

## HOUSE OF REPRESENTATIVES—Monday, May 12, 1969

The House met at 12 o'clock noon.

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Clerk will read the following communication. The Clerk read as follows:

THE SPEAKER'S ROOM,  
May 12, 1969.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.  
JOHN W. McCORMACK,  
Speaker of the House of Representatives.

### PRAYER

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

*Holy Father, protect by the power of Thy name those whom Thou hast given Me, that they may be one.—John 17: 11.*

Almighty God, our Father, we come to Thee in earnest prayer that Thou wilt keep our country under Thy divine protection; that Thou wilt incline our citizens to live by the laws of our land; and that Thou wilt help our people to so cultivate a spirit of good will that they may learn to live together in peace and without fear.

We cannot all be of the same mind nor can we think alike, but we pray that Thou wilt make us one in our loyalty to our Nation, one in our love for liberty, and one in our search for justice and peace.

Deliver us from pride and prejudice, from intolerance, and from every evil way. By the might of Thy spirit within us may we show forth in our lives the fruit of our faith and the power of our principles.

In the Master's name we pray. Amen.

### THE JOURNAL

The Journal of the proceedings of Thursday, May 8, 1969, 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 bills of the following titles, in which the concurrence of the House is requested:

S. 1177. An act to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges.

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks.

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The message also announced that the Vice President, pursuant to Public Law 86-42, appointed Mr. CHURCH (chairman), Mr. GRAVEL, Mr. McCARTHY, Mr. SPONG, Mr. MANSFIELD, Mr. ERVIN, Mr. AIKEN, Mr. GRIFFIN, Mr. HANSEN, Mr. JORDAN of Idaho, and Mr. JAVITS as

members of the U.S. group to attend the United States-Canada Interparliamentary Conference to be held at Ottawa and Banff, Canada, June 3-8, 1969.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. McGEE and Mr. FONG members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 69-5.

### A COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Public Works, which was read and referred to the Committee on Appropriations:

MAY 5, 1969.

HON. JOHN W. McCORMACK,  
Speaker of the House,  
The Capitol,  
Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959, the Committee on Public Works of the House of Representatives on May 5, 1969, approved the following public building projects:

Montgomery, Alabama: Post Office and Vehicle Maintenance Facility.

Little Rock, Arkansas: Post Office and Vehicle Maintenance Facility.

Inglewood, California: Post Office Facility.

Los Angeles, California: Post Office and Vehicle Maintenance Facility.

Colorado Springs, Colorado: Post Office and Vehicle Maintenance Facility.

Hartford, Connecticut: Post Office and Vehicle Maintenance Facility.

Stamford, Connecticut: Post Office and Vehicle Maintenance Facility.

Tallahassee, Florida: Post Office and Vehicle Maintenance Facility.

Bloomington, Illinois: Post Office Facility.

Rockford, Illinois: Post Office and Vehicle Maintenance Facility.

Terre Haute, Indiana: Post Office and Vehicle Maintenance Facility.

Lexington, Kentucky: Post Office and Vehicle Maintenance Facility.

Shreveport, Louisiana: (a) Post Office Facility; (b) Leased Courthouse and Federal Office Building.

Minneapolis-St. Paul, Minnesota: Post Office and Vehicle Maintenance Facility.

St. Louis, Missouri: Post Office Extension (Revision) (1720 Market St.).

Billings, Montana: Post Office and Vehicle Maintenance Facility.

Reno, Nevada: Post Office and Vehicle Maintenance Facility.

Camden, New Jersey: Post Office and Vehicle Maintenance Facility.

Huntington Station, New York: Post Office Facility.

Yonkers, New York: Post Office and Vehicle Maintenance Facility.

Cleveland, Ohio: Post Office and Vehicle Maintenance Facility.

Salem, Oregon: Post Office and Vehicle Maintenance Facility.

Knoxville, Tennessee: Post Office and Vehicle Maintenance Facility.

Nashville, Tennessee: Post Office and Vehicle Maintenance Facility.

Amarillo, Texas: Post Office and Vehicle Maintenance Facility.

Fort Worth, Texas: Post Office and Vehicle Maintenance Facility.

Waco, Texas: Post Office and Vehicle Maintenance Facility.

Charlottesville, Virginia: Post Office and Vehicle Maintenance Facility.

Charleston, West Virginia: Post Office Facility.

Reston, Virginia: Leased Space for Geological Survey, Department of the Interior.

Beltsville, Maryland: Federal Law Enforcement Training Center.

West Branch, Iowa: Herbert Hoover Library (Extension and Modernization).

Ablene, Kansas: Eisenhower Museum (Extension and Modernization).

Total, 34 projects.

Sincerely yours,

GEORGE H. FALLON,  
Chairman.

### HOWARD UNIVERSITY

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, for weeks now the campus of Howard University has been torn by dissension, buildings have been seized by students and classes have been disrupted. This university, with its proud tradition of service to the American community, has found itself under attack by those whom it is attempting to serve.

Howard University was incorporated by Federal charter in 1867. Since that time, its operational budget, year after year, has been substantially supplied by Congress. It is almost unique among higher education institutions of the country in this respect. Its continued welfare and its effective function are thus a matter of immediate congressional concern.

Today the gentleman from Minnesota, Congressman QUIE, and I are introducing a bill which would modify the manner in which members of the board of trustees of Howard University are chosen. Section 4 of the 1867 charter provided that there would be not less than 13 trustees and that they would be nominated by the incorporators of the university. At the present time, they number 24 members, of which three are elected by the alumni and the remaining 21 are nominated by the existing board.

I do not mean in any way to be critical of the present board. Many of them are most distinguished members of our society. They are all people with high public standards, who have given much of their lives to public service and who have responded most willingly to the burdens of their work as trustees.

It has seemed to me, however, that the board of trustees might be made more immediately responsive to the needs of our society and to those groups in the society who have a most direct stake in the university by appropriate modification in the procedure for nomination. In order that the responsibility might be

concentrated rather than diffused, I believe it also of value that the number of trustees be reduced.

Therefore, my bill would set the number of trustees at 15. Of that 15, a majority of eight would be appointed by the President of the United States.

I think it also proper that those groups on campus who have the most direct stake in its effective functioning be also given representation on the board of trustees. Accordingly, this bill provides that of the remaining seven members of the board, two would be elected by the tenured faculty, three by the alumni, and two by the students. Student trustees must be full-time students in the last year of the school in which they are enrolled. They might be senior students in the undergraduate college or third-year law students or students in the last year of their doctoral work.

Mr. Speaker, this bill does not solve the problems of Howard University. Howard University must solve its own problems. This bill is an attempt to streamline and make more effective the board of trustees of that institution so that it can address itself with greater force and effect to the job of solving Howard University's problems.

#### POOR PEOPLE'S CAMPAIGN— CHAPTER II

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, today the Reverend Ralph David Abernathy, president of the Southern Christian Leadership Conference, is in the Nation's Capital to lead the second chapter of the poor people's campaign.

One year ago Dr. Abernathy organized the poor people's campaign after the tragic assassination of the Reverend Dr. Martin Luther King, Jr., established Resurrection City, and sought to redress the long-standing and legitimate grievances of the poor. The poor people's campaign dramatized the urgency of eliminating poverty and hunger in America as well as the distortions in our national priorities. Yet, 1 year later the executive branch and the Congress have not taken essential action to meet the urgent unmet needs of our Nation. The war in Vietnam continues to take its toll in the sacrifice of lives, the waste of billions of dollars, and the deepening divisions in our society.

Yesterday Dr. Abernathy was in Charleston, S.C., where I was pleased to join him in support of the striking hospital workers who seek only a decent wage and the right to organize and bargain collectively. Their fight for economic justice is the fight of the Southern Christian Leadership Conference which has said that the second chapter of the poor people's campaign "involves organizing poor workers into unions and demanding the rights of poor people in communities across America and at the Federal Government in Washington, D.C."

I believe that it is imperative that Congress recognize the importance of the strike in Charleston and the necessity of responding to the 10 demands which Dr. Abernathy will present to the administration and Congress this week. For both the strike and the second phase of the poor people's campaign focus upon the unmet domestic needs of our Nation, which because of the justice and urgency of their nature, must receive first priority from Congress.

The strike in Charleston—as organized locally by the members of Local 1199B of the Hospital and Drug Workers Union—originally grew out of the arbitrary dismissal of 12 Negro nonprofessional workers employed by the South Carolina Medical College Hospital and the Charleston County Hospital. The workers believe—and with considerable justice—that the 12 employees dismissed were the victims of racial discrimination and unfair employment practices.

Even before the incident, however, nonprofessional employees at the two hospitals had been growing increasingly conscious of the fact that they were being denied fundamental rights to organize and bargain collectively which the vast majority of workers in American industry have enjoyed for over 30 years.

The wages for the nonprofessional employees were, and continue to be, abysmal. The hourly wage is only \$1.30. How can any employee support his family on a weekly pay check of \$52—which is what these workers are receiving for a 40-hour workweek?

The use of the strike is hardly a new tactic. It has been used by almost every labor organization struggling to achieve justice for its workers and has succeeded in achieving substantial gains in wages and working conditions for millions of Americans.

The striking workers in Charleston demand no more than that which has been accorded other workers. They ask only that they be given a decent day's wage for their toil, and that they be granted the right to work collectively to attain their goals. Their demand is just.

What has the response of the State of South Carolina been to these moderate—indeed traditional—demands? South Carolina authorities have refused to even negotiate with the leaders of the strike and have sought instead to crush the strike through mass arrests and the prolonged imprisonment of the union's leaders and supporters. Unwilling to face their responsibilities and the economic realities of the 20th century, State officials have resorted to repression and intransigence in the hope that the strike will lose momentum and wither away.

But the strike has not lost momentum, and the determination of the hospital workers to win their rights has not diminished. As the Reverend Ralph D. Abernathy said on April 29, 1969, in a letter written in the Charleston jail:

We will teach until America feeds her hungry; we will teach until this rich and wealthy Nation puts an end to poverty; we will teach until a just, national welfare system is instituted; we will teach until America

decides to do away with its slums and provide decent housing for all. We will teach until South Carolina recognizes the rights of its poor to organize and accept local 1199B as the official bargaining agent for nonprofessional workers in Charleston's county and medical college hospitals.

The efforts to achieve decent wages and working conditions are not confined to South Carolina. As Dr. Abernathy has made clear, the poor people's campaign has set as one of its primary goals for 1969 the unionization of poor workers in unions in order to achieve fundamental rights.

The Southern Christian Leadership Conference has set forth 10 demands for chapter II of the poor people's campaign. If these demands are to receive the widest possible discussion and understanding in the Federal Government, then President Nixon should direct the appropriate Cabinet officials to meet individually with Dr. Abernathy in order to obtain an understanding of how their departments can best respond to the demands of the poor people's campaign. Department heads have canceled appointments made over a month ago because the President plans a full Cabinet meeting with the leaders of the poor people's campaign. However, it is on the level of individual departments—and not a 45-minute Cabinet meeting that gains are most likely to be obtained.

One year ago the urgency of responding to the needs of our disadvantaged citizens—whether white or black—was eloquently articulated by the President's National Advisory Commission on Civil Disorders. That Commission—composed of men and women of stature and reputation—studied the needs of our Nation thoroughly and provided a blueprint for action. Today that blueprint remains unfulfilled.

As the report of the National Urban Coalition recently made clear, none of the pressing domestic needs of our country has received adequate treatment from Congress, and in most areas—including housing, education, employment, and our polluted atmosphere—the report concluded that absolutely no progress had been made.

Mr. Speaker, we cannot allow another year to pass. We cannot afford to have yet another session of Congress yield "no progress."

The Charleston strike offers the Federal Government the opportunity to actively involve itself in securing justice and a better life for Americans too long denied their most basic economic rights.

The President should use his influence to secure prompt negotiations and not be content to direct the Attorney General to send "observers" to the scene.

Similarly, the administration must heed the demands of the poor people's campaign, for those demands constitute the agenda of domestic needs that must be the first priority of both the administration and the Congress.

I include at this point in the RECORD the text of the "Letter From a Charleston Jail" written by the Reverend Ralph D. Abernathy, and the demands of phase II of the poor people's campaign, 1969,

as outlined by the Southern Christian Leadership Conference:

A LETTER FROM THE CHARLESTON COUNTY JAIL

(By Dr. Ralph David Abernathy)

CHARLESTON COUNTY JAIL,  
Charleston, S.C., April 29, 1969.

MY DEAR FRIENDS OF CHARLESTON: Sitting here in a cell of the Charleston County Jail of the State of South Carolina, I am moved to write you a letter. I can no longer keep my peace when I see "An Open Letter to Members of the Clergy Concerned Committee" in the *News and Courier* and the *Evening Post*.

You may not realize it, but the Clergy Concerned Committee is merely seeking through non-violent means to solve an unjust practice perpetrated against black and white poor here in Charleston. Please do not tell the Clergy to return to their churches, for this is in conflict with their orders from God. We clergy are commanded to go into the highways and byways—not into a building called a temple, a cathedral, or a church.

These men of good will are trying to administer preventive measures to a potentially explosive situation. In fact, they are carrying out their commission as Rabbis, Priests and Pastors and it is your duty if you are a Man of Religion to join them and, above all, encourage them to do their duty. If you are not a Man of Religion, but love America, the state of South Carolina and, above all, Charleston, then you should do all in your power to bring about a peaceful solution to this problem by seeing to it that the poor people of Local 1199B are recognized as a union by this State with full authority to bargain for the rights of its workers so that violence will not erupt in this physically beautiful and historic city.

I need not remind you of your letter, for I am certain that you helped write it or approved its contents, that is, since your name is attached and it is reported that you and your colleagues paid for it, but please let me speak briefly to some of its contents:

1. You said, "We commend all efforts that you may exert in spreading the morality contained in the Ten Commandments and the teachings of Our Lord and Savior Jesus Christ." Jesus said, "Thou shalt love the Lord thy God with all thy heart . . . and thou shalt love thy neighbor as thyself." Love is not a sentimental word spoken or expressed in periods of deep emotion. Love is life's most lasting and enduring force. It expresses itself in action. It sends a mother into the dangers of the streets to try and rescue her child; it makes a father rise early in the morning and brave the winter storms, rain, snow and sleet in order to provide for his family and secure the funds necessary to send his children to college. Love causes young men to leave mother and father, sister and brother and answer the summons and even die, if necessary, to defend this democracy. Love causes many of us to go to jail, march in the streets and deny ourselves the comforts of American life in order to make democracy and its promises a reality for all Americans, black and white, rich and poor. Love is greater than faith, it is more powerful than hope. Love is a just and powerful feeling for God and man in action. This is the true meaning of the Ten Commandments. So, if we love as commanded by God through Moses, then we love Local 1199B and will act until it is recognized as a bargaining unit for the non-professional workers.

2. You stated that, "We are totally opposed to your becoming involved in this dispute between employees and employers at the Medical College and the County Hospital on your contention that it is your religious

duty." Nothing could be more misleading than this statement. I find it difficult to believe that you are not aware of the fact that it is the Clergyman's religious duty to become involved in the dispute between employees and employers at the Medical College and the County Hospital. Jesus Christ made it crystal clear when he said almost 2000 years ago, "The Spirit of the Lord is upon Me, because He has anointed me to preach the Gospel to the poor; He has sent me to heal the hearts, to free the captives, to set at liberty them that are bruised and to proclaim the acceptable year of the Lord!" Jesus also said, "If any man will come after me, let him deny himself, take up his cross and follow me." We must follow Him in freeing the captives and the poor non-professional workers at the Medical College and County Hospitals. They have a just and honest right to organize a labor union.

3. In paragraph three you said to the Concerned Clergy Committee, "We call your attention to the history of the past few years of demonstrations and the chaos they led to in many cities throughout the country." Only a brief comment from me on this is necessary. For every intelligent person knows that this nation came into being out of protest. Remember the Boston Tea Party, remember the words of early white Americans to the mother country England: "There must not be taxation without representation." Well, I guess you say this kind of protest is all right for affluent white America, but not for black, brown, yellow, red and even white poor Americans. Let me remind you that peaceful, orderly and non-violent protest against what one feels to be unjust is an American right, guaranteed by the Constitution of the United States. It was through these demonstrations that you speak of that black Americans won the most basic American right, the right to vote here in South Carolina and throughout the South. It was not until these demonstrations which you claim led to chaos that black people, regardless of education or economic standing, won the right to eat at certain lunch counters; live in downtown hotels and motels. In fact, it was not until the demonstrations of which you speak, that we finally got the comprehensive Civil Rights of 1964.

4. In your fourth call you state, "We call attention to the violence, destruction, murder and arson to which these demonstrations have led." I would be the first to admit that murder, destruction, violence and arson came as we demonstrated for our rights. I can do this with authority, for I was a victim. But where did this violence, murder, destruction and arson come from? It came from the white community. It came from your people and not from black people. Today, we must try to understand that a state which refuses to serve and recognize its poor people is itself doing violence to the poor and keeping them down in poverty.

5. In the next paragraph you say, "We call your attention to the suffering created among the people that you ostensibly would help." Well, let me tell you that black people have been suffering a long time. We have suffered in this country ever since we landed here in 1619, one year before the Pilgrim fathers. We suffered the inhumane treatment of slavery for 244 years. We cleared the new grounds; we dug ditches; we made cotton king by working in the fields from sun-up to sun-down without pay or wages. In fact, we were not considered persons, but property, subject to the dictation of our owners. And now for 106 years we have suffered under a theory of "Separate but Equal" and under the unfulfilled promise of justice and equality for all. We have suffered in spite of our love and loyalty to this, our country. If we could endure these 350 years of suffering, we don't mind a little more suffering in order to

achieve those rights to which we are duly entitled.

6. In your sixth paragraph you make many ill-considered accusations against us. This is the most unacceptable of all you had to say. How can you fail to see that any nation which denies necessities to the masses only to give luxuries to the classes is digging its own grave and it will not be long before that nation fills it? This is what led to the fall of the Roman Empire centuries ago. In spite of her military power and financial resources, Rome crumbled because she left the poor out of the mainstream of her social, economic, and political life. History does repeat itself at intervals, and unless you help me and the Concerned Clergy wake up this nation, then America's fate shall be the same as other nations which forgot God and ignored the cries of their poor.

Undoubtedly, you misunderstood the purpose of the Concerned Clergy Committee. The purpose of this Committee is not to divide the people; its purpose is to try and bring us together by getting Local 1199B recognized as a union so that it may bargain for the rights of non-professional hospital workers. Doctors are organized and their Medical Association is recognized. Nurses are organized and their groups stand up for their rights. The hospital administrators are organized, and that is why the target is so clear. Why do you have a Chamber of Commerce here in Charleston? Why? Because you are organized. There are unions all over South Carolina, but not for poor hospital workers. Please tell me why? Is it simply because they are poor or is it because all poor, black and white, brown and yellow and even red, are getting together and this represents a force too powerful for you to deal with? Are you afraid that, "You are going to reap what you have sown?"

This is a purely non-violent movement and we will not be led to believe, as you allege, that anyone in our ranks is making threats, intimidating any one over the telephones or having direct confrontations or making physical attacks on any workers at bus stops and parking lots because they dare to speak out. We cannot control everybody, any more than you can, but I will say that unless this strike is settled, you will have much more violence. If the S.C.L.C. (Southern Christian Leadership Conference) was not here and the Concerned Clergy was not on the job, there would be violence which would destroy life and property and bring shame upon this proud and old historic city.

"There is nothing in the world that is more powerful than an idea whose time is come," says Victor Hugo. An idea of total freedom has come to the black community; an idea to organize the poor is on the horizon; a non-violent revolution is taking place, and no force can stop it. No, not even the state troopers and the National Guard with fixed bayonets, guns, clubs, tear gas and tanks; no force can stop this idea, not even the armed forces of the Federal government. The wealth of this rich land must be more equally distributed and there will be no more tyranny. You may crush it here with force, but it will spring up somewhere else.

Finally, my brethren, let me say to you that we are not Communist. We want not and will have no part of a godless, atheist, totalitarian form of Communism. But neither will we have a dictatorial, repressive so-called Democracy. We love our country. I fought in the latter years of World War II to defend this Nation. You can trace the course of the American Revolution to the present ungodly, unwinnable and senseless war in Viet Nam. All people of good will stand as a mighty force, black and white, rich and poor, Ph.D. and no D., until America lives up to the principles on which it was founded.

Let me assure you that as we go we will

"teach the word of God so that all of our people will live together in peace and harmony," as you suggest. But we will teach that God is love and that He is the Father of all mankind. We will teach that we are all brothers. We will teach that this is our Father's world and that all men are entitled to enjoy the blessings of the land. We will teach until America feeds her hungry; we will teach until this rich and wealthy nation puts an end to poverty; we will teach until a just, National Welfare System is instituted; we will teach until America decides to do away with its slums and provide decent housing for all. We will teach until South Carolina recognizes the rights of its poor to organize and accept Local 1199B as the official bargaining agent for the non-professional workers in Charleston's County and Medical College Hospitals. In fact, we will teach until "every valley of America is exalted, the hills and the plains are made low, the crooked straight and the rough places made smooth." We will teach until America is truly the land of the free and the home of the brave.

The Southern Christian Leadership Conference is determined to stay in Charleston until the poor hospital workers obtain justice. We are the organization which began with the 381-day Montgomery Bus Boycott of 1955-1956, and we have grown and become stronger ever since, with friends in every part of the nation who will respond when we call.

I sincerely hope that by the time you read this, Charleston will have come abreast of most of the rest of the nation in understanding that all working men and women have a right to organize a union of their own choosing.

Yours for a nation that is true to its principles and just to its poor, I remain,  
Sincerely,

RALPH DAVID ABERNATHY,  
President, Southern Christian Leadership Conference.

DEMANDS FOR CHAPTER II OF THE POOR PEOPLES CAMPAIGN, SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE

MAJOR UNMET DEMANDS OF CHAPTER I, POOR PEOPLES CAMPAIGN (1968)

1. That hunger in America be eliminated.
2. That the Department of Labor support a jobs bill guaranteeing employment to every person able to work.
3. That a federal standard of welfare be enacted; that the "freeze" on AFDC recipients be repealed and that welfare assistance to unemployed fathers be made mandatory on the states.
4. That federal civil rights statutes covering jobs, schools, housing, hospitals, etc., be vigorously enforced by the Department of Justice.
5. That HUD provide a specific 5-year plan to build low-income housing units and vigorously enforce the 1968 open housing act.
6. That a priority on comprehensive health services for the poor be adopted by HEW.
7. That segregation and discrimination in Department of Agriculture programs be eliminated.

CHAPTER II DEMANDS

The poor peoples campaign (chapter II) makes the following ten demands upon the administration, the Congress and the country on behalf of the black, white, Mexican-American, Puerto-Rican and Indian poor:

1. That hunger be wiped out in America now. All persons with incomes of less than \$3,000.00 per year should be provided free food stamps. A minimum of \$2½ billion additional monies for fiscal 1970 should be immediately appropriated in order to insure an adequate diet to every needy person.
2. That an adequate Federal standard of welfare be immediately implemented, and

that legislation be enacted to guarantee an annual income above the poverty level for every poor person. We also demand immediate repeal of the "freeze" on AFDC recipients and we demand the mandatory adoption by states of welfare assistance to unemployed fathers.

3. That a comprehensive jobs bill be adopted to provide 3 million new jobs in the private and public sectors for the unemployed. We also strongly demand that the federal government effectively enforce Executive Order 11246 and stop spending billions of federal tax dollars annually to foster racial segregation and discrimination through federal contracts.

4. That every poor child be provided a quality education. And that Title I and other education funds be appropriated on an equal basis to white and black, rich and poor. That HEW insure that local school districts comply with Title VI by completely ending the dual school system by the fall of 1969.

5. That the Vietnam war be ended promptly and that rising military expenditures be drastically cut back so that desperately needed funds can be shifted to the crying domestic needs that are tearing this nation apart. We also demand that the projected ABM expenditures be abandoned and that the military draft be changed so as not to discriminate against the poor.

6. That title VII of the Civil Rights Act of 1964 and the National Labor Relations Act be expanded to cover employment by State and local governments and private non-profit institutions and that the rights of public employees and farm workers be protected by collective bargaining.

7. That full appropriations originally authorized be provided for the Housing and Urban Development Act of 1968, and that a housing trust fund be established which will guarantee a continuous supply of decent housing for the poor and the prompt and orderly reconstruction of our cities and rural areas. That fair housing laws be vigorously implemented to provide true housing choice for the poor and for Americans now deprived of such choice because of skin color or race.

8. That a national health program for the poor be implemented.

9. That 18-year-olds be granted the right to vote.

10. That increases in public assistance benefits and social security benefits be based on the cost of living index. And that fundamental tax reform measures be enacted to redistribute the burden the poor and the non-poor carry under the present discriminatory tax system.

PRESIDENT NIXON MUST ACT IN THE CHARLESTON HOSPITAL WORKERS STRIKE

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

Mr. RYAN. Mr. Speaker, yesterday, along with several of my colleagues, I participated in a very moving rally in Charleston, S.C., in support of the striking hospital workers. Some 500 nonprofessional employees of the South Carolina Medical College and the Charleston County Hospital have been on strike in that city for over 6 weeks now. They seek an increased wage of 30 cents an hour, hardly an unreasonable demand in view of the fact that these workers now receive only \$1.30 per hour, or \$52 for a 40-hour week. They also seek the right to bargain collectively for wages

and working conditions—rights which have been guaranteed to most workers in American industry for over three decades.

The South Carolina authorities have responded to the strike with repression and force. Hundreds of arrests have been made, and arrests have also been used to remove the leadership of the strike. Leon Davis, the president of Local 1199 of the Drug and Hospital Employees Union, and the Reverend Ralph D. Abernathy, the president of the Southern Christian Leadership Conference which has thrown its support behind the strike, have been jailed.

