professions schools shall be for dental school facilities.

Amendment No. 40: Appropriates \$1,900,000 for "Buildings and facilities" as proposed by the Senate instead of \$1,000,000 as proposed by the House.

Amendment No. 41: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides language regarding the merging of unexpended balances of certain previous appropriations.

Amendment No. 42: Provides that \$60,700,000 shall be available for "General research support grants" as proposed by the House instead of \$65,700,000 as proposed by the Senate.

#### OFFICE OF EDUCATION

Amendment No. 43: Restores legal citation inserted by the House and stricken by the Senate.

Amendment No. 44: Appropriates \$330,876,000 for "Elementary and secondary education" instead of \$364,616,000 as proposed by the House and \$315,876,000 as proposed by the Senate.

Amendment No. 45: Provides that \$30,000,000 of the appropriation for "Elementary and secondary education" shall be for equipment and minor remodeling and State administrative services under title III-A of the National Defense Education Act instead of \$78,740,000 as proposed by the House and stricken by the Senate. The Senate restored the full amount of the \$78,740,000 in amendment number 50. The conferees agreed to the full amount of \$78,740,000 for this purpose, but due to a technicality it was not possible for the conferees to include this full amount in amendment number 45. Otherwise, the fact that the \$78,740,000 is divided into \$30,000,000 in amendment number 45 and \$48,740,000 in amendment number 50 has absolutely no significance.

Amendment No. 46: Provides that \$5,000,000 of the amount appropriated for "Elementary and secondary education" shall be for dropout programs under section 807 of the Elementary and Secondary Education Act as proposed by the House instead of \$20,000,000 as proposed by the Senate.

Amendment No. 47: Provides that \$25,000,000 of the amount appropriated for "Elementary and secondary education" shall be for bilingual education programs under title VII of the Elementary and Secondary Education Act as proposed by the Senate instead of \$10,000,000 as proposed by the House.

Amendment No. 48: Strikes the appropriation of \$1,117,580,000 for fiscal year 1971 for grants under title I-A of the Elementary and Secondary Education Act as proposed by the Senate. There is no authority for the proposed appropriation.

Amendment No. 49: Strikes language and appropriations proposed by the House. With minor exceptions all of this language and the appropriations are carried in the bill in connection with other Senate amendments.

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will appropriate \$48,740,000 instead of \$93,240,000 as proposed by the Senate. All of the \$48,740,000 is for equipment and minor remodeling and State administrative services under title III-A of the National Defense Education Act. (See amendment number 45 regarding the additional appropriation of \$30,000,000 for this purpose.)

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will appropriate \$600,167,000 for "School assistance in Federally affected areas" of which \$585,000,000 shall be for payments to local educational agencies for the maintenance and operation of schools instead of \$660,167,000 and \$645,000,000, respectively, as proposed by the Senate. The amounts in the motion will be the same as the amounts included in the House bill, but stricken by amendment number 49.

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a legal citation.

Amendments Nos. 53 and 54: Appropriate \$107,500,000 for "Education professions development" instead of \$95,000,000 as proposed by the House and \$120,000,000 as pro-

posed by the Senate, provide that \$18,250,000 shall be for subpart 2 of part B of the Education Professions Development Act instead of \$15,000,000 as proposed by the House and \$21,500,000 as proposed by the Senate. The conferees are agreed that none of the increase over the amount proposed by the House shall be used for fellowships or scholarships.

Amendment No. 55: Appropriates \$21,737,000 for "Teacher Corps" as proposed by the House instead of \$31,100,000 as proposed by the Senate.

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will appropriate \$871,874,000 for "Higher education" instead of \$1,006,874,000 as proposed by the Senate. This compares with \$859,633,000 proposed by the House in connection with the appropriations and language stricken by amendment number 49. The changes made by the Senate from the amounts proposed by the House and the conference action thereon follow:

(1) \$164,600,000 is included for educational opportunity grants instead of \$159,600,000 proposed by the House and \$175,600,000 proposed by the Senate.

(2) \$7,241,000 is included for endowment of the Federal City College as proposed by the Senate.

