Nation. It has become one of the most beautiful cities in the world but there are forces confronting each other which will present a growing crisis unless the needs of the people are met.

The Federal Government has a special interest in Washington. It owns much of the land and employs many of its citizens.

But that special interest can be served within the structure of home rule. There is no reason why a workable plan cannot be developed to serve the needs of the people as well as the Federal Government.

It is long past the time when the people of Washington should control their own local affairs. They are the only group of people in the country—including overseas possessions—who do not elect their local officials.

Mr. Speaker, it is time dignity was restored to the people of our Nation's Capital, giving them a strong incentive to make it a showcase of our great Nation.

## IMPORTANCE OF CIVILITY

### HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 6, 1970*

Mr. ROBISON. Mr. Speaker, the Evening Press of Binghamton, N.Y., in my congressional district, published an editorial recently presenting some thoughtful comments about the aftermath of "Earth Day." The thrust of these remarks has significance beyond the ecology issue. In fact, given the present tension and unrest throughout the Nation which has been one of the results of the President's decision to strike into Cambodia with American men, the editorial assumes widespread relevance and importance to all of us.

Some commentators are warning us that chaos will soon break loose as a result of the new unrest. I do not know whether it actually will or not—only time will tell. But I do know that it does not have to break loose, if we but practice a bit of "civility" in our deliberations about the country's current and complicated crises.

As the Evening Press editorial states:

Civilization is built on restraints, ranging from civility to intellectual, artistic and legal disciplines. Those who ignore legitimate restraints imperil us all.

This dictum applies not only to those who dissent from our present push into Cambodia, but it also applies to all sectors of our society—including the President and the Congress. It is a time for restraint on the part of all of us. Outraged rhetoric, either against the President and his advisers or against the deeply concerned youth of this Nation, simply is not a viable alternative to rational deliberation. Those of us in public life must move to bind some wounds—not open them. Those of us in Congress must again scrutinize the Executive action just taken in Cambodia and calmly decide whether it is—or is not—in the overall public interest. Those of us elected to protect the public trust must attempt to bring our people together once again; and to that end, I commend the aforementioned editorial—the full text of which follows:

IMPORTANCE OF CIVILITY

In all of the hullaballoo about ecology the other day, no one seemed to have a good word, or even a bad one, to say about the relationship among the members of the human family.

Because we think that is where a lot of the environmental action is, or should be, these paragraphs will be by way of a remedy.

The first part of the word ecology stems from the Greek oikos, meaning house or home. Logos means words or discourse, or by tradition, a field of study.

So ecology, in our bad Greek, is the study of households, and, by an extension of our own choosing, a study of the human family the world over.

So improving the environment also takes in the big broad issues of war and peace and race relations.

It also takes in small issues like bettering the relationship between individuals, one to one, and groups, 10 to 10, and however many.

It was the latter that we missed on Earth Day, and have missed, for that matter for several years.

Whatever else has happened in the era of the Politics of Protest, tolerance, individual freedom and the capacity to deal with each other in a civil fashion have taken a beating.

On Earth Day, to our dismay, we saw militants trying to practice "up against the wall" tactics of insult for reasons that could have nothing to do with the environment, unless they happened to be interested in further polluting it.

In an age plagued by violence, it may seem trivial to complain about the decline of manners, but, we submit, the relationship among peoples certainly is not a great deal less important part of the environment than the air we breathe.

The growth of boorishness, we are afraid, is a highly visible part of our surroundings, possibly because until the last half decade most of us had rather thought our society was becoming more, not less civilized.

The decline of manners, the way in which we act toward each other, is a matter of some real significance. Often it has been remarked that manners are the glue that holds society together, men having a fair amount of innate savagery lurking about.

Both as a demonstration of tolerance and of respect for a civilized way of doing things, manners are important in a political society.

More than any other nation, the United States was founded, and has been preserved to date, within a framework of tolerance for the individual and his point of view.

In a vast nation of conflicting interests, our particular political system would not otherwise work very well. Reasonableness and compromise are not luxuries at all. They are essential.

Civilization is built on restraints, ranging from civility to intellectual, artistic and legal disciplines. Those who ignore legitimate restraints imperil us all.

We can hope that the existing disorderliness is only a passing phase. In closing, we would like to remind those who espouse the politics of physical confrontation of John F. Kennedy's Inaugural plea:

"So let us begin anew, remembering on both sides that civility is not a sign of weakness."

# HOUSE OF REPRESENTATIVES—*Thursday, May 7, 1970*

The House met at 12 o'clock noon.

Rev. Murden Appling, pastor, Southern Baptist Church, Washington, D.C., offered the following prayer:

Almighty God, look down upon this great Nation in these troubled times.

Father, remember our legislators and officials who have gone home to be with Thee, and Your people from all walks of life who need Thee every hour.

We pray for our President and Representatives in both Houses of Congress; bless each one according to his needs.

Direct their decisions King Jesus, prosper their planning, and guide their efforts to establish peace amongst men of good will.

Lord we beg You to be our guiding light to help us lift the fallen, strengthen the weak, and sustain the weary. Bind us by Thy power.

These blessings we ask in the name of the Father and the Son and the Holy Spirit. Amen.

## THE JOURNAL

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

## MESSAGE FROM THE PRESIDENT

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

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 15980. An act to make certain revisions in the retirement benefits of District of Columbia public school teachers and other educational employees, and for other purposes.

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

H.R. 16516. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 16516) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ANDERSON, Mr. STENNIS, Mr. CANNON, Mrs. SMITH of Maine, and Mr. CURTIS to be the conferees on the part of the Senate.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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

S. 3706. An act to provide financial assistance for and establishment of a national rail passenger system, to provide for the modernization of railroad passenger equipment, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes.

The message also announced that Mr. CURTIS was appointed a conferee on the bill (H.R. 14465) entitled "An act to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes" in lieu of Mr. BENNETT, excused.

## PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the independent offices and Department of Housing and Urban Development appropriation bill for 1971.

Mr. JONAS reserved all points of order on the bill.

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

There was no objection.

## HOPI INDIAN TRIBE, ARIZONA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4869) to further the economic advancement and general welfare of the Hopi Indian Tribe of the State of Arizona, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, strike out all after line 2 over to and including line 8 on page 2 and insert: "That, for the purpose of assisting in the economic advancement and contributing to the general welfare of the Hopi Indian Tribe of Arizona, the Congress hereby finds it to be fitting and appropriate to provide the Hopi Tribal Council with certain powers of self-determination that are necessary to enable the Hopi people to carry out the effective development and operation of the Hopi Industrial Park, which is located in the counties of Navajo and Coconino in the State of Arizona."

Page 2, lines 11 and 12, strike out "within, adjacent to, or in close proxmity to said" and insert; "within the".

Page 2, lines 14 and 15, strike out "or adjacent thereto, or in close proximity therewith."

Page 3, line 1, strike out "said".

Page 3, line 2, strike out "or adjacent or in close proximity to".

Page 3, line 5, strike out "tribe" and insert: "Hopi Tribe".

Page 4, line 13, strike out "or without".

Page 4, line 15, strike out "lands acquired by the tribe pursuant to this Act,".

Page 4, line 17, strike out "of any Federal laws then in effect." and insert: "of Federal laws.".

Page 5, line 2, strike out "tribal council." and insert: "Hopi Tribal Council.".

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

There was no objection.

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

Mr. ASPINALL. Mr. Speaker, the principal amendment which the Senate made to the House bill is the deletion of authority for the Secretary, on request of the tribe, to acquire land in trust within or in close proximity to the Hopi Industrial Park, which is located some 40 miles from the reservation. The other amendments are conforming ones.

The reason for the deletion is stated to be the Senate committee's policy not to approve the acquisition of trust titles outside of reservation boundaries. This policy has not been written into law, and it has been the subject of disagreement between the Senate and the House on various occasions in the past.

In this case, however, the deletion will have little practical effect because lands outside the reservation can be acquired in trust for the Hopi Tribe under the provisions of the Indian Reorganization Act. The Interior and Insular Affairs Committee relied on this fact when reporting a land bill for the Tulalip Tribes last December—H.R. 11372—in which case we ourselves deleted the land acquisition provision in order to avoid duplication and in order to avoid raising an issue that did not need to be raised.

As the Senate amendments to H.R. 4869 will have no appreciable effect on the tribe's land acquisition authority, I recommend that the House concur in the Senate amendments.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## SELECTION OF 1976 OLYMPICS SITE

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

Mr. BINGHAM. Mr. Speaker, I was dismayed to learn that the International Olympic Committee, meeting this weekend in Amsterdam, is giving serious consideration to the selection of Moscow as the site for the 1976 Summer Olympics.

It seems to me that such a decision would be a terrible mistake, since it would come at a time when the Soviet Union has just escalated its intervention in the Middle East, when the Soviet Union is denying fundamental rights to its citizens, including particularly the right to leave the country which is guaranteed by the Universal Declaration of Human Rights.

We recall with shame that the Olympic games were held in Berlin in 1936. Let us not have a repetition of this type of travesty.

I will be circulating today for the signatures of such Members as may care to join a telegram to the Secretary of State urging that the State Department take up with the governments represented on the International Olympic Committee the undesirability of the selection of Moscow as the Olympic site for 1976. I ask those who would like to join in such a telegram to let me know today or tomorrow.

The U.S. Olympic Committee will be pressing for Los Angeles, which is the other main contender. However, the unpopularity of the Vietnam war may militate against the selection of a city in the United States.

Accordingly, the State Department and the U.S. committee should take the position that, if Los Angeles is not acceptable, a third city should be selected in place of Moscow. If necessary, the final decision as to the choice of a site should be delayed to allow full consideration of new alternatives.

## SECRETARY HICKEL'S LETTER CONCERNING THE YOUNG PEOPLE OF AMERICA

(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, today I am tempted to praise Secretary Walter Hickel for his letter of warning to the President that the administration is in danger of alienating the young people of America.

However, I am restrained, because I do not know what is for real. The thought occurs to me that the Secretary's private letter, incredibly made public, could be a part of a well-planned public relations effort to put a high administration representative on the youth side of the polarization.

If the administration must face opposition to its Cambodia decision, why not develop opposition within the family and usurp both sides of the issue. Thus the administration could both move the pendulum and strike a bell at each end of the transit between Vice President AGNEW and Secretary of the Interior Hickel. If Secretary Hickel believes as strongly in this critical issue as his letter suggests, he may have to withdraw from the administration if it fails to alter its course.

## PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE A REPORT ON HOUSE RESOLUTION 960, UNTIL 5 P.M. FRIDAY

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the House Committee on Government Operations have until 5 p.m. Friday to file a report to accompany House Resolution 960.

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

There was no objection.

## STUDENT LAWLESSNESS MUST BE STOPPED

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

Mr. HOLIFIELD. Mr. Speaker, yester-

day afternoon some 200 students entered a building at New York University that houses a $5 million IBM computer. They locked the doors and demanded $100,000 or else they would smash this very delicate and very costly instrument. This morning the 200 students had dwindled to 65. Finally the police were able to make an entrance. They found a bomb planted there that could have blown up this machine.

This is the type of sabotage, lawlessness, and violence which the American people are being faced with. In California yesterday Governor Reagan, in order to preserve the universities and State colleges from damage, closed nine universities and 18 State colleges because of the fear of property and human damage. Something has to be done about this. It is time for the college students who are in college to obtain an education to stand up and be counted in opposition to these criminals. They are criminals because they damaged Federal property and attempted by rigging an alcohol and gasoline type firebomb for the purpose of ruining a $5 million computer.

It is time also for those professors and assistant postgraduate teachers to place their identities on the record against sabotage by fire and explosives in illegal and criminal activities.

## OBSERVANCE OF THE BIRTHDAY OF FORMER PRESIDENT HARRY S. TRUMAN

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

Mr. RANDALL. Mr. Speaker, this afternoon at the conclusion of all other business I have reserved a 1-hour special order. I take the floor at this time to announce that this is the eve of the birthday of the 32d President of the United States on tomorrow, former President Harry S. Truman.

Mr. Speaker, it is my privilege to represent in the Congress the district in which the former President now resides. I make this announcement at this time in the event that other Members from either side of the aisle may wish to participate or insert in the RECORD birthday greetings to our former President.

## WILD TALK OF IMPEACHMENT

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

Mr. DEVINE. Mr. Speaker, there has been some wild talk of impeachment by those who hope to translate this disgraceful proposal into peacenik votes.

I am sure, however, that voters will reject this stab in the back of American servicemen just as emphatically as will the House of Representatives.

Mr. Speaker, the American people do not like war, but they like those who seek to make political profit from the agonies of our fighting men even less.

The times, if we are to maintain our Nation as a nation of liberty under the law, and if we are to preserve any semblance of freedom and justice in the world, call for support of the President and support of American troops.

The President has acted to destroy the sanctuaries of those who would kill Americans in Vietnam. Those who would deny Americans the chance to fight back, those who would deny the President his constitutional duty to give them that chance, they are the ones who deserve impeachment, if not by their peers then certainly at the polls.

## PERMISSION FOR THE COMMITTEE ON THE DISTRICT OF COLUMBIA TO FILE CERTAIN REPORTS UNTIL MIDNIGHT FRIDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Friday, May 8, to file certain reports.

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

There was no objection.

## REPORTS OF COMMISSIONS, UNDER WATER RESOURCES PLANNING ACT OF 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-334)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations:

*To the Congress of the United States:*

In the last few years we have become more aware than ever that the quality of American life depends largely upon how we use—and conserve—our natural resources. It was this growing awareness that prompted the enactment of the Water Resources Planning Act of 1965.

That act provides for the establishment of river basin commissions—if requested by the States in the appropriate area—to plan for the best use and development of rivers, their adjoining land, and their resources. The river basin commissions assure that the people within each area will have a voice in deciding how these resources are used. This approach to planning promises more efficient use of America's great natural and manmade wealth, and more attention to preserving the beauty and vitality of our environment.

Today I transmit the annual reports of the four commissions that have been established under the act. They are the Pacific Northwest River Basins Commission, the Souris-Red-Rainy River Basins Commission, the Great Lakes Basin Commission, and the New England River Basins Commission—covering areas in 21 States.

These annual reports reflect the accomplishments of each commission during fiscal year 1969. They describe existing and emerging problems in the use of our river basins, and help in evaluating opportunities for their sound development.

RICHARD NIXON.

THE WHITE HOUSE, *May 7, 1970.*

## SECOND SUPPLEMENTAL APPROPRIATION BILL, 1970

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 972 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 972

*Resolved*, That during the consideration of the bill (H.R. 17399) making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes, all points of order against titles III, IV, and V of said bills are hereby waived.

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

Mr. Speaker, this is a very simple resolution. It merely provides that during the consideration of the bill, H.R. 17399, a bill making supplemental appropriations for the fiscal year ending June 30, 1970, all points of order shall be waived against titles III, IV, and V of the bill.

Points of order are waived against title III because of the transfer of funds authorized therein.

Points of order against titles IV and V are waived because they contain limitations on budget outlays, which would amount to legislation in an appropriation measure.

Mr. Speaker, I urge the adoption of House Resolution 972 in order that the bill, H.R. 17399, may be considered.

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

Mr. MATSUNAGA. I yield to the gentleman.

Mr. YATES. Mr. Speaker, I note that this is described as an open rule. It certainly was not the intention of the Committee on Rules that a rule be granted on this bill that would restrict appropriate amendments being offered to titles IV or V?

Mr. MATSUNAGA. The waiver of points of order is merely to provide that titles III, IV, or V, which contain legislative matter beyond the scope of an appropriation measure, may not be stricken on a point of order.

Mr. YATES. So that with respect to titles IV and V which propose to control expenditures, amendments that are germane may be offered under this rule?

Mr. MATSUNAGA. Yes, I would think so.

Mr. YATES. I thank the gentleman. In other words, it is not the intention of the Committee on Rules to make this a closed rule?

Mr. MATSUNAGA. No, there is no intention to make this a closed rule. It is merely to authorize consideration of titles III, IV, and V, without subjecting such consideration to a point of order.

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

Mr. Speaker, may I say to the gentleman from Illinois (Mr. YATES) that there is no intention of the Committee on Rules to waive any amendment that is germane

to title III, IV, or V. We are only waiving a motion to strike them out because in title III there is a transfer of Federal funds in sections 302, 303, and 304. Titles IV and V are not germane because of the ceilings set on spending.

My opinion is, and I will not be in the chair, but my opinion is I would certainly think that if amendments are germane to the titles, we are not waiving points of order.

Mr. YATES. I thank the gentleman for his statement. There is a question as to whether or not certain amendments which are going to be offered are proper, and there is a question of interpretation of what the Committee on Rules has done, as to whether it intended a closed rule. I am glad to have the gentleman's statement that it is an open rule and that appropriate amendments will be in order.

Mr. SMITH of California. If the amendments are germane, they would be.

I would simply like to comment that this is the position we find ourselves in when we authorize and appropriate spending over the ceiling which we set. We are misleading our constituents and ourselves to some extent. I remember last year we placed a ceiling in the House of $192.9 billion on the amount the administration could spend. That did not control the Congress. But we should cooperate to the best of our ability.

The other body reduced the amount to $191.9 billion. Then Congress passed the 6-percent salary raise. We have lost some revenue in connection with the Outer Shelf oil leases. We have had other expenditures, including the farm subsidy.

Since February 2 of this year I would like you to know that the interest has increased by $400 million between February 2 and June 30, 1970. That is about $80 million a month. So now as we act, this ceiling will go up to about $197.9 billion. Actually, the amount will probably be $199.1 billion for the fiscal year 1970, which ends on June 30. It would set the ceiling for the next year at $203.8 billion, and permits certain cushions which could raise the maximum to $208 billion. I mention that because once again it will depend on how much Congress increases spending over the budget. We may have to have another supplemental bill. There is nothing else to do except pay the expenses of programs that have been authorized and appropriated by Congress. Soon a request will probably be made to increase the debt ceiling.

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

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

Mr. DENNEY. I am concerned about this rule, as far as the bill is concerned; I am concerned about a Hill-Burton hospital that is three-quarters completed. I want to get money into the supplemental to complete that hospital. Is there anything in the rule that would prohibit that?

Mr. SMITH of California. As far as this gentleman is concerned, there is nothing that would prohibit anything in amounts that are germane to titles III, IV, and V.

Mr. Speaker, I urge adoption of the rule.

I do have a request for time. I yield 4 minutes to the gentleman from New Mexico (Mr. FOREMAN).

AMERICAN YOUTH

(By unanimous consent Mr. FOREMAN was allowed to speak out of order and to revise and extend his remarks.)

Mr. FOREMAN. Mr. Speaker, during the past 16 months, I have spoken before, and visited with, students at 33 grade schools, high schools, colleges, universities, and related activities throughout the State of New Mexico. Never before have I been as optimistic and enthusiastic about the future leadership of our great country than I am now as I see, visit, and listen to the intelligent, alert, and capable young people who make up the great majority of our younger generation today. The young people of today know and understand as much, or more, about our history, Constitution, laws, heritage, principles and country as any young group of any other generation. I find that the overwhelming majority of our students are well-mannered, respectful, honest, decent, responsible, studious, patriotic young Americans who really do love our flag, our Constitution, and country, and who sincerely want to work to help improve on it and build an even stronger, better America. I am encouraged and thankful when I read the hometown newspapers of New Mexico about the work, projects and constructive activities of the Girl Scouts, Boy Scouts, Future Teachers of America, student council groups, Future Farmers of America, fraternities, sororities, various college and university clubs and organizations. I am grateful and appreciative of the concern and positive attitude of the SOS youngsters who are working to help others understand the tragic dangers of drug abuse and the pitfalls and heartaches of narcotics experimentation. We all have reason to be proud of those thousands of young men and women so honorably serving our country here, and in far-off lands, that freedom may be preserved and that America may continue to offer the same blessings of liberty and opportunity to our posterity as it gave to our immigrant forefathers. As a citizen, parent, and Congressman, I am thankful and proud of the character and moral fiber of the fine young Americans of today.