The situation in Charleston closely resembles Memphis 1 year ago, where the Reverend Martin Luther King, Jr., was struck down by an assassin's bullet while he was providing leadership and inspiration to the long-oppressed and exploited sanitation workers of that city, who also sought higher wages and the right to organize as a union.

Yesterday's rally—which included Reverend Abernathy, Walter Reuther, numerous labor and civil rights leaders, and Members of Congress—conveyed to the Nation the overriding necessity of the hour: that the Governor of South Carolina face up to the realities of the 20th century and negotiate with the strike leaders. Continued intransigence by South Carolina authorities in the face of the overwhelming support for, and justice of, the demands of the workers cannot be countenanced.

Mr. Speaker, the strike in Charleston has become more than a local issue. The situation in that city is a matter of grave concern and importance to the entire Nation. Therefore, I again call upon President Nixon to actively intervene in the strike. It is not enough to send "observers," as the President informed me, he has directed the Attorney General to do. He must lend the influence of his office to achieving a settlement, so that the Charleston hospital workers have the right to a living wage and decent working conditions, and also to guarantee them the right to organize collectively as a union in order to better represent their interests. Through his office the President must also make it clear that nonprofit hospitals and State and local governments have a responsibility to deal with their employees in a fair and equitable manner.

One year ago the poor people's campaign came to Washington to focus attention on the urgency of implementing the recommendations of the President's National Advisory Commission on Civil Disorders. Congress and the administration were, regrettably, insufficiently responsive to that plea. After a year, the report of the National Urban Coalition has told us, the gaps in income and living standards that the President's Commission pointed up are even wider.

Reverend Abernathy, who as head of the Southern Christian Leadership Conference, led the poor people's campaign last spring, will be in Washington this week again to press the demands of the campaign on the administration. While

Reverend Abernathy had obtained individual appointments with several Cabinet officers in order to discuss how each Federal agency could respond to the urgent need for action, the press reports of yesterday indicate that President Nixon has now ordered Cabinet officers to meet with Reverend Abernathy as a group.

I call upon the President to direct each Cabinet officer to meet individually with Reverend Abernathy—in addition to the meeting with the Cabinet as a whole—so as to learn specifically the demands of the poor people's campaign affecting his particular department. In the face of the overwhelming needs of our disadvantaged and exploited citizens, we cannot permit yet another year of inaction to pass.

#### CHANGE IN LEGISLATIVE PROGRAM

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

Mr. BOGGS. Mr. Speaker, I take this time to announce for the benefit of the Members that on tomorrow the bills reported unanimously by the Committee on Ways and Means some weeks past and listed previously in the CONGRESSIONAL RECORD for May 7 will be called up in place of the bills reported out by the Military Affairs Subcommittee of the Committee on Armed Services.

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

Mr. BOGGS. I will be happy to yield to the minority leader.

Mr. GERALD R. FORD. Does that mean those five bills or at least the bills listed for Tuesday from the Committee on Armed Services will come up later in the week probably?

Mr. BOGGS. Probably. It is dependent on the request of the chairman of the committee. He has asked they not be called up tomorrow.

#### DEAD-LETTER OFFICE

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

Mr. HOWARD. Mr. Speaker, there is a dead-letter office downtown. It is also sometimes referred to as the Office of the Secretary of Interior, Mr. Hickel.

As a member of the Public Works Committee and the Subcommittee on Rivers and Harbors, and concerned about Secretary-designate Hickel's views on conservation in general, and a proposed Sandy Hook National Seashore in the State of New Jersey in particular, I wrote to Mr. Hickel on January 8 of this year requesting his views on these two subjects.

This letter was sent to him at the statehouse in Alaska. On January 14, a similar letter was sent to him at his transition office in room 5150 at the Interior Department here in Washington.

The proposal for a national seashore at Sandy Hook, which is pending legisla-

tion, was thoroughly investigated and reviewed by former Secretary Stewart Udall. Before leaving office, Mr. Udall formally endorsed the proposal.

After waiting for more than 2 months for a reply from Mr. Hickel, I again wrote to him on March 18 of this year. The only response to this letter was a phone call from Mr. Hickel's staff to my staff explaining that since the Secretary received my first two letters a few days before his confirmation, he felt he did not have to answer them, which is unique thinking in itself. I was also informed that a formal, written reply would be forthcoming.

Since that time I have heard absolutely nothing from Secretary Hickel, if indeed there actually is a Secretary Hickel.

But, 2 weeks ago I read a report in my own local newspaper—a press release distributed by the senior Senator from my State, who is a Republican, concerning the Interior Department's response to the very questions I asked of the Secretary.

I would hate to believe that the Secretary of Interior is playing partisan politics with our Nation's resources, and I wonder, Mr. Speaker, if it is going to be the policy of this administration to ignore correspondence from Democratic Members of Congress. I also wonder whether or not my only means of obtaining information for the next 3½ years will come from reading the press releases issued by the Republican senior Senator from my State.

The letters referred to follow:

JANUARY 8, 1969.

HON. WALTER H. HICKEL,  
Secretary of the Interior-Designate,  
State House, Juneau, Alaska.

DEAR GOVERNOR HICKEL: I am taking this opportunity to write you in order to respectfully seek out your position on two specific items, mainly, federal standards for water pollution control and secondly, the need for more national federal parks and seashores, particularly in the industrialized East.

The reason I am writing is that I have read several newspaper clippings which would indicate that you may be opposed to strong federal standards for water pollution control and secondly, that you might not be as strong a supporter of a proposed Sandy Hook National Seashore in the State of New Jersey as I would hope.

Mr. Hickel, I could not disagree more with those who feel there is not a need for strong water pollution control minimum standards.

It is my position that the strongest water pollution control in one state is no more helpful than the weakest water pollution standards in any neighboring state.

It is absolutely mandatory—if we are ever to clean up our Nation's rivers and streams—to demand uniform strong water pollution control minimum standards throughout the United States. If we fail to have a single national minimum standard for water pollution control, then industries which pollute our rivers and streams would be moving into the states which would offer them the weakest water pollution control laws.

Failing to have a single national minimum standard for water pollution control also would allow states to pollute the waters of states downstream from them.

In October, the Advisory Board on National Parks, Historic Sites, Buildings and Monu-

ments recommended establishment of a Sandy Hook National Seashore in New Jersey. This would be made possible through legislation I introduced in the 90th Congress, and have reintroduced in the 91st Congress.

Once this area is so designated, of course, it would be administered by the National Park Service of the Interior Department. The legislation has the support of various conservation groups and many members of Congress, both Republican and Democrat alike. I respectfully urge your support of this plan.

Thank you for giving this letter your attention.

Sincerely yours,

JAMES J. HOWARD,  
Member of Congress.

MARCH 18, 1969.

HON. WALTER H. HICKEL,  
Secretary of the Interior,  
Interior Building,  
Washington, D.C.

DEAR MR. SECRETARY: Under date of January 8, 1969, and again on January 14, 1969, I wrote to you requesting your position regarding federal standards for water pollution control and the need for more federal parks and seashores, particularly in the industrialized East.

To date I have received no reply, and am fearful that perhaps my letters were either lost or misplaced.

I wonder if I may hear from you on these two very important issues.

Thank you, for your attention to this request.

Sincerely,

JAMES J. HOWARD,  
Member of Congress.

#### THE ADMINISTRATION'S DESIRE TO RESTORE A SENSE OF BALANCE AND ORDER ON MANY OF OUR COLLEGE AND UNIVERSITY CAMPUSES

(Mr. WRIGHT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include a letter.)

Mr. WRIGHT. Mr. Speaker, the administration has repeatedly spoken of its desire to help restore a sense of balance and order to the sometimes unrestrained turmoil which is sweeping many of our college and university campuses.

What the Federal Government can appropriately do is, of course, limited. The restoration and maintenance of orderly behavior has been largely a task for school and local officials.

Last Thursday night, however, acts of terror and interference committed against police and firemen attempting to protect property and restore order at Howard University clearly constitute federally punishable offenses under the Civil Rights Act of 1967.

On Friday, I wrote a letter to Attorney General John N. Mitchell, a copy of which I include herewith, calling upon him to enforce this act by swiftly apprehending, arresting, and prosecuting those who committed these flagrant acts of anarchy against the police and firemen of the District of Columbia.

In this case the law is clear. The Justice Department has not only the clear legal right but the clear legal duty to act decisively.

The letter referred to follows:

MAY 9, 1969.

Attorney General JOHN N. MITCHELL,  
Department of Justice,  
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Last night arsonists set fire to one of the buildings at Howard University. Firemen, called to extinguish the flames, were subjected to stoning. A fire engine itself was deliberately ignited at 5th and Howard Streets.

Police, acting to restore order, were subjected to harassment and interference. Police Captain O'Neill was stoned, and the deliberate terror tactics of indiscriminately barraging and assaulting vehicular traffic prevented a summoned ambulance from continuing until a police escort could be provided.

These acts of terror, lawlessness and anarchy directed against police and firemen, obviously constitute open and flagrant violations of the Civil Rights Act of 1967.

That act contains a provision, of my authorship, which makes it a Federally punishable offense to interfere physically or to attempt such interference with police or firemen engaged in their lawful duties of restoring order in connection with a civil disturbance.

Anyone committing this offense is subject to Federal prosecution, a \$10,000 fine and/or imprisonment up to ten years.

The purpose of this letter is to urge that immediate action be taken to identify, apprehend, arrest and bring to justice those who perpetrated these criminal acts against the police and firemen of the District of Columbia last night.

Swift and decisive action by the Department of Justice in this immediate instance may act as an effective deterrent against other lawless elements throughout the nation in the current wave of increasingly violent campus disturbances directed against various institutions of higher learning.

If forceful and effective action is not immediately forthcoming in the present case, then this failure will be noted by those same lawless elements, and this very failure undoubtedly will encourage similar violent acts of nihilism, anarchy and outright open rebellion against duly constituted civil authority.

In the specific case of Howard University and the deliberate damage by fire of the R.O.T.C. building, it seems probable that additional Federal action would lie against the arsonists themselves for willful destruction of Federal property.

The time has come, Mr. Attorney-General, for a vigorous and unmistakable demonstration that our civilized society can protect itself, that it has every right to protect itself, and that it will protect itself against wanton acts committed by those who seem bent upon destroying the very fabric of society itself.

Very sincerely yours,

JIM WRIGHT.

#### THE ADMINISTRATION TO TAKE A HARD LOOK AT THE PROBLEM OF OIL DEPLETION ALLOWANCES

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

Mr. VANIK. Mr. Speaker, I am pleased to learn that the Secretary of the Department of Interior is willing to concede that the administration is going to take a hard look at the problem of oil depletion allowances and the problem of oil import quotas.

I want the administration to take a hard look and to come up with an early

report so that the Committee on Ways and Means which is currently considering tax reform legislation may have the benefit of the administration's views on oil taxation in time to provide action thereon during the current work on the tax reform program.

Mr. Speaker, there can be no adequate tax reform program unless oil is included. For too long a time oil has enjoyed special tax privileges which erode our tax system and make it unfair.

The current effort in the Committee on Ways and Means is to get to the roots of this problem. If the oil tax loopholes are overlooked, the American people will never believe our work in tax reform.

#### THE CONTRAST BETWEEN ARTHUR GOLDBERG AND SECRETARY OF THE TREASURY DAVID M. KENNEDY

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, over the weekend, Arthur J. Goldberg, former Secretary of Labor and Supreme Court Justice, set an outstanding example for public officials throughout the land.

I quote from an Associated Press dispatch:

Former Supreme Court Justice Arthur J. Goldberg says he will not accept a \$25,000 a year pension from the United Steelworkers Union until he is sure it is proper.

The AP story goes on to say that Mr. Goldberg will have the issue reviewed by the American Bar Association to make certain it would be "free from even the appearance of impropriety."

In his statement, Mr. Goldberg revealed that he had waived his pension rights with the union when he was appointed Secretary of Labor in the Cabinet of President John F. Kennedy in 1960.

Mr. Goldberg's action in waiving his union pension is in sharp contrast with the current position of a leading Cabinet official in President Nixon's administration.

President Nixon's Secretary of the Treasury, David M. Kennedy, accepted, on January 31, a lifetime pension of \$4,800 a month from the Continental-Illinois National Bank of Chicago, of which he was chairman of the board.

Mr. Kennedy is receiving this handsome bank pension at a time when he serves as Secretary of the Treasury with direct jurisdiction over the banking industry.

But, Arthur Goldberg, as Secretary of Labor in the Kennedy administration, voluntarily gave up his pension. And even now that he is in private life, Mr. Goldberg wants to make certain that a reinstatement of the pension would in no way create an appearance of impropriety because of his past service as Secretary of Labor.

Mr. Goldberg is to be commended in the highest terms. It is this type of scrupulous action by a public official that builds and maintains the public's confidence in the Federal Government.

By contrast, the present Secretary of the Treasury thumbs his nose at the public and goes right along performing his public duties, hand-in-hand with his former employer, the Continental-Illinois National Bank.

Secretary Kennedy and his aides have attempted to indicate that I am asking something unusual and extreme by demanding that he sever his ties with the bank. This is not so. All I am asking is that the Secretary not violate the law and that he not tear down the confidence of the people in their Government through a massive conflict between his public responsibilities and his private financial dealings.

Arthur Goldberg's actions over the weekend plainly demonstrate that what I am asking Secretary Kennedy is neither unusual nor extreme. If Arthur Goldberg, as Secretary of Labor, could forgo a \$25,000 a year pension, then surely Secretary Kennedy—a wealthy man—could refrain from taking the \$60,000 a year pension from the bank.

Mr. Speaker, the pension, of course, is but a minor part of the ties that Secretary Kennedy has had with the bank since he became a member of the Nixon Cabinet.

He also has had these benefits:

A stock option of 30,855 shares of Continental-Illinois National Bank stock worth more than \$1,200,000.

A \$200,000 separation gift arranged after his nomination.

A profit-sharing plan worth at least \$650,000.

A continuing life insurance and health insurance program with the major cost to be paid by the bank.

In addition, Mr. Kennedy and his wife had more than 7,800 shares of Continental-Illinois National Bank stock which was to be placed in a "blind trust" with the Old Colony Trust Co. of Boston with instructions to "diversify" under prudent investment practices. But there is no assurance that any large part of this stock will be sold. The likelihood is that much of it will remain bank stock—a totally inadequate insulation from conflict of interest.

Mr. Speaker, I hope that Mr. Kennedy's defenders will study the distinct contrast between Mr. Goldberg's standards of public conduct and those of the present Secretary of the Treasury.

I place in the RECORD a copy of an article entitled, "Goldberg Requests Pension Abeyance" which appeared in the Washington Evening Star, of Sunday, May 11, 1969:

#### GOLDBERG REQUESTS PENSION ABEYANCE

Former Supreme Court Justice Arthur J. Goldberg says he will not accept a \$25,000-a-year pension from the United Steelworkers union until he is sure it would be proper.

Goldberg was informed last Monday the union's executive board has voted to give him the pension. He said yesterday he immediately informed steelworkers President I. W. Abel that he could not accept the offer until an impartial review assured him it would be ethical.

"I believe that before the reinstatement is put into effect, there should be an impartial review and determination that such action meets the highest standards of pro-

essional and public ethics," Goldberg wrote in a letter to Abel Tuesday.

The former United Nations ambassador said in a telephone interview from his Virginia farm he would ask the American Bar Association to review the pension offer to determine if acceptance would "be free from even the appearance of impropriety."

The lifetime pension was revealed yesterday in a copyrighted story by the Pittsburgh Post-Gazette.

Goldberg served as the union's legal counsel from 1948 to 1961, when he was named secretary of labor by the late President John F. Kennedy. He was later appointed to the Supreme Court and then became U.S. Ambassador to the United Nations.

The former Justice said he waived the pension arrangement when he entered public life more than eight years ago. But he said the executive board's reinstatement of the pension was "an act of regard and respect by the union which I deeply appreciate."

#### MICHIGAN CREDIT UNIONS PROVIDING MUCH NEEDED HELP IN HOUSING MARKET

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN, Mr. Speaker, the Michigan Credit Union League has long been recognized as one of the most progressive leagues in the country.

Over the years, the Michigan Credit Union League has worked diligently to meet the needs of its members in a rapidly expanding and changing economy. To this end, the Michigan Credit Union League is expanding on a cooperative housing program that will save credit union members up to 20 percent on the cost of a house.

Not only will the housing program provide savings for credit union members but the program will inject funds into a sagging homebuilding market and thus help the economy in general.

The April issue of Michigan Business carried a detailed article on the housing program, as well as the general operation of the Michigan Credit Union League.

I am including in my remarks a copy of the article, since it provides so dramatically another example of the outstanding work being done by credit unions across the country:

#### MICHIGAN CREDIT UNIONS MOUNT DRIVE TO BECOME MAJOR FACTOR IN HOUSING

Michigan's Credit Union movement—second largest in the country—is on the verge of becoming a major factor in the state's housing industry.

The instrument: the Michigan Credit Union League's cooperative housing program. Sources of mortgage funds: federal (and, eventually, state) backed housing authorities and lending agencies. Type of housing: everything from special low-cost homes and single-family detached homes to high rise apartments for low to high income families.

Michigan credit unions got the go-ahead to invest up to five percent of their capital in cooperative housing as a part of the 1967 Michigan housing act.

Now MCUL has put together a package to help its member unions—some 1,200—individually and as groups launched what Sidney C. Barnes, MCUL general counsel and director of the program, calls a "breakthrough."

There is big money involved if MCUL is

successful in its housing venture. Credit unions scattered in all parts of Michigan had shares and deposits totalling about \$1.2-billion at the end of 1968—of which the 5% legal limit for use in housing projects amounts to some \$60-million.

Actually, the credit union funds for the most part will be used as seed money rather than permanent mortgage funds, although the latter is not prohibited and resources of some of the largest unions are capable of such financing.

As in just about everything they do, credit union leaders are approaching their new role in the housing industry with the fervor of dedicated standard bearers of a "movement"—a word that crops up in all their literature. In fact, the non-profit aspect of their charters and the growth of the movement since the early 1900's have made credit unions a thorn in the side of other financial institutions, which credit union people like to call "the establishment."

The housing program will likely be no exception to that.

Though it is carrying the ball, MCUL, based in Detroit, isn't the source of the funds. Its budget is like any other service association—paid for by pro-rated membership fees from the CU member societies. But it provides a host of services which the individual credit unions can't always afford, including sophisticated data processing equipment at its new headquarters, legal and legislative advice, insurance programs for members, auditing, credit collections, promotional material, loan and investment counseling. In other words, MCUL, like its counterparts in other states, is the professional financial and management service for the local CU's.

Single credit unions can be small entities, like the Western Michigan Gas Dealers with less than 100 members and assets of about \$16,000. But there are huge groups, too, such as the Detroit Teachers Credit Union with more than 25,000 members and assets of about \$50-million. Thus, through the MCUL and the big members, the credit union movement is something to reckon with just in dollars alone.

In Michigan, for instance, credit unions hold about 29% of all the outstanding consumer installment credit, or about \$900-million. Commercial banks account for around 60%, finance companies 11%.

Credit unions are a potent political force, too. In Michigan, there are some 1.6-million members, topped only by California. What happens in this state has important influence all over the country.

Barnes spells out the credit unions' plans this way:

Land banking: That has already started by MCUL as a long-range plan to acquire community-size tracts of land far enough ahead of construction to get lower prices. Costs can also be cut, he says, by the Michigan credit unions' doing their own land development.

Mortgage costs: MCUL wants to reduce money costs by exerting "a certain amount of leverage . . . because of their activities in the money markets and the large volume the program involves."

Housing costs. Pre-sold housing under the MCUL plan, processing of government red-tape, and large volume construction can add up to cheaper housing and can "induce early entry by industry into the field of manufactured housing."

Communities. MCUL sees the credit unions' role as building entire communities, including recreational, educational, and cultural entities, on a non-profit basis.

Credit unions, under various FHA programs, have the option of backing management-type or sales-type projects for moderate to higher income groups. Under manage-

ment-type cooperatives, the cooperative members sign what amounts to a lease and pay as FHA approved carrying charge for operating expenses. New housing of almost any type is allowed and so is rehabilitation of existing rental units for conversion to co-ops.

In the sales-type arrangement, a non-profit housing corporation is formed to build single-family residences, with members becoming owners of each house when the project is completed.

Programs are also available for lower income groups and for elderly and disabled persons.

All these programs are under federal sponsorship. But now MCUL has proposed legislation in Michigan that would permit the cooperative housing program "to find new sources of revenue from conventional sources rather than be limited to state or federally-assisted programs"—broadening the entire base of the credit unions' housing plans.

What's more, Michigan credit union leaders are also hoping to expand the definition of the common bond—the key legal term—under which they are chartered by the state.

Credit unions were authorized in Michigan back in 1925, an outgrowth of a movement among the working classes of Europe back in the 1800's. (The MCUL was formed in 1934.) Legally, they had to establish a common bond or group to exist—and in this country that has been largely through employment situations.

In Michigan, by far the greater number of credit unions are based on occupational ties, such as teachers, government workers, labor unions, or individual companies. Associations—churches and fraternal organizations, for instance—also are common bonds. A small percentage, however, include groups formed from a residential common bond.

The residential category may be a sleeper. Presently the residential groups are limited, but the time could come when credit unions might embrace large community areas, perhaps a medium-sized town or city.

That the credit union movement is a vital financial instrument shows up plainly on the record. Growth in Michigan has been especially rapid since the end of World War II. In 1946, there were about 121,000 members in the state. That remained fairly static until the 1950's when the movement boomed to its present 1.6-million members.

With that size goes financial impact. Take just one area where credit unions are strong and complete directly against other financial institutions—new cars. In 1967, for example, the 513 groups reporting to MCUL had new car loans of \$102-million.

It is pretty obvious that the credit union movement in Michigan is eyeing the housing market through the cooperative program as another area for growth.

MCUL has spelled out in detail how its member societies can go about establishing a cooperative housing program. A particular CU consults with an MCUL representative at which point all the services of the MCUL are brought to bear—analysis of housing needs of the members, site selection, rough cost estimates, pre-application studies for submission to government agencies, and a myriad of details to bring the deal to its closing point, not excluding the key feature—obtaining mortgage sources. MCUL will also act as the project sponsor and provide management and the first board of directors "to act for the owner-corporation" during processing and the course of construction of the project.

#### REVISING TRADE EXPANSION ACT

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, today I am introducing a bill to amend the Trade Expansion Act of 1962. The bill is designed to assist domestic industries in unfair competition from foreign imports by substituting more flexible relief criteria for the rigid standards presently embodied in the act. While the original act was intended to foster foreign trade by granting tariff concessions to certain foreign producers, the act in practice does accomplish that but contains no workable standards for determining at what point the advantages gained from increased imports diminish to the point of damaging domestic producers. My bill makes effective the original congressional intent of promoting foreign trade while maintaining a true reciprocity of economic benefit to all parties involved.

I have prepared an extensive memorandum which more fully explains the implications of my bill and I include the text of the memorandum in the RECORD at this point:

**EXPLANATION OF PROPOSED AMENDMENT OF ESCAPE CLAUSE CRITERIA CONTAINED IN SECTION 301(b) OF TRADE EXPANSION ACT OF 1962**

Only in the very special circumstances of such industries as textiles and possibly steel can legislatively imposed mandatory import quotas be justifiable. Yet numerous small industries have pressed energetically for such mandatory quotas. These earnest pleas from small industry are symptomatic of the failure of the Congress and the Executive Branch to provide such small industries a workable means of escape from the occasionally injurious consequences of our trade expansion program of recent years.

The basic policy concept was, and is, to stimulate a longterm expansion of world trade by the gradual dismantling, on a reciprocal basis, of tariff and other trade barriers. Implicit in the concept, however, is "escape" from harmful, short-run dislocations of particular industries by rising imports. Since 1962, no effective means of escape has been available to American industry.

Most trade agreements to which the United States is a party contain escape clauses. Typical and of most general effect is Article XIX.1.(a) of the General Agreement on Tariffs and Trade.<sup>1</sup>

The GATT escape clause was first implemented by legislation in section 7 of the Trade Agreements Extension Act of 1951, which Act predicated eligibility for relief on an increase in imports resulting in whole or in part from a trade agreement concession and that such increased imports had contributed substantially toward causing or threatening serious injury.

During the eleven years of section 7, the Tariff Commission instituted 135 investigations at the behest of American industries and completed 113. A Commission majority recommended relief in the form of import restrictions in 33 cases and were equally divided in 8. The President proclaimed restrictions in 15 instances.

<sup>1</sup> "If, as a result of unforeseen developments and of the effects of the obligations incurred by a contracting party under this Agreement, including tariff concessions, any product is being imported into the territory of that contracting party in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers in that territory of like or directly competitive products, the contracting party shall be free, in respect of such product, and to the extent and for such time as may be necessary to prevent or remedy such injury, to suspend the obligation in whole or in part or to withdraw or modify the concession."

The escape clause was radically restructured in the Trade Expansion Act of 1962, and especially the criteria of eligibility for tariff adjustment, to accord with the innovation first introduced at that time of adjustment assistance to firms and workers adversely affected by increased import competition. Under the 1962 escape clause, only 12 industries have made application for relief; in not one of these cases has the Tariff Commission found the petitioning industry to be entitled to tariff adjustment.

The adjustment assistance concept introduced in 1962 was intended to offset to some extent the anticipated lesser availability of escape clause relief. But this device, too, failed to produce any useful result. A workable program of adjustment assistance is desirable in those instances where it is only the occasional firm or group of workers which for individual reasons is unable to withstand the competition of increased imports.

When, however, the adverse effect extends to entire industries or to substantial portions of an industry, to employ adjustment assistance as the escape mechanism is in effect to subsidize foreign producers and exporters from out of American public funds without a commensurate reciprocal benefit. It is difficult to understand how such subsidization can be in the public interest.