(3) \$43,000,000 is included for grants for construction of public community colleges and technical institutes as proposed by the House instead of \$125,000,000 as proposed by the Senate.

(4) \$33,000,000 is included for grants for construction of other undergraduate facilities as proposed by the House instead of \$75,000,000 as proposed by the Senate.

Amendment No. 57: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides \$488,716,000 for "Vocational education", the same amount as was included in the House bill, but stricken by amendment No. 49. The only difference between the House and Senate bill, other than the location of this item in the bill, is that the Senate amendment provides \$352,836,000 for the basic grants compared with \$357,836,000 included in the House bill and the Senate amendment provides \$20,000,000 for consumer and homemaking education compared with \$15,000,000 included in the House bill. The managers on the part of the House agree with the directive in the Senate report earmarking \$34,000,000 of the allowance for vocational research activities.

Amendments Nos. 58, 59, and 60: Appropriate \$148,881,000 for "Library and community services" instead of \$135,394,000 as proposed by the House and \$155,625,000 as proposed by the Senate, provide that \$6,737,000 shall be for transfer to the Librarian of Congress instead of \$5,500,000 provided by the House and \$7,356,000 provided by the Senate, and provide that \$5,083,000 shall be for educational broadcasting facilities instead of \$4,000,000 provided by the House and \$5,625,000 provided by the Senate. The conferees are agreed that the appropriation includes \$20,834,000 for college library resources and \$6,833,000 for librarian training.

Amendment No. 61: Appropriates \$100,000,000 for "Education for the handicapped" instead of \$105,000,000 as proposed by the Senate.

Amendments Nos. 62 and 63: Appropriate \$85,750,000 for "Research and training" as proposed by the House instead of \$98,250,000 as proposed by the Senate and delete the provision proposed by the Senate that \$9,500,000 shall be for experimental schools.

Amendments Nos. 64, 65, and 66: Appropri-

ate \$18,000,000 for "Education in foreign languages and world affairs" as proposed by the House instead of \$12,000,000 as proposed by the Senate and delete language proposed by the Senate to authorize the use of these funds for sections 102 and 103 of the International Education Act of 1966.

Amendment No. 67: Inserts language proposed by the Senate with regard to loans from the Higher Education Facilities Loan Fund.

#### SOCIAL AND REHABILITATION SERVICE

Amendment No. 68: Provides that \$3,000,000 of the appropriation "Grants to States for public assistance" shall be available for grants authorized in section 707 of the Social Security Act as proposed by the House instead of \$5,000,000 as proposed by the Senate.

Amendment No. 69: Appropriates \$120,000,000 for "Work incentives" instead of \$129,640,000 as proposed by the House and \$100,000,000 as proposed by the Senate.

Amendment No. 70: Strikes language proposed by the Senate which would make funds in the appropriation "Grants for rehabilitation services and facilities" available for a migrant labor program.

Amendment No. 71: Appropriates \$464,783,000 for "Grants for rehabilitation services and facilities" of which \$436,000,000 is for grants under section 2 as proposed by the Senate instead of \$499,783,000 and \$471,000,000, respectively, as proposed by the House.

Amendment No. 72: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that grants to any State under section 2 of the Vocational Rehabilitation Act shall not be less than grants made to the State for the fiscal year 1969.

Amendment No. 73: Appropriates \$37,000,000 for "Mental retardation" as proposed by the House instead of \$39,000,000 as proposed by the Senate and strikes language proposed by the Senate.

Amendment No. 74: Appropriates \$28,360,000 for "Development of programs for the aging" instead of \$36,250,000 as proposed by the Senate.

Amendment No. 75: Appropriates \$10,000,000 for "Juvenile delinquency prevention and control" instead of \$5,000,000 as proposed by the House and \$15,000,000 as proposed by the Senate, and deletes language proposed by the House and stricken by the Senate.

Amendment No. 76: Appropriates \$30,226,500 for "Salaries and expenses" instead of \$28,780,000 as proposed by the House and \$31,673,000 as proposed by the Senate.

#### SOCIAL SECURITY ADMINISTRATION

Amendment No. 77: Deletes appropriation of \$300,000 for "Consumer credit training" proposed by the Senate.