On the other hand, however, I can not help but be saddened and disheartened at the disservice that is being done to the reputation of the overwhelming majority of these fine young people today by the nationwide publicity given to a very small minority of impolite, disrespectful, rabble-rousing, rioting anarchists who knowingly, or perhaps blindly and unknowingly, are marching, demonstrating, burning and bombing, and who are attempting to destroy the very precepts and principles upon which this country was founded. All America has reason to be sickened when they witness this dissident minority as they tear down, spit on and trample the American flag, and at the same demonstration, ridicule and condemn our President, our Government, and our churches, and then raise and praise the red flag of communism. However, perhaps we may take some consolation in the fact that, according to responsible research on the situation, almost 100 percent of the disruption and destruction is being committed by less than 5 percent of the young people—even though the national news media continues to picture, promote, and publicize them almost 100 percent of the time.

Yes, Americans have reason to be concerned—but they also have reason to be thankful and grateful—not only for our outstanding young people, but for a great, free democratic Republic that preserves liberty, freedom, and opportunity—even for those who do not earn or respect it.

Mr. MATSUNAGA. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. BOLAND).

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

I take this time, Mr. Speaker, merely to announce to the House that when we reach the proper point in the bill I will offer an amendment on page 53, line 25, after the amount "$200,771,000,000," carried as a limitation on expenditures for fiscal year 1971. My amendment will indicate that of these expenditures "none shall be available for use for American ground combat forces in Cambodia."

Mr. MATSUNAGA. Having no further requests for time, Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17399) making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate may be limited to 2 hours, the time to be equally divided and controlled by the gentleman from Ohio (Mr. Bow) and myself.

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

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## CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 105]

| | | |
|---|---|---|
| Adams | Carter | Erlenborn |
| Andrews, Ala. | Clark | Feighan |
| Ashley | Clay | Flowers |
| Baring | Coughlin | Foley |
| Bell, Calif. | Cramer | Ford, Gerald R. |
| Berry | Dawson | Ford, |
| Blatnik | de la Garza | William D. |
| Brown, Calif. | Dickinson | Fraser |
| Buchanan | Dulski | Gilbert |

| | | |
|---|---|---|
| Goldwater | McCarthy | Powell |
| Gray | McClory | Price, Tex. |
| Hagan | McClure | Pryor, Ark. |
| Hébert | McFall | Rosenthal |
| Holifield | McMillan | Roudebush |
| Jarman | Madden | Scheuer |
| Johnson, Calif. | Melcher | Schneebeli |
| Kazen | Meskill | Sikes |
| Kee | Mills | Sisk |
| Keith | Mollohan | Steiger, Wis. |
| Kirwan | Moorhead | Taft |
| Koch | Murphy, Ill. | Teague, Calif. |
| Langen | Ottinger | Tunney |
| Leggett | Pike | Wiggins |
| Lloyd | Poage | Wold |
| Lujan | Pollock | Yatron |

The SPEAKER. On this rollcall 355 Members have answered to their names, a quorum.

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

## SECOND SUPPLEMENTAL APPROPRIATION BILL, 1970

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17399, with Mr. O'HARA in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas (Mr. MAHON) will be recognized for 1 hour and the gentleman from Ohio (Mr. BOW) will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas.

SERIOUS FISCAL SITUATION

Mr. MAHON. As I sat here awaiting the opportunity to present this bill, I was aware of the discussions which we have had on the floor today in regard to disorder and the disarray on campuses and in the streets of the country.

This bill, on page 6, contains an appropriation of $75 million for disaster relief from tornadoes and storms and floods. In addition to these disturbing elements in the present picture, we are also confronted in the fiscal area with elements of disorder and disarray and possible disaster.

Since the fiscal 1970 budget was submitted in April of 1969, estimated budget spending has escalated by at least $6 billion. It seems evident that we will be lucky if Federal budget spending during the current fiscal year is held below $200 billion. We are knocking at the door of a $200 billion expenditure for the current fiscal year.

There is no hope that for the forthcoming fiscal year budget spending will be held below $200 billion.

As Members know, we are currently borrowing about $8 billion a year from the Social Security, Highway, and other trust funds. We are borrowing those funds, paying interest on them, and utilizing them for the regular operations of the Government. Members know that those funds will eventually have to be replaced and except for the fact that we are borrowing those trust funds, the Federal funds portion of the pending budget would be in the red in the sum of at least $8 billion.

SUMMARY OF THE BILL

Mr. Chairman, this bill provides appropriations in the sum of $5,760,115,791. Nearly 90 percent of the money in this bill is, at this stage, more or less uncontrollable insofar as the appropriations process is concerned.

The great bulk of the funds in this bill are for pay raises in the military and civilian areas of Government. Members will recall that only a few weeks ago we passed a pay increase bill making pay increases of 6 percent retroactive to about last December 27. There is in this bill the sum of about $1.3 billion, for the current fiscal year 1970, to take care of the 6 percent pay increase which was enacted a short time ago.

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

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

Mr. GROSS. Mr. Chairman, did the gentleman say there is funding in this bill for the recently approved pay increase bill that was retroactive to December 27, or does this cover only the pay increases of last year?

Mr. MAHON. The gentleman raises a question about the pay increases that were set in operation as the result of existing law, last July.

Mr. GROSS. Yes.

Mr. MAHON. In this bill there is $3 billion to take care of those pay increases. In other words, the pay increase money in this bill is considerably above $4 billion—about $4.4 billion.

Mr. GROSS. Does this or does it not take care of the pay increase which was recently voted, of 6 percent?

Mr. MAHON. It takes care of that in the sum of about $1.3 billion.

I would point out, of course it does not take care of the cost of the 6 percent pay increase for the forthcoming fiscal year 1971 which will begin on July 1.

In addition to the funds necessary for pay increases, there are funds provided for the following purposes: compensation payments and education and training for veterans, public assistance grants, payments to retired military personnel, unemployment compensation for the Federal employees and ex-servicemen, and annual contributions for low-rent public housing. This covers about $800 million more, which is included in the bill. The sum for disaster relief, heretofore referred to, is $75 million.

Mr. Chairman, under leave granted, I include excerpts from the committee report containing a summary of the major appropriation features of the bill.

SUMMARY OF BILL

The bill funds various general program supplementals; pay increase costs due to comparability adjustments of last July; pay increase costs resulting from the recently enacted Federal Employees Salary Act of 1970 (the 6% retroactive pay bill); includes a revised ceiling on budget outlays for fiscal 1970; includes a proposed budget outlay ceiling for fiscal 1971; and includes a title involving the usual general provisions.

The estimates on which it is based are included in House Documents 91–272; 273; 288; 293; 306; 311; 315; and 322.

A brief discussion of the over-all bill totals follows. Details concerning the committee recommendations are covered in the various chapters and titles of this report, which are arranged in the order of the bill itself.

GRAND TOTAL OF BILL

The grand total of new budget (obligational) authority recommended in the bill is $5,760,115,791, a reduction of $157,957,340 from the $5,918,073,131 requested.

In addition, title I includes proposed increases of $75,000,000 in limitations on annual contract authorizations involving interest subsidies for homeownership and rental housing assistance and college housing.

The committee has also recommended transfers between appropriations amounting to $49,384,900 and increases in limitations on administrative and nonadministrative expenses of trust funds amounting to $45,334,700. Authorization to transfer between appropriation accounts has the effect of reducing the need for new budget (obligational) authority.

Excluding the $1,350,000,000 for the recently enacted 6% retroactive pay increase, the total supplemental estimates considered by the Committee amount to less than the comparable aggregate figure encompassed in the overall total in the President's February budget for 1970 supplemental items, and the committee recommendation is still less than the amounts requested.

Nearly 90% of the new budget obligational authority total in the bill is for items that are virtually uncontrollable at this point. It includes $1,350,000,000 for the Federal Employees Salary Act of 1970, which was generally effective as of December 27, 1969, and $2,909,729,830 under title II for costs of comparability pay increases pursuant for the most part to PL 90–206 and PL 90–207 which were generally effective as of the beginning of the fiscal year last July 1st.

Just under $800,000,000 is also included for mandatory payments under the following programs:

Compensation payments and education and training for veterans,

Public assistance grants,

Payments to retired military personnel,

Unemployment compensation for Federal employees and ex-servicemen, and

Annual contributions for low-rent public housing.

In addition, $75,000,000 is included for disaster relief assistance requirements, and $6,591,406 for claims and judgments.

APPROXIMATE REDUCTION EFFECT ON 1970 BUDGETED OUTLAYS

The committee estimates that the reduction of $157,957,340 in new budget (obligational) authority and its actions on requested transfers will have the effect of reducing budgeted outlays for 1970 by approximately $123,300,000 from the amounts projected in the President's February budget.

TITLE II AND III—INCREASED PAY COSTS

Following is a summary of new budget (obligational) authority for pay cost increases in the bill:

| | Budget authority estimates | Bill | Difference |
|---|---|---|---|
| Title I | $96,781,000 | $96,781,000 | |
| Title II | 3,023,804,670 | 2,909,729,830 | −114,074,840 |
| Title III (indefinite) | 1,350,000,000 | 1,350,000,000 | |
| Total | 4,470,585,670 | 4,356,510,830 | −114,074,840 |

TITLE II

Title II of the bill includes the bulk of supplemental funds required to meet the unabsorbed portion of increased pay and related costs for fiscal 1970. Title I of the bill includes the remainder of the funds for this purpose. The regular 1970 appropriations did not allow for these costs, and agencies have been spending on a deficiency basis as the law permits in such cases. (Section 3679 of the Revised Statutes, as amended (31 U.S.C. 665)).

The greatest share of increased pay costs in this title result from the Federal comparability pay raises made effective July 1, 1969. These increases result from Public laws 90–206 and 90–207, which cover postal and other civilian employees, military personnel, legislative, and judicial employees. Increases for employees of the District of Columbia as well as for wage-board employees in line with prevailing rates are also covered by this title.

The total cost of these pay increases was estimated in the February, 1970 budget to be $3,737,613,212. To cover the cost the President requested $3,125,051,786 in new budget (obligational) authority in House Document 91–272 and proposed to absorb the difference from previously appropriated funds. The absorption amounts to $612,561,426 or about 16% of the total.

The Committee has examined the individual requests, making reductions wherever they seemed reasonably possible. The largest single reduction is $102,271,000 in the Department of Defense. It should be said that the Executive has also combed these estimates, and that they are for mandatory costs in effect during the entire fiscal year.

The committee also considered under title II a separate pay item for $250,000 included in H. Doc. 91–306, but as usual deferred action on Senate items amounting to $4,716,-116, making the effective request considered $3,120,585,670. The comparable committee recommendation is $3,006,510,830, a reduction of $114,074,840, distributed in the bill as follows: $96,781,000 recommended under title I, the amount of the request; $2,909,729,830 recommended under title II, a reduction of $114,074,840 from the $3,023,804,670 requested. Transfers between appropriations throughout title II amounting to $42,181,900 have been approved and also contribute to limiting the amount of new budget (obligational) authority that would otherwise be necessary.

TITLE III

(Federal Employees Salary Act of 1970)

This title of the bill relates to additional funds for increased pay costs arising during the current fiscal year 1970 from enactment of Public Law 91–231, approved April 15, 1970, the Federal Employees Salary Act of 1970—the so-called 6% retroactive pay bill, effective generally back to December 27, 1969. (Title II of the bill, explained above, relates to additional funds for civilian and military personnel pay increases that were generally effective from the beginning of the fiscal year 1970 last July 1st.)

The Committee recommends a single, lump-sum, indefinite appropriation for the purposes of Public Law 91–231. The best estimate available to the Committee of additional cost during the 6 months the law will be in effect in fiscal 1970 is $1,350,000,000. That may or may not be the final additional total of appropriations actually put on the books under the indefinite provision in the bill. Some portion—now indeterminable—of the costs may eventually be absorbed by transfers between existing appropriations, or otherwise.

Moreover, in terms of aggregate budgetary spending totals for fiscal 1970 reflected in the February budget, the net add-on effect would be about $1,175,000,000. This net budgetary add-on results from the offset effect of a lump-sum allowance of $175,000,000 in the 1970 totals related to a postal pay raise proposal which was superseded by the version enacted as Public Law 91–231.

The appropriation—as does the law itself—covers additional costs of the pay increase in fiscal 1970 for military personnel; for postal employees; and, generally, those other civilian employees except where rates of pay are fixed periodically on a prevailing wage basis (so-called wage-board employees).

It covers all three branches of the Government. It includes the District of Columbia Government.

Except for technical conforming changes, the lump-sum, indefinite appropriation approach corresponds exactly with that used in similar retroactive pay situations in 1958 and 1955. (The President, in H. Doc. 91–322, has also recommended this approach.)

As explained in connection with title II pay cost supplementals, the Executive Branch—operating, as it has been, under an overall expenditure ceiling in fiscal 1970—screened those pay supplemental requests, looking for opportunities to absorb portions of the added costs by way of transfers of funds or otherwise. The Committee has similarly examined the supplemental requests and made reductions wherever it reasonably could. Under the circumstances, it did not seem to offer any productive results to go through yet another detailed, item-by-item calculation, submission, review, and recommendation, covering essentially the same ground this late in the fiscal year.

Thus the recommendation for a single, indefinite appropriation, which procedurally would work this way:

1. *Section 301* makes the appropriation of "such amounts as may be necessary", but carries the safeguard that no appropriation may be increased beyond the costs attributable to the basic law.

2. *Section 302* gives authority to transfer unobligated balances from funds otherwise expiring for obligation on June 30, 1970 (to assist in meeting the increased costs and thus diminishing the added appropriation otherwise required).

3. *Section 303* provides the procedure for certifying the amounts of added appropriations required, but as to both this and any transfers under section 302 relating to the Executive Branch, requires the approval of the Director of the Budget.

4. *Sections 304–306* are also facilitating, are self-explanatory, and, among other things, require the Budget Director to submit a complete report to Congress not later than October 15, 1970 on the actual transfers made and the actual appropriations put on the books under the provisions of this title.

EXPENDITURE CEILING REVISION, FISCAL YEAR 1970

As Members will remember, last year, for fiscal year 1970, we enacted an overall expenditure ceiling of $191.9 billion for the Government. It was a flexible ceiling, adjustable on the basis of congressional actions or inactions on budget and spending authority. We provided, also, that in addition to this ceiling the executive would have a cushion of $2 billion because of the likelihood of the cost of so-called designated uncontrollables rising above the estimates, such as interest on the public debt, social security, and so on.

The situation has worsened to a greater extent than had been anticipated in the Congress or in the executive branch, so now we are having to revise the expenditure limitation for the current fiscal year, which ends on June 30 of this year. We are in this bill revising the ceiling upward to $197.9 billion, as a beginning figure—that is, without any of the adjustments which may be made, up or down, as a result of congressional actions or inactions and overruns on so-called uncontrollables. In other words, we have updated the expenditure ceiling. We also allow some cushion for unavoidable overruns. Current year expenditures, as I said, are probably going very near $200 billion.

Some may say that this is more or less an exercise in futility. Of course, it is not productive of vast savings, but it does keep constantly before the Congress, the country and the executive the enormous and growing cost of the Federal Government. In my judgment, this ceiling procedure is worth continuing. We propose to continue the practice in 1971.

Mr. Chairman, I include excerpts from the committee report explaining the proposed revision of the 1970 outlay ceiling.

TITLE IV—LIMITATION (REVISED) ON FISCAL YEAR 1970 BUDGET OUTLAYS

Title IV of the bill would update and reset the overall ceiling on government spending for the current fiscal year 1970.

The basic need for resetting the ceiling stems from underestimates of requirements in the original budget revision (of April 15, 1969) with respect to a handful of so-called designated uncontrollable items for which the ceiling law allowed a $2 billion "cushion". In all instances, these involve objects and programs for which the budget outlays arise out of appropriations or other authority, or relate to receipts that operate to offset budget outlays, that *do not require annual action by the Congress*—in other words, *permanent* appropriations or other spending authority contained in basic law, or actions or inactions that operate otherwise to determine budget outlays under the unified budget concept.

Other than for the overrun from miscalculations of requirements for the designated uncontrollables, spending in fiscal 1970 has been kept within the statutory ceiling. As of the date of the revised figures in the new budget (Feb. 2), the overrun for these designated uncontrollables was $4.3 billion in relation to the April, 1969 estimates (in other words, $2.3 billion above the $2 billion "cushion" provided for them in the original ceiling law), as follows:

*Outlay overruns to April 1969 estimates for designated uncontrollables*

[In billions of dollars]

| | |
|---|---|
| Social insurance trust funds | +1.7 |
| Interest | +1.4 |
| Sales of financial assets (offsets to outlays) | +.9 |
| Leases of lands, Outer Continental Shelf (offsets to outlays) | +.3 |
| National service life insurance fund | (1) |
| Farm price supports | (1) |
| Total | +4.3 |

[1] Less than $50 million.

Note.—The $1.7 billion increase for social insurance trust funds *is in addition* to the $1.7 billion increase in social security benefits voted by the Congress in the last session, which has also been reflected in the revised spending ceiling.

The Budget Director told the Committee that further changes in some of these items are already apparent. Interest on the debt for 1970, for example, is now estimated to go $400 million above the February estimate. Others have increased, offset by some decreases. The current *net* change outlook

in this limited area of items is $300 million above the February estimate for 1970.

Other changes of course affect the current expenditure outlook for fiscal 1970 and enter into an accounting for the variation from the original overall $192.9 billion administration spending *estimate* and the original overall $191.9 billion spending *ceiling*. Congress made an initial cut of $1 billion from the estimate in setting the ceiling; the administration itself submitted supplements and amendments to its original budget; Congress acted on the portions of the budget subject to annual action, making changes in both directions; Congress failed to act on several other budgetary proposals, likewise affecting the figures; normal reestimating of 1970 outlays in connection with formulating the 1971 budget also introduced some differences; and anticipated second session actions are in the picture.

The revised fiscal 1970 spending estimate in the 1971 budget (of February 2) is $197.9 billion—$5 billion above the original administration $192.9 billion spending estimate and $6 billion above the original $191.9 billion congressional ceiling amount. Here is a capsule accounting for the differences to February 2, the date of the new budget—based on Executive Branch figures and thus ignoring classification and estimating differences of the Joint Committee on Reduction of Federal Expenditures:

[Billions]

| | In relation to— | |
|---|---|---|
| | Original estimate | Original ceiling |
| Original estimate and original ceiling | $192.9 | $191.9 |
| Changes— | | |
| 1. Original blanket cut by Congress | −1.0 | |
| 2. Administration underestimates on designated uncontrollables (on which annual action is not required) | +4.3 | +4.3 |
| 3. Actions and inactions on original April 1969 estimates (includes about $1,200,000,000 for administration additions): | | |
| Appropriation acts | −1.9 | −1.9 |
| Other acts (social security, etc.) | +1.5 | +1.5 |
| Inactions (postal rates, sales of financial assets, etc.) | +1.3 | +1.3 |
| Subtotal, actions and inactions | +.9 | +.9 |
| 4. Anticipated 2d session actions affecting fiscal 1970 (pay raises, veterans, public assistance, etc.) | +.9 | +.9 |
| 5. Nominal margin n revised estimate for other spending | −.1 | −.1 |
| Net change, all factors | +5.0 | +6.0 |
| 6. Revised 1970 spending estimate (in 1971 budget) | 197.9 | 197.9 |

### The Revised Ceiling Proposed in the Bill

For purposes of more complete disclosure and for simplicity as well as for technical reasons, the Committee has restated the full ceiling language in the bill rather than attempt to variously amend the existing ceiling law. The Executive Branch communication of March 12 had recommended essentially the latter procedure, embodying two substantive changes:

1. Removing altogether the ceiling on the "cushion" for designated uncontrollables—in view of the lack of effective controllability and the difficulties of estimating precisely.