Necessary is a refashioning of the escape clause to create an effective safety valve, equitable to both American industry and to America's trading partners.

The unworkability of the present escape clause derives from the virtually insurmountable obstacles posed by the "major part" and "major factor" tests. In order for the Tariff Commission to find an industry eligible for "tariff adjustment"—i.e. withdrawal or suspension of concession duty rates, limitation of imports by quota, or negotiation of orderly marketing agreements, or certification of the firms and workers constituting the industry as eligible for adjustment assistance—it must be found that a trade agreement concession was the major cause of an increase in imports, and that the increased imports were the major factor in causing, or threatening to cause, serious injury.

**CAUSAL CONNECTION BETWEEN TARIFF CONCESSION AND INCREASED IMPORTS**

In practice, the Tariff Commission has by and large concentrated on causes of increased imports other than trade agreement concessions and causes of economic distress in the petitioning industries other than increased imports. While no consistent guideline as to the meaning of major causation is discernable from the Commission's reports, a reluctance to attribute fault to imports is clearly evident.

It was not the intent of the Congress in enacting the major part and major factor tests to create an impossible obstacle to escape clause relief from injurious import competition; quiet the contrary, this language was intended to prevent overly restrictive interpretations by the Tariff Commission and the President in applying the section.<sup>2</sup>

<sup>2</sup> The Senate explained its insertion of the major cause criteria, concurred in by the House, as follows: "The bill as it came to the [Finance] committee might have made it difficult for industries which felt that they had been injured to prove their case under the escape clause. The language of the bill could have been interpreted to mean that the increased imports as a result of concessions were the sole cause of the injury. While this may not have been the intent of the bill, the amendment makes it clear that the Tariff Commission need find only that the tariff concessions have been the major cause of increased imports and that such imports have been the major cause of the injury." S. Rep. No. 2059, 87th Cong., 2d Sess., page 5.

In practice, the Committee's intent has gone awry.

The recent Report of the Special Representative for Trade Negotiations recognizes the impossibility of this test and recommends that the requirements of a causal connection between a trade agreement concession and increased imports be eliminated.<sup>3</sup> This is the only workable solution, and section 1 of the proposed amendment would restore the original Congressional intent by requiring only that imports have increased.

The term "increased quantities" as used in the proposed subsection is intended to require that, if quantities of imports in a recent period reflect an absolute increase over quantities of imports in a representative base period, the total quantity of imports in such recent period shall be taken into account. Thus, if quantities of imports in a representative base period were 8 million units and the quantities in a recent period were 10 million units, the quantities of imports to be considered would be 10 million units.

The "directly competitive" imported article is intended to mean either an article which is like the domestic article and is therefore necessarily directly competitive with it, or one which is unlike the domestic article but nevertheless competes directly with it.

In cases where there is more than one directly competitive imported article, it is intended that the quantities of imports of the several imported articles shall be taken together for purposes of determining whether there have been increased quantities of imports.

By the use of the words "have been," it is intended that the increased quantities of imports shall have occurred in the recent past, although the cumulative effect of a long-term increasing trend must also be taken into account.

**NEW MEASURE OF CAUSE OF SERIOUS INJURY**

New subsection 301(b)(3) would provide that the Tariff Commission shall determine whether increased imports have been a substantial factor in causing serious injury, or threat of such injury, to a domestic producer producing like or directly competitive products.

With respect to the quantum of causation between increased imports and serious injury, the term "substantial factor in causing" is intended to require the demonstration of an actual and considerable cause. A "substantial" cause in any specific case need not, however, be greater than all other causes combined nor even greater than any other single significant cause.

**SPEEDING UP THE RELIEF PROCESS**

Section 2 of the bill would eliminate subsection 351(a)(4) of the TEA completely, as an inequitable protraction of the time in which the President must act following a Tariff Commission recommendation for tariff adjustment.

Under section 301(f)(2), the Tariff Commission must complete its investigation and report to the President within 6 months from the date of filing of the petition. In practice, the Commission takes the full 6 months.

After receipt of the Commission's report and recommendation, the President has under section 351(a)(2) 60 days within which to act.

However, section 351(a)(4) permits the President as a matter of discretion within the 60 day period to request additional information from the Tariff Commission, which body has then a further 120 days to supply the requested information, following which the President again has a further 60 days within which to take final action.

<sup>3</sup> *Future United States Foreign Trade Policy*, Report to the President submitted by the Special Representative for Trade Negotiations, January 14, 1969, page 45.

This succession of time periods permits the postponement of final action up to 14 months from the date of filing of the original petition. It is felt that 6 months for investigation and report by the Tariff Commission plus an additional 2 months for consideration and final action by the President affords adequate time to serve the purposes of the statute. Prolongation of final action by another 6 months can only be inequitable to industries which merit escape clause relief.

#### NARROWING THE DEFINITION OF "DOMESTIC INDUSTRY"

The foregoing amendments avail naught if in weighing "serious injury", the impact of increased imports is dissipated across a broad definition of domestic industry.

Section 3 of the proposed amendment would add a new subsection (7) to section 405 of the Trade Expansion Act to make it clear when an article is produced in a distinct part or section of a subdivision of an "establishment", even in a multi-establishment firm, that part or section will be considered an "appropriate subdivision" within the meaning of the Act for measuring injurious impact.

In an age of increasing conglomerate integration, it is necessary to give more attention to the "product line", and not to dilute the injurious impact of the imported article by spreading it over the non-related experience of the other divisions of the same business entity.

#### BLUE-COLLAR PAY BREAKDOWN

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

Mr. VAN DEERLIN. Mr. Speaker, a deplorable situation has developed in my home community of San Diego, and it is threatening to affect other parts of the Nation as well.

Last December 25, Christmas Day, some 13,000 Government workers in San Diego were due to get a pay raise. Today, nearly 5 months later, they still have not received it.

Reasons for the delay are varied and complex. It is difficult to point the finger of blame at any one individual or organization. But regardless of who, if anyone, is at fault, the hard truth is that 13,000 loyal, hard-working citizens have become the victims of a system over which they have no control.

These men and women are among more than 800,000 "blue-collar" employees of the Government. Their pay is determined, not by act of Congress, but by the prevailing industrial rates in the areas where they are employed.

Until very recently, industry has always cooperated with the Government in volunteering salary and other payroll information needed to set the pay scales for the blue-collar workers. Like most other working Americans, they have been able to anticipate with a fair degree of accuracy when they will get their increases, and to plan their budgets accordingly. I would add that with the inflation now rampant—the cost of living rose 4.6 percent last year alone—most of us need these increases on a regular basis just to stay even.

What has happened in San Diego—and is likely to recur elsewhere unless corrective measures are taken promptly—is that certain companies are refusing to

divulge data essential to the successful completion of these wage surveys. The reluctance of these firms stems from the new Federal wage board system which became effective last year and under which, for the first time, Government employee union personnel were assigned to the wage-survey teams making the comparative studies. This apparently stirred fears in the companies that sensitive job classification and salary range data might be turned over to the unions with which they must deal in negotiating contracts covering their own employees.

Information needed to complete the San Diego survey was actually turned over by the recalcitrant firms to the Defense Department—but on condition that it be held in confidence. When union representatives learned they were to be denied a portion of the data on which pay raise recommendations were based, they protested—and were upheld by Robert E. Hampton, Chairman of the Civil Service Commission, who ruled that such restricted information should not be used in setting the pay rates.

As a result of all the pulling and tugging of recent months, matters are pretty much where they were at the beginning of the year. The end of the struggle is not in sight, and the workers are deriving scant comfort from the assurance that the increases, when they do come, will be retroactive.

The situation would be bad enough if it applied only to San Diego. But ramifications of the impasse there are extending across the country. I understand that pay raises in cities such as Denver and Salt Lake City are being held up for the same reason. And a survey is due to get underway shortly in Los Angeles, where industries presumably will be guided by the same rationale as their counterparts in San Diego.

I should also point out that company resistance to union participation in the wage-setting process is not an isolated thing. Three San Diego firms have decided that the information for the wage board surveys should not be shared with union representatives. And two other manufacturers did provide the data to the wage-survey team but indicated this year would be the last time.

As I stated earlier, it is difficult to make and sustain accusations, despite the glaring injustice being done the workers. The companies understandably are concerned about compromising their position at the collective bargaining table, and the unions quite logically want to be part of the process for determining these rates.

But something has got to give. Most obviously, this system is not working. A tragedy is unfolding which apparently only Congress can prevent. I have taken the floor this afternoon simply to alert the House to the potential magnitude of the problem, and I stand ready to cooperate in every possible way with our Manpower Subcommittee in resolving it.

#### TO ESTABLISH A YOUTH CONSERVATION CORPS

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

Mr. MEEDS. Mr. Speaker, the last several years have seen the Nation in turmoil, with racial and student problems part of our plague. A great deal of our mind and energy lately has been devoted to finding solutions which strike at the root of these pressing problems.

I am introducing today, along with Representative WYATT, of Oregon, a bill to establish a Youth Conservation Corps. For sheer numbers, few unemployment statistics compare with those for young people. Last June a total of 1,600,000 were without jobs: This represents 16.5 percent of the young men and 23 percent of the young women desiring work. The tragedy of it is that these young people are not wanting a summer of relaxation, but rather are actively seeking work and coming away empty handed. The figures also show that employers prefer not taking chances on youngsters out for their first job. Thus the youngsters go idle, and we have all seen what their idleness brings during the summer months of vacation.

My bill is designed to do five things:

First, provide gainful employment for young people 14 to 18 during the summer months;

Second, place these young people in the healthy outdoor, working environment of national public lands and recreation areas;

Third, aid in the preservation and wise utilization of our natural resources;

Fourth, generate appreciation and regard for our great natural resources; and

Fifth, create understanding among the Corps members which should lead to mutual respect.

Central to these aims and a successful program is proper representation of a variety of social, economic and racial backgrounds. The attitudes of these young people 14 to 18 are still formative and malleable. The Youth Conservation Corps experience would be instrumental, and I think effective in keeping their minds open and responsive. We can little afford to bypass this great opportunity and lock out the ills of prejudice and misunderstanding. While I do not see this program as a panacea for all our social problems, the outgrowth would be lessening of tension: with a more healthy society, the long-run effect.

In addition to aiding our youth directly, the work of the Corps would preserve and enhance our national public lands and recreation areas. I am a co-sponsor of another bill which seeks to ensure a meeting of our future timber needs. Part of the Youth Conservation Corps idea dovetails with that of the Timber Supply Act, as a means for extensive reforestation and improved husbandry of our timberlands. The corpsmen would aid our reforestation projects, and our reforestation projects would help the corpsmen.

My hope is that the program would begin as a pilot project at a modest level with approximately 3,000 participants and a price tag of about \$3,000,000 in the first year. One year should be sufficient time for the Corps to get on its feet, gain experience and prove its effectiveness. Subsequent years can bring expansion.

In the vein I have been talking, the conservation of natural resources has a double aspect: conservation of our young people and conservation of our great forests and public lands. Double returns for a single price.

#### NATIONAL SMALL BUSINESS WEEK

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

Mr. EVINS of Tennessee. Mr. Speaker, today marks the beginning of National Small Business Week, and I want to join with others in paying tribute to the Nation's 5 million small businessmen.

Our small businessmen are the key-stone of our economic system.

Our small businessmen are the watchmen on the walls of our great free enterprise system.

Our small businessmen are the guardians of competition, the heart and soul of our free economy.

Like the Biblical David the small businessman stands strong against the corporate giants that challenge his very existence.

Never before in history have our small businessmen been subjected to the competitive pressures they are experiencing today.

Chain stores, joint ventures, exodus to suburbia, urban renewal dislocation, discount houses, big business shopping centers, automation, electronic computers, and the general trend toward giantism remind us that the competitive status of the small business segment of our economy must be constantly observed in order to maintain a truly competitive free enterprise system.

The Select Committee on Small Business—which I am honored to serve as chairman—is working constantly in many areas to assist small businessmen to cope with these tremendous problems. Our subcommittees and our staff are working daily on many areas to strengthen the hand of the small businessman and to assure him a free, competitive market.

The committee is following the mandate of the Congress:

It is the declared policy of the Congress that the Government should aid, counsel and assist and protect insofar as is possible the interests of small business concerns in order to preserve free competitive enterprise to assure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the Government be placed with small business . . . to maintain and strengthen the overall economy of the Nation.

During Small Business Week a number of outstanding activities have been scheduled. The National Advisory Council of the Small Business Administration will hold its annual meeting at the Mayflower Hotel, May 11 to 13.

Seventy-three members of the Council, representing all 50 States, Guam and Puerto Rico, will be present.

The National Small Businessman of the Year will be selected.

Simultaneously, at the State level, the Governor of each State will present an

award to his State's Small Businessman of the Year.

The Small Business Council is a voluntary group which analyzes the work of the Small Business Administration.

On May 14, the annual Small Business Subcontracting Conference and Workshop will be held.

The main theme of this meeting will be a report, prepared in response to a recommendation of the House Small Business Committee on "The Position of Small Business in Subcontracting."

This report was prepared by a special committee established by SBA and headed by a member of that agency.

This week declared by President Nixon is the Small Businessmen's Week. Let us remember their contributions in the national interest.

#### MILITARY BUDGET ALTERNATIVES RANGE FROM \$20 BILLION TO \$101 BILLION

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

Mr. MOORHEAD. Mr. Speaker, 1969 is the year for an agonizing reappraisal of our national priorities, however, I charge that this reappraisal will amount to nothing unless we can find some way of controlling the \$80 billion military budget.

Recently, I have criticized the Defense Department on their questionable record in the procurement of certain major weapon systems.

The primary purpose of my effort is to develop in the Congress and in the public a healthy skepticism about the infallibility of the military.

However, I cannot emphasize enough that procurement is only the tip of the iceberg and we in the Congress have to critically examine—for the first time ever—the foreign policy commitments and contingencies that actually create the military budget.

To debate rationally the issue of the size and shape of the military budget we have to go back and reassess the mutual defense commitments that we have with over 40 nations in the world. Then we must evaluate our force structure—both strategic and general—which is necessary to meet our commitments. To my knowledge this has never been done on a systematic basis, in the Congress, since the end of World War II.

According to an excellent article by William Beecher in yesterday's New York Times, the National Security Council is now examining these questions to provide President Nixon with a range of meaningful choices. By varying the assumptions on which our strategic nuclear policy is based, preliminary estimates of these options range in cost from \$6 to \$16 billion annually for 10 years, compared to the present estimate of about \$10 billion a year. In the conventional forces area they have developed 10 alternative options, ranging all the way from "Fortress America" on one extreme to the United States as world po-

liceman on the other. In terms of dollars, the conventional force options run from \$14 billion a year to \$85 billion a year. Presently our forces in being cost about \$50 billion annually to maintain.

Thus the total military budget could vary from a total of \$20 billion to a total of \$101 billion—a difference of \$80 billion.

These 80 billions of dollars should be the subject of the congressional debate of the decade.

The critical question, it seems to me, is whether the Congress and the American people will get the benefit of being apprised of the alternative military policies that are available and the cost of these alternatives. The first reaction of the National Security Council is that the Congress will not be apprised of these alternatives. I suggest that the Congress demand the result of this study, so that we can—in the future—make our own evaluation of the military policy that now requires over half of our Federal resources.

I include the Beecher article at this point in the RECORD:

AS THE ADMINISTRATION REVIEWS MILITARY OPTIONS

(By William Beecher)

WASHINGTON.—A new mood is taking hold in official Washington on the whole question of national defense and the resources committed to it. The mood, whether in the executive branch or in Congress, is one of re-assessment, of realignment, of impending change.

Listen to two representative voices speaking last week.

The first is a senior defense official with long experience in the Pentagon:

"It was in the years immediately after the Second World War that the United States abandoned its traditional policy of noninvolvement and moved into a policy of collective defense and containment," the official began.

"We launched the Marshall Plan to restore Western Europe's economy, the Truman Doctrine to help defend Greece and Turkey, the North Atlantic Treaty Organization to protect against the Soviet hordes. It was a turning point in our history as we moved into the world, making new commitments, picking up new encumbrances."

The official closed his eyes for a moment as he recalled the earlier era. "We had a great national debate in the Congress at the time. Now we appear on the verge of another, quite as historic."

Across town from the Pentagon, in a crowded Congressional office, an intense young lawmaker puts it somewhat differently but comes to a similar conclusion:

"I don't say we should disband our Army, disarm unilaterally and look only inward. But it's time we achieved a better distribution of resources. I, for one, am willing to assume larger risks by cutting back on defense, while assuming a larger burden of fighting crime and poverty and hunger and ignorance in America."

Though the words may vary, the sentiments of these two men are being heard increasingly around the nation's capital.

They have their echoes within the top ranks of the Nixon Administration on the part of some of those participating in a sweeping review of the nation's security policy and the forces necessary to fulfill that policy.

The study, under the direction of Deputy Defense Secretary David Packard, seeks to provide President Nixon with a range of meaningful choices.

It is divided into two parts.

The first concentrates on strategic nuclear policy and the weapons necessary for each of five alternate options. They range from one stressing a build-up of long-range missiles to outdistance completely the Soviet Union, to one unilaterally holding back on offensive forces and stressing instead defensive missiles to limit damage if the Russians should stage a surprise attack.

The options in between look to the possibility of freezing or otherwise limiting both offensive and defensive weapons if an arms control agreement can be worked out with the Russians.

These options range in cost from \$6-billion to \$16-billion annually for 10 years, compared to the present expenditure of about \$10-billion a year.

This portion of the study has already reached the staff of the National Security Council; the President is expected to make a choice of nuclear strategies within the next six weeks to enable him also to prepare a bargaining position for arms limitation talks sometime this summer.

The second part of the study deals with conventional forces and world-wide commitments to 42 countries, how these commitments might be curtailed, or expanded, and what forces would be necessary for each. This study is not expected to reach the National Security Council until July 1.

It embraces 10 alternative options, ranging all the way from "Fortress America" on one extreme to the United States as "world policeman" on the other.

In terms of dollars and soldiers, the conventional force options run from \$14-billion a year, with only seven Army divisions on active duty, to \$85-billion and 40 divisions. The nation's non-nuclear ground, sea and air forces today cost about \$50-billion to maintain. This includes an army of 12 divisions and five independent brigades.

Administration officials say they recognize the propensity of some in Congress to slash the defense budget and reallocate many billions of dollars to social problems. But, they insist, no really substantial military budget cuts would be prudent until basic decisions have been made on whether some of the nation's global commitments are to be curtailed.

Whatever final choices are made, talks with several of those working on the Packard study suggest the mood within the Administration, as in Congress, is one of curtailment and reallocation.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. MOORHEAD. I am delighted to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to commend the gentleman from Pennsylvania for his persistent questioning of certain excessive expenditures in our swollen military budgets. The efforts which the gentleman is making are bearing fruit, not only in saving money for the taxpayers of this Nation but in enabling Congress to fulfill its responsibility for effective oversight.

Mr. Speaker, I ask unanimous consent to include an editorial from the May 12 New York Times further commending the gentleman from Pennsylvania.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from West Virginia? There was no objection.

The editorial referred to follows:

#### CRITICAL LOOK AT THE PENTAGON

There was a time when Congress, in supine deference to the wishes of the Pentagon and the armed services committees, quickly acquiesced in approving huge requests for defense spending. But the five-year period of painlessly escalated military budgets is coming to an end. Disquieted members of the House and Senate are asking embarrassing questions, not only about the defective ordering of priorities by which military spending takes precedence over social welfare programs, but about specific items in the heavily padded defense budget.

The C-5A, the huge cargo plane ordered from the Lockheed corporation, is a case in point. It was originally estimated that 120 of those planes would cost \$2.9 billion, but it subsequently became clear to Pentagon officials that the actual cost would exceed \$5.2 billion. Yet, according to the testimony of an Air Force officer before the House Government Operations Committee, that information was concealed by doctoring the records with the approval of civilian officials in the Pentagon.

The excuse for concealing that information is in itself revelatory. The Pentagon didn't want news of Lockheed's lackluster performance disseminated because of the adverse effect that news would have on the market for its common stock. That is a striking example of the danger of the military-industrial complex about which President Eisenhower warned in his farewell address. The Pentagon is not only Lockheed's principal customer; it also seeks to shield it from the discipline of the market place.

Thanks to persistent probing by Representative William S. Moorhead of Pennsylvania, the public now has a fresh insight into the C-5A scandal and the vast waste on faulty F-111B fighter-bombers. Last November, Gordon W. Rule, a retired Navy captain now in charge of naval procurement control, summed the situation up for his Pentagon superiors in these words: "Industry today is smug and perhaps rightly so. They know that no one in [the Defense Department] is going to take any action they do not like. . . . No matter how poor the quality, how late the product, they know nothing will happen to them."

The C-5A is only one of a number of cases involving large cost overruns. A still confidential report has been prepared by the General Accounting Office on the Sheridan tank/Shillelagh missile system program. Chairman Rivers of the House Armed Services Committee said that there is "evidence of serious administrative deficiencies that could result in the waste of hundreds of millions of dollars." But why wasn't the GAO report released? And when is the Armed Services Investigating subcommittee going to report on what really happened?

The growing Congressional criticism of the Pentagon suggests that the military-industrial complex is no longer considered sacrosanct. That is one of the more hopeful developments on Capitol Hill.

Mr. MOORHEAD. Mr. Speaker, I thank the gentleman from West Virginia very much.

#### UMW WELFARE AND RETIREMENT FUND

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, Ward Sinclair, of the Louisville, Ky., Courier-Journal, has taken a very active interest in all questions relating to coal mining. He has developed a high competence for reporting on the human side of coal mining, and the problems confronted by coal miners whose health and safety is threatened every day they go down into the mines.

Under unanimous consent, I include the excellent article in the May 7 issue of the Courier-Journal on the United Mine Workers of America welfare and retirement fund:

#### MINERS DEPRIVED OF BENEFITS LASH OUT AT UMW WELFARE FUND—COURT BATTLE UNDERWAY

(By Ward Sinclair)

WASHINGTON.—The name and story of Shelby Collins, a retired coal miner from Eastern Kentucky, may be on their way to becoming a symbol and an example.

Collins, from the Harlan County community of Chevrolet, is winning a federal court battle involving a series of events not unlike those affecting thousands of other Kentuckians.

They and Collins are involved in a struggle with the United Mine Workers of America Welfare and Retirement Fund over health and pension benefits they think are due them.

Although the last judicial word has not been spoken in the Collins case, his fight may point the way toward hope for others who find themselves in a similar predicament with the fund.

Late last month a U.S. district judge in Washington ruled that the fund had acted arbitrarily in cutting off the pension of Collins after he had retired from mining.

The decision, which the fund says it will appeal, may open a whole new legal avenue for miners and their survivors who have grievances with the way the fund doles out its benefits.

#### A GROWING CLAMOR

The Collins case is but one more chapter in the growing clamor over the way the welfare and retirement fund has treated its beneficiaries.

So widespread is the discontent in West Virginia that hundreds of miners have joined an association of disabled miners and widows based at Madison, W. Va. They all say they have been treated unfairly by the fund.

On the Washington scene in recent days, both West Virginia Rep. Ken Hechler and consumer advocate Ralph Nader have demanded congressional investigations of the fund's operations.

Hechler charges that the fund is "inadequate, inconsistent and in fact, incredible" in its treatment of retired and disabled coal miners and their families.

Since making his statements, Hechler has received dozens of letters of support—including a number from Kentucky—from widows and miners who complain of the fund's autocratic operations.

Says Nader: "The fund is a labyrinth of arbitrariness toward retired miners and mismanagement largely attributed to the union which controls it in fact. . . . It has been stripping thousands of sick, disabled and aged miners of their meager pension rights."

To the Kentuckians of whom Hechler and Nader speak this is not news. Since the fund in the 1950s began wholesale reductions of its welfare and medical rolls, they have been stoically aware of it.

There is an inescapable irony in these attacks on the fund. For the UMW Welfare and Retirement Fund, at its inception, at least, was one of the great experiments in union protection of its members and their kin.

The fund was created in 1946, financed solely by a royalty paid by operators on every ton of soft coal mined by union members. Since 1952 the royalty paid by these operators has been 40 cents a ton.

Since its creation, the fund has paid out several billion dollars in benefits for disabled miners, widows and orphans.

But the fund's three trustees, one of whom is the venerated John L. Lewis, octogenarian

former president of the UMW, have also changed the rules as they have gone along.

In some instances the fund has given economic reasons—the decline of coal sales during the 1950s, for example—and in other instances it has given no reason at all for its actions.

This combination of reasons, plus new questions being raised about the fund's investments and bank holdings, has formed a reservoir of bitterness and doubt in many people who were once the union's staunchest supporters.

#### PENSION DENIAL AT ISSUE

Shelby Collins of Harlan County was one of those who counted himself among the supporters of the union and its fund—until he attempted in February of 1965 to collect his pension.

The fund trustees, whose decision on all applications is final, ruled that Collins was ineligible for the retirement pension on the grounds that he did not meet the third of three basic requirements.

That third requirement says the applicant must have worked in a union mine during the full year immediately prior to the retirement.

The first two requirements are that the applicant must be 55 or more years of age and that he must have completed 20 years service in the U.S. coal industry.

Collins worked for more than 20 years in the mines, including at least 12 years in union mines that made their contributions to the fund.

But during the year prior to his retirement Collins was employed by the L&G Coal Co., a non-union operation. He told the court he left a previous job in a union mine because he was fearful about poor safety conditions.

#### YEAR MADE A DIFFERENCE

This final year of employment in a non-union mine was enough to deprive Collins of the \$1,380 yearly pension he felt he was entitled to receive. Hence, the court action.

In his decision last month, District Judge Alexander Holtzoff ruled the fund's requirement on the final year of employment in a union mine is "unreasonable, arbitrary and capricious."

The judge noted that, by contrast, a pension applicant could work his entire career in non-union mines and yet receive a pension if he managed to get a job in a union mine during the final year immediately prior to retirement.