Amendment No. 78: Provides \$911,350,000 for "Limitation on salaries and expenses" instead of \$901,500,000 as proposed by the House and \$921,200,000 as proposed by the Senate.

#### SPECIAL INSTITUTIONS

Amendment No. 79: Appropriates \$4,332,000 for "Gallaudet College, salaries and expenses" as proposed by the Senate instead of \$4,257,000 as proposed by the House.

Amendment No. 80: Appropriates \$1,106,000 for "Gallaudet College, construction" as proposed by the Senate instead of \$867,000 as proposed by the House.

#### DEPARTMENTAL MANAGEMENT

Amendment No. 81: Appropriates \$2,060,000 for "Office of the Comptroller, salaries and expenses" as proposed by the Senate instead of \$1,808,000 as proposed by the House.

#### TITLE III—RELATED AGENCIES

Amendment No. 82: Appropriates \$8,412,000 for "Federal Mediation and Conciliation Service, salaries and expenses" as proposed by the Senate instead of \$8,240,000 as proposed by the House.

Amendment No. 83: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment which will appropriate \$1,948,000,000 for "Economic opportunity program" instead of \$2,048,000,000 as proposed by the Senate. It is the recommendation of the conferees that the family emergency loan program at the level originally funded by the Office of Economic Opportunity be continued at a level that will permit it to operate as in the past and that an additional \$2,500,000 be allocated for the purpose of broadening its operation in areas not presently benefitted.

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates \$300,000 for "President's Council on Youth Opportunity, salaries and expenses."

Amendment No. 85: Appropriates \$15,000,000 for "Payment to the Corporation for Public Broadcasting" as proposed by the Senate.

#### TITLE IV—GENERAL PROVISIONS

Amendment No. 86: Restores the second sentence of section 407 included in the House bill and stricken by the Senate. The first sentence of this section is not restored.

Amendments Nos. 87 and 88: Deletes language proposed by the House and stricken by the Senate, and inserts language proposed by the Senate.

DANIEL J. FLOOD,  
WILLIAM H. NATCHER,  
NEAL SMITH,  
W. R. HULL, Jr.,  
BOB CASEY,  
GEORGE MAHON,  
GARNER E. SHRIVER,

*Managers on the Part of the House.*

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ASPINALL, from 4 p.m. December 22, 1969, until end of first session, 91st Congress, on account of personal pleasure—spending Christmas with his youngest son and his family in Brussels, Belgium.

Mr. CONYERS (at the request of Mr. ALBERT), on account of illness.

Mr. CORMAN, for Saturday, December 20, 1969, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, on December 22; to revise and extend his remarks and include extraneous matter.

Mr. MONAGAN, for 30 minutes, on December 22; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. JONES of Tennessee); to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. HAMILTON, for 60 minutes, today.

Mr. STAGGERS, for 25 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KEE.

Mr. GROSS to revise and extend his remarks made today on the conference report on H.R. 15149.

(The following Members (at the request of Mr. LUJAN) and to include extraneous matter:)

Mr. MINSHALL.

Mr. GOODLING.

Mr. WYMAN in two instances.

Mr. BUTTON.

Mr. DON H. CLAUSEN.

Mr. JOHNSON of Pennsylvania in two instances.

Mr. DUNCAN.

Mr. LANDGREBE.

Mr. HORTON in three instances.

(The following Members (at the request of Mr. JONES of Tennessee) and to include extraneous matter:)

Mr. DANIELS of New Jersey in 10 instances.

Mr. DANIEL of Virginia in two instances.

Mr. GONZALEZ in two instances.

Mr. BURKE of Massachusetts.

Mr. PICKLE in four instances.

Mr. OLSEN.

Mr. OTTINGER in three instances.

Mr. GIBBONS.

Mr. KLUCZYNSKI in 10 instances.

Mr. FOUNTAIN.

Mr. DINGELL in two instances.

Mr. O'NEAL of Georgia in two instances.

Mr. HAGAN in two 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. 1933. An act to provide for Federal railroad safety, hazardous materials control, and for other purposes; to the Committee on Interstate and Foreign Commerce.

## ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 9334. An act to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes;

H.R. 9366. An act to change the limitation on the number of apprentices authorized to be employees of the Government Printing Office, and for other purposes;

H.R. 14580. An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic development within a framework of democratic economic, social, and political institutions, and for other purposes;

H.R. 14751. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes; and

H.R. 15090. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 59. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range, Underhill, Vt.; and

S. 2917. An act to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes.

## BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On December 19, 1969:

H.R. 8449. An act to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

On December 20, 1969:

H.R. 9366. An act to change the limitation on the number of apprentices authorized to be employees of the Government Printing Office, and for other purposes;

H.R. 14580. An act to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic development within a framework of democratic economic, social, and political institutions, and for other purposes; and

H.R. 15090. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

## ADJOURNMENT

Mr. JONES of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p.m.) under its previous order, the House adjourned until Monday, December 22, 1969, at 10:30 o'clock a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

1432. Under clause 2 of rule XXIV, a letter from the Secretary of State, transmitting a draft of proposed legislation to reorganize and strengthen the U.S. Government structure for dealing with Western Hemisphere affairs; and for other purposes, was taken from the Speaker's table, referred to the Committee on Foreign Affairs.

## 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. MAHON: Committee of Conference. Conference report on H.R. 15209 (Rept. No. 91-780). Ordered to be printed.

Mr. FLOOD: Committee of Conference. Conference report on H.R. 13111 (Rept. No. 91-781). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SEBELIUS:

H.R. 15392. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to make interest income on loans sold out of the Agricultural Credit Insurance Fund subject to Federal income taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. TIERNAN (for himself and Mr. EDWARDS of Louisiana):

H.R. 15393. A bill to amend section 105 of the Clean Air Act to authorize increased grants to be made to certain air pollution control agencies not now eligible therefor; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN (for himself, Mr. EVINS of Tennessee, Mr. PASSMAN, Mr. BOLLING, Mr. McMILLAN, Mr. FLOWER, Mr. HANSEN of Idaho, Mr. LANDRUM, Mr. LANDGREBE, Mr. REES, Mr. HASTINGS, Mr. WAGGONNER, Mr. STEIGER of Arizona, Mr. MORSE, Mr. KYROS, Mr. DENNEY, Mr. ANDREWS of North Dakota, Mr. COLLIER, Mr. McCLEURE, Mr. CORBETT, Mr. TALLCOTT, Mr. SANDMAN, Mr. DUNCAN, Mr. ADDABBO, and Mr. HOSMER):

H. Res. 762. Resolution amending the Rules of the House of Representatives to expedite the enactment of general appropriation measures, to facilitate the making of appropriations for subsequent fiscal years, and for other purposes; to the Committee on Rules.

By Mr. WYMAN (for himself, Mr. DON H. CLAUSEN, Mr. DONOHUE, Mr. LIPSCOMB, Mr. OTTINGER, Mr. NELSEN, Mr. WIDNALL, Mr. BELL of California, Mr. PRICE of Texas, Mr. DENT, Mr. WYATT, Mr. FREY, Mr. SIKES, Mr. McCLORY, Mr. CAMP, Mr. McKNEALLY, Mr. ROBISON, Mr. SHRIVER, Mr. EDWARDS of Alabama, Mr. SEBELIUS, Mr. COUGHLIN, Mr. PICKLE, Mr. WATSON, Mr. MATSUNAGA, and Mr. RANDALL):

H. Res. 763. Resolution amending the Rules of the House of Representatives to expedite the enactment of general appropriation measures, to facilitate the making of appropriations for subsequent fiscal years, and for other purposes; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 15394. A bill for the relief of Leong Tin; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 15395. A bill for the relief of Louis Korchek; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

360. By the SPEAKER: Petition of Enick J. Koreski, Shinnston, W. Va., relative to a report of the U.S. Department of Labor concerning the United Mine Workers of America; to the Committee on Education and Labor.

361. Also, petition of Bob Miller, Arlington, Mass., relative to withdrawal of all troops from Vietnam; to the Committee on Foreign Affairs.