2. Providing a $1 billion "cushion" within the basic ceiling to provide a margin sufficient to permit prudent management in the few ramaining week so fthe current fiscal year if the mark is missed on expenditure estimates for essential programs. (The proposition was to raise the existing "base" ceiling of $191.9 billion to $192.9 billion.)

The Committee prefers to supersede the old ceiling with a new provision, setting the "base" or beginning ceiling at $197,885,000,000 (i.e., $197.9 billion), the revised fiscal 1970 estimate of budget outlays shown in the 1971 budget of February 2. Coupled with this would be language, like in the existing ceiling law, that would operate continuously to adjust the ceiling, as appropriate, to comport with estimated expenditure effect of specific congressional actions or inactions having an impact on the February "base" or beginning ceiling of $197,885,000,000. Certain completed actions and inactions already occurring in the present session would constitute a basis for adjusting this base figure. They are noted on page 760 of the printed hearings, and include the $1.2 billion relating to the 6% retroactive pay bill.

The Budget Director, on April 13, told the Committee that the administration may be able to hold total 1970 budget outlays to $199.1 billion but could not be certain that would result. Because of the inherent uncertainties in estimating the exact timing of budget outlays and with the possibility that a miscalculation could cause undue disruption to prudent management in the closing weeks of the fiscal year, the Committee has included a ½ of 1 percent "cushion" providing—

"That in the event the President shall estimate and determine that total budget outlays cannot be held within the overall limitation provided herein, he may, after notification in writing to the Congress stating his reasons therefor, adjust the amount by not more than ½ of 1 percent thereof."

The administration has pledged that it will continue its vigorous efforts to control Federal spending. Thus the primary burden will be on the President to avoid use of this latitude altogether if reasonably possible, and in any event to call upon it sparingly unless absolutely essential to do otherwise.

Rather than remove altogether—as the Executive proposes—the ceiling on the "cushion" for designated uncontrollables (i.e., a handful of items on which Congress does not annually act), the Committee has inserted a $1,000,000,000 "cushion" for any further overruns in such items. As noted above, the Budget Director very recently advised the Committee that there is already an apparent net overrun (beyond the February 2 estimates) of about $300,000,000, but if the administration is able to hold aggregate 1970 outlays to $199.1 billion as they have indicated, that $300 million would be offset by decreases elsewhere and thus not mortgage any of the $1 billion "cushion". Based on present information, the $1 billion "cushion" seems quite adequate as a standby authority for these designated uncontrollables.

### Proposed Overall Expenditure Ceiling, Fiscal Year 1971

We have set in this bill another expenditure limitation for the fiscal year 1971 which begins on July 1 of this year. On that the initial expenditure limitation as proposed would be $200.8 billion, which is the estimated expenditure of the Administration shown in the February 2 budget. In other words, we have accepted the best estimate of the administration. Admittedly, no administration and no Congress is able to estimate precisely what may develop in fiscal affairs.

As our hearings disclose, and as we know, there are already indications that the initial figure for fiscal 1971 may go upward unless greater restraint is exercised.

One of the handicaps which the administration has at the moment is that it is not able to ascertain just what the revenue collections will be as a result of the April 15 income tax date, and so forth.

We provide for an initial expenditure limitation for next year of $200.8 billion, but we take into account the fact that there may be unexpected expenditures. Congressional actions and inactions will also influence the situation. There are events which may bring about additional expenditures in certain so-called uncontrollables. So we provide a cushion for fiscal year 1971 of $3 billion, making the real ceiling, unless the Congress changes it—and the Executive cannot change it without the concurrence of Congress—making the initial expenditure ceiling for fiscal year 1971, $203.8 billion.

This is one of the major proposals in the bill. It is not unduly restrictive. But it will give us a target. We have had to go above the expenditure limitation this year by about $6 billion. We hope that such will not be the case in the forthcoming fiscal year, but at least we have set the target, which will be the target, we hope, of the Congress and of the administration. If we are able to make reductions below that, that will be all to the good.

Mr. Chairman, I include excerpts from the committee report explaining the proposed 1971 ceiling.

### Title V. Limitation on Fiscal Year 1971 Budget Outlays

Title V of the bill would place an overall ceiling on budget outlays of the Federal Government during the fiscal year 1971 that begins on July 1, 1970. The precise terminology is "Expenditures and net lending" which, taken together, constitute "budget outlays".

#### Concept of the Ceiling

The proposed ceiling for fiscal 1971 is quite similar in concept and structure to the ceiling currently applicable to the fiscal year 1970. There is, however, one major difference: Congress, in enacting the 1970 ceiling last July, imposed a blanket $1 billion cut from the budget spending total at the outset. The proposal for 1971 in the accompanying bill makes no such cut. The Committee did not recommend any initial cut last year and does not think it appropriate to do so this year.

The Committee, in initiating an all-encompassing ceiling last year, was not seeking to advance a vehicle for arbitrary broad-axe type cutbacks that would leave to the Executive the allocation of any spending reduction to specific agencies and programs. The whole idea was to focus on the totality of Federal spending by putting the control of *total* spending in the hands of Congress, adjustable *only* by the Congress.

*It is not too widely recognized that in the various annual bills affecting the budget, Congress, in respect to the $200.8 billion fiscal 1971 spending budget, would normally deal with requests involving less than half of that spending total—about 47 percent, to be more exact.* (The other 53 percent springs from unexpended carryover balances from previous years and from so-called permanent appropriations that arise automatically under earlier laws.)

By covering the annual expenditures from all sources, the ceiling focuses on the total and tends to keep it in focus. And such a ceiling affords the opportunity to force attention on possible alternatives and substitutes when upward pressures are exerted on the ceiling.

An overall ceiling, adjustable to the independent decisions of the Congress in the various bills during the year, not only provides a useful disciplinary target to guide individual actions by Congress and the Executive, but can also have some usefulness as a short-run regulating device, especially when economic and fiscal pressures are great.

THE CEILING FOR 1971

The amount specifically stated in the provision in the bill, $200,771,000,000, is a beginning figure, not an ending figure. It is the President's initial projection of 1971 budget outlays in the Budget for 1971, submitted February 2.

Coupled with the $200.8 billion, figure is language, identical to what is in the current ceiling, providing—

"* * * That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations reflected in the Budget for 1971 (H. Doc. 91–240, part 1), the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on budget outlays, and the limitation set forth herein shall be correspondingly adjusted: *Provided further,* That the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect on budget outlays of other actions by the Congress (whether initiated by the President or the Congress) and the limitation set forth herein shall be correspondingly adjusted * * *"

In other words, Congress would work from the President's proposed total spending estimate. It would do so through its actions, or its inactions, on requests for appropriations and other budget obligational authority and outlay proposals in the various appropriation bills and other bills affecting budget proposals, including amendments and supplements to the February budget.

The language would operate continuously to adjust the ceiling, as appropriate, to comfort with the estimated expenditure effect of specific congressional actions or inactions having budgetary impact.

It is a flexible provision—but in terms of aggregate spending, flexible only on the action of the Congress, not the Executive.

It does not seek to declare something of the end from the beginning; it sets a beginning point against which Congress would work in deciding, through its various spending actions, what the ultimate total should be, and supplies a mechanism for resetting the ceiling accordingly.

It would be the second ceiling ever to place directly in the hands of Congress the specific decision as to the maximum amounts to be taken out of the Treasury for payment of the Government's bills in a given 12-month period.

The ceiling proposed in this bill would afford opportunity for maximum flexibility within the overall total to meet, as fully as reasonably possible, changed and changing expenditure requirements in certain specific programs that cannot be foreseen with great precision. The administration is committed to continue vigorous efforts to control Federal spending. An aggregate ceiling should be facilitating in this regard.

Of course, the President can seek supplemental relief to meet necessary but unforeseen and unavoidable outlay increases which he finds cannot be accommodated within the overall total.

Setting a beginning ceiling in this fashion should in no way discourage the Executive Branch from its continuing commitment—and responsibility—for seeking to conduct the day-to-day management of government programs at the very minimum cost consistent with the public necessities, refraining from spending every dollar that can reasonably be saved. Constructive economy in public spending is not alone a matter of legislative decision. It is also a matter of administration. The administration has attached high priority to quality of performance in administering the government. Wasteful and needless expenditures often do not become so until funds are poorly managed. The primary burden of getting a dollar's value for every dollar justifiably appropriated to the purposes of government lies mainly with those who administer, not with those who legislate.

CUSHION FOR DESIGNATED UNCONTROLLABLES

Experience in the current fiscal year 1970 clearly suggests the advisability of providing some limited "cushion" for underestimates of budget outlays in fiscal 1971 for certain so-called uncontrollable objects and programs, i.e., in a handful of cases, *where Congress does not annually act on the budgetary estimates involved.* These are mainly so-called permanent authorizations that each year *automatically* stem from various basic laws.

A "cushion" for such items, of $2,000,000,000, was carried in the 1970 ceiling law, but already, as explained earlier in this report in connection with title IV of the bill, the overruns arising from administration miscalculations of outlay requirements approximate $4,300,000,000, and will probably go even higher before fiscal 1970 ends.

Accordingly, the bill proposes a similar cushion for 1971—covering the same items as did the 1970 ceiling law—but puts a dollar limit of $3,000,000,000 on how far the President can go in so adjusting the ceiling on this account. This is higher than the current year cushion but considerably less than the current year overrun. It amounts to about 1½ percent of the overall budget total and about 4½ percent of the estimates for the items involved.

The items encompassed are listed on page 49 of the Budget for 1971. They generally involve very large sums and items where it is difficult to make accurate projections. The items are:

Social security, medicare, and other social insurance trust funds;

National service life insurance (trust fund);

Interest; and

Farm price supports (Commodity Credit Corporation).

Decline of receipts (credited in the budget against expenditures and net lending) derived from—

Sales of financial assets of programs administered by the Farmers Home Administration, Export-Import Bank, agencies of the Department of Housing and Urban Development, and Veterans' Administration, and

Leases of lands on the Outer Continental Shelf.

In contrast to the situation as to these designated uncontrollables on which Congress does not annually act, since the bill sets a comprehensive ceiling which would be continuously adjustable based on congressional actions or inactions on budgetary proposals whether initiated by the President or by the Congress and whether or not inside or outside the February 2 budget totals, there is no necessity to exempt any area of the budget that Congress normally acts upon each year. Approval of supplemental appropriations to meet existing *unbudgeted* requirements would also be the basis for a corresponding adjustment in the ceiling on budget outlays.

UNEXPENDED CARRYOVER BALANCES AND THE DIMENSIONS OF ANNUAL ACTIONS

The proposed ceiling provision, being all-inclusive, covers outlays in fiscal 1971 from budget authority to be newly granted in this session; outlays from so-called permanent appropriations that flow automatically from earlier laws; and outlays from unexpended carryover balances of prior years. Very substantial portions of the $200.8 billion beginning ceiling figure spring from each of these three general sources of expenditure availability.

For example, total unexpended carryover balances at the beginning of fiscal 1971 will approximate $234 billion—about $108 billion in social security and other trust funds and $126 billion in Federal funds. But some $77 billion of the $126 billion of Federal funds will have been obligated for programs across the government but not yet actually paid out. The remaining $49 billion, not obligated and not expended, is in many accounts across the government.

But of the $234 billion total beginning carryover, trust and federal funds combined, roughly $96 billion is projected for expenditure (disbursement, that is) in fiscal 1971, and roughly that amount is thus counted in the $200.8 billion ceiling figure. The remainder of the carryovers—some $138 billion—becomes part of the total unexpended carryover projected into the following year, fiscal 1972.

Roughly then, it can be seen that only about $105 billion of the newly projected outlay total for 1971 ($200.8 billion, less the $96 billion from carryovers) is estimated to come from the $218 billion *net* new budget authority requested or estimated for that same year of 1971. In other words, the 1971 outlay total involves *less than half* of the new budget authority requested for 1971. Funds appropriated in a given year are expended partly in that year and partly in subsequent years because of long lead-times, construction time, and other factors.

*Dimensions of annual actions on budget*

Budget obligational authority (appropriations, essentially) is the traditional basis on which appropriation and authorization bills are stated and voted on regardless of the year or years in which the funds are to be actually disbursed in the form of budget outlays.

Thus the $200.8 billion "outlay" budget for 1971 is *not* the "action" budget before the Congress. The Congress will *not* vote on that figure in the various appropriation and other spending and authorization bills relating to fiscal 1971. Congress, in these bills, will be voting on an entirely different basis—the appropriations or new budget (obligational) authority basis.

The gross total new budget (obligational) authority proposed or estimated in the February budget for 1971—and this is not as widely known as the more familiar $200.8 billion outlay estimate—is $234,819,000,000, *gross.*

*Of that, about $86,706,000,000 is estimated to become available automatically without action by the Congress this session* for such so-called permanent items as interest on the debt and various social insurance trust funds. That leaves roughly $148,113,000,000 subject to congressional action this year. That is the total in the February budget for 1971, and, like all budgets, is subject to amendments and supplements from time to time (already, for example, the President's messages of April 3 and 16, relating to pay increases and postage rates and reform, have substantially modified the budget aggregates in some particulars).

The February budget for 1971 in respect to budget authority totals; budget outlay totals and what is subject to annual action and what is not is capsuled in the following table using budget figures:

(In millions)

| | New budget authority, 1971 budget requests (est.) | Budget outlays, 1971 (est.) |
|---|---|---|
| 1. Proposed to be available through current actions by the Congress | 148,113 | 92,798 |
| 2. Portion estimated to become available without current actions by the Congress (so-called permanent authorizations under laws of earlier years, such as interest on the debt, social security and other trust funds, etc.) | 86,706 | 28,826 |
| Subtotal | 234,819 | 121,624 |
| 3. Outlays from unexpended carryover balances of all kinds (from prior years) | | 95,935 |
| Gross total | 234,819 | 217,559 |
| 4. Deduct offsetting receipts (intrabudgetary transactions to avoid double counting, and "proprietary receipts from the public") | −16,788 | −16,788 |
| Net totals in the 1971 budget | 218,031 | 200,771 |

THE $200.8 BILLION OUTLAY ESTIMATE FOR 1971

There have been a number of developments since submission of the February 2 budget that either constitute a basis for adjusting the $200.8 billion outlay total upward under the flexible ceiling provision proposed in the bill or point to upward pressures on it. A number of major specifics are mentioned in the printed hearings, at pages 788–790.

Other developments of many kinds, and for many reasons, will of course take place as the session and the year progress, that will bear on both the outgo and income sides of the fiscal 1971 budget. The Committee merely thought it appropriate to call attention to these major specifics mentioned in the hearings since the $200.8 billion figure is used in the ceiling language of the accompanying bill notwithstanding the fact that things have already happened, some of which lay the basis for changes in that figure; some do not.

ADMINISTRATION OF PUBLIC DEBT

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

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

Mr. GROSS. I thank the gentleman for yielding.

We cannot be very optimistic at this time with respect to Federal revenue, can we?

Mr. MAHON. I do not think so.

Mr. GROSS. With corporations and other businesses reporting declining business conditions.

Mr. MAHON. This is true. We are confronted with a very serious situation, if not the possibility of a disastrous situation. If we are to avoid disaster, it seems to me we have to try to hold the line as well as we possibly can do so.

We reported out of the Committee on Appropriations today, under the subcommittee chairmanship of the gentleman from Tennessee (Mr. EVINS), the independent offices and HUD appropriation bill, the biggest ever, amounting to $17 billion plus. I have been told that perhaps a half a billion dollar increase above the budget will be offered and campaigned for by way of an increase. If we throw away all fiscal restraints, this country will have had it, and while we may not pay in taxes for what we are spending, we will pay in run-away inflation, which is worse than taxes.

Mr. GROSS. I note with this bill the cost of administration of the Bureau of the Public Debt will be more than $63 million on an annual basis. I can remember when I first came to the Congress the appropriation for the Bureau of the Public Debt was about $20 million and perhaps even less. Now $63 million is being expended simply to administer the office. This does not include a single dollar for the carrying charges of $20 billion a year on the public debt. It is simply to administer it. This is almost unconscionable.

Mr. MAHON. Well, of course, the administering of the public debt at this time of economic disturbance is very difficult. Many operations are necessary now that were not necessary at an earlier date.

I see the gentleman from Oklahoma (Mr. STEED), the chairman of the subcommittee that handles that appropriation, is here, and I will yield to him for a comment.

Mr. STEED. In regard to the form of administering the public debt, the largest item in the $63 million is nearly $31 million which goes for postage. Then the next largest item is the fees that we pay the Federal Reserve banks and the commercial banks of the country for cashing savings bonds and doing other functions for the Treasury Department.

Mr. GROSS. I note that there is contained in this supplemental appropriation bill an increase of $250,000 with which to print Treasury certificates. Is this just to purchase oil for the printing presses or is it to buy new printing presses in order to expedite the printing? What is the story?

Mr. STEED. Mr. Chairman, if the gentleman from Texas would yield further, the bonds, notes and the paper money that they have to purchase in this country I believe last year according to the Treasury they had to issue about 174 million pieces of paper called bonds, notes or bills. This is just an increase in the cost of the material which they have to use. There has been an unprecedented increase, as the gentleman from Iowa understands, in the cashing of savings bonds. This is to pay a 15-percent fee for each bond cashed. This is an uncontrollable item. So, it just reflects the volume of selling and buying which is going on in this field these days.

PAY INCREASE APPROPRIATIONS

Mr. GROSS. Mr. Chairman, if the gentleman will yield for one further question——

Mr. MAHON. I yield further to the gentleman.

Mr. GROSS. Did the committee in setting up this figure of $1,350 million to fund the recent pay increases, pull together any figures as to the number and cost of pay increases for, say, the last 10 years?

Mr. MAHON. The various subcommittees screened the various pay requests that were made. We insisted that the departments absorb as much of the pay increase as possible. Large sums will be absorbed. This bill contains certain transfer authority which will help enable the agencies to meet these requirements; otherwise, the bill would be greater than it is.

It is a matter of great concern, of course, to the committee and to the gentleman from Iowa as well as to the people generally as to the great cost which is involved.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield for a question?

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

Mr. PUCINSKI. Has the chairman been able to make an estimate as to what this supplemental appropriation, plus the regular appropriation, will do in terms of increasing the national debt? What will be the net increase in the national debt?

Mr. MAHON. Well, I assume that we will have a rather spirited debate in the near future on the issue of increasing the public debt. There will be an increase in the public debt. What effect this will have I could not predict at this time.

Mr. PUCINSKI. I have seen various estimates, one as high as $15 billion deficit, for fiscal 1970.

Obviously, if we had some indication as to what the figures are, it would certainly affect our action on this legislation.

The gentleman suggests that much of these expenditures are uncontrollable. I do not quite understand that.

Mr. MAHON. Nearly 90 percent of the bill is for legislated pay increases and other mandatory-type payments, as page 2 of the committee report clearly indicates. Congress raised the pay and after we raised the pay, unless we rescind that action, it is more or less uncontrollable, unless there is a vast reduction in personnel otherwise. Certain other items—public assistance, veterans, and so forth—fall somewhat in the same category.

Mr. PUCINSKI. Mr. Chairman, if the gentleman will yield further, we, for instance, authorize a certain amount of money for education and then we only fund one-half of it. We have a lot of programs around here where we authorize substantially more than we appropriate. It is not uncommon, as a matter of fact, for the Appropriations Committee to hold the line on almost every single authorization.

As the gentleman said, we did raise the salaries, but has any effort been made to reduce the number of Government employees to pick up some of that slack?

Mr. MAHON. An effort certainly has been made, but after Congress screens the requests, appropriates for the various programs, and the people are on the payroll you have to pay them for their services at the authorized rates. That is essentially what is involved here.