Said the judge: "Such results are unfair and unreasonable and border on the absurd."

Earlier in his opinion Holtzoff declared that the fund itself is the creation of the labors of coal miners and the contributions made to the fund by operators are of a type known today as "fringe benefits."

#### COULD OPEN A DOOR

"Persons intended to be benefited rendered the creation of the fund possible by working for employers who made contributions. They furnished a consideration for the payments. The result is that, unlike in a charitable trust, members of the class (miners) have a legal right to benefits," Holtzoff said.

If the judge's opinion is upheld by higher courts, it very possibly will open the door to many similar suits from others whose complaints are not unlike that of Shelby Collins.

Complaints coming in to Rep. Hechler's office indicate that the discontent is widespread and the grievances many. Most letter writers criticize the union and the fund for shedding themselves of responsibility for those it once undertook to support.

The fund (by law separate from the union) was established by an industry-union agreement in 1946. One of the agreement's provisions called for a health survey in the coal regions of the nation.

When revealed in 1947, the results, which indicated primitive health and medical fa-

cilities where miners lived, shocked many people. By 1948 the fund had already opened 10 regional medical offices around the coal fields and, a bit later, a major rehabilitation program began.

Then in 1952 the fund announced it would construct 10 ultra-modern hospitals in the Appalachian region of Kentucky, Virginia and West Virginia to provide medical care to miners and their families.

The hospitals, built at a cost of \$30 million, were opened in 1956. Six years later, however, the fund announced it was going to have to close or sell the hospital chain because of economic problems.

They were sold to private operators—at an estimated loss of some \$16 million, which had to be made up from the fund's ton-royalty receipts.

During all those years, however, the fund's trustees were systematically reducing payments, cutting back benefits and changing eligibility rules.

The bitterness that created was brought to a peak with the hospitals' eventual change of hands, which resulted in the lifting in the early 1960s of hospital benefit cards held by thousands of persons.

Prior to 1953 an applicant to the fund could count any time in the mines toward his 20-year required total for retirement. The rule was changed in 1953, excluding many men who could no longer count their early work years as pension credits.

#### SOME 30,000 CUT OFF IN 1 YEAR

In 1954, some 30,000 disabled miners and dependents were cut off from cash benefits the fund paid them. Some 70 per cent of these were totally disabled and had no other income.

That same year 24,000 widows and children were cut off from maintenance benefits. In 1960 thousands more were told they could receive no more hospital medical benefits because they were not on pension, were no longer working or had not been employed in the mines during the previous year.

Then to confuse matters more—and more deeply embitter those who had already suffered—the trustees said in 1965 that, henceforth, active miners would no longer have to meet the stringent regulation on qualifications set down in 1953.

The effect of this was to reward younger miners, allowing them to quit at an earlier age and receive better benefits. It also had the effect of frustrating many others who had been adversely affected by the 1953 eligibility crackdown.

The fund is now reaping the harvest of that bitterness in the form of the court suits (in addition to the Collins case, others are pending) and in the form of criticism by the Hechlers and the Naders.

#### MANY-FACED CRITICISM

The criticism has been aimed at the fund's financial entanglement with the union itself, at its seemingly poor record of return on investments, at high salaries paid to fund officials and at the seeming arbitrariness of trustees' decisions.

Some of the specific points, raised by Hechler and Nader include these:

The 40-cent per-ton royalty collected by the fund has not been increased since 1952. Since that time, however, production has vastly increased and the coal industry is taking in record profits.

The fund's resources are deposited in the National Bank of Washington, which is controlled by the union. The fund is deprived of more than \$3 million in interest because, at last accounting, about \$70 million was kept in a checking account that draws no interest.

The union controlled bank is allowed to use some \$50 million more of fund money in interest-bearing time deposits. The bank also manages a separate \$16 million retirement fund for UMW officials and employes, al-

though bank management is not applied to the much larger retirement fund of the miners.

The fund has invested something more than \$44 million in common stocks, entirely in public utility companies. Yet the fund's last published audit shows the common stock portfolio was worth only \$90,000 more than was paid for it—small return on such an investment accumulated over a decade or more.

Fund and union officials benefit from excessively high salaries and a plush retirement fund of their own. UMW president W. A. Boyle, for example, makes \$50,000 yearly and he will retire at that rate. A rank and file miner can expect to retire on \$1,380 per year.

Fund trustee-director Josephine Roche, a confidante of John L. Lewis (who serves as a trustee at no pay), receives a \$60,000-a-year salary. A third trustee, Henry G. Schmidt, of the North American Coal Corp. of Cleveland, draws a \$35,000-a-year salary.

Hechler notes that 37 fund employes draw salaries of \$20,000 or more a year. His point, he says, is not to criticize the salaries, but "to raise the question as to whether it would not be possible at these salaries to hire individuals of the competence to explain clearly to the beneficiaries of the fund and to the American people the nature of the income, investments and benefits and why the rules seem to be arbitrary and unfair."

#### UNION MAKES FORMAL REPLY

Both the fund and the union have been extraordinarily reluctant to comment publicly about the allegations made by Hechler, Nader and others.

After initial "no comment" replies to the recent charges, fund officials, through the latest issue of the UMW Journal, responded with a two-page "look at the record" aimed at union readers of the paper.

The reply was a formal statement dated April 18 and signed by Miss Roche, fund counsel Welly K. Hopkins (salary, \$50,000 per year) and comptroller Thomas F. Ryan Jr. (salary, also \$50,000).

These officials point out the undeniable good brought about by the fund's administration of more than \$2.8 billion in royalties received over the years. But the reply is not likely to quiet the critics.

As Rep. Hechler put it, "The gnawing questions remain." He thinks that only a full-scale congressional investigation can clear the air.

#### SAVE LAKE OKEECHOBEE

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

Mr. ROGERS of Florida. Mr. Speaker, one of America's largest fresh water lakes, Lake Okeechobee in southern Florida, is being threatened by a proposal to mine limerock. The value of this material underlying the 700-square-mile lake is estimated to exceed \$1 billion. But the loss of this priceless natural resource, the fish and wildlife which are dependent on it, and the possible damage to the water supply of most of southern Florida cannot be calculated in dollars and cents.

Apparently, the State of Florida entered into a lease including Lake Okeechobee over 20 years ago. A recent court decision on the lease, which the State felt was restricted to oil, indicates that all minerals are included.

The issue of the old lease, and any financial damages due the company from

the State, must properly be determined by the courts.

In the meantime, there can be no question of the damage to all of south Florida if the U.S. Army Corps of Engineers permits the company to mine limerock from the lake bottom.

Although the company had applied for a permit to mine the lake bottom many months ago, the Army Engineers suddenly decided to proceed with a public hearing on the permit request even though the State of Florida opposes action on the permit.

The Jacksonville district engineer adopted a policy more than a year ago, consistent with good Federal-State relations, which provided that the Army would not proceed with hearings on any matter of particular interest to the State of Florida, until after the State had had an opportunity to act. Florida has not acted on the application to mine limerock in Lake Okechobee.

Yet the Jacksonville district engineer issued a public notice for comment on the mine permit with just 30 days notice to all parties concerned, the minimum time allowed. In the notice, it was indicated that this was to be an exception to the understanding between the State and his office, because of a high degree of public interest.

The State, through its elected Governor and its elected attorney general, has requested full particulars as to why the Federal-State understanding was not complied with in this matter.

I asked the district engineer for an explanation, and he replied that he did not consider this case an "exception" from policy, but rather it "deviated" from policy.

But the people of Florida still have not been told why. I asked the district engineer a second time, and was advised that the Jacksonville office acted on the direct orders of the Secretary of the Army.

The people have a right to ask why the Secretary of the Army interested himself in this mining permit, with the known opposition of many Floridians including the State Government.

The Army Engineers intend to go ahead with a hearing on June 12.

At my request the chairman of the House Fish and Wildlife Subcommittee has requested full particulars on the hearing from the Chief of Engineers, and the Secretary of the Interior. Perhaps their replies as to why this hearing was scheduled in spite of existing memorandum of understanding dated July 13, 1967, between the Department of the Army and the Department of the Interior on conservation questions, the spirit and intent of section 2 of the Fish and Wildlife Coordination Act and the standing procedures of the Jacksonville district, will provide some of the answers needed.

But in the meantime, we must assume that the hearing will be held as scheduled on June 12. I have requested that any such hearing be held in West Palm Beach, Fla., so that those most affected can be heard.

If the hearing is so that public opinion might be heard, as the Army now insists is the case, I would urge every American interested in the conservation of our vanishing natural resources to let the Secre-

tary of the Army know of their feelings. It is urgent that they do so at once, since the hearing is only a few weeks away.

I will have some more to say about this serious matter, and will include information about the lake and its importance to fish and wildlife, and people in the area, soon.

#### MISFITS NOT BEING PROSECUTED

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

Mr. ANDREWS of Alabama. Mr. Speaker, I received a letter yesterday, which I am sure each Member of this House received, which was addressed to the President at the White House, and Members of the U.S. Senate and Members of the U.S. House of Representatives and Governors, dated May 11, 1969. It came from Baileysville, W. Va.

I do not know the young people who signed this letter, but there is something to think about and I would like to read it to the House:

BAILEYSVILLE, W. VA.,  
May 11, 1969.

The President,  
The White House,  
MEMBERS U.S. SENATE,  
MEMBERS, HOUSE OF REPRESENTATIVES,  
GOVERNORS.

MOST HONORABLE REPRESENTATIVES: As members of an experimental class in junior high school, we have become disturbed as we try to analyze the trends of the times, and try to visualize what our college life will be like four short years from now, if there are any colleges by that time.

It is difficult to understand how our elected representatives can remain passive and indifferent as they witness college administrators, spineless and gutless, condone the actions of subversive groups on our campuses.

It is sickening and perplexing, in free America, to witness Communist-inspired, foul-mouthed, SDS dissidents taking over our educational institutions. It is strange, indeed, that pistol-packing, stone-throwing, knife-wielding, chanting misfits can disrupt so many institutions and so few seem concerned.

Where are our red-blooded Americans?

Sincerely yours,

Marcia Vance, Donna Aliff, Carolyn Harless, Kathy Cooper, Debbie Atwell, Robbie Hodges, Melinda Vance, Glenn Bailey, Betty Lusk, Darlene Thehl, Therese Newcomb, Robin Mitchell, Pam Morgan, Kathy Jackson, Kathy Hatfield, Valerie Blankenship, Rhonda Allen, Robin Echarad Tony Haight, Danny Cooper, Cynthia Thebb, Patricia, Ross, Mary Burks, James Morgan, Jody Cook, Debbie Rose, Linda Atwell, Members, the Frontier Room, Baileysville Junior High.

Mr. Speaker, we have plenty of laws on the books and those who are charged with the responsibility of enforcing those laws are letting these misfits get by without being prosecuted.

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

#### CONDITIONS ON OUR COLLEGE CAMPUSES

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

Mr. NICHOLS. Mr. Speaker, on the

first page of the Sunday Washington Post, Secretary of Health, Education, and Welfare Robert Finch was quoted as saying that the cause of the rioting on our college campuses today was the colleges themselves. It disturbs me greatly that a high official such as Mr. Finch would in effect encourage a continuation of this lawlessness through statements of this nature.

Now those who look for an excuse to riot can point to Mr. Finch's statement and say that they are justified in their actions. Other high officials now in the Government have also made statements to the effect that a cutoff of Federal funds to students and faculty members who participate in or encourage the disruption of school activities is not the answer to this problem.

Whether it is the answer or not, the Congress has an obligation to the taxpayers to see that these funds are not used for revolutionary purposes. As a co-sponsor of this cutoff legislation, I hope it will be brought up for action very shortly. I also hope that Mr. Finch and other Federal officials will cease their statements which can only serve to further inflammation of the conditions existing on our college campuses today.

#### THE SUPREME COURT—REFINEMENT IMPERATIVE

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, nine men compose the U.S. Supreme Court—nine political appointees, few with any judicial experience—who have arrogantly usurped power and propelled themselves into a self-serving cult of untouchables.

Since 1954, the Supreme Court has departed from interpreting the law and pursued a course of using the Court for promotion of social and political change in American life. The effect of these changes over the last 15 years are evident in the crime rate—riots—violence—immorality.

Abe Fortas has now been exposed in accepting an under-the-table \$20,000 fee from the criminally indicted president of a tax-free foundation. Earlier Fortas had admitted accepting large honorariums to lend the prestige of his position as a guest lecturer.

Earl Warren has demonstrated his blatant disrespect for the constitutional separation of powers by taking junkets to foreign countries as a paid agent of the State Department, a department of the executive branch, accompanied by his wife. Mr. Warren has also made appearances for pay from organizations and foundations of questionable activities.

William Douglas—an admitted anti-Vietnam peacenik, and biased against all military people—has turned up as the paid president of the Albert Parvin Foundation of California, which contributed to Mrs. Abe Fortas \$16,000 in legal fees in 1966 to evaluate the foundation's tax-free status.

Last Friday, Justice William Brennan, speaking at a Council of Judges on Crime and Delinquency here in Washington, D.C., bluntly told Congress—and through

us, the American people—Congress has “no power” to alter the Court’s rulings curbing police power in criminal cases.

Four of the nine men on the Supreme Court have clearly exhibited such prejudice and bias against constitutional government and arbitrary personal discretion that they have disqualified themselves from the requisite of impartiality to dispense justice.

Not only must Abe Fortas resign or be removed, public confidence in the High Court cries out for removal of Warren, Douglas, and Brennan.

The U.S. Supreme Court must become a hall of temperate justice. If the Supreme Court is to be respected as the highest court in our land, only the most dedicated and highest caliber of experienced, honest judges should be selected for the positions and permitted to remain.

I include several news articles at this point:

[From the Washington (D.C.) Evening Star, May 10, 1969]

**DOUGLAS FOUNDATION CASINO SALE NOTED**  
Tax records for 1967 show a Los Angeles foundation of which Supreme Court Justice William O. Douglas is president gave up its interest in a Las Vegas hotel and gambling casino for \$101,340.

The tax records were checked after the Los Angeles Times said yesterday there was a “link” between the Albert Parvin Foundation of Los Angeles and the wife of Justice Abe Fortas.

Life Magazine disclosed earlier this week that Fortas received, and then returned, a \$20,000 fee from a different foundation, the family foundation of financier Louis E. Wolfson.

Douglas has been associated for years with the Parvin Foundation. That relationship led to criticism of Douglas three years ago, when it was revealed the foundation pays Douglas \$12,000 a year as its only salaried officer, president and director.

The 1967 tax returns for the Parvin Foundation showed it added \$101,340 to its tax-exempt assets from the sale of its interest in the “custodian accounts” of the Hotel Flamingo in Las Vegas. Presumably, that referred to a part ownership in financial assets of the hotel and casino.

Fortas’ wife, Mrs. Carolyn Agger Fortas, was retained in November 1966 by the Parvin Foundation, according to the Los Angeles newspaper, to evaluate its tax-free status. Mrs. Fortas is a tax lawyer with the firm of Arnold and Porter, her husband’s former firm. Although her fee was never disclosed, the 1966 Parvin Foundation returns list “miscellaneous expense—professional fees—\$18,058.”

Parvin was a partner in Parvin-Dohrmann Co., a hotel supply company which owned three casinos in Las Vegas. The foundation’s 1967 returns showed it owned about a half million dollars’ worth of that stock.

The 1967 Parvin foundation return was the most recent one filed. Parvin’s 1968 return must be filed by next Thursday.

The Los Angeles Times story, discussing “links” between the Douglas and Fortas foundation situations, said Parvin was a “co-conspirator” in a stock manipulation case involving Wolfson and his construction firm, Merritt-Chapman & Scott Corp. Wolfson and other defendants—Parvin was not a defendant—were convicted of obstructing a government investigation into the Merritt-Chapman manipulations.

The government had charged that this obstruction was the result of a conspiracy, in which Wolfson and Parvin were involved.

[From the Washington (D.C.) Evening Star, Apr. 10, 1969]

**WARREN HITS EFFORTS TO CURB COURT’S POWER**  
(By Lyle Denniston)

Chief Justice Earl Warren has rebuked congressmen who tried to take away some of the Supreme Court’s powers, telling them: “A free people require a free judiciary.”

Warren’s comments in a speech here yesterday, marked the second round of criticism he has aimed at Congress in the last month.

A few weeks ago he bluntly accused the lawmakers of depriving the high court and lower courts of the full amount of money they need to do their work.

Yesterday’s speech, which was oblique and indirect compared with the earlier one, appeared to be an answer to the effort in Congress last year to deprive the justices of some of their authority to decide criminal law issues.

When Congress attempted to include these curbs in the new anticrime law, the effort was beaten but only by narrow margins.

Warren’s response came indirectly as he used the historic figure of Daniel Webster to make his point. The chief justice was speaking at a ceremony marking the anniversary of an 1819 Supreme Court decision in a case in which Webster was the winning lawyer. The case upheld the royal charter of Dartmouth College and laid the basic foundation for much of American Business law.

Warren recalled that Webster, as a member of Congress, had been “stern and unswerving—in his opposition to legislative attempts at retaliation to unpopular Supreme Court decisions. The chief justice praised Webster for his “tireless effort to protect and sustain the independence and the integrity of the federal courts, and their authority to give meaning to the language of the Constitution.”

After quoting Webster as saying that the judicial power was “essential and indispensable to the very being of this government,” Warren said that those “underlying premises” remain valid today.

The chief justice also returned to his earlier theme that adequate facilities must be provided for the courts so they could handle what he called a “litigation explosion.”

He commended lawyers who work without adequate pay in handling unpopular criminal cases and said these lawyers “can rightly insist that there be an allocation of public resources” to attain the “goal of equal justice under law.”

Defending the advances the high court itself had made in the field of criminal law, Warren said the result has been to add a “civilized aspect to our society.”

[From the Washington (D.C.) Evening Star, May 9, 1969]

**BRENNAN DEFENDS POLICE CURBS**

Supreme Court Justice William J. Brennan Jr. has bluntly told Congress it has “no power” to alter the court’s constitutional rulings curbing police power in criminal cases.

Defending those rulings without exception, Brennan said in a speech here last night that the Constitution does not authorize Congress “to restrict, abrogate, or dilute” the Bill of Rights “as judicially constructed.”

His remarks appeared to be an answer to the rising tendency in Congress to consider laws that narrow the scope of the high court’s controversial protection of the rights of the criminally accused.

The lawmakers did just that in a key section of last year’s federal crime control law.

Brennan’s retort, besides relying on the clauses of the Constitution, drew on an 1875 law passed by Congress itself, enlarging con-

siderably the power of federal courts to hear appeals in state law cases.

By that law, the justice said, Congress put federal judges deeply into the “area of individual rights.”

Coupled with laws enacted in 1866 and 1871, Brennan added, Congress “deliberately and carefully chose to leave to the federal judiciary the primary task of defining” the constitutional clauses requiring states to observe “due process” and to give all their citizens “equal protection” of law.

Those two phrases are the ones upon which the high court has relied in recent years in requiring state and local police and prosecutors to obey the Bill of Rights safeguards for suspects in criminal cases.

“Congress saw,” Brennan declared, “that to accord state and local governments immunity from effective federal court review would be to risk that the great guarantees would become nothing more than rhetoric.”

Conceding that the court’s decisions require police, prosecutors and judges to “work harder,” the justice said:

“The convenience of prosecutors, police officers and judges can never be the basis for the slightest diminution of rights secured by the Constitution.

Brennan said he had “distinctive reservations” about the view that criminals were encouraged to break the law because of court rulings. He contended that there is “growing recognition” that rising crime rates could be explained by “long neglected social conditions which breed crime.”

He also dismissed arguments that court rulings freed criminals on “technicalities.” This he said, “could not be more in error.”

“The guilty criminal in any of these cases rarely escaped his just punishment,” Brennan argued. “These decisions required new trials, not the release of the accused.”

He also attempted to answer the criticism that the courts rulings had intruded into areas that should have been handled by Congress and state legislatures.

“When cases brought these problems to the court it was hard to find either congressional or state legislation enacting affirmative measures to improve criminal procedures for enforcing these guarantees.”

He said it was not a choice between having the Supreme Court or the political branches do something about “indefensible inequities.”

“All too often,” Brennan said, “the practical choice has been between the court doing the job or no one doing it at all.”

Besides, he said, history and custom support the view that the Bill of Rights guarantees were to be applied by “the judicial branch.”

Brennan spoke here at a “Council of Judges” meeting sponsored by the national council on crime and delinquency.

[From the Washington (D.C.) Evening Star, May 12, 1969]

**THE CONSTITUTION AND JUSTICE FORTAS**

(By David Lawrence)

Proposals are being made by some members of Congress calling for the impeachment of Justice Abe Fortas of the Supreme Court. But the Constitution limits the impeachment power of Congress solely to “treason, bribery, or other high crimes and misdemeanors.”

A different section of the Constitution would have to be invoked, as there is no proof that Mr. Fortas engaged in any acts covered by the above phraseology. “Life” magazine, in its article exposing the affair, says no evidence of bribery was found. Mr. Fortas received a fee of \$20,000 for services to a charitable foundation created by Louis Wolfson, but returned the payment when Mr. Wolfson was indicted in a stock-manipulation case. He was later convicted and now is in jail.

Justices usually disqualify themselves from sitting on any matter coming before

the court that, directly or indirectly, involves their family or relatives, former clients or personal investments. Mr. Fortas declares that he did not participate in any way in the Wolfson case.

Congress, however, does have a broad power which could bring about the removal of any justice who has committed an indiscretion that casts a shadow on the prestige of the court of which he is a member. The Constitution says:

"The judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior."

No mention is made of "life tenure," and no definition is given of "good behavior." But it may be assumed that, once the Senate has confirmed an appointee, the upper house has a right to terminate his service provided the president also decides to declare a vacancy. If, for instance, the Senate and the president concluded that a judge had violated the concept of "good behavior," the passage of a resolution concurred in by the president might well be regarded as a logical assertion of constitutional power.

"Good behavior" could be construed to cover any personal action which would be deemed an impropriety. This is something which may be considered by the Judiciary Committee of the Senate in connection with a thorough inquiry into the facts and circumstances surrounding some alleged "misbehavior" on the part of a justice.

Should justices, for example, accept lecture fees from organizations involved in controversies about public affairs? Should anyone on the bench make any address discussing specific decisions or rulings of the courts? Should any judge sit on a case which involves, directly or indirectly, his past connections with a law firm or business? These are points on which a comprehensive investigation and report by the Senate Judiciary Committee would certainly prove helpful and might tend to prevent such errors from being committed.

For Justice Fortas is not the only member of the federal judiciary who at one time or another has accepted money for lecturing or for the performance of duties outside the court, and there has been some discussion in the press and in Congress about them. Also, Justice Fortas, when nominated for the chief justiceship by President Lyndon B. Johnson last year, was criticized for having sat in conferences with Mr. Johnson on some governmental matters while serving on the bench, though he received no fee.

The judicial branch is supposed to be completely separate from the executive branch of the government. However unwise or mistaken Mr. Fortas might have been in acting at times in the role of personal adviser to a president, there is no precedent for a reprimand or penalty.

Certainly, even if no adverse conclusions were reached by the committee concerning the behavior of Justice Fortas, the proceedings would clear up doubts as to what Congress thinks is proper or improper, and judges could be guided thereby in the future.

There is a widespread feeling in Congress that Mr. Fortas and other justices have been doing things off the bench that are not consistent with the dignity or prestige of the highest court in the land and that the President and the Senate should at least take some steps to define what is not considered to be "good behavior."

#### ABE FORTAS AN EXPERIENCE IN INTRIGUE

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

Mr. RARICK. Mr. Speaker, there are continuing developments over the Abe Fortas issue.

In a little-publicized news release over the weekend, a few Americans learned that Life magazine—responsible for exposing Justice Fortas—is the defendant in a \$6 million libel suit brought by Michael J. McLaney, a casino operator in Miami Beach, Fla.

While the court of appeals in New Orleans entered a judgment for Life magazine, the plaintiff is appealing to the U.S. Supreme Court where the matter could possibly have come under the judicial influence of Justice Fortas.

Was the Life magazine exposé of Fortas and Wolfson a journalistic technique to set the stage for recusation of Justice Fortas to excuse him from participating in the libel case should there be any further proceedings in the Supreme Court? We are reminded that Mr. Wolfson's offer of the \$20,000 fee also occurred in the State of Florida.

It is also widely reported in Washington that Fortas' former law firm where Mrs. Fortas practices law has opened a new account for Ling Temco Vought in connection with an antitrust lawsuit brought by the Justice Department against L.T.V. The word is around as to who the "fixer" is. But in this latter instance, of course, technically it was entirely proper to tender a fee to Mrs. Fortas at Justice Fortas' former law firm.

Mr. Speaker, I include a clipping from the Sunday Advertiser-Journal.

#### HIGH COURT TO RULE SOON ON MAGAZINE LIBEL CASE

WASHINGTON.—The Supreme Court soon will have to deal with a libel charge against Life magazine, which has raised questions about Justice Abe Fortas' conduct.

In the case, already docketed, Life is the defendant in a \$6-million suit brought by Michael J. McLaney, a casino operator who lives in Miami Beach.

The suit is based on McLaney's claim he was tied to "the mob" in a Feb. 3, 1967, article titled "The Scandal in the Bahamas."

The U.S. Circuit Court in New Orleans entered a judgment for Life's publisher, Time, Inc., last January but McLaney is appealing to the Supreme Court for reversal.

Life set new controversy swirling about the court last week with disclosures that Fortas was tendered a fee by the family of industrialist Louis E. Wolfson in 1966.

Fortas said he was given a fee to do some writing for the foundation but returned it after deciding he did not have time to do the work.