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

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I would ask the gentleman if it is not true and fair to say that when Congress votes a

pay increase that is not the same as authorizing a ceiling on a new program? That is a legislative enactment of a pay increase, and I do not see how the Committee on Appropriations could possibly fail to approve the money that Congress has voted in pay for Government workers and servicemen.

Mr. MAHON. The gentleman is correct. There is no comparability, as I see it, between authorizations and uncontrollable items such as we have in the bill.

CIVILIAN PERSONNEL

Mr. PUCINSKI. Mr. Chairman, if the gentleman will yield further, if my memory serves me correctly, when President Johnson was faced with a similar situation he put a freeze on all new jobs in the Federal Government. There were no new jobs created, and no new jobs filled for at least 6 months or a year.

I was wondering if there was any agreement like that, perhaps, to help meet some of the additional costs if indeed we are going to be faced with a $15 billion deficit?

Mr. MAHON. I will undertake to place into the RECORD what has been done with regard to the personnel. In some areas it has gone down, and in other areas it has gone up. I will put some facts on the subject in the extension of my remarks.

Mr. Chairman, may I add for the record that there are various statistical data published regularly on Federal employment. Executive branch employment has been trending downward in the current fiscal year.

The monthly report of the Joint Committee on Reduction of Federal Expenditures for March 1970—a summary of which I placed in the RECORD on May 4 at page 14045—shows a reduction in overall executive branch civilian employment from last June through this past March of about 65,000. In 7 months there were reductions; in 2 months there were increases, reflecting seasonal and other temporary factors. But the aggregate is down by some 65,000.

Limiting the figures to full-time employment, last June there were 2,633,000 employees in the executive branch. In March 1970, there were 2,572,000, a reduction of about 61,000. The March figure is considerably under the budget planned figure for June 1970.

Some detail by agencies and departments of the changes is given in my remarks in the May 4 RECORD.

Mr. BOW. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the distinguished gentleman from Texas, the chairman of the Committee on Appropriations (Mr. MAHON) has reported on this bill and has given us a very fine explanation of the details. There is little left for me to add.

But I do say to the gentleman from Illinois, who is concerned about the reduction in the number of personnel, that I do not have the figures before me. However, I am sure that the gentleman from Texas, who puts out these lists each month, could recall that there were many suggestions made about how the previous administration was going to reduce employment. But employment still continued to grow.

Now, I do not believe we are going to have a $15 billion deficit. That is certainly not anticipated. There has been some indication that we may expect a slight surplus under the unified budget, and this is a different situation than we have had in the past.

The gentleman from Texas has also made a point with respect to the use of the unified budget. However, if you examine the unified budget, the same budget we are using now, in the last year of the Johnson administration, you find we had a deficit of $25 billion. Therefore the problem is not the unified budget, and when you talk about the increase in the public debt, and the increase in interest, you must also go back and look at the deficits of the previous administration. Past deficits are the reason we are faced with this public debt situation today. It isn't the use of a unified budget.

Now, the gentleman from Texas has also referred to the limitation on designated uncontrollables. I am concerned about this limitation, although I will support it. Any ceiling on uncontrollables is almost a contradiction in terms. Let us look at our experience in 1970—and I might say that I supported this kind of limitation for that year. Our experience with that ceiling on uncontrollables should have certainly taught us the lesson that we cannot do much with these items. By the time President Nixon took office and submitted his revised budget last April the amounts for these items had been increased by at least $1.6 billion over the original Johnson budget submitted 3 months earlier.

By this February, when the 1971 budget was submitted, the estimate for 1970 uncontrollables had been revised again by adding at least another $4.3 billion.

Further increases are now apparent. No ceiling is going to prevent these costs from increasing. Only a responsible fiscal policy that is adhered to for a number of years will ultimately correct this problem.

However, a ceiling may help to focus attention on what is going on. It does mean that every time a further adjustment is made we are reminded of what is happening.

As the budget director told us on April 13, the interest on the public debt was estimated at $16.8 billion in January 1969. By February 1970, it had risen to $18.8 billion and it now looks like as if that estimate must be further increased by $400 million.

No one has any real control over these designated items in the budget. I think it is almost futile to put a ceiling on these uncontrollables.

May I also comment on the latest estimate I have received of the cost of interest on the national debt. Take your watch and look at the sweep-second hand. Every time it goes around—each minute—you will have paid $35,769 for interest on this debt. Those who are interested in cities and in other spending issues, should consider that $35,769 that you are now paying every minute for interest. Think of what you could do with those moneys.

So this deficit spending must come to an end. We have to do something to try to and reduce this debt. The amount is now some $374 billion. Do you realize how much that is? The gentleman from North Carolina (Mr. JONAS) has an example which he has used in the past and which I have used that illustrates the sharp difference between a million dollars and a billion dollars. If you were to give your wife a million dollars and tell her to go and spend $1,000 a day she would be back in 3 years for more money. But, if you gave here a billion dollars and told her to go and spend $1,000 a day—$1 billion—you would not see her again for 3,000 years.

This is how much of a difference there is between a million dollars and a billion dollars. Our debt is $374 billion.

We must begin to reduce this debt so that instead of using these moneys for interest on the debt, we can begin to use them for the benefit of the American people.

Again I say I support this bill, and I hope the bill will pass without amendment. We have now been notified that there is going to be an amendment offered which was never considered in the committee. We knew nothing about this amendment until we came to the floor today, and I hope the Members will defeat it when it is offered.

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

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

Mr. GROSS. I am looking at the appropriation provision on page 5 of the bill, "Commission on Population Growth and the American Future."

How long has this Commission been in operation, without having produced a program?

Mr. BOW. I would ask the gentleman from North Carolina (Mr. JONAS) to respond to that. It is in his bill.

Mr. GROSS. I am asking about this Commission on Population Growth and the American Future, and why $700,000 should be carried over or transferred without a program having been provided to the committee—which apparently is the reason. Why not just cut it out until they come up with a program rather than continue the $700,000 for it?

Mr. JONAS. I did not hear the gentleman's original question.

Mr. GROSS. Why is the $700,000 being carried over, apparently protected by a waiver of a point of order? Why not just withhold the $700,000 until they come up with a program? How long have they been in operation without providing a program?

Mr. JONAS. This is a brand new organization. It is a subject about which a considerable amount of current discussion is going on. They had originally requested funding for the entire 3 years and we reduced that. We did not wish to unduly delay this program because of the extent of current concern, but believed further planning was necessary. This title in the bill is not protected by a waiver of points of order.

Mr. GROSS. My question is, Why not cut out the $700,000 until they provide a program? Why should it be continued? That is the point I am trying to make.

I note there is $200 million-plus for the Inter-American Development Bank. It seems to me that the time is coming when we are going to have to stop appropriating to these international financial institutions. It seems to me a savings could have been made there without a bit of trouble. I do not understand $2 million more for the National Foundation on the Arts and Humanities. Did they not receive $20 million last year?

Mr. BOW. Yes.

Mr. GROSS. Why another $2 million for that?

Mr. BOW. I believe this is for the pay increase.

Mr. GROSS. It seems to me this is one place where they could certainly have chopped off some employment to take care of the $2 million.

Mr. BOW. I would like to correct the statement I made. The $2 million is not for the pay increase.

Mr. GROSS. What did you say?

Mr. BOW. I had said to the gentleman that this amount was to take care of a pay increase, and I was in error. It is not a pay increase. It is an additional appropriation.

Mr. GROSS. So it is another handout of $2 million?

Mr. BOW. The funds are to match gifts made from private corporations.

Mr. GROSS. Is that not nice? How helpful is it? It just causes us to put up another $2 million. We are talking about controlling the outflow of money from the Federal Treasury, trying to stop inflation, and it is not going to be stopped this way, Mr. Chairman.

Mr. BOW. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona (Mr. RHODES).

Mr. RHODES. Mr. Chairman, I am informed that there will be an amendment offered by my good friend from Massachusetts which will have approximately the same effect as the various amendments might have had to the military authorization bill which we passed on yesterday had those amendments been adopted. I am sorry the gentleman intends to offer the amendment, but I recognize his sincerity and his right to do as he pleases. I am sure that he feels strongly, and as a Member of Congress doing his duty, he feels constrained to do this.

There were no such amendments offered at the time the American forces in Vietnam were increased from the 653 in Vietnam when President Eisenhower left office, over 16,000 by the late President Kennedy.

There were no such limitations offered when President Lyndon B. Johnson decided to bomb North Vietnam. In so doing he extended the war to North Vietnam a real escalation, but there were no such limitations offered which would have had the effect of inhibiting the freedom of the Commander in Chief of the Armed Forces of the United States, in conducting the war which he felt was authorized by the Gulf of Tonkin resolution adopted by the Congress of the United States. There were no such limitations offered when this same President raised our troop level in Vietnam from time to time until it reached 546,000, as it was when President Nixon was inaugurated.

In my opinion this limiting amendment, if adopted, would have the effect of inhibiting this President of the United States in conducting the operations in Southeast Asia which were authorized by the Congress under the Gulf of Tonkin resolution.

Let me say first that I am no hawk. As a matter of fact, I do not think anybody wants to end this war in Vietnam any more quickly or urgently than I do. I have one very personal reason for wanting to end the war, in the shape of my son, who is now serving as a captain in military intelligence in Vietnam. I have other, and perhaps even better, though less personal, reasons for wanting to end it. I feel very strongly that the world will little note nor long remember who controls Southeast Asia, but I think the world may long remember what was done in this particular period in history to keep the United States of America strong in all areas of defense, so that no enemy with more sophisticated weapons than those possessed by the North Vietnamese or any other such country might, by miscalculation, think it could earn a cheap victory over us and thereby find its way to world domination.

To me that type of preparation is the most urgent duty which faces the President of the United States of America today. That is the main reason why I yield to no one in my desire to get out of the Vietnamese involvement just as rapidly as we can, because the effort and treasure spent there could and should be spent in deterring and preventing a conflict much more deadly to our Nation and to the entire world than the one in Vietnam.

Let us look at the situation as we find it, because we cannot change it. Whether we like it or not, we are in Vietnam. If we decided today to get out of Vietnam, we could not possibly do it for weeks and months, because the physical facilities for moving that many troops and their equipment are not available. So we might as well look at the situation as it is.

I was in Vietnam about a month ago. I started with the IV Corps in the Mekong Delta, and I went to the III Corps, to the II Corps, to the I Corps along the DMZ. I also went into Laos and spent 2 days in that country. I intend to report to the House at greater length, when it becomes possible for me to have the time free from Appropriations Committee hearings to prepare it properly.

I am pleased to report to the House now, however, that I have never seen and I do not think anybody else has ever seen finer troops or a better equipped Army, Navy, and Air Force than I saw in Vietnam. I never have seen better morale among fighting men than I saw among the American men in South Vietnam. I never have seen people more dedicated to the task they were performing or better able to perform that task than I saw among the troops wearing the uniform of the United States of America in South Vietnam.

I can also report that a very definite part of their everyday life, their routine and objective, is Vietnamization. Major General Wright, the distinguished commanding general of the 101st Airborne Division, a division well known for its fighting qualities, but not so well known for its peaceful pursuits, was most emphatic in telling me that his main mission today is Vietnamization, that he is responsible for training the popular forces and the regional forces in South Vietnam so that they may take over and keep the country free once the Americans have gone.

I saw this all. Vietnamization is working. The 1st South Vietnamese Infantry Division, is an outfit which can stay on anybody's battlefield, and any American officer will tell you this is so.

There are several other Vietnamese divisions which are almost up to that stage of training. So we are seeing the plans of President Nixon to get the United States out of Vietnam, by Vietnamization, working. They are working. Vietnamization is working. But it does take time.

It has been well said by many of us here on this floor and many people who are not Members of this body that the proof of the pudding on Vietnamization will come in some few months when the second 150,000 troop increment has been removed from that country. Remaining in the country will be American troops—mainly communications, maintenance, and supply troops. This is when the danger may come. This is when the North Vietnamese may decide they can strike quickly at our diminished force, humiliate the United States of America, and earn a cheap victory. The real metal of the South Vietnamese will be tested, when they try to defeat this attack, which I predict will come from the North Vietnamese, at the time when the balance of American troops in South Vietnam is such that the people who are the rulers of North Vietnam will deem the time proper and right for the success of such a mission.

The President of the United States knows this. The Secretary of Defense knows it. Practically everybody who is in the defense business in the Congress knows it. We have been worried about this fateful day when we might be faced with that type of situation. We all want to do everything possible to insure that this attack, when it comes, will be unsuccessful.

The neighboring nation of Cambodia for many months has been an unwilling sanctuary for troops of North Vietnam. At the end of the Ho Chi Minh Trail and the Sihanouk Trail supplies were cached, in South Vietnam at first but later also in Cambodia, in a sanctuary which our troops and allies did not hit. They did not hit it because Cambodia was a neutral nation. So as a result the supplies were built up in these areas, and as a result those areas of South Vietnam to Cambodia, particularly in the IV Corps Mekong Delta, became strongholds of the Vietcong and the North Vietnamese.

Not too many months ago the situation changed, because Prince Sihanouk, then the ruler of Cambodia, was able to see that his people did not like the idea

of so many Vietnamese being on their territory. He could see there were so many of them and they were so well equipped that they were a danger to his own regime. So he started to cut off the supplies which came through the port of Sihanoukville. He asked Russia and China to order the North Vietnamese to leave.

Later on, as we know, when he left the country, he was overthrown and another government came in, which not only continued to cut off the supplies at Sihanoukville but also cut off the Sihanouk Trail. They let it be known they expected the North Vietnamese and the Vietcong to quit using Cambodia as a sanctuary.

This put the North Vietnamese to the test, because they had some pretty agonizing decisions to make. One alternative, of course, was to withdraw troops before they used up their supplies and get them out of danger. A second alternative was to stay in place and try to supply their people as they now are. A third alternative was to attack, widen their area of domination, and increase their supply systems capability. Soon, movements of North Vietnamese into the interior of Cambodia, and toward Sihanoukville, made it apparent that Hanoi had chosen the third alternative, and were trying to turn Cambodia into a real supply and operations bastion of communism.

Such a bastion would outflank the Mekong Delta and the Saigon area. The delta situation had so improved that American troops had been pulled out. The improvement had accelerated after the closing of Sihanoukville.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. BOW. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. RHODES. Sihanoukville supplied the IV Corps, which is the Mekong Delta of Vietnam, and the III Corps, which is the area in which Saigon is located, with many goods and supplies. In fact, we are told that the IV Corps got 75 percent—of its supplies and equipment through Sihanoukville, and the III Corps got 50 percent of its supplies and equipment through Sihanoukville. Thus, this was a very important port. No wonder the North Vietnamese would be most anxious to reopen it.

So the thing which they did, after they were faced with this decision, was to widen the area which they occupied in Cambodia to start a drive in the general direction of Sihanoukville.

It was at this time and this time only that the President of the United States and, I am sure, the President of South Vietnam went through a rather agonizing reappraisal. As long as the troops who occupied these sanctuaries were in relatively small pockets, there was not an overwhelming danger that could not be contained, even by our diminished forces after the 150,000 troop withdrawal, and the South Vietnamese. Now, when you start connecting those pockets, and building it up into a continuous chain of supply depots, increasing the capacity of the Ho Chi Minh Trail, then it becomes apparent that Cambodia is about to become a real arsenal for attack against the South Vietnamese and the remaining Americans. It was at this time and at this time only that the President of the United States and the President of South Vietnam came to the conclusion that this was a risk to the lives of our men which they could not and would not take. So, as a result, the operation which is now in progress was decided upon, and begun.

Now let us look at the North Vietnamese. Many people are saying that the United States is an invader and an aggressor in Cambodia. Let us deny that right now, because the North Vietnamese are the aggressors. They are the ones who are there illegally. Nobody asked the United States and South Vietnam to get out of Cambodia. They have asked the North Vietnamese to do so. So, if there is any law involved, it is on our side.

It is also being said that we made this move because we want military victory. I say this is not true. They are there because they want military victory. They are now talking in Paris because they want military victory, not a negotiated settlement. The Nixon administration has not changed its previous pronouncements that what we are doing in South Vietnam is trying to create a climate whereby the South Vietnamese themselves can choose and keep the type of government which they, the South Vietnamese, want. I recognize the fact that the gentleman from Massachusetts' amendment will apply only to fiscal year 1971, which begins after July 1. However, it has been well said—and the President of the United States said it himself—that these American troops will be out of Cambodia before June 30. What assurance do we have that if we give an open invitation like this for the North Vietnamese to return to those areas, they will not do it? What you are doing here, then, is to say, "All right, Mr. Nixon, you go ahead and blow up the privileged sanctuaries and the bunkers and confiscate the supplies and all that, but only in fiscal year 1970. After that you will get out and you cannot go back. You cannot go back under any conditions." But you say to the North Vietnamese that they can come back and use this again as a privileged sanctuary, from which to attack and kill our diminished forces.

I submit to you that this makes no sense. If we are going to put up with that kind of thinking, which caused the situation which occurred on the floor yesterday—and I am afraid which will occur here today—then maybe the Congress of the United States ought to look at its hole card and realize that we are actually giving encouragement to the enemies of this country which they do not deserve. We are prolonging the war, not helping to end it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOW. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. RHODES. We are making it possible for them actually to increase the number of American casualties in South Vietnam instead of decreasing them.

Mr. Chairman, I will close by saying what I said when I started out. There is nobody who wants to get out of South Vietnam any faster than I do, but I want to get out after accomplishing the national objective by taking the process of Vietnamization through to its culmination, which will be when the South Vietnamese really can defend themselves against North Vietnamese aggression. I am satisfied that we will be able to do it, and we are all working toward that end. The morale of the South Vietnamese is magnificent.

When I was there in 1964, every South Vietnamese I met gave me the impression that he thought every North Vietnamese was 9 feet tall and there was not any possibility that they could be defeated by the South Vietnamese on the battlefield or any other way. But, now it is different. They have confidence. They know they can do the job because we have helped them get the arms and equipment with which to get the job done.

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

Mr. RHODES. I yield to the gentleman.

Mr. McCLOSKEY. I am disturbed about the question as to the estimate as to how long it will take Vietnamization to work.

Mr. RHODES. I only yield to the gentleman for a question.

Mr. McCLOSKEY. Let me give the gentleman the question.

The present strength of the South Vietnamese under arms is 1.2 million men. The strength of the North Vietnamese and Vietcong has never exceeded 270,000. We have about a 4-to-1 or 5-to-1 strength advantage today and we have at least a 4-to-1 superiority in numbers along the Vietnam and Cambodian border.

How long does the gentleman feel it will take for the Vietnamese in the III and IV Corps areas to be successful so that the South Vietnamese can hold off this smaller number of North Vietnamese?

Mr. RHODES. I do not wish to play the numbers game. All I can say to the gentleman from California is that the South Vietnamese have made great strides in their training and in their equipment. They are much better now than they were in 1964 when they had 700,000 men under arms. They are making a great effort and they are united in their purpose. I believe they will succeed, and do so in a reasonable time.

Mr. MAHON. Mr. Chairman, I yield myself such time as I may consume.

TROOPS IN CAMBODIA

Mr. Chairman, I understand that an amendment will be offered relating to the utilization of American troops in Cambodia. I further understand that certain substitute amendments may be offered.

My feeling is that we ought to have a sharp up or down vote on the issues involved.

It has been suggested by some that we might have a limitation offered to the title V expenditure limitation reading about like this:

Of which expenditures none shall be available for use by American combat forces in Cambodia, unless the President shall report

to the Congress that such ground forces are necessary to protect the lives of the American troops remaining within South Vietnam.

I believe the House ought to vote down all amendments of this type. We should not undertake to fix war strategy on this appropriation bill.

The President as Commander in Chief of the Armed Forces is committed to take all appropriate steps to save American lives and bring the war to an honorable conclusion at the earliest possible date.

I would think that a vote for an amendment of the character which is being proposed would represent a vote of no confidence in the President. I do not believe that such an amendment would be meaningful or helpful. I think it would tend to worsen our already complex and difficult situation.

Mr. Chairman, I appeal for the support of the House.

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

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

Mr. BOW. I quite agree with the gentleman. I would hope that we could face this one issue, the amendment that is going to be offered, as it is and without watering it down. Let us face right up to this question. I hope that no additional amendments or substitutes will be offered, so that we can vote this question up or down.

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

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

Mr. ARENDS. Let me state to the gentleman from Texas that I appreciate what he has just said and agree completely. I believe that the ranking member of the committee feels likewise. Those of us who have firm convictions on this matter should stand fast and not in any way do differently than we did on yesterday.

Mr. MAHON. I thank the gentleman.

Mr. COHELAN. Mr. Chairman, I rise to speak to the portion of this bill that provides a supplemental appropriation of $7.1 million for Point Reyes National Seashore.

As you know this has been a long-term project with me and I am delighted that we have finally come so close to realizing the completion of this project.

I would like to commend my colleague and good friend, the gentlewoman from Washington (Mrs. HANSEN), chairwoman of the Interior Appropriations Subcommittee, for her good efforts on behalf of this project. I appreciate her farsightedness and wisdom in recognizing the importance of this project by approving the allocation of these funds. Her assistance has been of inestimable value and of the utmost importance in getting adequate moneys for Point Reyes. I applaud her committee's realization of the need for this money for "the emergency acquisition of properties that otherwise might slip into subdivision."

Reference here is made to two prime properties, the Lake Ranch and the Pierce Ranch, encompassing a total of almost 5,000 choice acres of Point Reyes. Without these funds, purchases of these properties will be impossible and these lands will fall victim to subdivision. This would certainly be a tragedy in the truest sense, most especially since the Administration has already approved the appropriation of funds needed for this purchase. In addition, these funds will be used to begin acquisition of several other properties vital to the Point Reyes picture.

I respectfully request the approval of these moneys and again extend my sincere thanks to the gentlewoman from Washington (Mrs. HANSEN) and her capable subcommittee for their good efforts for this project.

Mr. RYAN. Mr. Chairman, I should like to comment upon three programs which are funded under the second supplemental appropriation bill—H.R. 17399—housing, contract compliance, and civil rights education.

HOUSING: SECTIONS 235 AND 236

Title I of H.R. 17399, the second supplemental appropriation bill for fiscal year 1970, contains urgently needed funds for the section 235 low-income homeownership program and the section 236 rental housing assistance program. An additional $35 million is appropriated for each.

This action by the Appropriations Committee in recommending these moneys is to be commended. The administration requested supplemental appropriations of only $25 million for each program—clearly far too little. The committee has recommended funding in excess of these requests.

I am particularly gratified at this action because of the urgent need of New York City for section 236 funds. As I testified on April 8 before the Subcommittee on Independent Offices and Department of Housing and Urban Development in regard to supplemental appropriations:

> The problem of lack of sufficient housing (in New York City) cannot even be generously described as a clear and present danger. The problem is with us today, and it is a fullblown, very real crisis.

I would also note with special interest that the committee's action is a welcome response to my testimony before the subcommittee in support of H.R. 15643—companion bills H.R. 15729 and 15844—which I introduced with a total of 26 cosponsors joining me, and which provided full funding for the section 235 and 236 programs. In addition, I introduced H.R. 15644, which provides full funding for section 236 alone.

The committee's recommendations fall short of the full authorization for section 236 by $10 million and are short for section 235 by $5 million; $40 million for section 235 and $45 million for section 236 would have brought the moneys appropriated for the two programs up to their fully authorized levels.

The backlog of feasible section 236 projects totals $75 million—that is, there are projects requiring $75 million of section 236 funds which have been analyzed and determined to be feasible, the only lack being money. The backlog of feasible projects for the New York City area alone—the city and surrounding counties—amounts to $20 million.

I believe that the Committee on Appropriations, by its support of the supplemental appropriations bills which I introduced, has shown a recognition of the dire crisis in housing which exists in the Nation, and I hope that the committee's future actions will work toward the alleviation of that crisis.

At this point, I include in the RECORD the testimony which I gave on April 8 before the Subcommittee on Independent Offices and Department of Housing and Urban Development of the Committee on Appropriations. The testimony follows:

STATEMENT OF HON. WILLIAM F. RYAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK—APRIL 8, 1970

Mr. Chairman, I am appearing today before this subcommittee to testify in regard to the supplemental appropriations requests submitted by the President on March 12, 1970, for the sections 235 and 236 programs, and to urge that supplemental appropriations for the urban renewal and rent supplement programs also be favorably considered.

Twenty-six members joined me in three bills—H.R. 15643, 15729, and 15844—which would provide for increasing the fiscal year 1970 section 235 appropriation by $40 million, the section 236 appropriation by $45 million, the urban renewal programs appropriation by $400 million, and the rent supplement program appropriation by $68 million. These supplemental appropriations would fund these programs to their full authorized levels. I also introduced H.R. 15644, which provides for full funding of the section 236 program alone.

The administration's actions in responding to the needs which these bills meet is inadequate. The request submitted by the President was limited only to section 235 and 236, and asked only for an additional $25 million for each program. The fact that the administration's requests for fiscal year 1971 provide for full funding of these two programs does not alter, or ameliorate, the urgent need for these funds now, as well as for the funds for the urban renewal and rent supplement programs.

Urban renewal is at the very core of the governmental effort to clear our Nation's slums and halt urban blight. Decay of our cities is not going to stand still awaiting adequate Federal funds to combat it; it continues, it persists, and it grows in severity. It is no exaggeration to say that every day of delay creates that much more which must be done tomorrow. The onus will not be lifted by ignoring it; it will only grow. Money is essential, and must be appropriated. Currently, there is a backlog of applications submitted to the Department of Housing and Urban Development for urban renewal projects amounting to $3 billion.

The rent supplement program is designed to make it possible for non-Government sponsors to house, with Federal assistance, low-income families, who pay a maximum of 25 percent of their monthly income for rent. The program, if effectively and fully implemented, can achieve multiple beneficial results. The program encourages the construction of needed housing for low-income families. It brings private enterprise into the low income housing field. And it achieves a measure of economic integration within individual projects—families of different incomes and ages can live together.

Currently, the backlog of requests for rent supplement funds totals $18,543,520. At a per unit annual cost of $640—the figure estimated by the Department of Housing and Urban Development—this means 28,974 units. What is more, were the money available, requests totalling millions of additional dollars would immediately be forthcoming, once the availability of the funds became known.

Consequently, I would strongly urge that the subcommittee favorably consider supple-

mental funding for the urban renewal and rent supplement programs. Both fill urgent needs, and response to these needs cannot continue to be foresworn or delayed.

Similarly, the need for funds for sections 235 and 236 is a very real and a very urgent one. The full amounts that could be appropriated for fiscal year 1970—$40 million for section 235 and $45 million for section 236—are required today. If appropriated, they could be immediately employed; $40 million would fund 43,956 units under section 235; $45 million would fund 45,000 units under section 236.

The Department of Housing and Urban Development has reported to me that there is, right now, a $37 million backlog of section 235 requests. This backlog is for short-term requests—that is, requests which are ready now for funding and which could be funded now if money were available.

The same massive need for funds exists for the section 236 program. So far, this fiscal year, section 236 reservations for New York City alone have been made by FHA for only 6,556 dwelling units, at a total cost of $9,425,932. Of these 6,556 units, 3,341 are New York City Mitchell-Lama projects. The other 3,215 are straight FHA projects, for which the FHA reservations amount to $5,197,884 of the total of $9 million plus.

Twelve additional projects are ready to be started; these represent the New York City Housing Development Administration's top priority requirements. The total amount necessary for them from FHA is $5,400,000. In addition, the housing development administration estimates that, if there were funds available for commitment from FHA, approximately 3,000 more units could be started in fiscal year 1970 alone.

These figures only portray the need for section 236 funds in New York City. The backlog of feasible projects for the New York City area alone—the city and surrounding counties—amounts to $20 million. And the nationwide demand multiplies this need enormously. The Department of Housing and Urban Development reports a backlog for section 236 programs amounting to $167 million. Of this amount, $75 million is needed for projects which are ready to go right now—they have already been analyzed, sites have been found, the projects have been determined to be feasible.

I want to briefly describe the section 235 and 236 programs. I am sure you all have familiarity with them, but perhaps a brief recapitulation will help illustrate their importance even further.

Under the section 235 homeownership for lower income families program, which was enacted by passage of the 1968 Housing and Urban Development Act, the homeowner pays 20 percent of his income toward payment of his mortgage. But in no case can the payment exceed the difference between the required payment under the mortgage for principal, interest, and the mortgage insurance premium, and the payment that would be required for principal and interest if the mortgage bore an annual interest rate of 1 percent.

The following chart gives a picture of the average family for whom mortgages were written during the last quarter of 1969.

| | |
|---|---|
| Average age of family head | 32 |
| Average size of family | 5 |
| Number of female heads | 1 out of 4 |
| Average gross annual income (not including income of minors) | $5,647 |
| Average total assets | $290 |
| Average unit sales price | $15,029 |
| Average mortgage amount | $14,850 |
| Average sales price—new home | $15,582 |
| Average sales price—existing house | $13,879 |

The typical payment by the mortgagor in the last quarter of 1969 was $79, with a subsidy from the Department of Housing and Urban Development of $54, making an average total mortgage payment of $133.

Last session, the appropriation for contract authority under section 235 was increased by Congress by $900 million. This still leaves a gap of $40 million below the full authorized level. Since the estimated annual cost per unit is $910, according to the Department of Housing and Urban Development, a supplemental appropriation of this $40 million would enable an additional 43,956 units to be funded. The administration's request for only $25 million reduces this number of units to 27,472—a decrease of some 16,500.

While it is commendable and proper that the administration requested in its fiscal year 1971 budget full funding for section 235, there is no need, and no justification, for delaying. The full amount that could be appropriated for fiscal year 1970—$40 million—is needed right now. The thousands of people who account for the current backlog of $37 million should not be told that they must wait until next year's appropriation makes its way through committee hearings, the House and the Senate, and then the President's desk. Therefore, while I urge that, at the least, this subcommittee act favorably on the administration's $25 million supplemental appropriation request, I would even more strongly urge that it act to recommend the full possible—$40 million—proposed in the three bills which I have introduced.

Of special importance to New York City is the section 236 program. For this reason, I not only introduced the three bills to which I have alluded requesting full funding for several housing programs, but I also introduced, on January 29, H.R. 15644, which seeks full funding for section 236 alone. Since section 235 does not really help New York City's apartment-dwelling population, it is the section 236 rental housing assistance program which offers the chief subsidy to moderate-income families seeking adequate housing.

Section 236, enacted by passage of the 1968 Housing and Urban Development Act, provides for assistance to families for rental or cooperative housing in the form of periodic payments to the mortgagee on behalf of the mortgagor. These payments serve to reduce interest costs on a market-rate project down to that which have to be paid if the mortgage bore an interest rate of 1 percent. The tenant pays no more than 25 percent of his income per month for rent.

Last session, Congress increased the section 236 contract authority by $85 million. This was $45 million less than the amount by which the contract authority could have been increased if the full authorization level were to be reached.

The full possible appropriation of $45 million would enable subsidizing 45,000 more units this fiscal year, the estimated annual per unit cost being $1,000 according to the Department of Housing and Urban Development. Consequently, the administration's failure to request full funding means that only 25,000 units could be funded—a full 20,000 less than the maximum.

As an example of the uses to which section 236 funds are put in New York City, I would point to Linden Plaza, a 1,557-unit cooperative housing project underway in Brooklyn for individuals and families with annual incomes between $4,000 and $8,500. Linden Plaza utilizes section 236 funds, and funds available under New York State's Mitchell-Lama law, which provides that the State or a city can make low-interest, long-term loans to limited-profit sponsors of moderate-income housing.

Linden Plaza's 703,560-square-foot site, located in the East New York section of Brooklyn, uses vacant land and air rights over city-owned storage yards. Four 17-story apartment buildings and 32 single-family two-story townhouses will be erected. One 20-story building containing commercial, professional, and residential space also is a part of the project, which, in all, will have 163 efficiency apartments, 587 one-bedroom units, 556 two-bedroom units, and 251 three-bedroom units.

The development, which will cost an estimated $42 million, will receive a 50-year, $40,350,000 mortgage loan under the Mitchell-Lama program. FHA will pay the city the difference between 1 percent and the total interest charged on the permanent mortgage, for which FHA has reserved $1,523,052 of section 236 funds to pay the first year's subsidy.

This combined local and Federal assistance will enable families and individuals to purchase cooperative shares in Linden Plaza for down-payments averaging between $275 and $300 per room and monthly carrying charges of approximately $29 per room. Without the section 236 assistance, per room monthly carrying charges would run about $45.

On December 11, 1968, the President's Committee on Urban Housing recommended a 10-year goal of 26 million more new and rehabilitated housing units. The Housing and Urban Development Act of 1968 embraced this goal, and stated:

"The Congress affirms the national goal as set forth in section 2 of the Housing Act of 1949, of a 'decent home and a suitable living environment for every American family.'"

"The Congress finds that this goal has not been fully realized for many of the Nation's lower income families; that this is a matter of grave national concern; and that there exist in the public and private sectors of the economy the resources and capabilities necessary to full realization of this goal."

The second annual report of the President on housing tells us:

"Housing production in the past year, and over the last 4 years has been more than 1 million units short of the volume needed to keep pace with the Nation's growing population and replace inevitable losses of dwellings. Insufficient progress has been made in replacing or rehabilitating some 6 million substandard units. Too many other units continue to be allowed to slip into disrepair."

Let me just outline the situation in New York City, which is especially dire, but which reflects the problems throughout the country and particularly in our major urban centers.

Only 3,000 new apartments were built without Government assistance in New York City last year, and there are no prospects for an increase in 1970. Only seven new apartment buildings opened in Manhattan, and only three are projected for 1970. Three building completions, with 662 units, would be the second lowest figure since World War II.

Not a single permit for private apartment construction in Brooklyn was issued in the first 6 months of 1969. In the Bronx, Queens, and Staten Island permit requests ranged between 200 and 300 units, and in Manhattan the total was 1,250.

Dr. Frank S. Kristof, who was New York City's chief housing economist for 6 years and who now holds a similar position in the State's Urban Development Corp., has estimated that family formations in the early 1970's will run at 20,000 a year. Demolitions of apartment units is currently running at 10,000 a year, and abandonments at 30,000 a year. Thus, with current production at 3,000 a year in the private sector and 17,000 in the public—a total of 20,000—the current annual deficit is an astounding 20,000 units.

For the first time in the 300-odd years of the city's history, New York's available housing is shrinking. Twenty thousand families a year will either have to double up in already occupied apartments or have to leave the city to face the suburban housing shortage

and suburban costs. The problem of lack of sufficient housing cannot even be generously described as a clear and present danger. The problem is with us today, and it is a full-blown, very real crisis.

The statistics which I have cited can leave no question that the funds being sought by the administration are inadequate. Full funding of the section 235 and 236 programs cannot wait; there must be action now. Thus, while the subcommittee will be taking a commendable step in the right direction by supporting the administration's supplemental appropriations requests, it will be taking an even more important step if it goes on to recommend an additional $15 million over and above the administration's $25 million request for section 235, and an additional $20 million over the administration's $25 million request for section 236.

Equally important, the subcommittee, despite the administration's failure to act responsibly and request additional funds, should recommend maximum supplemental appropriations for the other programs funded by H.R. 15643, 14729, and 15844—including the urban renewal program and the rent supplement program.

OFFICE OF FEDERAL CONTRACT COMPLIANCE

The second supplemental appropriation bill for fiscal year 1970, H.R. 17399, severely short changes the equal employment opportunity program mandated by Executive Order 11246, issued by President Johnson on September 24, 1965.

While the request for the Office of Federal Contract Compliance, the central office which governs the Federal equal employment program, was for $160,000. The Appropriations Committee has reported out in H.R. 17399 a recommended appropriation of only $107,000. The consequence of this reduction is that the Office of Federal Contract Compliance—OFCC—will only be able to hire an additional 17 employees, rather than the intended 26. Thereby, the OFCC's capability effectively to implement and monitor the Government-wide contract compliance program, which is intended to ensure equal employment opportunity, will be seriously hindered.

Executive Order 11246, which establishes as the administering agency for this program the Department of Labor, of which OFCC is a part, does two things. It prohibits discrimination on the part of all employers with Federal contracts; and it requires that Federal contractors undertake affirmative action "to insure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin." Executive Order 11375 expands this coverage to discrimination on the basis of sex.

Both the nondiscrimination and affirmative action requirements apply to all of the contractor's operations, not just those for the contracted item, and they are specifically incorporated in the terms of the contract between the Government and the contractor. The contractor is also required under the Executive order to first state in all job advertising that he is an equal employment opportunity employer; second, give appropriate notice to the unions with whom he has contracts; third, comply with all orders of the Secretary of Labor, including requirements for information and records and the inspection of books; and fourth, make reference to these commitments in all subcontracts and purchase orders "so that such provisions shall be binding on each subcontractor or vendor."

Under the Executive order, each contracting agency is primarily responsible for obtaining compliance. Since several agencies might be doing business with the same company, the contract compliance program was originally set up on the basis of assigning compliance responsibility to that agency which did the largeest dollar volume of business with a given company.

This system has been changed under the present administration, and assignment of responsibility is now on the basis of industrial categories. The administration has also reduced the number of contracting agencies responsible for contract compliance from 26 to 13.

The role of the Office of Federal Contract Compliance, created in January 1966 in the Department of Labor, follows from the section of Executive Order 11246 making the Secretary of Labor responsible for the administration of the order and empowering him to "adopt such rules and regulations and issue such orders as he deems necessary and appropriate to achieve the purposes thereof."

The OFCC has yet effectively to perform its mandated functions. It has moved with unwarranted slowness. Not until 2½ years after its creation did it issue rules and regulations.

Some of the half-hearted efforts of the Office may be laid to political pressures. Last year, the Office attempted to issue a fairly well detailed regulation outlining what constituted affirmative action. However, pressures from a Member of the other body, to which the administration promptly acceded, caused the withdrawal of order No. 4, and the revised order No. 4, which was subsequently issued this past February, is far less explicit and helpful.

But without question one of the major reasons for the Office of Contract Compliance's inability to be more effective and aggressive in injecting vitality and commitment into the languishing equal employment opportunity program is its lack of sufficient staff. The OFCC estimated in 1968 that there were 225,000 contractor facilities subject to the Executive order. The miniscule manpower of the OFCC makes impossible review and supervision of the compliance operations of the various contracting agencies concerning all the contracting companies. But even on a level of less detail, the OFCC is grossly understaffed: it cannot undertake spot checks, review of particularly suspect companies, review of questionable practices, and issuance of adequate rules and regulations.

Certainly, to just increase the staff of the OFCC is not the answer to the Government's failure to effectively and firmly enforce the equal employment opportunity program—a failure glaringly highlighted by the fact that there has never yet been a contract cancellation for noncompliance. The compliance staffs of every contracting agency must be enormously enlarged. But to not sufficiently increase the staff of the OFCC adds that much more of a barrier to beefing up this program and enabling it to realize the potential for momentous change it embodies.

One of the consistent themes running throughout the ad hoc hearings on equal employment opportunity which I conducted in December of 1968 was the absolutely essential need for sufficiently staffing the Office of Federal Contract Compliance. That action has not yet been taken. And it is needed now more than ever, as dramatized by the actions of the Defense Department in conducting its equal employment opportunity program. Last year, Deputy Defense Secretary Packard accepted oral assurances of compliance from three textile companies in the South which were in noncompliance. The OFCC was not consulted.

Subsequently, the Navy entered into contracts with the Ingalls Shipbuilding Co. in Pascagoula, Miss., totaling $128 million, even though Ingalls was not in compliance.