#### LEGISLATIVE REORGANIZATION

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

Mr. SCHADEBERG. Mr. Speaker, I have cosponsored and support H.R. 11103, the Legislative Reorganization Act of 1969, which is now before the Committee on Rules. I am submitting to the chairman of the committee my own additional recommendations in this matter for his serious consideration. These suggestions are directed to making our legislative program less erratic, to providing for meaningful time in the district to be able to discuss legislation with our constituents before it reaches the floor of the House, and to providing specific times at which the Congressman will be in the district for appointments and discussions with his constituents.

I urge my colleagues in this House to review these recommendations and to join with me in pressing for early action on these proposals.

In outline, there are my suggestions:

First. With the exception of the month of January, there would be the legislative calendar on the first 21 days of each month, Saturday and Sunday excluded. The House would be in session from noon until 5 p.m., Mondays through Fridays.

Second. Sessions each day shall be adjourned before 5 p.m. if legislative business does not require the full 5 hours. Session may be extended beyond 5 p.m. by consent of the Members. If such consent is not given, unfinished business will be the first matter of business on the next legislative day.

Third. Sessions may be held on Saturday of legislative weeks by consent of the Members.

Fourth. From the close of the legislative month—at the end of the 21st day—until noon of the first legislative day in the following month, Members will be expected to return to their districts for such activities as they deem necessary to fulfill their responsibilities as Representatives of their districts.

Fifth. The present rule permitting deduction from pay if not present at a legislative session will be enforced unless, as in the case of sickness or official business, the Member is excused by the Speaker of the House.

Sixth. In even-numbered years Congress will stand in recess from the close of the 21st day in October until the Monday following the day of the general election.

#### PROTEST OVER SOVIET ANTI-SEMITISM

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

Mr. PELLY. Mr. Speaker, on behalf of my constituents and myself, I protest the continued attitude and active discrimination against Soviet Jews.

As an example of the campaign of hate, let me cite a new book entitled "Judaism and Zionism," by Trofim Kichko, which contains anti-Semitic slanders of the Stalinist era.

How can there be peace in the world when a powerful nation such as the Soviet Union condones and practices racial hate and seals its borders to those Jews who would seek their freedom by emigrating to Israel?

#### THE PRESS SHOULD TELL THE REST OF THE STORY

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

Mr. PELLY. Mr. Speaker, the last Congress passed legislation—the so-called ethics bill—under which Members of the House were required to file statements of financial interests and associations with the Committee on Standards and Official Conduct.

Well, lately, the newspapers have been listing information contained in these reports of financial disclosure.

This is well and good, but several newspapers I have read have inferred there

is something wrong if you hold certain investments in a company which is regulated by the Government, such as a bank. And, in no cases have they referred to House rule 8, adopted in 1789, which indicates that a Representative is not required to vote if he has a direct personal or pecuniary interest in the legislation being considered.

I think in such an instance it is proper to vote "present," under most circumstances, but definitely it is up to one's own conscience to decide if any conflict of interest exists.

For example, I recall one Member of Congress telling me that his wife owned stock in a bank which would be affected by legislation on the floor. In this case, this particular Member said it was not a good bill and he was voting against it and his wife's bank's interest.

The point is, however, the procedure for avoiding conflict of interest is available, and I think it would be helpful if the press would report in such a way as to avoid any insinuation that it is improper for a Member of Congress to own stock or to serve as a trustee or director of a business concern.

#### GALLUP POLL ON PRESIDENT NIXON'S PERFORMANCE IN OFFICE

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

Mr. ANDERSON of Illinois. Mr. Speaker, over the weekend I had the opportunity to peruse the latest findings of the Gallup poll in regard to the Nation's assessment of President Nixon's performance in office. It was most heartening to see from the Gallup poll's results that those who approve of President Nixon's performance in office outnumber those who disapprove his performance by a ratio of better than 7 to 1. I believe that this is a remarkable accomplishment when one considers the pressing problems passed onto this administration after all the verbosity and rhetoric of the past 8 years. I believe that we should give credit where it is due; and President Nixon deserves our gratitude for breaking through the credibility gap which for so long has plagued the relationship between this Nation's Government and its people.

One of the more significant results of the Gallup poll survey, in my opinion, was the response of the Nation's youngest voters in answer to the question: "Do you approve or disapprove of the way Nixon is handling his job as President?" Respondents within the ages of 21 to 29 years voiced approval of the President's conduct in office by an overwhelming majority, with only 9 percent of this age group expressing disapproval.

In fact, the polls indicate that the Nation's young are the President's strongest supporters. Forty-five percent of this age group have actually changed their opinion of the President for the better since he came to office, despite the fact that the President has had to make so many difficult decisions.

Mr. Speaker, as an American I am heartened to see that our new President has won the overwhelming acceptance

and approval of the American people through his judicious conduct in office. He has replaced flamboyance with prudence, temperance, and hard work. And the American people are responding to this sort of leadership enthusiastically.

As a Republican, I am pleased to see that the President has made his gains in acceptance where they are most needed—among the young, among the educated and critical, and among the independent voters. I personally extend my congratulations to the President at this time when the Nation stands in need of a leader who is able to gain the broad acceptance necessary if we are to heal the wounds which still divide us.

#### OUR COMMON HERITAGE IN THE WEST

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. ANDREWS of North Dakota. Mr. Speaker, Franklin S. Longan, an attorney in Billings, Mont., addressed the Kiwanis Club in that city on April 22 with regard to United States-Canadian relationships. His excellent speech, entitled "Our Common Heritage in the West," is of special interest to those of us who are members of the United States-Canadian Interparliamentary Group, and I commend it to all my colleagues.

Mr. Longan's remarks, I must point out, were called to our attention by the Honorable James F. Battin who only recently deserted the toll and turmoil of this Chamber for the relative tranquillity of the U.S. district court in Billings. He is, I am sure, remembered with respect and admiration by all of the Members on both sides of the political aisle.

I insert Mr. Longan's speech in the RECORD at this point:

#### OUR COMMON HERITAGE IN THE WEST

Let's go back 100 years for a minute or two. Western Canada and Montana at that time were the outposts of our two countries. Our intrepid frontiersmen were lured here by the oldest trade in the world—that is, the fur trade. I didn't say the oldest profession in the world. This trade was so important to the Mother country that the furrer to the King or Queen was called the "Sergeant of the Peltry". At a later time he was known as the "Skinner of the Great Wardrobe". If the Boston Tea Party participants had been reversed the Royal Government would have dubbed it the "Thrower of the Great Party".

#### OCCUPATIONS

The young man coming out west was not looking for an employer. Here he could employ himself as a trader, a fur trapper, a gold miner, a buffalo hunter, a farmer, a livestock man. He not only wanted to face the problems that met him, he wanted to father their solution. The trend of the times was not to the left or to the right, but straight ahead, with some accent upon the guidance from above and a lot of temptation from down below.

#### FREEDOM OF OUR PIONEERS

These men knew one thing, regardless of the fact that they were a multitude of mixed racial, ethnic and religious backgrounds. Even though every man among them could disagree upon every subject that formed a part of their conversation and thinking, they were unanimous in one respect, and their

notions were as fixed as the stars. They were experiencing freedom at its uninhibited best. All of the ingredients in the recipe that made a man free in those days, likewise made governments small, and these ingredients when stirred together and cooked on the camp fire of self-sufficiency ended upon as the "bread of life" to them.

The greatness of Canada and of the United States, in the eyes of those western pioneers, was not measured by its size, but by its ability to grant all of its citizens the kind of freedom which gave people confidence in themselves, and in their ability to cope with the significant perplexities of life that confronted them. Our nations fostered the form of freedom that instilled in the pioneers a fearless approach to the necessities of the day. It was the kind of government that instilled in our forebears the initiative to solve their own problems. Today, I'm worried, when I should have confidence, I'm fearful, when I should be fearless, I'm abstract, when I should be concrete. Aren't you? Our modern painting mirrors our confusion of mind. Today, do we measure greatness in government by these same virtues? I'm afraid not, and isn't it true that we reflect our government's weaknesses? Our irresoluteness in Viet Nam; our tragic acknowledgements at the time of the release of the Pueblo crew; and our guarded tip-toe handling of almost every minor domestic or foreign crisis.

#### DE TOCQUEVILLE SAID

When a forebear of ours meditated on an undertaking, however directly connected it was with the welfare of society, he never thought of soliciting the cooperation of the government, he formulated his plan, offered to execute it himself, and struggled manfully against all obstacles. Undoubtedly, he was often less successful than the government might have been in his position, but in the end the sum of his private undertakings far exceeded all that the government could have done.

De Tocqueville warned us that big government made little people. Little do the bulk of our fellow citizens now realize that the constant swelling of government is a sure sign of our moral sickness. One of the freedoms that our ancestors enjoyed was freedom from government domination.

*Freedom has no capacity to perpetuate itself.* Tom Paine put the truth in a nutshell when he remarked that "Free society is the fruit of our virtues, but government is the product of our wickedness."

Harold Blake Walker said, "That where voluntary character fails, compulsion begins".

Edward Gibbon, in his "The Decline and Fall of the Roman Empire" said: "The frequent and regular distribution of wine and oil, of corn or bread, of money or provisions, had almost exempted the poorest citizens of Rome from the necessity of labor . . . and it was artfully contrived by Augustus that in the enjoyment of plenty, the Romans should lose the memory of freedom".

Mr. Justice Brandeis, Associate Justice of the United States Supreme Court, in *Omstead vs. United States*, 227 U.S. 438, said: "Experience should teach us to be on our guard to protect liberty when the government's purposes are beneficent". Men born to freedom are naturally alert to repel invasion of their liberty by evil minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding."

The limits upon those freedoms were put way out where the pioneers were to have a maximum amount of liberty to pursue their own affairs and not a minimum amount. My government, and I think Canada's, was regarded as the means to protect those rights, and not as a device whereby every individual should be subordinated to a function.

## OUR HERITAGE

The world should know what two great nations can do when they leave obstinacy behind and hold before their respective eyes the great truth that "Those closest to us have first claim on our good will". If it were possible for one nation to act as a brother to another nation, then surely Canada and the United States should so act. Our Mother country was the same. We should not be pro-Canada, and Canadians should not be pro-United States, because our ties are too close for that, and truly to the rest of the world we are too inter-mixed. Our social customs have always been the same. All our forebears were immigrants; our main language is the same; our laws are based essentially upon the common law. We inherited practically the same mass of common traditions and characteristics, and at the time of our own revolution neither Canada nor we had fostered or developed a typical culture or fully developed a social pattern different from the other. We have intermarried and taken the citizenship of the other country with the same pride in our hearts on both sides of the line. We are the same people essentially in dress, custom, habits and outlook. Here on this North American continent is the personification of the brotherhood of nations. "Goodwill is not an empty phrase, nor a lip service statement between us."

Within modern times bad will has never shown itself. Even if we had to go back 100 years to the Civil War days in our own country to find that Canada's sympathies lay with the southern states, it was our feelings that were hurt more than anything else. No overt act of any kind do I recall during those trying days.

When we have had differences with Canada, it was generally at the unimaginative level of officialdom, whereas the true level of understanding is at the level of our Kiwanis Clubs.

It is the powerful force of our common culture that warns us to be mindful of the value of the relationships which have brought us together such as in Kiwanis.

## COMMUNIST DIVIDED COUNTRIES

Think of what it would be like if it were different. We are aware that extremists on one side of the line always breed extremists on the other. Nothing could be more helpful to those who blame all of the world's ills upon us all of the time, and upon Canada part of the time, than to make us view the other with contempt. The ruinous results of the conqueror who knows how to divide peoples of common culture is portrayed by the ghastly spectre of North and South Korea, North and South Viet Nam, and East and West Germany. Nor have we seen the last of this latitude and longitude carving up of nations by war. How great is our task in Kiwanis International to make this peaceful boundary line dominate the scene. How great would be the world's joy, if this same thing could happen between Israel and Jordan—to change blood-letting to blood-giving.

## MODERN MAN'S ONLY FEAR

We now see communism as a villain standing in the wings wrapped in his black cape and twirling his long moustache. We are now color blind to every light except red. We let someone turnoff the green light.

## FRIENDSHIP—LIKE GRAVITY

As between Canada and the United States, we should keep the green light on forever. Our Kiwanis Clubs should direct this boundary traffic of friendship into our daily lives. Our policy toward Canada should be consistent, predictable, and dependable enough to make us respect Canada, and Canada respect us. We should love Canadians more than they deserve. They should feel the same toward us. We do not need Canada's help; we need her friendship. We are a young nation with world leadership. Although Cana-

dians want to give us a kick in our political pants once in awhile, we want a pat on the back too when we deserve it. We need Canada's Northern Lights in the Dark Days ahead.

## FARM PAYMENTS AND HUNGER IN 425 COUNTIES OF THE UNITED STATES

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

Mr. FINDLEY. Mr. Speaker, my special order today will deal with farm payments and hunger in the 425 counties of the United States that are not now receiving Federal food aid for poor people. I mention this at this time because the counties involved do touch a good many congressional districts, and I thought maybe the membership would like to be advised.

## J. EDGAR HOOVER—COMPLETION OF 45 YEARS AS DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

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

Mr. SMITH of California. Mr. Speaker, on Saturday, May 10, 1969, Mr. J. Edgar Hoover completed 45 years as Director of the Federal Bureau of Investigation. I doubt that anyone ever will surpass this record.

Mr. Hoover certainly is a legend in his own time. Few men in public service have enjoyed the great respect which this man commands. His is a personality which transcends the so-called generation gap, for he is held in equal esteem by his contemporaries and by the young people in this Nation.

Perhaps the secret to his success is the fact that he accepted a job, a challenge, and dedicated his life to it. He has not sought fame or greater power, although efforts have been made to thrust each upon him. Instead, he has continued each day to strive to do the best job possible as the leading law enforcement officer in the country. He has never abused the power he has. Objectivity always has been his hallmark.

Mr. Hoover has made enemies. No man in his position could avoid doing so. The criminals do not like him. The Communists and other subversives hate and fear him. Extremists from both the left and right have attacked him. But responsible men and women everywhere know J. Edgar Hoover is a man who can be relied upon to do the job entrusted to him. That is why he has been continued as Director of the FBI for 45 years.

Recently there have been rumors that Mr. Hoover was going to retire on his 45th anniversary as FBI Director. These reports had no basis in fact and could perhaps be traced to the wishful thinking of those few who have long wanted to see him replaced.

Last week Mr. Hoover answered some questions put to him by news services.

Foremost among his comments was the assertion that he had no thought of retiring. It was my privilege to serve as a special agent of the FBI under Mr. Hoover, and I am certainly pleased with his decision to continue.

Mr. Speaker, I would like to include at this point some newspaper articles concerning Mr. Hoover's recent comments to the news services:

[From the Washington (D.C.) Evening Star May 8, 1969]

HOOVER QUASHES RUMOR HE'LL QUIT AS FBI CHIEF

(By William Barton)

J. Edgar Hoover, 74, today squelched rumors he will retire Saturday on his 45th anniversary as director of the Federal Bureau of Investigation. He said he has no plans to step down.

"I have many plans and aspirations for the future," said Hoover. "None of them includes retirement."

"As long as God grants me the health and the stamina to continue, I have no ambition other than to remain in my post as director of the FBI."

Hoover, who told of his plans in written responses to questions, is more than four years past the mandatory retirement age for federal employes—a requirement waived in his case by former President Lyndon B. Johnson and President Nixon.

His reply to written questions was the first since 1964. He has not held a press conference since 1960.

(In a similar letter today to the other major wire service, Hoover told United Press International: "I look forward to many years of sharing in the efforts of law enforcement to make this a safer society.")

Hoover warned against what he called a trend toward giving federal agencies ever-increasing powers.

"I hope the day never arrives when the FBI or any other federal agency," he said; "has powers and authority approaching those of a national police force."

To prevent that from happening, he said, We need to safeguard against encroachments upon the legitimate authority of state and local law enforcement agencies."

Hoover claimed his 5-year-old prediction that Communists would launch a new youth-oriented campaign in this country had come to pass with the emergence of militant New Left student groups.

Although virtually devoid of an effective youth arm of its own," he said, the Communist party has succeeded in penetrating and influencing a number of militant youth organizations—particularly those of the so-called New Left."

He named only the Students for a Democratic Society.

"The Communist party, USA, considers the field to be so fertile at this time, in fact," he said, "that it presently is making plans to start a new youth organization this fall."

## HOPEFUL FOR LONG RANGE

On the subject of crime, the FBI director said he sees no immediate prospect for a reversal in the trend toward huge annual increases in serious crimes but "the long-range picture is much more promising."

As reasons for his optimism, he cited a greater public "awareness of the crime problem and a keener alertness to weaknesses which exist in the administration of justice," and said "the caliber of law enforcement in this country, which has improved tremendously during my lifetime, should continue to improve in the years ahead."

Hoover predicted that better police training programs, better equipment, expanded use of scientific crime detection techniques, and increasingly stronger cooperation among various law enforcement agencies will result

in great strides toward improving the overall quality of law enforcement.

Looking back on 4½ decades on the job, Hoover said in his reply to UPI:

"May 10, 1924, presented a challenge which has stayed with me vividly for the past 45 years. On that day when Atty. Gen. Harlan Fiske Stone asked me to become director of the FBI (then known as the Bureau of Investigation), I sensed the enormity of the job ahead.

"Reorganizing the bureau into what it was originally intended to be—a federal law enforcement agency and not the catch-all for political hacks it had become—would be no easy task."

But Hoover said Stone fully supported his stipulation that political influence would no longer count, "that only persons qualified through education would make up the investigative staff, and that all employees were to be above reproach in character and reputation."

"The standards set then have been the guidelines for the FBI through the years," Hoover said.

Hoover said he was encouraged by "the increasing concern of citizens who are taking more seriously their personal responsibilities in maintaining an orderly society."

"More and more citizens are becoming actively involved in supporting their law enforcement agencies. And this involvement, together with the excellent spirit of cooperation among enforcement agencies across the land, can be a most telling blow against those who would destroy our way of life."

[From the New York Daily News, May 9, 1969]

#### HOOPER, STILL BATTLING, IS GIVING NO THOUGHT TO LEAVING THE FBI

WASHINGTON, May 8.—J. Edgar Hoover, 74, giving no thought to retiring as FBI director, said today the Communist Party remains a threat to internal security and is planning a new drive at American youth.

Hoover said the Communists have "succeeded in penetrating and influencing a number of militant youth organizations—particularly those of the so-called 'new left.'"

"The largest and best known of these is the Students for a Democratic Society."

#### A FERTILE FIELD

He added: "The Communist Party, USA, considers the field so fertile at this time, in fact, that it presently is making plans to start a new youth organization this fall."

Hoover will mark his 45th anniversary Saturday as head of the Federal Bureau of Investigation. He said he has many plans for the future, but "none of them includes retirement."

"As long as God grants me the health and the stamina to continue," he said, "I have no ambition other than to remain in my post as director of the FBI."

Former President Lyndon B. Johnson waived the mandatory retirement-at-70-rule in Hoover's case, and President Nixon has continued the waiver.

#### REDS HAVEN'T CHANGED

On the subject of communism, Hoover remained firm.

"Today," he said, "the Communist Party is as fully dedicated to the destruction of our democracy as at any time in its 50-year history."

Citing "draft card burnings, profane confrontations with law and authority, desecration of hallowed halls of learning in this country," he contended all such acts are treated by the Communist Party "as forms of legitimate protest and dissent."

Here are some of Hoover's written replies to other questions submitted:

Q. With FBI crime reports reflecting constantly increasing numbers of serious offenses, is there any hope for reversing this

trend in the near future? A. I see no prospect of a reversal in the immediate future. However, the long-range picture is much more promising. The public has begun to realize the cold and undeniable fact that our steadily rising crime figures represent not merely an increase in the number of offenses committed, but an increase in the number of victims of crime. This is leading to . . . a keener alertness to weaknesses which exist in the administration of justice.

Q. What are some promising developments in improving the quality of law enforcement? A. Better training programs—including those which will be provided for state and local officers at the FBI's new academy, soon to be constructed at Quantico, Va.—will enhance the skills and abilities of investigative and administrative personnel at all levels of our profession.

Q. Looking to the day when you will no longer be director, do you foresee the possibility that the bureau, under different leadership, might become a national police agency? A. I hope the day never arrives when the FBI or any other federal agency has powers and authority approaching those of a national police force.

[From the New York Times, May 9, 1969]

#### HOOPER, 74, ASSERTS HE WILL NOT RETIRE

WASHINGTON, May 8.—J. Edgar Hoover, 74 years old, said today he had no intention of retiring as director of the Federal Bureau of Investigation.

"I look forward to many years of sharing in the efforts of law enforcement to make this a safer society," he said.

On Saturday, Mr. Hoover will mark his 45th year in the post. In 1964, President Johnson said, "The nation cannot afford to lose you," and signed an executive order waiving indefinitely in Mr. Hoover's case the mandatory retirement age of 70 for Federal employees. President Nixon also asked Mr. Hoover to stay on the job.

A bureau spokesman said today, "The entire F.B.I. is delighted with Mr. Hoover's announcement that he has no intention of retiring."

"The past several years," Mr. Hoover said in a statement, "have witnessed an alarming increase in crime in all areas of the country, coupled with the mounting acts of violence by the new left and other extremists."

"Indeed, the vicious attacks on law enforcement by these elements have posed a crisis for our society. But I have the utmost confidence that the cause of law and order will prevail."

#### WITNESS IMMUNITY BILL

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

Mr. POFF. Mr. Speaker, I take pleasure in introducing a bill to enact the Federal Immunity of Witnesses Act, which embodies recommendations made to the Congress by the National Commission on Reform of Federal Criminal Laws and endorsed for consideration by the President. I am joined in introducing this bill by my fellow Commissioners and colleagues, Congressman DON EDWARDS and ROBERT KASTENMEIER. An identical bill is being introduced in the Senate by our fellow Commissioners from that body—Senators ERVIN, McCLELLAN, and HRUSKA.

This act would replace the more than 50 disparate witness-immunity laws now scattered throughout the United States Code with a single set of uniform provisions in title 18. This is accomplished

by giving the power to grant immunity to identified agencies of the Government to the extent of their jurisdiction, instead of—as it is now provided—keying immunity-granting authority to specified subject matter, such as narcotics, consumer protection laws, and so forth. This change is only a logical and practical extension of modern congressional policy, under which we keep adding immunity authority to new pieces of criminal or regulatory legislation—which accounts for the large number of such laws today. One substantive consequence, of course, will be to avoid gaps in immunity authority.

The uniform procedures require a claim of privilege before immunity is conferred and a considered judgment by the agency requesting or conferring it. This will reduce the possibility that immunity will be improvidently granted. An undue risk that this may happen now exists under some existing laws which confer immunity automatically on a subpoenaed witness.

The authority to grant immunity is given, in effect, to the U.S. attorney, with approval of the Attorney General or other high Justice Department official, for all grand jury or court proceedings. For administrative proceedings the authority is given to the heads of departments, and to those independent agencies and commissions which now have immunity authority by virtue of subject-oriented immunity laws under their jurisdiction. A new feature would require these agencies to give advance notice to the Attorney General of the intent to grant immunity. The act would not limit the congressional power, as in present law, to hearings related only to national security; but the act would retain the requirement that an immunity grant be conferred only upon two-thirds vote of the full committee and that notice be given to the Attorney General.

The act would make a substantial change in the legal effect of an immunity grant. Present laws give the witness what has been called an "immunity bath"—that is, a defense to prosecution for any crime revealed or related to his testimony. Under recent Supreme Court decisions it now appears that testimony can be constitutionally compelled by restricting only its use, either directly as evidence or as leads to evidence, the same consequence now following an illegal seizure of evidence or the coercion of a confession. By giving the immunity grant only the effect required by the fifth amendment, a State or the Federal Government will be free to prosecute on independently obtained evidence.

One other novel feature of the act is the authorization of a prospective immunity order when it can be anticipated before a witness appears at a proceeding that he will claim the privilege, although the order does not become effective until he actually does claim the privilege. This will permit procedural efficiency and economy, and also will go a long way toward alleviating the problems which may arise from requiring a notice of intention to the Attorney General for an immunity grant in an administrative proceeding.

**STOP OBSCENE MATERIAL**

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

Mr. GROSS. Mr. Speaker, today I am introducing, with the gentleman from Missouri, Representative HALL, two bills designed to carry out President Nixon's recommendations with respect to the transportation by interstate commerce of pornographic and obscene material.

The first bill prohibits the use of interstate facilities, including the mails, for the transportation of salacious advertising, with a criminal penalty for those who violate this prohibition by a fine of \$50,000 or imprisonment for not more than 5 years, or both, for the first offense, and a fine of \$100,000 or imprisonment for not more than 10 years, or both, for a subsequent offense.

The second bill prohibits the use of interstate facilities, including the mails, for the transportation of pornographic and obscene materials to minors. Any person violating this prohibition shall be subject to the same criminal penalties as contained in the first bill.

On May 5, 1969, I coauthored a bill designed to carry out another of President Nixon's recommendations which affords protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter. This bill is particularly designed to protect minor children from exposure to such pornographic and obscene matter.

In the light of certain recent Supreme Court decisions, the peddlers of smut in our country are having a field day and they are afforded certain protections under Supreme Court decisions. I vigorously differ with the decisions of the Supreme Court in some of these cases and I am hopeful that this legislation, recommended by President Nixon, has been carefully reviewed by the Attorney General with respect to its constitutionality based upon the present constituency of the Supreme Court.

I urge the Post Office and Civil Service Committee and the Committee on the Judiciary to take prompt action on the pending legislation.

**HOW TO STOP SMUT**

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

Mr. HALL. Mr. Speaker, during the months of May and June 1967, the Supreme Court created another wilderness of chaos in the laws of the land, pertaining to pornography. This 2-month period saw the decisions of the Court reverse 23 of 26 prior State and Federal decisions against pornographic books, films, and magazines. The community standards of 13 States were upset, and eight findings of fact by juries were reversed.