On January 1 of this year, the Air Force entered into a contract with McDonnell-Douglas Aircraft Co., and only following hearings held by the U.S. Commission on Civil Rights was McDonnell forced to adopt a new affirmative action plan, which still may be unacceptable, although we do not know because the Defense Department refuses to make that plan public.

In March of this year, the Maritime Administration found that the Newport News Shipbuilding and Drydock Co. was in noncompliance, and yet the company had $2 billion worth of on-going Defense Department contracts at the time, of which half a billion dollars' worth of performance was still remaining.

It is ineptness and obfuscation and nonenforcement such as that demonstrated by the Department of Defense which requires that the Office of Federal Contract Compliance be fully equipped to supervise effectively the equal employment opportunity program throughout the Government.

Of course, I am not totally satisfied with the uses to which the $160,000 requested would be put. This money is to be used for staff to develop a program of "identifying problems that need attention, planning programs, evaluating accomplishments, and setting uniform standards for agencies and contractors." This is according to the statement of Assistant Secretary of Labor Arthur A. Fletcher before the Subcommittee on Departments of Labor and Health, Education, and Welfare and related agencies of the Committee on Appropriations. It is already more than 4 years since the OFCC was established. The time is long past for firm action, let alone planning and evaluation. Even so, the full appropriation of $160,000 would be money appropriated for a program sorely undermanned and under-implemented.

Furthermore, the optimum solution would be creation of a new, independent agency, charged not only with contract compliance responsibility for the entire Government, but also for fair employment in the civil service. Until the day such an agency is created, however, the OFCC is the best hope. And it must be

staffed, in order that that hope can be better realized.

Therefore, while I am encouraged that at least $107,000 of additional funding is being appropriated to the Office of Federal Contract Compliance, I would much rather see full funding of the request for $160,000.

CIVIL RIGHTS EDUCATION PROGRAM

I deeply regret that the Appropriations Committee has reduced by half the supplemental appropriation for the civil rights education program—from the $10 million requested to $5 million. Because this program plays a vital role in the process of desegregation, it should receive full and adequate funding.

The civil rights education program is one of the most valuable, productive, and necessary programs conducted by the Office of Education. One of its purposes is to aid school boards in planning and executing desegregation orders. Another purpose, essential to the quality of our school system, is to give special training to teachers who will be assigned to desegregated schools for the first time in their careers. Many of today's teachers will be ineffective and almost incapable of instructing in biracial, multileveled classrooms. There is an obvious need to give additional training to teachers so they may better cope with the problems that may arise.

Of the $10,000,000 requested, $6.8 million would have been set aside to provide short-term training at university centers for approximately 10,000 school personnel. Another $1,850,000 would have been used for grants to be made directly to school boards for such efforts as special training for teachers, modernizing old curriculums, and introducing new programs.

Unfortunately, as the budget request was halved, so will the ultimate effect of this program be halved. Although it has not been determined which segments of the program will be affected by this cut, it is evident that the program will have to be curtailed to a great extent.

It is expected that 1,350 school districts will desegregate in the next school year. Thousands of teachers will be confronted with new experiences in educating children. Education is a delicate process, and teachers need all the possible training and advice in order to meet the challenge. It is regrettable that the Appropriations Committee has not been more responsive to the need for the civil rights education program.

Mr. FRASER. Mr. Chairman, I am happy to note that the appropriations bill before us today, H.R. 17399, contains supplemental funds for the section 235 homeownership program.

Under section 235, low-income families are able to obtain federally subsidized home mortgages. The subsidies cover the difference between 20 percent of the family's income and total monthly mortgage costs. As the family's income rises, the subsidy is gradually phased out.

Unfortunately, this program is not making the impact that it should in my State, Minnesota, because of funding limitations. Since the inception of the program, Minnesota has only received enough 235 funds to aid 1,300 families. Thousands more could benefit if Federal subsidies were available.

The following letter from a constituent, Mrs. Raymond Schneider, effectively expresses the importance of section 235 for moderate income families with unmet housing needs:

MINNEAPOLIS, MINN.

DEAR MR. FRASER: My husband is a postal carrier, who takes home $95.00 a week. We only have 1 child, but even then its hard to get along. Rent is so high, and about the time you find a place you can afford, the highway takes the land, and you have to find another cheap dump to live in. Then, a dream happens, we're told that, because we were relocated, and because my husband's salary is below $6,700.00 a year, we can buy a house on FHA 235. Well, we found OUR house!!! We signed the purchase agreement, and put earnest money down. We spend a sleepless night, over the excitement of it all. Our child won't be changing schools every few years. We plan what to do with this, and that. Tell our folks the wonderful news. Its all a dream!!! Well, that's what it was, 235 ran out of money. Now comes the tears, and driving by to see if OUR house is sold yet. We tried to get a regular GI or FHA mortgage but that's impossible on my husband's income. I'm unable to work to help out because of illness.

I don't know why I'm really writing to you, except, the system needs changing, and men like you *can* change them. I don't expect you to get our house for us, but I want you to understand what we, the *poor* working men go thru!! Help Us!!!

Sincerely,

MRS. RAYMOND SCHNEIDER.

Mr. BOW. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE

Mr. BOW. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

101 Members are present, a quorum.

The Clerk will read.

The Clerk read as follows:

COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE

SALARIES AND EXPENSES

For expenses necessary for the Commission on Population Growth and the American Future, including services as authorized by 5 U.S. 3109, and hire of passenger motor vehicles, $965,000, to remain available until expended: *Provided*, That $700,000 of the foregoing amount shall not become available without submission of a program and financial plan by the Commission and approval thereof by the Committees on Appropriations of the Senate and House of Representatives.

Mr. BUSH. Mr. Chairman, I make a point of order against the pending legislation.

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

Mr. BUSH. Mr. Chairman, I make a point of order against the language contained in lines 8 through 12 on page 5 of the pending legislation on the ground that it fails to comply with the provisions of clause 2, rule XXI of the Rules of the House of Representatives, wherein paragraph 2 states:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order. . . .

I realize, Mr. Chairman, that substantive legislation can in practice be added to an appropriation bill if it fits within the applicable framework of the Holman Rule but does not impose any additional or affirmative duties. The language—submission of a program and financial plan by the Commission—does in fact impose additional duties on the Commission.

The CHAIRMAN. Does the gentleman from Texas wish to be heard on the point of order?

Mr. MAHON. Mr. Chairman, the gentleman from Tennessee (Mr. EVINS) will speak to the point of order.

Mr. EVINS of Tennessee. Mr. Chairman, this is a most unusual request, in which the budget estimate requested money in a supplemental for the present year and also for 1971 and 1972. In effect, funding is requested for 3 years for a study on population growth and the American future in connection with the census which has been taken this year.

We think this study is important and have recommended a supplemental for the balance of the current year, plus funding for 1971. The Commission should develop its plans, and then come back to the committee and provide us with plans of what they propose to do.

There are two members appointed by the House, two by the Vice President, and the President has appointed John D. Rockefeller as Chairman of the Commission to study population growth and the American future.

They asked for money for 3 years and we recommend funds for the current year and 1971.

Mr. GROSS. Mr. Chairman, I respectfully submit to the gentleman from Tennessee that the question is whether or not this language is subject to a point of order.

Mr. EVINS of Tennessee. This is a limitation on expenditures and we think it is acceptable.

The CHAIRMAN (Mr. O'HARA). The Chair is ready to rule.

The Chair finds that the language cited on page 5, lines 8 through 12, in the opinion of the Chair constitutes legislation in an appropriation bill and the point of order is therefore sustained and the proviso is stricken from the bill.

Mr. VANIK. Mr. Chairman, at the time we were on page 4, I was in the Chamber and on my feet endeavoring to seek recognition. I have an amendment to offer at page 4, line 17.

Mr. Chairman, I ask unanimous consent to offer my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. GROSS. Mr. Chairman, reserving the right to object——

Mr. VANIK. Will you hear my amendment?

Mr. GROSS. Mr. Chairman, I reserve the right to object to hear the amendment read.

Mr. VANIK. I have an amendment,

Mr. Chairman, which would insert the following language after the period on page 4, line 17, which would add the following language:

*Provided, however,* that none of the funds herein appropriated shall be used directly or indirectly as grants or loans to officers or members of the staff of the Inter-American Bank.

I understand that there are over 200 such loans that have been made.

Mr. GROSS. Mr. Chairman, further reserving the right to object, I cannot think of a better amendment to this particular bill, and I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio (Mr. VANIK)?

Mr. MAHON. Mr. Chairman, in order to protect the bill, I have to object.

The CHAIRMAN. Objection is heard.

Mr. VANIK. Mr. Chairman, I do not know who is being protected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MEDICAL CARE

For an additional amount for "Medical care", $109,500,000.

AMENDMENT OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAHON: On page 5, line 25, strike out "$109,500,000" and insert "$113,500,000".

VETERANS MEDICAL CARE

Mr. MAHON. Mr. Chairman, this amendment proposes $4 million for medical care under the Veterans' Administration.

The Committee on Appropriations had gone above the budget in the sum of $3 million. But it has been indicated that an amendment would be offered to increase the bill by $4 million. After conferring with members of the legislative committee on veterans' affairs and others I determined that I would offer an amendment to increase the total still another $4 million.

I hope my amendment will be reasonably satisfactory to all concerned. The desire of Members is, of course, that adequate hospital facilities be provided for our veterans.

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

Mr. MAHON. I yield to the gentleman.

Mr. HALEY. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas (Mr. MAHON), the distinguished chairman of the Committee on Appropriations. I have the honor of serving as chairman of the Hospital Subcommittee which has a deep concern, as I am sure all of my colleagues do, that America's veterans receive proper care in our VA hospitals.

Mr. Chairman, our subcommittee has been holding hearings on this issue of funding and staffing VA hospitals. Last December the chairman, Mr. TEAGUE, directed that a comprehensive questionnaire be sent to each of the 166 VA hospital directors because we had received widespread complaints that VA hospitals were understaffed and that there were many other deficiencies in the system. The results of this questionnaire revealed many funding and staffing problems at VA hospitals. Some of the deficiencies have been corrected by subsequent funding, however, it is quite evident that there is a long road ahead before the VA medical program catches up. Two weeks ago my subcommittee held hearings in Florida. We had all the hospital directors from Florida in to testify as well as representatives from the major veterans organizations and State and county veteran officials. It was evident from the testimony that despite these latest funding allocations and what has been promised for fiscal year 1971 there are still problems of major proportions regarding funding and staffing which must be dealt with.

Mr. Chairman, because of inadequate staffing and funding many veterans in Florida are having to wait from 4 to 6 months after they apply to get prosthetic arms and legs and other prosthetic devices. The hospital directors admit that they are in need of additional staffing and some new construction which has been completed has not been activated because of lack of funds. There is a universal need in practically all of the VA hospitals to catch up on the purchase of new patient care equipment which is needed to give modern up-to-date care to our veterans. In Florida the four VA hospitals need $1.2 million immediately for equipment and maintenance projects.

At the Bay Pines hospital, the subcommittee found that the hospital had a 99-percent occupancy rate and about the lowest staffing ratio of any hospital in the system. The hospital is badly in need of air conditioning and needs to be modernized.

The new 480-bed Gainesville hospital, which was dedicated in 1967, still has not been fully activated largely because of a shortage of funds. This hospital is currently operating about 60 beds short of its capacity and is also short staffed.

The Miami hospital was originally constructed as a thousand-bed hospital. However, there are only 688 beds in operation. This hospital is also underfunded and understaffed.

At the Lake City hospital they are operating 80 fewer beds than authorized. Because of a shortage of funds the orthopedic section of this hospital has been closed since November 1969 and they are over $353,000 short of funds to operate at a minimal staffing ratio of 1.3 employees to each patient.

Mr. Chairman, Florida hospitals have a capacity to operate almost 500 more beds than they are being allowed to operate. Yet, the State service officer presented testimony indicating that over 1,000 veterans are on various kinds of waiting lists for treatment. The needs are clear but the funds are short.

Mr. Chairman, I urge support of Chairman Mahon's amendment—he is only asking for $4 million for the remainder of fiscal year 1970 to help our VA hospitals. This is a modest request but it will help with some of the most pressing equipment problems, and I think our Nation's hospitalized veterans deserve this consideration.

Mr. MAHON. Mr. Chairman, I thank the gentleman.

Mr. Chairman, we have conferred with the gentleman from Texas (Mr. TEAGUE), chairman of the Committee on Veterans' Affairs and others, and we feel that this is the best that can be done under the circumstances.

Mr. Chairman, I ask that the amendment be agreed to.

GENERAL LEAVE

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all Members may revise and extend their remarks at this point in regard to this amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DORN. Mr. Chairman, I support the very able and distinguished chairman of the Committee on Veterans' Affairs to add $4 million to the second supplemental appropriation bill of 1970. I too am a member of the Hospital Subcommittee of which the distinguished and able gentleman from Florida (Mr. HALEY) is chairman. There is justification for grave concern about our VA hospitals throughout the country because they have not been receiving sufficient funds for proper staffing and other operating costs.

Mr. Chairman, even with the additional funding that has been allocated to the South Carolina hospitals they are still $1.3 million short of the funds they needed for operations this year. Most of these shortages have been made by deferring the employment of personnel and not purchasing much needed modern medical equipment. Another device which the hospital directors have been forced to use is to defer maintenance and repair projects which make a material contribution to providing proper patient care to our hospitalized veterans. Earlier this year, Vietnam veterans in South Carolina were having to wait from 5 to 9 months to have their teeth fixed because the Veterans' Administration lacked over $200,000 in dental care funds to issue the fee basis dental authorizations. Staffing ratios at both hospitals are below acceptable levels. The Columbia hospital is badly in need of air conditioning and modernization and in response to the chairman's recent inquiry concerning equipment and maintenance and repair funds needed for the remaining months of 1970, they reported they needed over $135,000. At the Charleston VA hospital, the intensive care unit has not ever been opened because they lacked the funds to staff it. It was constructed and equipped when the new hospital was built at a cost of over $200,000. Yet it has not had a patient in it. This stands as a prime example of what Chairman Teague indicated in his earlier remarks that over $20 million of modern medical equipment had been standing idle in the VA hospital system because of lack of personnel. The situation at Charleston as of this day, Mr. Chairman, has not been corrected.

Mr. Chairman, I stand four-square behind Chairman TEAGUE's amendment to raise the appropriation for medical care by $4 million in the second supplemental appropriation bill for 1970.

Mr. TEAGUE of Texas. Mr. Chairman, I appreciate the graciousness and courtesy of my colleage, the chairman of the

committee, the gentleman from Texas (Mr. MAHON) in offering and sponsoring this $4 million addition to the badly needed funds for the operation of the VA medical system. It carries out what my own Committee on Veterans' Affairs had ascertained as the minimum needed based on field surveys, and I am happy to have this matter come to this successful conclusion. Again my appreciation, not only to the chairman of the committee, but also to the large majority of Members of the House who had indicated to me their support in this matter.

Mr. MONTGOMERY. Mr. Chairman, I wholeheartedly support Chairman TEAGUE's amendment to increase medical care in the Veterans' Administration in the second supplemental appropriation bill of 1970. I am a member of the Subcommittee on Hospitals and had the pleasure of accompanying its chairman, the gentleman from Florida (Mr. HALEY), on recent hearings which the committee held in Tampa. Hearing directly from the hospital directors about their needs and hearing from the State and county veteran officials was most revealing to me.

Mr. Chairman, in my home State of Mississippi it took Hurricane Camille to get one of our hospitals somewhat updated. This devastating hurricane severely damaged the Gulfport division of the Biloxi hospital, and it was necessary to evacuate the patients to some of the Florida hospitals. I want to again congratulate the Veterans' Administration and the Department of Defense for the magnificent cooperative performance which they turned in. All of these hospitalized veterans were psychiatric cases and therefore they needed special care—but not one patient suffered any injury while they were being evacuated to other hospitals.

As a result of the hurricane's damage to the hospital emergency funds were allocated to repair the damage and many modernization projects and new equipment items are or will be taken care of in the process.

Mr. Chairman, it is evident from our committee hearings that the Veterans' Administration medical program has not been properly funded for many years and it has not kept pace with rapidly advancing medical technology because they have been deferring the purchase of new equipment and the modernization of space to introduce these new treatment procedures into many VA hospitals. I realize that we cannot get the entire system updated over night, but Chairman TEAGUE has contacted each of the 166 hospital directors within the past few weeks to determine what they require right now in the way of emergency needs. I think the Congress ought to go ahead now and vote the modest request which Chairman TEAGUE is recommending in his amendment.

Mr. ROBERTS. Mr. Chairman, I wholeheartedly support the amendment which my colleagues, the gentleman from Texas (Mr. MAHON) and the outstanding chairman of the Veterans' Affairs Committee (Mr. TEAGUE), have offered to the 1970 supplemental appropriations bill. I also serve as a member of the Hospital Subcommittee and I am deeply concerned about the plight of many of our VA hospitals. Despite recent additional funding allocations to many VA hospitals and promises of higher funding next year, there are serious shortages of equipment and personnel today to give proper care to hospitalized veterans. Maintenance and repairs and modernization of many hospitals has been deferred or delayed and funds diverted to other uses because the VA medical budget was not keeping pace with rising medical costs. Just a few weeks ago, the Veterans' Affairs Committee asked each hospital director to furnish a list of urgent and critical items of equipment or maintenance and repair still unfunded the absence of which seriously affects a proper level of patient care which could be acquired in this fiscal year. The VA hospital directors in Texas reported that over $400,000 fell in this emergent category. Detailed lists of these needs are a matter of record in the committee offices and I think we should act now on the modest increase which Chairman TEAGUE is recommending.

Mr. Chairman, I also want to point out that the VA hospital in Waco had been scheduled for modernization and air conditioning earlier in this fiscal year but this project has also been on the deferred list for some time even though plans have been ready for bid advertising for some time. I hope that this project will proceed without further delay as last year during the summer months Waco had many days where the temperature was 100 degrees or over. The Bonham VA hospital reported to the committee a few weeks ago that they needed over $25,000 for much needed equipment which ought to be provided.

The plans have also been completed on the new 750-bed San Antonio hospital but these plans have also been shelved for some time. I hope we can proceed with awarding a construction contract on this project without further delay.

Mr. Chairman, I feel very strongly that we should act favorably on Chairman TEAGUE's proposed amendment as the need is urgent now. There is no need to wait any longer, and I urge every Member to vote this $4 million to help America's hospitalized veterans get better medical care.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of the amendment offered by the distinguished gentleman from Texas (Mr. MAHON) to increase by $4 million the item for Veterans' Administration medical care in the second supplemental appropriations bill of 1970. The total supplemental appropriation for medical care would be increased to $113,500,000 providing an additional $4 million for outpatient dental care, treatment to additional veterans, and additional equipment for patient care, after civilian pay increases are subtracted.

The Veterans' Administration hospitals have been operating on inadequate budgets and as a result, the quality of medical care delivered has generally deteriorated. Demands for more hospital space continue to soar as many patients who should be receiving care from VA hospitals, are turned away because of lack of space and put on long waiting lists. Additional funds for operating expenses and for hiring more trained personnel are urgently needed to make it possible for more patients to be admitted and to be taken care of.

I think that it is most important that we provide VA hospitals these additional funds to enable them to supply adequate medical care most necessary to restore the health of our wounded and ill veterans who return from Vietnam and other war zones. It is unforgiveable to send men into war zones to fight for our country and then not pay the price of adequate medical care and rehabilitation of the wounded. Furthermore, I believe that it is our duty to continue to provide quality medical care to our older veterans who fought bravely in the Korean conflict and World Wars I and II.