Earlier this year I introduced legislation removing the jurisdiction over pornography cases from the Supreme Court, and giving the decisions back to the people at the State and local level.

On May 2 of this year, President Nixon

sent to the Congress a message dealing with this very subject, in which he outlined proposals to deal with and prevent the spreading of this vile material through the mails.

In an effort to implement the President's proposals, it is a pleasure for me to join with my friend and colleague, the gentleman from Iowa, the Honorable H. R. Gross, in sponsoring legislation designed to put new and more effective teeth into the law.

This bill will prohibit the use of interstate facilities—including the mails—to transport this pornographic material; with a fine of \$50,000 or imprisonment for not more than 5 years, or both, with even stiffer penalties for subsequent offenses.

The second bill would prohibit the use of interstate facilities including the mails to transport pornographic or obscene material to minors.

These bills are in line with the recommendations made by the White House, and are designed to supplement my originally introduced legislation.

**RED CHINA: 20 YEARS OF FAILURE**

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

Mr. ADAIR. Mr. Speaker, only 4 days after it was suggested in the Senate that now was the time for the United States to take the initiative in improving its relations with Communist China and to lead a campaign for the admission of that country to the United Nations, U.S. News & World Report published a detailed report from Hong Kong, which reveals why now is exactly not the time for such diplomatic moves.

Although the article's title contains the word "enigma," I believe the concluding paragraphs are crystal clear as to the chaotic condition and abject failure of Mao Tse-tung's Communist regime:

What emerges clearly from an examination of China in 1969—20 years after the Communists seized power from Chiang Kai-shek—is this assessment:

The party that was supposed to be incorruptible turns out to be full of men who are greedy, ambitious and intent on creating a privileged "new class."

The nation of "blue ants," supposedly dedicated to unity at all cost, turns out to be a nation of men and women who want autonomy at every level—the family, village, county, province and region. Rule from one desk in Peking is but a mirage.

The obedient Chinese turn out to be people who disobey once controls are slackened.

In short, Red China today is not vastly or basically from the Chinas of the past.

Mr. Speaker, simply put, Communist China does not deserve membership in the United Nations, an organization upon which it has heaped abuse and calumny year after year.

Under unanimous consent, I include the article in U.S. News & World Report, entitled "Red China—World's No. 1 Enigma," in the RECORD following my remarks:

**RED CHINA—WORLD'S NO. 1 ENIGMA**

(NOTE.—Communist China, heckling Russia along a common border, acts like a nation leading from real strength. Far from it. The Red, rule a land of bewildering contrasts, and after 20 years in control they haven't managed to alter things much.)

HONG KONG.—Military and propaganda clashes upsetting the long Soviet-Chinese border are forcing the outside world to take another look at Red China.

What is turned up by all the probing remains the world's biggest enigma.

China, after 20 years of Communist rule, has nuclear devices, but no modern transportation system worthy of the name.

It has Asia's largest military machine, by far. But its slow-growing industrial base is still almost primitive.

Its food and agricultural needs are staggering, but most farming still is a matter of using wooden plows and hand sickles. Men and women, not machinery, do the work.

It is a dictatorship, ruthless in many ways. But orders from Peking are more often than not ignored in the countryside.

**MODERN "THROWBACK"**

In short, China seems to be a power that the modern world must deal with. Yet its hundreds of millions of people—nobody knows exactly how many—live more in the eighteenth than in the twentieth century.

Red China has a relatively modern Air Force equipped with Soviet-model jet planes. But Peking has only one commercial airport, from which 70 domestic and 18 international flights are scheduled each week. Shanghai, a metropolis of more than 10 million people, has 22 domestic and 6 international flights each week.

China is a vast land of deserts, mountains and coastal plains slightly larger than the U.S. Yet a single Province, Szechwan—roughly the size of Arizona and Nevada together—has a population of more than 72 million.

In all this land there are but 23,000 miles of railway, almost all of it single track. There are only 350,000 miles of highways; half of the system is clay, lacking hard surfacing.

There is virtually no traffic on the roads. Buses and trucks are scarce in a country that produces about 22,000 vehicles a year—most of them trucks for the Army.

Rivers and canals are jammed with junks and sampans. Those that are powered tow other craft in line, creating the illusion of fat sausage lengths being dragged through watery filth. Those without power rely on sails or the primitive yulo, a large, hand-powered wooden sweep at the stern.

**A PIG GOES TO MARKET**

When a peasant takes a pig or produce to market he uses a pole balanced on his shoulder, or a screeching, wooden-wheeled barrow. Much of China's manufactured goods moves through city streets on carts pulled and pushed by straining men who chant rhythmically to keep their pace steady.

Twenty years of Communist rule have seen steel output rise from a million to roughly 11 million tons annually. But there is neither steel nor cement for new housing. Most buildings, other than factories and government offices in large cities, are made of clay mixed with sorghum stalks, which is plastered on bamboo frameworks. The thatch roof is seen everywhere in the countryside.

A village in China today is not unlike a village of 100 years ago. Streets are muddy in wet weather and choked with dust in dry. Flies may be fewer now than when the Reds took over, and the mangy dogs once seen everywhere are gone. They were eliminated on orders from Peking. But a tiny flock of chickens or a family-owned pig are kept in the house at night, a custom practiced for centuries.

Outside the villages the ancestral graves have been ploughed up, to give the state more land on which to grow food. But ancestral tablets hung in homes are still cherished and offerings of food are made to them on the proper days.

#### OIL FOR THE LAMPS

Some villages have small, diesel-powered generators to produce electricity that lights administrative offices. But most lighting comes from tiny, old-fashioned oil lamps with cotton wicks, or from a saucer with a thin scum of vegetable oil.

Where irrigation is possible, streams and canals are tapped by huge, foot-powered water wheels. In the relatively rich Yangtze River Delta, 80 per cent of the irrigated fields are served by mechanical, not power-driven, pumps.

The farmer lives and works in much the same fashion his ancestors did. It is a life of hard toll, from before dawn until long after dusk. Everyone in the family, from the child not long out of the toddling stage to the aging grandfather, must work. Food rations depend on work points. In the relatively more "liberal" climate of recent years, the family in a commune brigade may grow crops in tiny, privately cultivated plots. The produce may be eaten at home, or sold in the open market.

#### THE DAILY FARE

Breakfast may be a bowl of millet or rice porridge and a dab of vegetable. Lunch, if any, is a ball of cold rice. Dinner is rice, or a mixture of wheat and millet, a bowl of fresh or salted vegetable and a soup made of roots or grasses. Fish or a snarled bird is served occasionally; a slice of pork is a rare delicacy.

Villagers are not much interested in the outside world, not even in happenings in a neighboring Province. But they must listen to the party's radio news service, piped into a loudspeaker outside the village headquarters building. The radio network that blankets the country is largely used to carry official news and exhortations. It, like the press, offers little or no information about sports, arts and science, or light topics. There are no movies in the villages, and few of the party's traveling opera and circus troupes ever reach down to the village level.

In all of China there are only a few thousand TV sets, most of them in party headquarters or public meeting halls in the larger cities. Literally tens of millions of Chinese have never seen a TV show, or even heard about one.

#### PRIMITIVE MEDICINE

Health stations are generally found in large villages and small towns. Attendants have had a touch of medical training. Fully trained doctors are few in the countryside.

"Native medicine," centered on the use of herbs and locally made ointments, is still popular. But public-health measures, even though primitive, are said to be superior to those of 20 years ago.

Life in the cities is more exhilarating, judging from the millions who each year try to flee the land. Even so, most urban dwellers do not experience ease and the comfort of well-paying jobs in industry or in government.

In pre-Communist days, there was time for an occasional family outing—a stroll in the park or an evening at the movies, watching the circus or listening to Chinese opera.

Now the movies are heavily propagandistic—glorifying labor, the peasants, and above all, Mao Tse-tung. Even historical movies must carry a Communist-era "message." The only foreign films come from North Korea, North Vietnam and Albania, and glorify war.

A family may still stroll in the parks, but most of them have been turned into cultural centers that stress "horrors" of the pre-Communist days when feudalism and im-

perialism, the Reds say, were linked to keep China degraded.

#### NO TIME FOR PLEASURE

The best of China's circuses are still superb. So, too, are the operas. But there is far less leisure to enjoy them now than before. Here's why:

A workday in a factory runs 10 to 12 hours or more, and usually the workweek is 6 or 6½ days.

Political meetings, abandoned during the "Great Cultural Revolution" are back in style. Each household must send one member to classes that last one hour in the morning and two hours at night. Each course lasts a month. Then the family must send another member to be enrolled "Graduates" of these courses are required to take "refresher" lessons.

Streets in the big cities seem to have more people, but fewer vehicles, than ever before. Streets and alleys are cleaner. Block "wardens" make certain that housewives collect all litter and sweep away the dust.

Only the elite have refrigerators, telephones, television sets or sewing machines in their homes or apartments. The buildings generally are poorly heated in the winter and there is no air-cooling system other than open windows during the summer.

Peking has more automobiles than other cities in China but they are reserved for government officials, diplomats and foreign visitors. In the capital there are no more than a dozen or so motorcycles. Bicycles are far more common. Possibly one of every 60 residents in the large cities owns one.

Rents are low and food is cheap. But consumer goods are scarce and expensive. A bicycle costs the equivalent of about \$65, or roughly one to three months' pay, depending on the individual's skills. It takes months of saving to buy a radio or a watch. Women not holding down jobs spend much of their time waiting in lines hoping to buy such staples as rice and peanut oil. Soap is always in short supply, as are matches, thread, kerosene, cigarettes and medicine. Customers complain that government-owned stores tend to open their doors after work in factories and offices begins and close before they let out.

Cloth is tightly rationed at roughly 5 yards of cotton material a year for each person. Individuals sell or barter their ration tickets, but those processing them must still find a shop where goods are available. Result is that only the highest-paid factory workers have enough clothing to keep themselves warm.

Low-paid workers wear straw sandals or go barefoot on the job. Rubber sandals and low shoes are popular but relatively expensive.

City dwellers have ration cards entitling them to about 25 pounds of rice, wheat or millet each month. The ration of cooking oil comes to a few ounces a month. Vegetables and fruit are plentiful and cheap during the harvest season but unobtainable at other times. Canned fruits, meat and vegetables are for export only.

A Chinese native, who emigrated to Australia 30 years ago, recently visited his cousin, a middle-level official in Shanghai, and tells this story: The visitor found the family of six living in a two-room apartment, relatively luxurious by present-day standards. The four children slept on the floor of the dining-living room.

Noting that the entire family was dressed in much-patched clothing, the visiting Australian offered his jacket to the cousin, who broke into tears.

"I've wanted a new jacket for three years," he explained. "When you go back, don't send me money. That's not the problem. But if you could spare a little cloth—"

#### THE "INCOMPLETE" MEAL

Dinner was a chicken, taken from a flock the official kept on the roof of his apartment

house. There was also rice, purchased with ration tickets. But the Australian shocked his cousin by asking for soya sauce, the indispensable Chinese condiment.

"There is none, and no one to borrow from," the hostess explained.

Alberto Moravia, the world-famed Italian author, wrote these impressions in "Corriere della Sera" after a recent trip to Red China:

"There is no doubt that what strikes today's traveler in China is the uniformity and leveling of the masses. . . .

"To begin with the question of uniformity, one cannot insist too much on the apparently irrelevant fact that every Chinese citizen, be he man or woman, wears the same type of clothing. Thus, not only have the differences between individuals been abolished, but also the differences between the sexes. . . . To find something in Europe that resembles Chinese uniformity one must turn to the monastic orders.

"As for the leveling of the masses, China today impresses one as a single, immense, poor country whose poverty is respectable and proud, but implacable. Utter destitution seems, it is true, to have been eliminated; nevertheless the style, the color, tone, manner of living and the world view implied by poverty are evident everywhere. . . .

"What are the needs of the Maoist man? Judging by appearances, one can enumerate them as follows: a pair of blue cotton trousers, a white cotton shirt, a pair of sandals or slippers; a bicycle to ride to work; an apartment consisting of a single room shared by the whole family; a limited number of consumer goods such as cigarettes, beverages, soap, toiletries, household utensils; public parks in which to walk, the only nonpolitical form of recreation."

#### READY FOR REDS

The China that Mao Tse-tung inherited in 1949 was tired of war and civil strife, ready to accept rule by Communists who were thought to be incorruptible, to have far-reaching plans for the future and to be able to pull hundreds of millions of peasants out of the misery resulting from centuries of national decline.

Yet China today is a nation of discontent, frustration and envy. Education, totally disrupted by more than two years of frenzied "Red Guard" activities, is still not back at a normal pace. Political indoctrination is considered more important than regular studies. Students are reluctant to return to classes. Some experts believe education has been set back at least 10 years by the "Great Cultural Revolution." The chronic shortage of engineers, scientists, technicians and managers has grown more acute. Disruption of education is paralleled by disruption of family life.

Millions of families have been broken up on orders from the party. Husbands work in one locale, wives in another. The luckier couples may see each other once a year.

#### BACK TO THE FARM

In recent months, possibly 25 million people have been ordered to leave the cities and go to work in the countryside. The exiled include unemployed young bureaucrats, medical workers, even housewives. But also included are hundreds of thousands of men who were being trained to work in planned new factories. They are being ordered to leave simply because the new factories failed to materialize when industrialization plans were cut back.

Evacuation of 25 million from the cities eases the pressure on urban food supplies, and hits at "featherbedding" practices common in Chinese industry. But all this imposes enormous strains on the villages. Few commune brigades have surplus food for the newly arrived. Few of the city workers are physically or psychologically equipped to work with their hands in the fields.

What emerges clearly from an examination of China in 1969—20 years after the Communists seized power from Chiang Kai-shek—is this assessment:

The party that was supposed to be incorruptible turns out to be full of men who are greedy, ambitious and intent on creating a privileged "new class."

The nation of "blue ants," supposedly dedicated to unity at all cost, turns out to be a nation of men and women who want autonomy at every level—the family, village, county, province and region. Rule from one desk in Peking is but a mirage.

The obedient Chinese turn out to be people who disobey once controls are slackened.

In short, Red China today is not vastly or basically different from the Chinas of the past.

#### HUNGER AND FARM PAYMENTS IN NON-FOOD-AID COUNTIES

The SPEAKER pro tempore (Mr. FOLEY). Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, President Nixon's announced program to meet hunger and nutritional deficiencies in the United States is commendable and urgent. It is also an enormous undertaking which will involve unanticipated costs and problems.

In this country 12 million persons are classified as "hard-core poor." This means, for example, a family of four with annual income under \$2,200, or \$550 per person. According to the Department of Agriculture, this family would require \$1,200 annually to purchase a nutritionally complete diet. By the standard so properly set forth in President Nixon's statement, no family should have to pay more than 30 percent of its income for food. Since 30 percent of \$2,200 is only \$660—about half that needed for a satisfactory diet—the new antihunger program must necessarily include all hard-core poor as well as many more.

It may reasonably be assumed that where hard-core poor exist, hunger exists too.

According to President Nixon, there are over 400 counties in the United States which are not now participating in any Federal food-aid program for the poor. The President very commendably has stated his determination that by next July a food-aid program will exist in each of these counties. It is important to recall that Lyndon Johnson, while President, expressed a similar determination but did not succeed.

For some reason, these counties have proved to be strangely but effectively resistant to Federal food aid to their poor, and perhaps this resistance will tend to thwart President Nixon's promise to the poor and hungry. Indeed, Agriculture Secretary Hardin, in testifying last week on the administration's food-aid program, stated:

I want to emphasize—as strongly as I can—that the success or failure of our Federal efforts to eliminate hunger and poverty-induced malnutrition depends heavily on the level of concern and action by states and local communities.

The statistics I am today placing in the RECORD concerning the non-food-pro-

gram counties—425 are actually listed—are revealing. They give important dimensions to the problem and at the same time suggest a way to meet part of the food-aid costs.

They also lead to the embarrassing conclusion that Federal food aid to poor families is deliberately excluded from the very counties where farm production is curbed at extremely high cost to the taxpayer.

Deliberate exclusion of Federal food aid by these counties is a fact. Although limitations exist in the availability to additional counties of the food-stamp program, the direct distribution program, under which 22 items of food can be distributed free to the poor, is immediately available to any county in the United States and has been for years.

That farm production is curbed at high cost in these counties is evident from farm program payments made to farmers. For the most part these payments are made in exchange for agreement not to grow feed grains, wheat, and cotton.

On the face of it, this anomalous situation seems to be an astonishing departure from the Judeo-Christian ethic. Leviticus 19: 9-10 records God's injunction to Moses:

And when ye reap the harvest of your land, thou shalt not wholly reap the corners of thy field, neither shalt thou gather the gleanings of thy harvest. And thou shalt not glean thy vineyard, neither shalt thou gather every grape of thy vineyard; thou shalt leave them for the poor and strange.

Under supply-management Federal programs, farmers receive Federal payments for leaving large acreages of productive land unplanted. In a hungry world, this practice must raise questions of prudence, judgment, and morality. In a country which has prided itself on the bounty of its land only to find that many Americans suffer from hunger and malnutrition, this practice is anomalous and ironic.

But what makes this practice truly astonishing, and directly contrary to that of Biblical days, is that it is so extensive in the very counties which bar poor people from access to free or low-cost food from the Federal largess. It is incredible that these counties, with tax bases swollen by Federal aid capitalized into the wealthy farmers' land values, flatly refuse Federal aid to their poor people.

Why does this incredible practice exist?

Surely not because of a local philosophical aversion to welfare, even Federal welfare. After all, Federal farm payments cannot possibly be explained or justified except as a means of providing income support. Income support is but another interchangeable expression for welfare. And let there be no mistake as to which farmers are receiving the most income support—or welfare—from Federal farm programs. It is not the little farmer. Nor is it the average farmer. Rather, it is the large, often wealthy farmer who receives most of the benefits from farm programs. The top 15 percent of the farmers, with sales in excess of \$20,000 per year, receive almost one-half

of the \$3 billion plus in Government payments each year.

Plainly, the political leadership of these counties finds Federal handouts to wealthy farmers something they can live with, but Federal handouts to hard-core poor something else.

I would hate to think that this deplorable situation is to be explained as reflecting an aversion to poor people themselves. Surely the local leadership in denying Federal food benefits does not purposefully take this means to encourage poor people to move on and take their troubles elsewhere. Out of sight, out of mind, the saying goes.

Nor would I want to think that in areas where poor people are predominately Negro, it might reflect a racial bias.

In many cases, it could well reflect a lack of awareness of the extent of local poverty. Particularly in rural areas poor people are less concentrated than in cities and therefore poverty is less visible.

Whatever the reasons, the policy is completely out of tune with the Judeo-Christian ethic and with America's humanitarian character.

While these statistics are the best available, it is possible that, due to lag in reporting, the list contains the names of a few counties which have very recently put a food-aid program into operation.

Federal farm payments in the larger statistical table—table III—include only those which totaled \$5,000 or more per farm in 1967. Totals in table I include payments of all sizes.

Of the non-food-aid counties, the one whose farmers received the largest total in Federal payments is Lynn County, Tex., with \$8,903,000.

This is especially noteworthy because Lynn showed a population total of only 10,914 with 2,282—nearly 25 percent—classified as hard-core poor.

The number of Lynn County families directly benefiting from the farm payments happens to be about the same as those classified as hard-core poor. Their income from farm payments alone, however, is more than three times the gross income of the poor. This estimate is based on \$1,200 as the national average income of the hard-core poor.

Ninety-nine of Texas' 254 counties exclude Federal food aid to the poor. Of the 99, farm payments totaled more than \$2 million each in 14, and more than \$1 million each in 14 others. Put another way, 28 were million-dollar-plus counties but hardly so viewed by poor people.

Actually, Texas leads the Nation in size of farm payments and in total poor people without access to a Federal food-aid program.

Of \$3 billion in direct payments in 1967 nationally, Texas farmers received \$457 million, which was 15 percent of the Nation's total and more than twice as much as its nearest competitor, Kansas.

Kansas leads the Nation in percentage of counties without a food-aid program for the poor.

Of its 105 counties, 83—79 percent—are non-food-aid counties. Although ranking second only to Texas in total farm payments with \$211 million, the

size of individual payments was much smaller.

While Texas had 53 farmers who got over \$100,000 each, and 278 who got between \$50,000 and \$99,999 each, Kansas had no farmers in the first category and only nine in the second.

Other non-food-aid counties with heavy concentrations of hard-core poor are:

County	Hard-core poor	Farm payments	Number of payees
Tuscaloosa, Ala.	21,409	\$605,000	48
Bell, Tex.	11,732	473,000	68
Bowie, Tex.	11,724	698,000	35
Wharton, Tex.	10,831	1,771,000	195
Fort Bend, Tex.	10,300	1,946,000	158

Non-food-aid counties that are especially interesting in terms of total farm payments are:

County	Hard-core poor	Farm payments	Number of payees
Finney, Kans.	1,382	\$2,862,000	281
Stanton, Kans.	116	2,094,000	165
Harmon Okla.	1,063	2,008,000	195

In citing these facts, I do not mean to minimize the problems which exist in other States. Hard-core poor exist in all States, and even where food-aid programs exist, undoubtedly many families still are not being adequately served.

While my home State of Illinois has food-aid programs in almost all counties, I freely acknowledge that it has unmet problems in hunger and nutrition.

Certainly poverty is not limited to urban areas. Nor are poor people in rural areas predominately Negro. Of 14 million poor people in rural areas, 11 million are white.

These facts suggest a way the Congress can meet part of the cost of the program to meet hunger nutritional deficiencies. A study prepared by the Department of Agriculture at the direction of Dr. John A. Schnitker, Under Secretary of Agriculture under President Johnson, recently concluded that a ceiling on payments to individual farmers would not seriously impair the effectiveness of the commodity programs and would result in budget savings as high as \$300 million annually.

Such a ceiling, at the \$20,000 level, was voted last year by the House of Representatives but subsequently dropped in House-Senate conference. When the agriculture appropriation bill comes up for consideration later this month I will offer a similar amendment. An examination of payments to individual farmers under the various programs must lead to the conclusion that many of these payments are excessive and can be used to more constructive purpose in meeting nutritional needs of poor people.

With these remarks I place in the RECORD three tables. Table I lists the States which have non-food-aid counties, the total number of such counties, and also total farm program payments.

Table II gives data on each non-food-aid county, including the number of hard-core poor, the rank of the county in terms of median family income, and

the number and total of farm payments which exceed \$5,000.

Table III shows by size categories farm payments for each State.

Tables I, II, and III follow:

TABLE I

States	Number of counties without Federal food-aid programs <sup>1</sup>	Farm program payments <sup>2</sup>
Alabama	2	\$89,180,305
California	4	110,289,443
Colorado	3	56,192,011
Florida	2	17,643,379
Georgia	1	77,825,112
Idaho	26	37,069,593
Illinois	8	97,673,527
Indiana	2	77,316,643
Iowa	1	142,839,395
Kansas	83	211,367,759
Louisiana	7	55,463,315
Maryland	2	5,317,123
Michigan	1	56,039,398
Minnesota	17	95,250,735
Missouri	42	115,838,406
Montana	34	68,480,121
Nebraska	29	133,113,432
Nevada	3	1,686,712
New Jersey	3	4,200,894
New York	1	20,214,630
North Carolina	3	61,696,043
North Dakota	6	130,224,183
Ohio	14	70,354,682
Oklahoma	4	111,025,376
Pennsylvania	1	21,191,008
South Dakota	16	65,399,780
Texas	99	457,205,685
Virginia	8	17,581,651
Wisconsin	3	41,226,935
Total	425	2,448,907,276

<sup>1</sup> USDA report for February 1969.  
<sup>2</sup> 1967 payments to farmers; USDA report transmitted to Congress Apr. 8, 1968.

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969

County	MFIR <sup>1</sup>	Population	Hard-core poor <sup>2</sup>	Farm subsidy payments	Number of payees
ALABAMA					
Morgan	1670	60,454	12,243	\$689,000	74
Tuscaloosa	1654	109,047	21,409	605,000	48
CALIFORNIA					
Butte	2532	82,030	4,158	127,000	14
Glenn	2450	17,245	1,266	108,000	13
Mono	2954	2,213	59	5,000	1
San Benito	2610	15,396	1,289	30,000	3
COLORADO					
Douglas	2349	4,816	270	29,000	4
Pitkin	2884	2,381	181	14,000	1
San Miguel	2231	2,944	211	26,000	2
FLORIDA					
Marion	1069	51,616	11,258	14,000	1
Putnam	1386	32,212	6,487	6,000	1
GEORGIA					
Troup	1346	47,189	11,205	21,000	3
IDAHO					
Ada	2801	93,460	4,339	\$88,000	8
Bear Lake	2279	7,148	448	113,000	13
Blaine	2303	4,598	335	50,000	7
Bonneville	2992	46,906	2,560	1,008,000	88
Butte	2697	3,498	245	67,000	9
Camas	1987	917	128	264,000	31
Canyon	1926	57,662	5,883	1,019,000	106
Caribou	2646	5,976	602	534,000	62
Cassia	2259	16,121	1,054	970,000	82
Clark	1512	915	156	101,000	10
Custer	1936	2,996	362	5,000	1
Elmore	2049	16,719	990	171,000	17
Franklin	1781	8,457	969	194,000	26
Gem	1822	9,127	696	19,000	2
Gooding	1636	9,544	1,318	91,000	9
Jefferson	2236	11,672	1,075	263,000	21
Jerome	1731	11,712	1,299	54,000	9
Lemhi	1345	5,816	797	11,000	2
Lincoln	2273	3,686	187	73,000	11
Madison	2574	9,417	898	489,000	55
Minidoka	2198	14,394	1,384	496,000	41
Oneida	1836	3,603	328	424,000	53
Owyhee	1583	6,375	753	98,000	9
Payette	1687	12,363	1,256	75,000	9
Twin Falls	2251	41,842	2,792	354,000	43
Washington	1615	8,378	1,005	193,000	26
ILLINOIS					
Boone	2774	20,326	912	71,000	10
De Kalb	2835	51,714	3,217	233,000	32
Du Page	3123	313,459	6,679	34,000	6
Kendall	2972	17,540	981	42,000	7
Lake	3110	293,656	6,140	110,000	15
Stephenson	2576	46,207	3,589	78,000	9
Winnebago	3038	209,765	9,329	248,000	32
Woodford	2554	24,579	1,586	115,000	13

Footnotes at end of table.