I have received countless letters from my constituents emphasizing the shortage of hospital facilities and staff at the Veterans' Administration hospital in Miami. The hospital director urgently needs funding for additional equipment, staffing, and operational expenses to meet the rapidly growing medical demands of south Florida. The Miami VA hospital has postponed all maintenance and repair of equipment and facilities which can safely be deferred without danger or additional damage, but this equipment must be functional and in full operation if the hospital is going to meet the needs of the area. There should be at least a minimum of 3 hours of actual nursing time available per patient during a 24-hour period, but at Miami there is less than 2 hours of available nursing time per patient and approximately 50 percent of this is utilized in nonnursing activities because of the lack of an adequate supporting staff.

I urge my colleagues to join with me in supporting this important amendment to increase the funds necessary to assist in providing adequate medical care for the veterans of our wars. With increased casualties resulting from the Vietnam war, more manpower, equipment, and space in VA hospitals continues to be needed at an ever-increasing rate—and it is our obligation to fill this need.

Mr. ANNUNZIO. Mr. Chairman, I rise today to commend the distinguished chairman of the House Veterans' Affairs Committee, Hon. OLIN E. TEAGUE of Texas, who has labored for almost 25 years in the forefront of the struggle to achieve adequate benefits and recognition for our Nation's veterans.

As a veteran of World War II, who himself was wounded in combat, and as a recipient of the Silver Star, the Bronze Star, the Purple Heart, and countless other decorations, Congressman TEAGUE has not only a profound insight into our veterans' problems but also a compassionate and humanitarian understanding of the needs and wants of our Nation's veterans.

Chairman TEAGUE and his committee have done a thorough job in investigating the problem of shortage of funds for Veterans' Administration hospitals. After an extensive study conducted over a period of 4 months, Chairman TEAGUE reported that the Veterans' Administration

has been forced to absorb over $27 million in increased costs in the medical program during fiscal year 1970. In an effort to alleviate this situation, the chairman requested the House Committee on Appropriations to increase the funds for operating the Veterans' Administration medical program by $7 million to cover the last month of fiscal year 1970 which expires on June 30.

The second supplemental appropriation bill has now been reported by the Appropriations Committee, but, unfortunately, only an additional $3 million has been included to cover the shortage of funds in the Veterans' Administration medical program. Consequently, Chairman TEAGUE is today offering an amendment to add $4 million more to the bill in order to provide a total of $7 million to cover the Veterans' Administration medical program deficit.

I support this timely amendment and I want to urge my colleagues in the House of Representatives to give their bipartisan support to it. The Veterans' Administration medical program is in serious trouble and is in desperate need of the additional bare-minimum funding which the chairman is seeking in order to insure modern and up-to-date medical care for our veterans.

Our Nation's veterans have made a tremendous sacrifice for our country, and, consequently, nothing but the best is good enough for them. They deserve up-to-date medical care, and right now, our commitment to provide this up-to-date care is being thwarted by budgetary limitations.

As the Veterans' Affairs Committee has pointed out, only last October, $20 million worth of specialized medical facilities were standing idle as a result of cutbacks in much needed funds and personnel to operate them. Construction of vitally needed Veterans' Administration hospitals is being curtailed; supporting services are being reduced; and purchase of replacement equipment is being deferred—all in the Nation's effort to curb inflation.

However, these cuts are being made just at a time when our Veterans' Administration hospital system is being challenged by the growing numbers of disabled Vietnam veterans. The largest hospital program in the world is being forced to operate with only half the personnel-patient ratio of other modern hospitals. The Veterans' Administration average staff ratio is only 1.5 staff members per patient, compared to the community's ratio of 2.65 and the university's 3.5 to 4 per patient. Although the net population gain for the veterans has increased by 6 million since 1965, employment of full-time nurses and doctors remains at the 1966 level. We have 1,000 fewer beds available this year—yet our Vietnam veterans are increasing at a rate of 75,000 a month. Close to 250,000 veterans have received nonfatal wounds; over 12,000 of these men are totally disabled. Due to modern evacuation techniques on the battlefield, an increasing number of soldiers are experiencing and surviving more severe and permanently disabling wounds than ever before. Only 4.4 percent of disabled World War II veterans were rated 100 percent disabled, compared to the Vietnam rate of 12.4 percent. To meet this growing demand, it is imperative that we provide sufficient funds to increase the number of hospital beds in our Veterans' Administration hospitals and to hire the medical staff necessary to treat their wounds.

Our all-important rehabilitation programs—both physical and vocational—also demand a financial commitment. Readjustment to American life is difficult for the Vietnam veteran. Studies indicate that his residual disability is far greater than that experienced by his counterpart in World War II and the Korean conflict. Today he needs a completely new system of rehabilitation to return him more rapidly to civilian status. Good will and hard work are not enough—money and staff are necessary to implement our well-meaning intentions.

A study of the six Veterans' Administration hospitals in my own State of Illinois was recently conducted under the very able leadership of our distinguished chairman. The results reveal the unhappy state of our Veterans' Administration hospital system today. The gentleman from Texas (Mr. TEAGUE) has done an outstanding job in spearheading the movement to see that our veterans receive the first-rate medical care they so earnestly deserve. His recommendation that the Veterans' Administration general medical hospitals should have a minimum staffing proportion of two employees for each patient and psychiatric hospitals a ratio of at least one-to-one can be regarded as the first step toward assuring the serviceman that we have not forgotten him—that he will continue to receive the finest medical treatment we offer him in gratitude for the sacrifices he has made for our country. The improvements that we hope to make in our hospital program must be credited to our chairman's fine efforts.

Let me briefly describe some of the current difficulties revealed by the committee study that our six Illinois Veterans' Administration hospitals are encountering:

First. Hospital Director Charles M. Turner at Veterans' Administration's Chicago research 500-bed hospital reported a funding deficiency of approximately $266,000 for fiscal year 1970.

Second. At Chicago's 500-bed West Side Hospital, located in my own Seventh Illinois Congressional District, Director Joseph J. Frankel reported funding deficiencies of more than one and a half million dollars for fiscal year 1970.

Third. Director Marvin A. Chapman of the 1,500-bed Veterans' Administration hospital at Danville reported a deficiency of about $1 million for fiscal year 1970.

Fourth. Dr. William W. Bourke, Director of the Veterans' Administration's largest psychiatric hospital, the 2,487-bed facility at Downey, Ill., reported a funding deficiency of more than $217,000 for fiscal year 1970.

Fifth. Dr. Lee H. Schlesinger, Director of the Hines Veterans Administration Hospital, reported a funding deficiency in excess of $900,000 to operate his 1,500-bed hospital.

Sixth. L. M. Frazier, Jr., Director of the Veterans' Administration's 176-bed hospital at Marion, Ill., reported a funding deficiency in fiscal year 1970 of more than $370,000.

All these figures add up to the staggering fact that the six Veterans' Administration hospitals serving the Illinois veterans face funding deficiencies in fiscal year 1970 of more than $4 million to operate about 6,700 hospital beds serving one and a half million Illinois veterans.

I for one do not intend to sit idly by and allow shortsighted policies to destroy a medical program that is absolutely essential for America's veterans. A veteran returning home from a shooting war, suffering from wounds and service-connected disabilities, should not be expected to fight another war against inflation and resulting budgetary limitations, at the expense of his health. The Veterans' Administration hospital modernization program has been deferred, apparently because of inflation and the resulting budgetary limitations which I have discussed.

The gross understaffing and lack of funds which plague the Veterans' Administration hospitals in Illinois are indicative of the serious plight of the program throughout the country. We cannot permit shortsighted policies to destroy what has long been recognized as a first-rate hospital system. The comprehensive system of medical benefits we provide our serviceman has been traditionally recognized as the measure of our gratitude—and a small tribute at that—for the sacrifices he has made to maintain the freedom of this country we all enjoy. We must remember that it is not only our option but our obligation to make sure the hospital program receives the adequate funds to meet the rising costs and personnel deficiencies which are eroding its previous high standards of care. We cannot achieve a first-rate job with a second-rate budget allocation. Once again, I urge bipartisan support for Chairman TEAGUE'S amendment to restore $4 million for the Veterans' Administration medical program.

Mr. DONOHUE. Mr. Chairman, I most heartily support the amendment offered by the distinguished gentleman from Texas (Mr. TEAGUE), which would add $4 million to the item for Veterans' Administration medical care in the second supplemental appropriations bill of 1970.

Clearly, Mr. Chairman, this is not a partisan matter. We in Congress, on both sides of the aisle, have long been committed to the principle that those serving their country in uniform deserve the finest medical care available. This is particularly applicable to those who have returned home suffering wounds and service-connected disabilities.

Now, Mr. Chairman, there is serious cause to believe that this tradition of the highest quality medical care has been substantially endangered by insufficient funding.

Just a few weeks ago officials of our Massachusetts Veterans' Administration Hospital said that they had funding deficiencies in December of 1969 in their op-

eration of some 4,000 hospital beds serving approximately 300,000 Massachusetts veterans. Although these hospitals and others received some supplemental funding for fiscal 1970 the hospital officials unanimously agreed that substantially increased funding will be necessary to adequately provide complete hospital treatment and medical services to Massachusetts veterans particularly those disabled veterans returning from the Vietnam war.

The distinguished chairman of the Veterans' Affairs Committee, in offering this amendment, has informed the House that the VA hospital program is in serious trouble throughout the country and desperately needs this additional funding. It is my understanding that the increased appropriation will be used to make purchases of vitally needed equipment for VA hospitals.

In my judgment, Mr. Chairman, to permit any reduction or deterioration in the medical care provided to our veterans would be a major disaster in this country. It would represent an incredible and intolerable neglect of our veterans—particularly our Vietnam veterans who are, tragically, recognized as the most "unwept, unhonored, and unsung" war heroes in all our history. We cannot allow the tragedy of their courageous war service to be compounded by any betrayal, on our part, of the clear national moral commitment to provide them with adequate medical care.

If there ever was an amendment, Mr. Chairman, that embodied simple justice, I submit that Mr. Teague's amendment is it, and I urge its swift and unanimous adoption.

Mr. ANDERSON of California. Mr. Chairman, I support the measure which will increase the total appropriation in this bill to $113.5 million for medical and hospital care programs.

Our veterans' hospitals are underfunded and thus, they are shortchanging our ex-servicemen. A lack of funds results in a lack of trained personnel, a lack of facilities, and a lack of adequate treatment due to the overcrowded conditions.

The war in Vietnam has produced over 13,000 veterans whose wounds have been severe enough to merit a military discharge. In Vietnam 12.4 percent of the wounded have received 100-percent disability ratings—this is compared to 4.4 during World War II and 6.7 percent during the Korean war.

Our veterans' hospitals have not kept pace with the rise in admissions. The Veterans' Administration, with 7,000 fewer beds available this year than last because of a shortage of funds, has fallen back on nursing homes to pick up the caseload spillover. In 1965, 168 nursing homes were used; in 1970, nearly 7,500 nursing homes will be used.

Because of budget restrictions, the veterans' hospitals remain staffed at 1966 levels. As a result, $20 million worth of facilities are not in use because there is no one to staff them.

California veterans' hospitals illustrate the severity of the situation. They have a funding deficiency of $5.6 million in this fiscal year. In December 1969, the Los Angeles VA medical complex was approximately $1 million short of fiscal year 1970 funds for operating expenses, $244,000 short in salary funds, and $154,000 short of funds to place veterans in community nursing homes.

The VA hospital at Long Beach is not fully utilizing its facilities due to a lack of funds to properly staff its operation.

Mr. Chairman, our veterans deserve medical care of the finest quality. We must do all that can be done to properly serve America's ex-servicemen.

Mr. HECHLER of West Virginia. Mr. Chairman, I strongly support the addition of $4 million to the bill reported by the House Appropriations Committee for the purpose of providing additional funds for the veterans' hospitals. This will mean a total of $7 million above the budgeted amount for this fiscal year. We have experienced severe shortages at the hospitals in Huntington, Beckley, Clarksburg, and Martinsburg, and I am pleased that this action is being taken to help during the current fiscal year. I plan to support efforts to obtain additional funds when the fiscal year 1971 appropriation is considered.

Mr. HOSMER. Mr. Chairman, I am happy to support my colleagues in the House in their efforts to obtain additional funds requested by the Veterans' Administration in the second supplemental appropriation bill, to purchase new medical equipment.

It is evident after studying the reports of field surveys made by the Veterans' Affairs Committee these funds are needed for the operation of the VA medical system. The VA medical program has not been properly funded for many years, and it has not kept pace with rapidly advancing medical technology because they have been deferring the purchase of new equipment and the modernization of space to introduce new treatment procedures into many VA hospitals. I realize we cannot get the entire system updated overnight, but I am happy we are now beginning to realize the plight of many of our VA hospitals. Maintenance and repairs and modernization of many hospitals has been deferred or delayed and funds diverted to other uses because the VA medical budget was not keeping pace with rising medical costs.

I believe it is important that we provide VA hospitals with sufficient funds to enable them to supply adequate medical care most necessary to restore the health of our wounded and ill veterans who return from Vietnam and other war zones. It is unforgiveable to send men into war zones to fight for our country and then not pay the price of adequate medical care and rehabilitation of the wounded. Furthermore, I believe it is our duty to continue to provide quality medical care to our older veterans who fought in the Korean conflict and World Wars I and II.

The Long Beach VA hospital is not fully utilizing its facilities, due to lack of funds to properly staff its operation. Dr. James S. Glotfelty reported last December he had a total estimated deficiency of about $1.3 million. He reported $654,000 was needed for personnel, and $320,000 was needed for day-to-day operating costs. I would like to see my colleagues in the House support the chairman of the Veterans' Affairs Committee in his efforts to provide the best of up-to-date medical care for our veterans. Our efforts here will be a first step toward reassuring the serviceman that we have not forgotten him—that he will continue to receive the finest medical treatment we can offer in return for the sacrifices he has made for his country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF THE SECRETARY

FEDERAL CONTRACT COMPLIANCE AND CIVIL RIGHTS PROGRAM

For an additional amount for "Federal contract compliance and civil rights program, salaries and expenses", $107,000.

Mr. MICHEL. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MICHEL. Mr. Chairman, I rise first to answer a question raised earlier in general debate by the gentleman from Illinois (Mr. PUCINSKI) relative to the number of Federal civilian employees. The gentleman from Illinois made some comment that during the Johnson administration there was some restraints on Federal employment but the record shows that civilian employment in the Federal Government as of December 1963 was 2,650,000, which had grown to 3,062,000 by December 1967 and I am happy to report that by December 1969 there was a reduction of 60,000 to a total of 3,002,000.

There are some other figures, however, of which we cannot be very proud and they have to do with the ever-increasing burden for public welfare. Shortly we will come to the point in this bill under grants to the States for public assistance and we have in this supplemental bill $146,753,000. This figure added to the already appropriated $7,351,551,000 brings this total figure for fiscal year 1970 to $7,498,304,000.

And this, Mr. Chairman, is only the partial story for in the 1971 budget we are now considering an item for grants to the States for public assistance totaling $8,588,870,000. My good friend, LES ARENDS, the senior member of our Republican side from my neighboring district just advised me a few minutes ago that when he first came to the Congress the entire budget for the whole Government was less than this last figure.

This public assistance item is one of the big "uncontrollables" which the chairman of our committee made reference to during general debate and I might add that the $50 million item in here for unemployment compensation for Federal employees and ex-servicemen is also an uncontrollable item. This additional amount requested in this supplemental bill is caused by the fact that there have been 158,000 more separations from the service during this fiscal year than was originally planned.

There was another uncontrollable

item here in this bill of $10 million for increased administrative costs for processing unemployment insurance work loads resulting from recent increases in the number of unemployment claims.

Finally, Mr. Chairman, may I say a word about the Howard University construction item here of $7,700,000. We have already appropriated $23,430,000 and the General Services Administration cannot issue bids until the total amount required to fund the project is authorized.

The original appropriation was not sufficient due to some miscalculations made in determining the amount of dollars per square foot at the time the project was set up.

Funds were first appropriated for the hospital in 1961—it is projected to be completed near the end of 1973, 12 years later, if we appropriate this money today.

Each review of the accrediting agency, and the U.S. Office of Education through its periodic inspections, has emphasized that replacement of the existing Freedmen's Hospital structure is an essential step in maintaining accreditation of Howard's college of medicine and an acceptable quality of instruction for students in medicine and other health fields.

Construction cost have been increasing at about a rate of 1 percent a month.

AMENDMENT OFFERED BY MR. SCHADEBERG

Mr. SCHADEBERG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHADEBERG: On page 11, between lines 2 and 3, insert the following:

"HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION HOSPITAL CONSTRUCTION

"For an additional amount for 'Hospital Construction', $8,703,078, for thirty-five hospitals in Kansas, Nebraska, Oklahoma Ar.-kansas, New Hampshire, Maryland, North Carolina, Wisconsin, and Indiana under title III of the Public Health Service Act as follows:

"The State of Kansas, $1,130,245:

"(1) the Saint Francis Hospital in Topeka, $288,496.

"(2) the Saint John's Hospital in Salina, $68,328.

"(3) the Mount Carmel Hospital in Pittsburg, $273,312.

"(4) the Saint Luke's Hospital in Wellington, $129,064.

"(5) the McPherson Health Center in McPherson, $219,349.

"(6) the Wyandotte Health Center in Kansas City, $146,233.

"(7) the Northwest Medical Center in Goodland, $5,463.

"The State of Nebraska, $292,000;

"(1) the Mary Lanning Hospital in Hastings, $140,000.

"(2) the Saint Elizabeth's Hospital in Lincoln, $100,000.

"(3) the Madonna Nursing Home in Lincoln, $52,000.

"The State of Oklahoma, $3,929,275;

"(1) the Alva General Hospital in Alva, $55,000.

"(2) the Norman Municipal Hospital in Norman, $500,000.

"(3) the Oklahoma City-County Health Department, $650,000.

"(4) the Hillcrest Medical Center in Tulsa, $1,250,000.

"(5) the Newman Memorial Hospital in Shattuck, $20,000.

"(6) the Purcell Municipal Hospital in Purcell, $5,000.

"(7) the Okfuskee Memorial Hospital in Okema, $30,000.

"(8) the Southwestern Memorial Hospital in Weatherford, $255,000.

"(9) the Deaconess Hospital in Oklahoma City, $324,275.

"(10) the Central State Hospital, Children's Unit in Norman, $225,000.

"(11) the Arkview Memorial Hospital in El Reno, $600,000.

"(12) the Cimarron Memorial Hospital in Boise City, $15,000.

"The State of Arkansas, $1,200,000:

"(1) the Saint Vincent's Hospital in Little Rock, $200,000.

"(2) the Baptist Medical Center in Little Rock, $1,000,000.

"The State of New Hampshire, $2,524:

"(1) the Grafton County Nursing Home in Haverhill.

"The State of Maryland, $59,949:

"(1) the Baltimore City Hospital, 'A' Building, in Baltimore, $43,218.

"(2) the Dorchester County Public Health Center in Cambridge, $16,731.

"The State of North Carolina, $386,356:

"(1) the North Carolina Baptist Hospital in Winston-Salem.

"The State of Wisconsin, $1,452,286:

"(1) the Saint Mary's Hospital in Wausau, $50,000.

"(2) the Vernon Memorial Hospital in Viroqua, $17,214.

"(3) the Saint Michael's Hospital in Stevens Point, $33,100.

"(4) the Victory Memorial Hospital in Stanley, $34,397.

"(5) the Beloit Memorial Hospital in Beloit, $1,020,575.

"The State of Indiana, $250,443:

"(1) the Saint Mary Mercy Hospital in Gary and the Union Hospital in Terre Haute."

Mr. FLOOD. Mr. Chairman, I make a point of order against the amendment on the ground that there is no authorization in law for the appropriations earmarked for these specific hospitals.

The CHAIRMAN. Does the gentleman from Wisconsin wish to be heard on the point of order?

Mr. SCHADEBERG. Only, Mr. Chairman, to suggest that the hospitals that are mentioned have had priority under the Hill-Burton Act and are under construction.

The CHAIRMAN. The gentleman from Wisconsin, as the Chair understands it, takes the position that these funds are authorized by the Hill-Burton Act. Is that correct?