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969—Continued

County	MFIR <sup>1</sup>	Population	Hard-core poor <sup>2</sup>	Farm subsidy payments	Number of payees
INDIANA					
Newton	1963	11,502	1,155	\$164,000	20
White	2153	19,709	1,320	205,000	24
IOWA					
Fayette	1599	28,581	3,979	36,000	6
KANSAS					
Allen	1488	16,386	1,597	62,000	7
Anderson	1249	9,035	1,396	37,000	5
Barber	2286	8,713	596	783,000	99
Barton	2677	32,368	1,751	766,000	103
Brown	1092	13,229	1,699	122,000	18
Butler	2632	38,395	2,012	138,000	21
Chase	1132	3,921	593	37,000	6
Chautauqua	971	5,956	769	11,000	2
Cheyenne	1466	4,708	495	708,000	91
Clay	1544	10,675	859	243,000	39
Cloud	1616	14,407	1,166	467,000	67
Coffey	898	8,403	1,174	45,000	5
Comanche	1546	3,271	355	658,000	83
Cowley	2210	37,861	2,039	202,000	30
Decatur	1400	5,778	615	389,000	55
Dickinson	1848	21,572	1,623	299,000	39
Doniphan	1396	9,574	1,360	105,000	16
Douglas	2423	43,720	47,000	7	7
Edwards	1688	5,118	645	1,141,000	143
Ellis	2328	21,270	1,833	242,000	33
Ellsworth	1658	7,677	641	375,000	52
Finney	2478	16,093	1,382	2,862,000	281
Franklin	1581	19,548	1,708	16,000	3
Geary	1656	28,779	2,538	69,000	10
Gove	1871	4,107	462	945,000	119
Graham	2374	5,586	743	498,000	70
Gray	1791	4,380	642	1,665,000	187
Greeley	2829	2,087	89	1,731,000	151
Harvey	2362	25,865	1,156	362,000	55
Haskell	2624	2,990	173	1,749,000	170
Jackson	1258	10,309	1,507	91,000	14
Jefferson	1665	11,252	1,054	44,000	8
Jewell	887	7,217	987	754,000	103
Johnson	3118	143,792	2,878	60,000	10
Kiowa	2390	4,626	285	653,000	89
Lane	2149	3,060	265	1,153,000	133
Lincoln	1129	5,556	584	402,000	56
Linn	1299	8,274	104,000	11	11
Logan	2293	4,036	197	1,197,000	125
Lyon	1960	26,928	2,486	34,000	4
McPherson	2204	24,285	1,364	530,000	75
Marion	1890	15,143	1,241	181,000	23
Marshall	1413	15,598	2,007	248,000	39
Miami	2189	19,884	1,543	62,000	9
Mitchell	1531	8,866	921	1,043,000	129
Montgomery	2044	45,007	4,123	41,000	5
Morris	1103	7,392	1,164	70,000	10
Morton	2824	3,354	227	965,000	102
Nemaha	1017	12,897	2,448	75,000	11
Neosho	1631	19,455	1,816	60,000	9
Ness	1272	5,470	721	914,000	116
Norton	1522	8,035	857	207,000	31
Osage	1372	12,886	1,290	61,000	8
Osborne	1211	7,506	979	578,000	79
Ottawa	1391	6,779	427	461,000	64
Pawnee	2367	10,254	613	1,185,000	163
Phillips	1380	8,709	1,021	355,000	42
Pottawatomie	1455	11,957	1,840	86,000	12
Pratt	2284	12,122	817	1,007,000	142
Rawlins	2105	5,279	581	523,000	76
Reno	2405	59,055	3,727	1,276,000	183
Republic	860	9,768	1,263	401,000	56
Rice	2202	13,909	579	761,000	110
Riley	2035	41,914	2,641	42,000	7
Rooks	2104	9,734	762	657,000	88
Rush	1938	6,160	753	661,000	92
Russell	2283	11,368	675	526,000	75
Saline	2506	54,715	2,161	388,000	58
Scott	2325	5,228	403	1,789,000	189
Seward	2891	15,930	491	951,000	107
Sheridan	1487	4,267	968	759,000	110
Smith	943	7,776	1,121	494,000	72
Stafford	1765	7,651	599	739,000	100
Stanton	2681	2,108	116	2,094,000	165
Stevens	2904	6,400	250	1,624,000	170
Sumner	2270	25,316	1,214	1,382,000	193
Thomas	2340	7,358	419	1,821,000	193
Trego	1924	5,473	711	453,000	69
Wabaunsee	1016	6,648	1,026	71,000	4
Wallace	1657	2,069	151	1,203,000	112
Washington	* 757	10,739	546	261,000	3
Wichita	2056	2,765	546	1,410,000	158
Woodson	988	5,423	700	16,000	2
LOUISIANA					
Bossier	1899	57,622	10,123	1,058,000	52
La Fourche	1702	55,381	10,088	426,000	30
Ouachita	1733	101,663	20,450	1,015,000	57
Plaquemines	2329	22,545	4,732	10,000	1
St Tammany	1307	38,643	8,900	7,000	1
Terrebonne	2114	60,771	10,453	634,000	21
Webster	1460	39,701	8,877	22,000	2
MARYLAND					
Cecil	2431	48,408	3,939	\$14,000	2
Washington	2338	91,219	7,712	11,000	2
MICHIGAN					
Midland	3029	51,450	3,051	30,000	4
MINNESOTA					
Brown	1868	27,676	3,796	39,000	7
Clay	2670	39,080	2,250	760,000	91
Dodge	1402	13,259	1,664	71,000	9
Fillmore	1328	23,768	4,018	54,000	7
Freeborn	2183	37,891	3,833	219,000	30
Goodhue	2111	33,035	2,913	51,000	7
Houston	1697	16,588	2,687	5,000	2
McLeod	1827	24,401	2,885	10,000	1
Martin	1640	26,986	3,096	222,000	31
Norman	1147	11,253	1,449	257,000	32
Olmsted	2881	65,532	3,647	48,000	8
Rice	2246	38,988	2,698	27,000	5
Steele	2326	25,029	2,122	76,000	10
Wabasha	1917	17,007	1,995	46,000	4
Watonwan	1471	14,460	2,476	109,000	15
Wilkin	1572	10,650	1,490	166,000	24
Winona	2228	40,937	3,316	11,000	2
MISSOURI					
Adair	1110	20,105	2,544	30,000	5
Andrew	1029	11,062	1,528	12,000	2
Atchison	1059	9,213	1,386	430,000	49
Audrain	2139	26,079	2,149	45,000	5
Barton	706	11,113	1,641	91,000	14
Bates	935	15,905	2,287	145,000	19
Boone	2223	55,202	3,347	81,000	10
Calloway	1720	23,858	2,241	34,000	4
Carroll	1035	13,847	2,257	544,000	66
Cass	1935	29,702	2,377	74,000	11
Cedar	512	9,185	1,546	5,000	1
Chariton	622	12,720	2,470	300,000	36
Clinton	1281	11,588	1,536	49,000	7
Cooper	1536	15,448	1,695	112,000	17
Franklin	2128	44,566	3,594	17,000	3
Grunder	848	12,220	1,832	23,000	3
Henry	1106	19,226	2,413	75,000	10
Holt	876	7,885	1,242	371,000	43
Howard	987	10,859	1,761	264,000	29
Jasper	1790	78,863	7,367	55,000	8
Johnson	1343	28,981	2,648	84,000	9
Knox	630	6,558	1,075	84,000	9
Laclede	776	18,991	3,675	11,000	2
Lafayette	1469	25,274	2,216	172,000	22
Lawrence	1044	23,260	3,248	23,000	3
Lincoln	1421	14,783	1,741	37,000	6
Macon	822	16,473	2,543	74,000	12
Miller	953	13,800	2,531	7,000	1
Moniteau	893	10,500	1,613	93,000	11
Monroe	770	10,688	2,232	39,000	5
Montgomery	946	11,097	1,620	89,000	13
Morgan	677	9,476	1,217	5,000	1
Newton	1429	30,093	4,020	38,000	4
Pettis	1584	35,120	3,386	59,000	8
Platte	2814	23,350	1,391	124,000	16
Randolph	1368	22,014	2,337	22,000	3
Ray	1717	16,075	1,383	305,000	39
St. Genevieve	1809	12,116	1,305	71,000	5
Saline	1398	25,148	2,240	619,000	61
Scotland	697	6,484	937	27,000	4
Vernon	942	20,540	2,165	190,000	24
Warren	1573	8,750	845	21,000	3
MONTANA					
Beaverhead	2241	7,194	446	184,000	19
Broadwater	1411	2,804	248	257,000	26
Carbon	1708	8,317	674	201,000	26
Carter	1585	2,493	358	163,000	17
Custer	2353	13,227	803	209,000	26
Dawson	2620	12,314	1,150	797,000	102
Fallon	1993	3,997	373	436,000	60
Fergus	2234	14,018	1,443	1,383,000	162
Gallatin	2491	26,045	1,584	440,000	56
Garfield	* 1461	1,981	426	315,000	37
Golden Valley	1851	1,203	164	121,000	16
Granite	2195	3,014	181	5,000	1
Hill	2936	18,653	1,124	2,127,000	258
Jefferson	2229	4,297	294	71,000	6
Judith Basin	2476	3,085	361	583,000	73
Liberty	2790	2,624	124	1,228,000	138
McCone	1350	3,321	672	1,145,000	134
Madison	1824	5,211	417	124,000	11
Meagher	2206	2,616	195	80,000	7
Missoula	2744	44,663	1,810	32,000	5
Musselshell	2187	4,888	285	112,000	14
Park					

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969—Continued

County	MFIR <sup>1</sup>	Population	Hard-core poor <sup>2</sup>	Farm subsidy payments	Number of payees
MONTANA—Continued					
Prairie.....	1823	2,318	223	\$261,000	37
Ravalli.....	1260	12,341	1,513	136,000	17
Richland.....	1814	10,504	1,540	1,129,000	146
Stillwater.....	2067	5,526	294	502,000	62
Sweet Grass.....	1705	3,290	391	91,000	12
Teton.....	3435	7,295	800	1,611,000	196
Toole.....	2866	7,904	359	1,116,000	127
Treasure.....	1873	1,345	117	136,000	16
Wheatland.....	2523	3,026	139	62,000	8
NEBRASKA					
Adams.....	2071	28,944	1,344	519,000	70
Brown.....	1156	4,436	575	63,000	9
Burt.....	1305	10,192	1,555	452,000	47
Chase.....	1394	4,317	520	520,000	3
Cherry.....	1934	8,218	885	16,000	3
Cheyenne.....	2596	14,828	752	631,000	93
Colfax.....	969	9,595	1,334	103,000	9
Dundy.....	1121	3,570	648	175,000	24
Fillmore.....	1183	9,425	1,119	852,000	107
Frontier.....	959	4,311	796	254,000	35
Furnas.....	1041	7,711	826	311,000	38
Hayes.....	1259	1,919	221	165,000	20
Hitchcock.....	1310	4,829	622	223,000	33
Jefferson.....	1210	11,620	1,309	328,000	40
Keya Paha.....	603	1,672	232	13,000	2
Kimball.....	2911	7,975	399	752,000	101
Lincoln.....	2310	28,491	2,255	431,000	60
Logan.....	1268	1,108	184	68,000	11
Nuckolls.....	1199	8,217	1,283	445,000	60
Otoe.....	1609	16,503	1,960	239,000	28
Platte.....	2042	23,992	2,866	80,000	13
Polk.....	1188	7,210	1,007	331,000	43
Red Willow.....	2252	12,940	951	463,000	58
Richardson.....	1251	13,903	2,023	219,000	27
Saline.....	1215	12,542	1,463	194,000	27
Seward.....	1122	13,581	1,982	225,000	34
Sioux.....	1895	2,575	391	26,000	3
Wayne.....	1221	9,959	1,471	12,000	2
Webster.....	904	6,224	824	281,000	38
NEVADA					
Douglas.....	3056	3,481	168	13,000	2
Lander.....	2345	1,566	78	6,000	1
Nye.....	2701	4,374	247	320,000	14
NEW JERSEY					
Hunterdon.....	2864	54,107	2,109	10,000	2
Monmouth.....	2986	334,401	14,028	93,000	13
Somerset.....	3105	143,913	3,442	16,000	3
NEW YORK					
Ontario.....	2722	68,070	3,637	75,000	10
NORTH CAROLINA					
Iredell.....	1680	62,526	10,562	35,000	3
Lincoln.....	1286	28,814	5,468	63,000	7
Polk.....	1031	11,395	2,678	10,000	1
NORTH DAKOTA					
Adams.....	1504	4,449	503	868,000	117
Bowman.....	2483	4,154	454	669,000	85
Renville.....	1508	4,698	663	493,000	72
Slope.....	2162	1,893	366	564,000	6
Stutsman.....	2002	25,137	2,668	914,000	114
Wells.....	1201	9,237	1,714	531,000	74
OHIO					
Auglaize.....	2514	36,147	2,314	23,000	4
Defiance.....	2673	31,508	1,965	27,000	5
Delaware.....	2548	36,107	2,335	43,000	6
Fairfield.....	2592	63,912	3,638	73,000	9
Greene.....	3005	94,642	4,762	98,000	12
Hancock.....	2717	53,686	2,912	46,000	8
Henry.....	2482	25,392	1,400	51,000	7
Mercer.....	2410	32,559	3,202	24,000	4
Noble.....	1242	10,982	1,712	9,000	1
Paulding.....	2232	16,792	1,298	54,000	8
Perry.....	1813	27,864	3,106	5,000	1
Putnam.....	2074	28,331	4,057	45,000	5
Seneca.....	2647	59,326	3,977	85,000	14
Warren.....	2914	65,711	4,173	32,000	4
Williams.....	2481	29,968	1,828	41,000	6
OKLAHOMA					
Beaver.....	2127	6,965	646	\$921,000	127
Harmon.....	1164	5,852	1,036	2,008,000	195
Major.....	1145	7,808	1,002	355,000	51
Woods.....	1777	11,932	1,041	649,000	90
PENNSYLVANIA					
Adams.....	2200	51,906	3,263	37,000	5
SOUTH DAKOTA					
Aurora.....	289	4,749	1,580	72,000	11
Clay.....	1470	10,810	1,349	88,000	11
Douglas.....	541	5,113	1,692	11,000	2
Edmunds.....	922	6,079	1,577	209,000	30
Fall River.....	2201	10,688	692	101,000	12
Haakon.....	1974	3,303	480	223,000	25
Hughes.....	2983	12,725	283	271,000	30
Jones.....	1340	2,066	306	298,000	40
Lawrence.....	2407	17,075	902	12,000	2
Meade.....	1840	12,044	1,308	166,000	23
Minnehaha.....	2705	86,575	4,565	59,000	6
Shannon.....	251	6,000	3,009	196,000	22
Walworth.....	2052	8,097	667	260,000	38
Washabawh.....	1320	1,042	222	81,000	9
Sully.....	1506	2,607	533	883,000	88
TEXAS					
Andrews.....	2976	13,450	456	186,000	15
Aransas.....	1498	7,006	1,148	33,000	1
Archer.....	1915	6,110	509	93,000	11
Armstrong.....	1939	1,966	80	827,000	94
Bailey.....	1628	9,090	1,630	6,034,000	443
Bandera.....	656	3,892	768	7,000	1
Baylor.....	1264	5,893	891	571,000	68
Bell.....	1404	94,097	11,732	473,000	68
Blanco.....	975	3,657	795	29,000	3
Borden.....	2419	10,809	1,08	596,000	58
Bosque.....	613	10,809	1,682	52,000	7
Bowie.....	1484	59,971	11,724	698,000	35
Brazoria.....	2875	76,204	8,014	306,000	39
Brazos.....	1467	44,895	8,553	1,511,000	41
Briscoe.....	1137	3,577	777	2,266,000	194
Burnet.....	1182	9,265	1,279	44,000	6
Calhoun.....	2474	16,592	3,185	644,000	70
Castro.....	1650	8,923	2,457	7,979,000	559
Clay.....	1832	8,351	746	297,000	35
Coleman.....	855	12,458	2,087	287,000	43
Collin.....	1478	41,247	6,353	1,015,000	125
Collingsworth.....	997	6,276	1,465	1,751,000	184
Colorado.....	1055	18,463	4,307	288,000	24
Comal.....	1805	19,844	2,724	5,000	1
Concho.....	992	3,672	811	489,000	53
Coryell.....	1054	23,961	2,269	178,000	22
Crane.....	2999	4,699	243	11,000	1
Crockett.....	2480	4,209	527	151,000	17
Deal Smith.....	1847	13,187	2,718	5,965,000	442
Denton.....	1925	47,432	3,699	290,000	36
Donley.....	974	4,449	584	689,000	84
Ector.....	2909	90,995	6,929	151,000	9
Edwards.....	1492	2,317	445	207,000	23
Ellis.....	1333	43,395	1,795,000	199	
Erath.....	731	16,236	2,021	14,000	2
Fort Bend.....	1378	40,527	10,300	1,946,000	158
Gaines.....	2534	12,267	1,510	6,145,000	403
Garza.....	2342	6,611	955	1,143,000	117
Gillespie.....	993	10,048	1,045	6,000	1
Glasscock.....	2838	1,118	132	934,000	67
Gray.....	2865	31,535	1,759	556,000	68
Gregg.....	2263	69,436	10,051	7,000	1
Hall.....	1123	7,322	1,675	2,835,000	275
Harris.....	2876	1,243,158	108,328	80,000	10
Harrison.....	1190	45,594	11,785	11,000	2
Hansford.....	2822	6,208	421	2,921,000	257
Hartley.....	3035	2,171	92	1,172,000	91
Hood.....	847	5,443	758	12,000	1
Hopkins.....	699	18,594	3,672	31,000	5
Hunt.....	1367	39,399	-----	673,000	84
Jack.....	1741	7,418	657	48,000	7
Johnson.....	1943	34,720	2,865	354,000	36
Kaufman.....	984	29,931	5,837	653,000	55
Kendall.....	1094	5,889	642	6,000	1
Kerr.....	1446	16,800	1,709	56,000	5
Kimble.....	1150	3,943	725	67,000	9
Lamar.....	959	34,234	7,863	1,034,000	103
Lampasas.....	957	9,418	1,796	60,000	4
Llano.....	991	5,240	675	22,000	1
Lynn.....	1449	10,914	2,282	8,903,000	678
McCulloch.....	966	8,815	1,603	186,000	26
Mason.....	737	3,780	943	81,000	9
Menard.....	930	2,964	847	96,000	14
Midland.....	3065	67,717	4,270	1,036,000	79
Mills.....	569	4,467	835	34,000	5
Mitchell.....	1486	11,255	2,443	2,179,000	209
Navarro.....	827	34,423	7,741	1,763,000	173
Ochiltree.....	2898	9,380	375	1,714,000	192
Oldham.....	2088	1,928	121	684,000	62

Footnotes at end of table.

TABLE II.—POVERTY AND FARM SUBSIDIES IN NONFOOD PROGRAM COUNTIES AS OF MAR. 14, 1969—Continued

County	MFIR <sup>1</sup>	Population	Hard-core poor <sup>2</sup>	Farm subsidy payments	Number of payees
TEXAS—Continued					
Palo Pinto	1371	20,516	2,424	\$67,000	10
Parker	1456	22,880	2,025	6,000	1
Farmer	2065	9,583	1,376	8,559,000	679
Randall	3041	33,913	1,198	2,020,000	192
Reagan	2752	3,782	415	144,000	16
Reeves	1891	17,644	3,924	5,389,000	144
Refugio	1844	10,975	3,154	788,000	63
Roberts	1761	1,075	87	192,000	24
Rockwall	1958	5,878	1,618	287,000	29
Runnels	1192	15,016	3,027	1,351,000	171
Rusk	1303	36,421	8,224	95,000	7
San Saba	586	6,381	1,535	62,000	8
Schleicher	2322	2,791	514	239,000	24
Shackelford	1767	3,990	307	87,000	11
Sherman	2764	2,605	189	2,155,000	197
Somervell	476	2,577	508	5,000	1
Stephens	1801	8,885	702	44,000	6
Sterling	2184	1,177	196	63,000	9
Sutton	1772	3,738	732	197,000	23
Taylor	2417	101,078	6,210	615,000	73
Throckmorton	1625	2,767	149	211,000	24
Upton	2639	6,239	429	59,000	5
Uvalde	1043	16,814	4,860	298,000	28
Van Zandt	777	19,091	3,597	98,000	13
Victoria	2086	46,475	8,827	415,000	51
TEXAS—Continued					
Wharton	1162	38,152	10,832	\$1,771,000	195
Wheeler	1726	7,947	904	649,000	76
Wichita	2470	123,528	8,608	323,000	41
Yoakum	2889	8,032	691	2,312,000	168
Young	1913	17,254	955	228,000	30
VIRGINIA					
Campbell	1905	9,330	5,781	6,000	1
Clarke	1160	2,590	1,387	19,000	3
Fauquier	1360	7,305	5,237	5,000	1
Hanover	2247	7,728	3,406	9,000	1
Loudoun	1811	24,549	4,826	6,000	1
Prince George	2134	20,270	1,915	11,000	1
Shenandoah	1253	21,825	2,801	6,000	1
Stafford	2106	16,876	1,695	5,000	1
Virginia Beach (city)				89,000	8
WISCONSIN					
Calumet	2604	22,268	1,235	18,000	1
Jefferson	2634	50,094	2,768	25,000	4
Walworth	2699	52,368		58,000	8

<sup>1</sup> Median family income rank: National ranking, out of 3,133 counties, of the county's median family income, with 1 being the lowest.

<sup>2</sup> Defined by the Office of Economic Opportunity as the number of persons having an income at or below \$2,200 for a family of 4, per year.

<sup>3</sup> Ranked No. 1 in State.

TABLE III.—PAYMENTS BY SIZE GROUP, ASCS AND GREAT PLAINS—1967 FARMERS' PAYMENTS BY SIZE GROUP, \$5,000 AND OVER

State name and code	\$5,000 to \$7,499	\$7,500 to \$9,999	\$10,000 to \$14,999	\$15,000 to \$24,999	\$25,000 to \$49,999	\$50,000 to \$99,999	\$100,000 to \$499,999	\$500,000 to \$999,999	\$1,000,000 and over
Alabama (64):									
Total (dollars)	6,124,324	4,006,286	5,404,605	6,253,030	5,054,655	1,938,996	268,873		
Number of payments	1,004	464	446	329	154	30	2		
Alaska (50):									
Total (dollars)									
Number of payments									
Arizona (86):									
Total (dollars)	1,185,812	1,236,056	2,430,586	4,475,884	9,796,150	10,487,421	11,794,213	554,817	
Number of payments	191	143	196	232	277	155	62	1	
Arkansas (71):									
Total (dollars)	8,498,676	6,877,640	9,884,150	12,767,481	15,213,551	8,809,959	3,627,129	619,489	
Number of payments	1,400	798	808	669	456	136	24	1	
California (93):									
Total (dollars)	6,065,869	5,372,726	8,534,005	12,326,094	16,574,425	14,178,357	18,746,262	3,552,019	8,259,579
Number of payments	991	618	702	630	484	207	111	5	3
Colorado (84):									
Total (dollars)	7,897,367	4,714,228	5,338,057	4,198,346	2,039,635	615,635	280,429		
Number of payments	1,305	550	443	225	64	10	1		
Connecticut (16):									
Total (dollars)	18,969	8,662							
Number of payments	3	1							
Delaware (52):									
Total (dollars)	82,436	26,945		19,959					
Number of payments	14	3		1					
Florida (59):									
Total (dollars)	669,730	513,670	603,770	718,380	1,047,334	739,263	1,269,826	610,923	1,275,687
Number of payments	112	59	50	36	29	11	7	1	1
Georgia (57):									
Total (dollars)	6,072,886	4,248,031	5,674,574	5,863,090	3,697,007	1,100,670			
Number of payments	998	490	465	314	113	17			
Hawaii (60):									
Total (dollars)	158,755	100,634	21,795	30,951	71,294	54,795	5,316,017	3,102,514	1,353,770
Number of payments	26	12	2	2	2	1	17	5	1
Idaho (82):									
Total (dollars)	4,938,531	2,968,673	3,100,186	2,042,004	1,395,099	371,106			
Number of payments	813	348	256	111	43	6			
Illinois (33):									
Total (dollars)	5,178,036	2,199,661	1,393,387	850,963	384,676	79,153			
Number of payments	871	256	118	47	12	1			
Indiana (32):									
Total (dollars)	3,159,026	1,423,664	1,034,759	700,792	264,511	114,932			
Number of payments	532	166	86	36	7	2			
Iowa (42):									
Total (dollars)	4,982,634	1,773,284	1,239,436	346,321	264,010	88,499	107,136		
Number of payments	839	208	105	18	7	1	1		
Kansas (49):									
Total (dollars)	27,144,739	13,359,820	12,039,993	7,221,459	3,270,376	534,598			
Number of payments	4,520	1,562	1,013	394	100	9			
Kentucky (61):									
Total (dollars)	808,808	295,750	285,832	186,449	84,644				
Number of payments	135	34	24	10	3				
Louisiana (72):									
Total (dollars)	3,910,558	3,092,455	5,254,164	6,780,899	7,042,148	2,683,671	1,540,673		
Number of payments	641	358	429	356	211	42	10		
Maine (11):									
Total (dollars)	21,801			38,835					
Number of payments	4			2					
Maryland (51):									
Total (dollars)	102,140	91,865	59,831	16,543					
Number of payments	17	11	5	1					
Massachusetts (14):									
Total (dollars)	12,534								
Number of payments	2								
Michigan (35):									
Total (dollars)	1,784,385	673,842	404,446	233,308	67,863				
Number of payments	300	79	34	13	2				
Minnesota (41):									
Total (dollars)	4,094,426	1,898,869	1,621,470	625,880	150,891				
Number of payments	687	223	136	36	5				

TABLE III.—PAYMENTS BY SIZE GROUP, ASCS AND GREAT PLAINS—1967 FARMERS' PAYMENTS BY SIZE GROUP, \$5,000 AND OVER—Continued

State name and code	\$5,000 to \$7,499	\$7,500 to \$9,999	\$10,000 to \$14,999	\$15,000 to \$24,999	\$25,000 to \$49,999	\$50,000 to \$99,999	\$100,000 to \$499,999	\$500,000 to \$999,999	\$1,000,000 and over
Mississippi (65):									
Total (dollars).....	6,643,039	5,642,766	9,212,577	15,218,200	25,499,838	18,868,337	10,869,403	653,252	
Number of payments.....	1,086	655	753	781	742	286	83	1	
Missouri (44):									
Total (dollars).....	8,027,294	4,476,656	4,994,327	3,572,324	2,295,406	896,483	103,271		
Number of payments.....	1,333	521	416	191	70	14	1		
Montana (81):									
Total (dollars).....	12,430,928	7,702,245	6,589,221	3,929,802	1,266,896	115,141	166,336	553,358	
Number of payments.....	2,048	896	551	217	41	2	1	1	
Nebraska (48):									
Total (dollars).....	11,966,409	4,682,724	3,262,707	1,817,613	739,913				
Number of payments.....	2,008	551	275	97	23				
Nevada (88):									
Total (dollars).....	152,086	92,905	171,364	91,364	186,177		105,271		
Number of payments.....	26	11	13	5	5		1		
New Hampshire (12):									
Total (dollars).....									
Number of payments.....									
New Jersey (22):									
Total (dollars).....	138,063	50,126	53,511						
Number of payments.....	23	6	4						
New Mexico (85):									
Total (dollars).....	4,268,207	3,357,201	4,522,480	4,226,870	2,936,499	683,185	237,593		
Number of payments.....	701	391	375	227	89	10	2		
New York (21):									
Total (dollars).....	348,366	162,508	76,042	53,543					
Number of payments.....	57	19	7	3					
North Carolina (55):									
Total (dollars).....	2,536,153	1,575,519	2,025,318	1,609,908	1,288,982	368,879	445,913		
Number of payments.....	418	181	168	86	40	6	2		
North Dakota (46):									
Total (dollars).....	16,313,100	6,363,762	4,542,805	1,712,639	605,070	121,737			
Number of payments.....	2,731	746	384	94	19	2			
Ohio (31):									
Total (dollars).....	2,204,005	782,328	490,226	377,195	66,355	65,710			
Number of payments.....	372	91	40	21	2	1			
Oklahoma (73):									
Total (dollars).....	15,095,671	7,667,762	6,686,572	3,557,676	1,655,517	332,321			
Number of payments.....	2,513	894	564	197	53	5			
Oregon (92):									
Total (dollars).....	2,668,433	2,193,405	2,375,351	1,934,747	1,300,127	186,154			
Number of payments.....	442	253	198	102	41	3			
Pennsylvania (23):									
Total (dollars).....	222,075	134,184	166,668	76,806	28,710				
Number of payments.....	38	16	14	4	1				
Puerto Rico (70):									
Total (dollars).....	663,066	637,648	758,787	1,715,156	1,329,479	710,900	1,512,841		
Number of payments.....	109	73	61	89	40	10	5		
Rhode Island (15):									
Total (dollars).....									
Number of payments.....									
South Carolina (56):									
Total (dollars).....	4,377,396	3,168,004	4,591,511	4,957,228	4,196,454	1,624,733	296,327		
Number of payments.....	723	367	379	263	129	26	2		
South Dakota (47):									
Total (dollars).....	5,861,725	2,562,054	2,064,335	861,296	352,007	54,432			
Number of payments.....	986	301	175	46	11	1			
Tennessee (63):									
Total (dollars).....	4,675,223	3,044,954	3,448,331	3,203,187	2,147,453	568,721	105,309		
Number of payments.....	773	353	285	174	63	9	1		
Texas (74):									
Total (dollars).....	51,954,255	41,984,504	59,164,777	67,084,829	46,845,437	17,968,450	7,832,314		
Number of payments.....	8,492	4,844	4,861	3,546	1,431	278	53		
Utah (87):									
Total (dollars).....	972,523	464,342	379,404	418,227	207,679				
Number of payments.....	162	5		2	6				
Vermont (13):									
Total (dollars).....	6,027								
Number of payments.....	1								
Virgin Islands (80):									
Total (dollars).....									
Number of payments.....									
Virginia (53):									
Total (dollars).....	320,522	170,510	96,068	71,330	62,486				
Number of payments.....	54	20	8	4	2				
Washington (91):									
Total (dollars).....	7,949,452	5,845,797	7,667,848	5,977,142	3,016,512	660,831	289,126		
Number of payments.....	1,302	676	639	323	94	10	2		
West Virginia (54):									
Total (dollars).....	12,750								
Number of payments.....	2								
Wisconsin (36):									
Total (dollars).....	692,707	373,856	274,503	128,272	66,176				
Number of payments.....	117	44	24	7	2				
Wyoming (83):									
Total (dollars).....	1,352,012	688,892	483,452	395,239	233,626				
Number of payments.....	224	80	41	22	7				
United States:									
Total (dollars).....	254,763,929	158,707,413	188,423,272	188,687,210	162,744,944	85,023,069	64,914,262	9,556,372	10,889,036
Number of payments.....	42,146	18,426	15,585	9,984	4,880	1,291	388	15	5

**STATUS REPORT: CRISIS IN MILITARY LAWYER RANKS**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PIRNIE) is recognized for 5 minutes.

Mr. PIRNIE. Mr. Speaker, for some time I have been greatly interested in the problem of retaining qualified lawyers for our armed services and during the

past 5 years have introduced bills to provide differing types of retention incentives to accomplish this purpose. In January, I introduced H.R. 4296 to provide professional pay and a continuation bonus to lawyers in the uniformed services. The language of the bill was essentially the same as that which was recommended by a Department of Defense study group charged with determining

the cause of the incredibly low military lawyer retention rate. This group conducted an in depth investigation of the problem, including a detailed survey of nearly all the military JAG officers now on active duty, as well as those who have left the services within the last 5 years. It recommended that professional pay now paid to doctors, dentists, and veterinarians and a continuation bonus simi-

lar to those already authorized for doctors and dentists, be approved for military lawyers.

Despite the fact that the situation has been getting worse for a number of years, the need was markedly accentuated last year by enactment of the Military Justice Act of 1968, which extends to our servicemen the same right-to-counsel guarantee presently afforded criminal defendants in civilian courts. On August 1—less than 3 months from today—this law goes into effect, and the four services estimate that a minimum of 800 additional military lawyers will be required to carry out its mandate.

Time is running out for the Department of Defense and the Congress to take the necessary action to insure that our servicemen receive the type of legal services they are supposed to have by law and deserve as American citizens.

This week the three major service newspapers, the Army Times, the Air Force Times, and the Navy Times, carried similar front-page, lead stories on a new proposal which is supposedly being seriously considered by the Department of Defense. It would provide officers in critical skill areas—lawyers, scientists, and so forth—with the opportunity to obtain a variable reenlistment bonus for signing on for an additional number of years. Also, these articles indicate that consideration is being given to incorporating into the proposal the language of another bill I introduced, H.R. 528, which provides constructive service credit for the time spent in graduate school for those officers whose appointment is dependent upon having that graduate education. For example, in order to be appointed to JAG, it is necessary to have a law degree. Under the provisions of H.R. 528, a JAG officer would receive credit for pay and retirement purposes for the 3 years spent in law school.

I would like to call to the attention of my colleagues the following article which appeared in the Army Times of May 14, 1969, entitled "Pentagon Plans Officer VRB":

#### PENTAGON PLANS OFFICER VRB

WASHINGTON.—Defense is working on a legislative proposal which could give officers in critical skill-shortage areas bonuses similar to the Continuation Pay going to physicians and the special bonus now before Congress for nuclear submarine officers.

Under present plans the new bonus would amount to \$3750 for each year of additional active duty beyond the officer's obligated service.

The proposal has several steps to go before it gets out of the Pentagon, but it is in line with Secretary of Defense Melvin R. Laird's desire to handle critical officer shortages.

He said on a recent Pentagon Forum program that he did not want to handle such shortages on "a piecemeal basis." He meant that he wanted an overall law for all shortages, not just lawyers, pilots, scientists and other officers whose skills require long training and who are in short supply.

It is possible the same piece of legislation would include a section giving constructive credit to men with advanced degrees, but final decisions on neither of the two sections have been made.

Defense may offer the proposal as a substitute to bills already in the hopper to give extra pay and constructive credit to lawyers.

The lawyer bills were introduced by Rep. Alexander Pirnie (Rep., N.Y.). They will be coming up for hearings soon and Defense may find that an appropriate time to offer its own substitute.

The Department is undoubtedly also aware that it may be on mushy ground if it asks Pirnie once again to hold back action on his bills "pending further study." Pirnie has been offering his lawyer bills for years and Defense has been putting him off while the Hubbell pay study was in progress.

Now that study is "being studied." And although Defense may wish to present the skill bill when it brings the whole pay package to Congress later in the year, Rep. Pirnie and other legislators may not want to wait.

As the Defense measure is shaping up, the Secretary of Defense would have the authority, with service coordination, to designate certain skills for which the bonus would be paid. As the shortage ends in one skill, the bonus would end for newcomers signing on for extra duty in that skill.

There is no decision yet on which skills would be designated, but lawyers appear certain to be on the list.

Pilots could be another. One unofficial suggestion made in last month's Military Review magazine, published at the Army Command and General Staff College, would give big bonuses to warrant officer pilots, but that proposal is unrelated to the Pentagon effort.

The question of constructive credit is more complicated. There are two points of view among officials working on the measure.

One is that the officers should be compensated for the time and money they put into their education before they enter service. One way to do this would be to give them time-in-service credit for that schooling.

The other point of view is that these specialists have been deferred from military service while pursuing their education, while less fortunate men who couldn't afford to go to college have to fight the war, and so constructive credit would be unfair to them.

There may be some reluctance on Capitol Hill to give the Defense Department the authority to choose the skills. Some of the lawmakers are unhappy because when they passed the Continuation Pay for physicians, they included dentists as well. Defense does not pay the bonus to dentists despite the law.

Mr. Speaker, I want to make my position on this legislation very clear. The Army Times article is correct, that I do not intend to be put off any longer by the Department of Defense with regard to providing a meaningful incentive to insure that the military services are in the position to provide the necessary legal services. I have been patient for a number of years and have given the Department every conceivable opportunity to come forth with legislation to help solve this vexatious problem. August 1 and the requirements of the Military Justice Act loom on the near horizon. The time for "studies" has long since past.

I hasten to add that I am not alone in my concern about this critical situation. As of today, 13 other Members of this body have introduced bills similar to H.R. 4296 and numerous others advised the Secretary of Defense of their interest in it. We share not only a common concern that equity be done to those who are responsible for the administration of justice to American servicemen, but also a responsibility for seeing that the mandates of the Military Justice Act of 1968 are fulfilled. It is the latter point that must be emphasized. Let no one make the

mistake that the requirements of that act are permissive—in fact, they are mandatory. Thus, the military services do not have the luxury of choice in this matter, rather they must provide these legal services and can only do so in the long term if they are able to retain qualified attorneys experienced in military justice. My bill provides the vehicle to insure an experienced, dedicated military legal corps. It must be approved.

#### 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. FINDLEY, today, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. WOLD) and to revise and extend their remarks and include extraneous matter:)

Mr. PIRNIE, for 5 minutes, today.

Mr. PIRNIE, for 15 minutes, on May 13.  
Mr. REUSS (at the request of Mr. Boggs), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

#### EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MONAGAN and to include extraneous matter.

Mr. ANDREWS of Alabama and to include an editorial.

Mr. POFF and to include extraneous matter.

(The following Members (at the request of Mr. WOLD) and to include extraneous matter:)

Mr. PIRNIE.

Mr. PELLY in three instances.

Mr. QUIE.

Mr. MINSHALL.

Mr. CONTE.

Mr. ASHBROOK in two instances.

Mr. HARVEY.

Mr. SCOTT.

Mr. TAFT in three instances.

Mr. BURKE of Florida.

Mr. QUILLEN in four instances.

Mr. BROYHILL of Virginia in three instances.

Mr. HOSMER in two instances.

Mr. POLLOCK in two instances.

Mr. SCHWENGLER in three instances.

Mr. ESHLEMAN.

Mrs. HECKLER of Massachusetts.

Mr. SMITH of New York.

(The following Members (at the request of Mr. Boggs) and to include extraneous matter:)

Mr. MATSUNAGA in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. GONZALEZ in three instances.

Mr. PERKINS.

Mrs. GRIFFITHS in two instances.

Mr. ANDERSON of California in three instances.

Mr. LOWENSTEIN.

Mr. MURPHY of New York.

Mr. FRIEDEL in two instances.

Mr. DULSKI.

Mr. RARICK in five instances.  
 Mr. BURKE of Massachusetts.  
 Mr. BINGHAM in two instances.  
 Mr. RYAN in four instances.  
 Mr. FASCELL in two instances.  
 Mr. DIGGS in three instances.  
 Mr. O'HARA in two instances.  
 Mr. ICHORD in two instances.  
 Mr. BOGGS in two instances.  
 Mr. PICKLE in two instances.  
 Mr. LEGGETT in two instances.  
 Mr. GAYDOS.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1177. An act to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks; to the Committee on Interstate and Foreign Commerce.

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on May 8, 1969, present to the President for his approval, bills of the House of the following titles:

H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel; and

H.R. 4064. An act for the relief of Ana Mae Yap-Diangeo.

#### ADJOURNMENT

Mr. WAGGONER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 13, 1969 at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

750. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in March and April 1969, for foreign currencies, pursuant to the provisions of Public Law 85-128; to the Committee on Agriculture.

751. A letter from the Comptroller General of the United States, transmitting a follow-up report on the use of military personnel in civilian-type positions by the U.S. Coast Guard, Department of Transportation; to the Committee on Government Operations.

752. A letter from the Comptroller General of the United States, transmitting observations on the development and status of the audit function at the Department of Health, Education, and Welfare; to the Committee on Government Operations.

753. A letter from the Chairman, Federal

Power Commission, transmitting copies of the publications, "Gas Supplies of Interstate Natural Gas Pipeline Companies, 1967", and "Sales by Producers of Natural Gas to Interstate Pipeline Companies, 1967"; to the Committee on Interstate and Foreign Commerce.

754. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning the claim by Mr. Wylo Pleasant, an individual doing business as Pleasant Western Lumber Co. (now known as Pleasant's Logging & Milling, Inc.), against the United States, pursuant to the provisions of 31 U.S.C. 236; to the Committee on the Judiciary.

755. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to repeal the reporting requirement contained in subsection (b) of section 1308; to the Committee on Post Office and Civil Service.

756. A letter from the Assistant Secretary of the Interior, transmitting the 1969 report on "The Cost of Clean Water and its Economic Impact," pursuant to the provisions of section 16(a) of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

757. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report of grants for basic scientific research made by the Department of Defense to non-profit institutions during the calendar year 1968, pursuant to the provisions of Public Law 85-934; to the Committee on Science and Astronautics.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 8, 1969, the following bill was reported on May 9, 1969:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 4152. A bill to authorize appropriations for certain maritime programs of the Department of Commerce; with amendment (Rept. No. 91-213). Referred to the Committee of the Whole House on the State of the Union.

[Submitted May 12, 1969]

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. KASTENMEIER: Committee on the Judiciary. H.R. 4244. A bill to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations; with amendment (Rept. No. 91-214). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 11118. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 11119. A bill to provide for public ownership of the mass transit bus system operated by D.C. Transit System, Inc.; to authorize interim financial assistance for the company pending public acquisition of its bus transit facilities; and for other purposes; to the Committee on the District of Columbia.

By Mr. BROYHILL of Virginia:

H.R. 11120. A bill to amend title 5, United States Code, to provide for the inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of surviving spouses; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H.R. 11121. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.R. 11122. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

H.R. 11123. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 11124. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.R. 11125. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DEVINE:

H.R. 11126. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. WILLIAM D. FORD, Mr. KARTH, Mr. MCCLOSKEY, Mr. MOSS, Mr. NEDZI, Mr. O'HARA, Mr. REUSS, and Mr. SAYLOR):

H.R. 11127. A bill to amend the Land and Water Conservation Fund Act of 1965 to increase the amount of funds covered into the land and water conservation fund in the Treasury of the United States; to the Committee on Interior and Insular Affairs.

By Mr. DULSKI:

H.R. 11128. A bill to prescribe standards for congressional redistricting, and for other purposes; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 11129. A bill to provide for Federal Government recognition of, and participation in, international expositions proposed to be held in the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H.R. 11130. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. GALLAGHER:

H.R. 11131. A bill to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself and Mr. QUIN):

H.R. 11132. A bill to amend the charter of Howard University; to the Committee on Education and Labor.

By Mr. GROSS (for himself and Mr. HALL):

H.R. 11133. A bill to prohibit the use of interstate facilities, including the mails, for

the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11134. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.R. 11135. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI:

H.R. 11136. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

H.R. 11137. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11138. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11139. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. LOWENSTEIN:

H.R. 11140. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCULLOCH (for himself, Mr. BUCHANAN, Mr. KING, Mr. KYL, Mr. SHRIVER, and Mr. WYMAN):

H.R. 11141. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. McCULLOCH (for himself, Mr. BUCHANAN, Mr. KING, Mr. KYL, and Mr. SHRIVER):

H.R. 11142. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By Mr. MCKNEALLY:

H.R. 11143. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 11144. A bill to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

By Mr. MEEDS (for himself and Mr. WYATT):

H.R. 11145. A bill to establish in the Department of Labor a Youth Conservation Corps, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of California:

H.R. 11146. A bill to amend the Immigration and Nationality Act to provide for the expeditious naturalization of certain former alien employees of the United States who have been admitted to the United States for permanent residence; to the Committee on the Judiciary.

H.R. 11147. A bill providing an exception to the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 11148. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts (for himself, Mr. GRAY, Mr. DAVIS of Georgia, Mr. FOLEY, Mr. ROGERS of Colorado, and Mr. MOLLOHAN):

H.R. 11149. A bill to amend the Merchant Marine Act, 1936, to encourage shipbuilding, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 11150. A bill to clarify and strengthen the cargo-preference laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 11151. A bill to amend section 1331(c) of title 10, United States Code, to authorize the granting of retired pay to persons otherwise qualified and were Reserves before August 16, 1945, and who served on active duty during the so-called Berlin crisis; to the Committee on Armed Services.

H.R. 11152. A bill to prohibit loans by the Small Business Administration to businesses deriving 50 percent or more of their revenues from the sale of alcoholic beverages; to the Committee on Banking and Currency.

H.R. 11153. A bill to provide for the study of the East Texas Heritage Trail for inclusion in the national trails system; to the Committee on Interior and Insular Affairs.

By Mr. PICKLE:

H.R. 11154. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

H.R. 11155. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11156. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. POFF (for himself, Mr. KASTENMEIER, and Mr. EDWARDS of California):

H.R. 11157. A bill to amend title 18, United States Code, to prescribe the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his privilege against self-incrimination and to define the scope of the immunity to be provided such witness with respect to information provided under an order; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 11158. A bill to provide that the U.S. flag be flown at half staff within the national cemeteries; to the Committee on the Judiciary.

By Mr. POLLOCK (for himself, Mr. HANSEN of Idaho, Mr. McCLURE, Mr. SEBELIUS, Mr. EVANS of Colorado, Mr. OLSEN, Mr. STEIGER of Arizona, Mr. WOLD, Mr. BAREING, Mr. LUJAN, and Mr. BURTON of Utah):

H.R. 11159. A bill to provide for an additional staff employee for each Member of the House of Representatives representing a congressional district the geographical area of which is at least five times that of the average-size congressional district, and for other purposes; to the Committee on House Administration.

By Mr. REUSS (for himself, Mr. ANNUNZIO, Mr. DULSKI, Mr. DINGELL, Mr. FRASER, Mr. KLUCZYNSKI, Mr. BRADEMAS, Mr. BLATNIK, Mr. MURPHY of Illinois, Mr. MCCARTHY, Mr. WILLIAM D. FORD, and Mr. STANTON):

H.R. 11160. A bill to provide for a more conservative capitalization of the St. Lawrence Seaway Development Corporation, and for other purposes; to the Committee on Public Works.

By Mr. REUSS (for himself, Mr. ANNUNZIO, Mr. DULSKI, Mr. DINGELL, Mr. FRASER, Mr. PUCINSKI, Mr. BRADEMAS, Mr. BLATNIK, Mr. MCCARTHY, Mr. WILLIAM D. FORD, and Mr. STANTON):

H.R. 11161. A bill to authorize rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations; to the Committee on Public Works.

By Mr. ROBISON:

H.R. 11162. A bill to create a Commission to study the passenger-carrying railroads of this country; to the Committee on Interstate and Foreign Commerce.

By Mr. SANDMAN:

H.R. 11163. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 11164. A bill to amend the Tariff Schedules of the United States to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty; to the Committee on Way and Means.

By Mr. CHARLES H. WILSON:

H.R. 11165. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

H.R. 11166. A bill to provide for the establishment of a Commission on Marijuana and Other Hallucinogenic Drugs; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 11167. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.J. Res. 712. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week"; to the Committee on the Judiciary.

By Mr. GUDE (for himself and Mr. BEALL of Maryland):

H.J. Res. 713. Joint resolution to designate Route 70 of the National System of Interstate and Defense Highways as the "Eisenhower Memorial Highway"; to the Committee on Public Works.

By Mr. SANDMAN:

H.J. Res. 714. Joint resolution proclaiming the week of May 24 through May 30 as "National Memorial Week"; to the Committee on the Judiciary.

H. Con. Res. 249. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. FRIEDEL:

H. Res. 401. Resolution to express the sense of the House regarding the shutdown of Job Corps installations before congressional authorization and appropriation actions; to the Committee on Education and Labor.

H. Res. 402. Resolution requesting the President to urge the Soviet Union to process the requests of 50,000 Soviet citizens for reunions with their families who are outside the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. TALCOTT (for himself, Mr. SAYLOR, Mr. COUGHLIN, Mr. CAMP, Mr. GUBSER, Mr. KYROS, Mr. HOGAN, and Mr. REID of New York):

H. Res. 403. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

158. By the SPEAKER: Memorial of the Legislature of the State of Minnesota, relative to standards and regulations applying to the dairy industry; to the Committee on Agriculture.

159. Also, memorial of the Legislature of the State of Wisconsin, relative to the ban on the use of lean pork in venison sausage; to the Committee on Agriculture.

160. Also, memorial of the Legislature of

the State of Iowa, relative to amending the Constitution of the United States to allow the people of each State greater freedom of choice in the apportionment of their legislature and local governing bodies; to the Committee on the Judiciary.

161. Also, memorial to the Legislature of the State of Minnesota, relative to the consent of Congress to the agreement of the States of Minnesota and North Dakota transferring certain lands in Kittson County, Minn.; to the Committee on the Judiciary.

162. Also, memorial of the Legislature of the State of Washington, relative to the

sharing of Federal income tax revenues with the States; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:  
H.R. 11168. A bill for the relief of 2d Lt. Lennart G. Krals; to the Committee on the Judiciary.

By Mr. KAZEN:  
H.R. 11169. A bill for the relief of Juan and Trinidad V. Esquivel; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

105. The Speaker presented a petition of the City Council, Philadelphia, Pa., relative to the antiballistic-missile plan, which was referred to the Committee on Armed Services.

## SENATE—Monday, May 12, 1969

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, whose temple is in the heart which is ever open to Thy presence, we pause before Thee this day to thank Thee for the light and truth of Thy kingdom mediated to this Nation by many faiths. For the elevated insights and dynamic drives of men and women, who being in tune with the infinite, have kept the higher goals and the loftier vision of Thy kingdom ever before us, we give Thee thanks.

In these disturbing and difficult days strengthen our faith in the enduring and eternal values of our heritage. Make us to heed and respond to the cry of Thy children for justice and peace. When we are unsure of the course we should follow, enable us to hear above the din of many voices Thy voice echoing across the years. "This is the way, walk ye in it."

O Father of our spirits, we commend this Nation and all its leaders to Thy divine direction.

Through Jesus Christ our Lord. Amen.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 8, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the

legislative calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

#### LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

#### DEPARTMENT OF JUSTICE

The bill clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

#### COMMUNICATIONS SATELLITE CORP.

The bill clerk read the nomination of George Meany, of Maryland, to be a member of the board of directors of the Communications Satellite Corp.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

#### NOMINATION PASSED OVER

The bill clerk read the nomination of Carl J. Gilbert, of Massachusetts, to be special representative for trade negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

Mr. MANSFIELD. I ask that the nomination go over.

The VICE PRESIDENT. The nomination will be passed over.

#### U.S. REPRESENTATIVE ON THE NATO COUNCIL

The bill clerk read the nomination of Robert Ellsworth, of Kansas, to be U.S. permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

#### AMBASSADORS

The bill clerk proceeded to read sundry nominations of Ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

#### U.S. NAVY

The bill clerk read the nomination of Rear Adm. Arthur R. Gralla, U.S. Navy, to be vice admiral.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.