Mr. SCHADEBERG. They have had construction started under the Hill-Burton Act, yes.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to respond to that?

Mr. FLOOD. Yes, of course, Mr. Chairman. The Hill-Burton Hospital Construction Act authorizes appropriations only to States and to territories under a very, very specific mathematical formula. There is nothing in that law at any place which authorizes appropriations for individual hospitals. As a matter of fact, the law provides that eligibility for individual hospitals shall be determined only by the States. There is no authorization either for appropriations to specific hospitals or for the U.S. Public Health Service to designate by hospital where appropriated funds are to be used.

The CHAIRMAN (Mr. O'HARA). The Chair is prepared to rule on the point of order. The Chair holds that the provisions of title VI of the Public Health Service Act are as described by the gentleman from Pennsylvania. The authorizing legislation provides for appropriations on an allotment formula to the States and does not authorize appropriations in any way for the construction of individual hospitals or permit the selection of individual hospitals for appropriation. The Chair, therefore, is constrained to sustain the point of order on the ground that the proposed amendment constitutes legislation on an appropriation bill.

AMENDMENT OFFERED BY MR. SCHADEBERG

Mr. SCHADEBERG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHADEBERG: On page 11 immediately following line 2 insert the following:

"HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION HOSPITAL CONSTRUCTION

"For an additional amount for 'Hospital Construction', $8,703,078,

for hospitals which began construction under the Hill-Burton Act modernization category and which are under construction or have been completed before 1 January 1970.

Mr. FLOOD. Mr. Chairman, I make a point of order against this proposed amendment. This is patently and clearly a case of the gentleman trying to do indirectly what he could not do directly. He is trying to evade the ruling of the Chair on the point of order just sustained by the Chair against the first amendment offered by the gentleman.

I ask that the point of order be sustained.

The CHAIRMAN. Does the gentleman from Wisconsin desire to be heard on the point of order?

Mr. SCHADEBERG. Mr. Chairman, my amendment does not specify specific hospitals, but only refers to hospitals that have already started construction under the Modernization Act.

Mr. MAHON. Mr. Chairman, a further point of order.

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

Mr. MAHON. The amendment calls for additional actions and determinations and decisions as to hospitals which may or may not be under construction. I make that further point of order.

The CHAIRMAN (Mr. O'HARA). The Chair is prepared to rule on the points of order.

The Chair finds that the amendment offered by the gentleman from Wisconsin seeks to appropriate funds under the existing Hill-Burton law and formula therein without changing that law or formula, and that the additional language confining the appropriation to hospitals which are under construction or have been completed prior to January 1, 1970, would constitute a valid appropriation. The Chair therefore overrules the points of order.

The gentleman from Wisconsin is recognized for 5 minutes in support of his amendment.

Mr. SCHADEBERG. Mr. Chairman, we are all aware of the necessity in today's inflationary economy for intelligent and realistic reductions in Federal expenditures. In committees on which I serve and

at times on this floor, I have spoken against excessive Federal spending when I felt the adverse effects of the spending far outweighed the assistance which the proposed program promised to provide.

I am not known as a big spender of taxpayers' money. On principle I do not encourage citizens to run to Washington for funds until every source of private, municipal, and State funds have been exhausted.

But the amendment I am now offering is not inconsistent with my past actions. The funds I seek by this amendment to be included in this supplemental appropriation are urgently needed by those people of nine States who have dug deep into their own pockets for money to construct needed hospitals.

Their pledges and contributions were based on the assumption that Federal funds through the Hill-Burton program would be forthcoming. Now they find that with Hill-Burton funds reduced, their hospitals in various stages of completion—and in the case of a hospital in Beloit, Wis., completed and in operation—because the contractors were willing to go along at great personal sacrifice—face serious financial consequences.

Mr. Chairman, there are 35 hospitals in nine States which started construction and which are being, or have been built, upon the promise that the funds would be forthcoming. These 35 hospitals did not receive the total amount of the Federal commitment. Last year, as a result of the reductions in funds for hospital modernization in the fiscal 1970 Health, Education, and Welfare budget, there is a deficiency of $8.7 million which these hospitals expected to receive.

One of the hospitals is in my district. If the Beloit hospital does not receive its promised Federal commitment, the entire community will be seriously and adversely affected. Multiply the effect on this hospital by 35 and you have an indication of the importance of my amendment.

These are the facts: In 1966, in order to replace a woefully inadequate facility which could not meet the needs of 75,000 residents, the hospital board approached the State Hill-Burton agency and was granted a pledge for 40 percent of the total cost for construction. On the basis of this pledge, the community raised $3.5 million in private donations, and sold $5.4 million in municipal bonds. Hospital construction began in November of 1967. During the 2½ years of construction, 76 contractors and 200 workers were engaged in building a very practical and functional structure.

In October of last year the hospital board of Beloit assessed me of their problems. As a result of inadequate funding for hospital construction, they owed over $1.5 million for construction costs. If the funds were not forthcoming from the Federal Government, liens were to be placed on the building. Expensive refinancing is the only alternative, but this approach will put the hospital in a noncompetitive position, since the increased cost would have to be borne by the patients, the very people the hospital was designed to assist.

After checking into the problem, I found that there were other hospitals in the same situation, a situation which I believe, if not corrected, would diminish their faith in the integrity of the Federal Government; make a mockery of our efforts to be of assistance to the people of the Nation who look to us for leadership, and force the closing of a number of these 35 needed hospitals.

I do not want the people to lose faith in the integrity of their Federal Government. We must not contribute to it by reneging on our moral commitment.

Mr. Chairman, health care is one of the most important concerns of our people. It is definitely not an area in which we should retreat.

One final word—my amendment seeks funds not to add new construction on the planning boards for the future. It is for funds to meet the commitment made to communities whose hospitals had started construction and are near completion, but which have not received the amounts under previous commitments to finish what was started in good faith.

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

Mr. SCHADEBERG. I am happy to yield to the gentleman.

Mr. DENNEY. Mr. Chairman, I call the attention of my colleagues to the fact that what this amendment is doing is honoring a commitment that has been made throughout the United States. I have a hospital in my district which is 75 percent completed. Contractors cannot be paid, materials men cannot be paid. This is no way to run a railroad, and I think we ought to pass this amendment.

Mr. Chairman, I rise to support the amendment offered by Congressman SCHADEBERG adding funds to the Hill-Burton program.

I believe that the Federal Government has an obligation to these hospitals.

At the present time there are 35 hospitals under various phases of construction, spread throughout the Nation, which will not receive their total pledge. These are hospitals which have started construction based on financial assistance from the Federal Government. Because the Federal Government is unable to meet this need, contractors who have worked on the buildings may not be paid, and expensive means of alternative financing must be obtained.

In Nebraska's First Congressional District, an additional $125,000 is needed by St. Elizabeth's Hospital and the Madonna Nursing Home.

At issue is the Federal obligation to finish specific programs, the dire need for which has already been determined, and upon which the building plans of the local hospital authorities have been based.

It is our hope that adequate funds will be made available for the completion of projects underway.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is unfortunate that the gentleman proposing the amendment would even suggest that, first of all the Subcommittee on Health, Education, and Welfare, then the full Committee on Appropriations, and this House at any time did not support in principle and with dollars this whole concept of hospital construction since the first Hill-Burton days up until the Labor-HEW bill for 1970.

May I add this: Mr. Chairman, the existing law for fiscal year 1970 is $22.2 million above the President's budget for this very item; $22.2 million. We went over the President's budget for these hospitals. What hospitals? For the hospitals in 50 States. It is not preferential and not parochial. Indeed not.

In addition to that, this amendment is rank discrimination against the other hospitals throughout the Nation.

May I add this: I refer you to the report and the record of this committee and of the House on this very appropriation. Hearings are now being conducted by the Appropriations Subcommittee for Health, Education, and Welfare, and if this supplemental bill were not on the floor, we would be taking testimony right now. These very items that the gentleman discusses today in this amendment are being considered and will be further considered in connection with the regular appropriations bill for 1971, in due course, by this subcommittee for presentation to the full committee and the House.

Mr. Chairman, this gentleman has no reason to believe that this committee will not increase these funds, none whatsoever. But if and when this is done, it should be done according to the proper procedure. There is no aspersion against the purpose. There never was. There is not now. We are already $22.2 million above the budget for hospital construction. No preferential treatment by hospital, by district, or State has been indulged in. I cannot be for that.

Mr. Chairman, I suggest that this is an amendment to do indirectly what cannot properly be done directly in the face of the ruling of the Chair. I submit with these hearings before the committee, with a sympathetic subcommittee, and a sympathetic House there is considerable reason to believe, Mr. Chairman, that any real, legitimate hardships will be taken care of in the 1971 bill that we will have before this House within a matter of weeks.

Mr. Chairman, I urge that the amendment be defeated.

Mr. MICHEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise very briefly in opposition to the amendment.

Mr. Chairman, I hate to have to oppose my good friends from Wisconsin and Nebraska who are cosponsors of this particular amendment. Mr. SHADEBERG has been contacting all our committee members on the subject apprising us of his particular problem in Beloit. He has been very persuasive in his arguments.

However, I think it ought to be made crystal clear that there is absolutely no legal commitment or obligation on the part of the Federal Government under the Hill-Burton Act to forward fund to the extent that these gentlemen would like to have done in their amendment.

As the chairman so well pointed out, no hearings were held on this item nor was there a budget request for this sup-

plemental. We are currently in the process of holding extensive hearings on the entire health and welfare aspects of the regular 1971 bill. This matter will be discussed in full at that time. Of course, then having heard all of the testimony, I am sure our subcommittee will, as the chairman suggests, do the right thing and make the right kind of decision when we bring the regular bill to you.

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

Mr. MICHEL. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. In addition, if and when, with lack of wisdom in the opinion of the gentleman who presented the amendment, the subcommittee did not act, then, certainly this amendment would be properly before this committee when that bill does come up.

Mr. MICHEL. Yes, and the gentleman's amendment would be perfectly in order and we would have a complete hearing record on which to base our decision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. SCHADEBERG).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses, Immigration and Naturalization Service", $892,000.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the bleeding hearts in the editorial department of the Washington Star are sad because the Justice Department has won in a fight with the State Department and refused a visa to the widow of W. E. B. DuBois to visit this country.

The DuBoises were citizens of the United States. They became members of the Communist Party. In 1963, they threw up their U.S. citizenship, became citizens and residents of Ghana and bosom friends of dictator Kwame Nkrumah, who, although a Communist, was liberally suplied by the softheads in the State Department with millions of dollars of foreign aid. Nkrumah later fled Ghana to escape a firing squad or the gallows, but when he left he stripped the Ghanaian treasury, including all the foreign aid he could reach with his slimy fingers.

Evidently Mrs. DuBois has not been welcomed by the Ghanaian regime that succeeded the Communist thief, Nkrumah, because she picked up her luggage and moved to Cairo, Egypt.

Now, like others who have renounced their U.S. citizenship to cuddle up to the Communist comrades, the widow DuBois says she would like to see her native land once more. It is only coincidental, of course, that while having a look she was scheduled to speak to a group of college students.

Says the Washington Star, in concluding its puerile editorial:

She might be disappointed in the spreading urban blight and the multiplication of beer cans on the landscape, but the country is strong enough to spare her a look.

Yes; this country is strong enough, but if given the chance she would probably be glad to take up residence among the beer cans, and why should this Government expend the slightest energy and expense on throwing this ingrate out of the country and returning her to Egypt?

Our compliments to Attorney General Mitchell and the Justice Department for rejecting this visa application, and a Bronx cheer for the jellyfish in the State Department who would creep and crawl to any adult American, man or woman, who willfully and willingly renounces his or her citizenship to carry the torch of communism.

Mr. HALL. Mr. Chairman will the gentleman yield?

Mr. GROSS. I am glad to yield to my friend, the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, generally I would like to associate myself with the remarks of my colleague, the gentleman from Iowa, but I wonder if the gentleman could define a little more clearly what he means by a Bronx cheer? (Pause.)

I will relieve the gentleman of that definition inasmuch as the gentleman is in the well of the House. But in all seriousness, I would like to know what the gentleman means when he said Madam DuBois "threw up" her citizenship and fled to Ghana. Does the gentleman mean threw up in the sense that one eructates, spews, or vomits forth?

Mr. GROSS. Yes, she renounced her citizenship, she threw it up.

Mr. HALL. Oh, I understand.

Does the gentleman recall numerous private bills that have come before us on the House Calendar either to cause us to allow people without citizenship to remain in the United States, or a long list of names in a bill which, if not acted on, allow the Department of Justice and/or the Attorney General to bar deportation? And does the gentleman not feel that if Madam DuBois or this "puerile" person who may be attempting to come back, and who did vomit forth and voluntarily renounce her citizenship, might become one of these "private bills" edited by some "bleeding heart" or social do-gooder, so that we would have to work our will on this House floor and keep her in the United States among the beer cans?

Mr. GROSS. I have no doubt that had she been permitted to come to this country, the Congress would have been faced, sooner or later, with a private bill to restore her citizenship.

Mr. HALL. We need another "kook" like this back in this country like we need an extra hole in the head. Let us "throw-up" a bar against her return.

Mr. GROSS. The bar is already up and I hope it stays up. I thank the gentleman for his comments.

I would point out that in this bill there is $892,000 in additional money to the Immigration and Naturalization Service to provide for unanticipated costs of transporting, detaining, and expelling illegal aliens.

The Clerk will read.

The Clerk read as follows:

RELATED AGENCIES

OFFICE OF EDUCATION

CIVIL RIGHTS EDUCATION

For an additional amount for "Civil Rights Education", including not to exceed $250,000 for salaries and expenses, $5,000,000.

Mr. ROONEY of New York. Mr. Chairman, I would like to explain this item with regard to the Office of Education.

(Mr. ROONEY of New York asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROONEY of New York. Mr. Chairman, I merely wish to state that I personally was in favor of the full amount requested for the item "Civil rights education, Office of Education."

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1970, for increased pay costs authorized by or pursuant to law, as follows:

Mr. MAHON. Mr. Chairman, in view of the fact that title II relates only to increased pay costs which have been explained in previous debate, I ask unanimous consent that title II be considered as read—title II goes from line 11 on page 17 through line 11 on page 47—and I also ask unanimous consent that the title be open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to this particular title?

Mr. BOW. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Eighty-one Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 106]

| | | |
|---|---|---|
| Addabbo | Flowers | Murphy, Ill. |
| Andrews, Ala. | Foley | Murphy, N.Y. |
| Ashley | Ford, Gerald R. | Ottinger |
| Baring | Fraser | Poage |
| Bell, Calif. | Gilbert | Pollock |
| Berry | Hagan | Price, Tex. |
| Blatnik | Harsha | Pryor, Ark. |
| Bray | Jarman | Robison |
| Brown, Calif. | Johnson, Calif. | Roudebush |
| Carter | Jones, Ala. | Schneebeli |
| Celler | Kazen | Sikes |
| Chisholm | Kee | Stubblefield |
| Clark | Kirwan | Taft |
| Clawson, Del | Langen | Teague, Calif. |
| Clay | Lloyd | Teague, Tex. |
| Corbett | Lujan | Tunney |
| Cramer | McCarthy | Whitten |
| Dawson | McClory | Wiggins |
| de la Garza | McMillan | Wilson, Charles H. |
| Dent | Madden | Wold |
| Dickinson | Melcher | Wright |
| Diggs | Meskill | Yatron |
| Dowdy | Mollohan | Zablocki |
| Fallon | Moorhead | |

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17399, and finding itself without a quorum, he had directed the roll to be called, when 358 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. Are there amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

TITLE V

LIMITATION ON FISCAL YEAR 1971 BUDGET OUTLAYS

SEC. 501. (a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1971, shall not exceed $200,771,000,000: *Provided*, That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations reflected in the Budget for 1971 (H. Doc. 91–240, part 1), the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on budget outlays, and the limitation set forth herein shall be correspondingly adjusted: *Provided further*, That the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect on budget outlays of other actions by the Congress (whether initiated by the President or the Congress) and the limitation set forth herein shall be correspondingly adjusted, and reports, so far as practicable, shall indicate whether such other actions were initiated by the President or by the Congress.

AMENDMENT OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOLAND: On page 53 on line 25 after the amount, insert the following: ", of which expenditures none shall be available for use for American ground combat forces in Cambodia."

Mr. BOLAND. Mr. Chairman, I know that most of the Members now in the Committee will feel that we have been here before on this amendment—and so we have, almost. But there is, I think, a difference.

If the members of this Committee will glance at the bill, they will know that the amendment I have offered pertains to title V of the bill, and that refers to expenditures for the fiscal year 1971.

I made no effort, and none of the Members on this or on the other side of the aisle have made any efforts to limit expenditures in the fiscal year 1970.

So, Mr. Chairman, this is a very clear-cut issue. All the histrionics on this matter were wrung out yesterday. I think the suggestion made by the chairman of the full Committee on Appropriations, the gentleman from Texas (Mr. MAHON) that we ought to meet this issue head on now, and not freight it down with amendments to my amendment, but just vote up or down on the amendment I have offered.

What I have offered here is precisely what the President of the United States says he wants to happen. He indicated that it was his desire, his hope and actually his command, when he met with the members of the Committee on Foreign Affairs of both Houses, and the Senate and House Armed Services Committees, that American combat ground troops would be out of Cambodia in 6 to 8 weeks.

So he still has that opportunity to fulfill that promise to the American people, to the Congress, and to the committees of Congress. This amendment does not restrict that desire.

The amendment that I have offered deals solely and only with expenditures in fiscal 1971. Someone asked me, when I offered this amendment a moment ago, "Why offer this amendment now?" Because I believe that this is one vehicle and one way in which the Congress itself can assert its own prerogatives and its own power in a matter that directly concerns this Nation in a very vital way. This is an appropriation bill. This is a proper place for this kind of an amendment; this amendment pending the expenditure of funds in fiscal year 1971. It prohibits expenditures in fiscal year 1971 for American combat proposed troops in Cambodia.

As a matter of fact, in the Defense Department appropriation bill of 1970 there was a similar amendment which was offered in the other body which ask accepted in conference and by this House. It related to the countries of Laos and Thailand.

This amendment relates solely to the country of Cambodia, the area that is now giving this Nation so much frustration, so much anxiety, and so much pain. This is one way to help alleviate, in my judgment, some of the pain, some of the frustration, and some of the anxiety that is now developing all over this land.

We are not touching the funds for 1970, only 1971. Over the past year, over the past couple of years, not alone in this administration, but the past administration, we have been told that we can build up the forces in South Vietnam and that ARVN with its own troops and the great amount of equipment the United States has supplied to them could take care of the situation in South Vietnam.

Let me say that with the standing army the South Vietnamese now have, and with immense amount of equipment and materiel that we now have sent them, if they are not now able to defend their own areas in Saigon from some of the sanctuaries that were in Cambodia, they never will be able to do it. We have gone in, I believe the present campaign has met with some degree of success, in cleaning out the sanctuaries of some hospital supplies, food supplies, munitions and huts. But before long the North Vietnamese will be back in the sanctuaries.

It would seem to me that the obligation now is upon the ARVN, the South Vietnamese Army, to defend its own positions if they are attacked from the sanctuaries. Let the ARVN troops go in and clean out the sanctuaries. We have done our part, as we are now doing, and which the President thinks will be a success. All of us pray it will be a success.

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

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

Mr. YATES. In fact, the President himself said that the incursion into Cambodia was for the purpose of advancing his policy of Vietnamization. I do not know that it will, but that is his judgment and this amendment will give him the time he has said he will need.

Mr. BOLAND. Let me tell the Members of the Committee that this is the proper vehicle for this kind of amendment. I think all of us should join—Republicans ought to join with Democrats—in adopting this amendment and let the country know that the Congress does have a voice and does have a power in these matters. It most assuredly has an obligation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on the amendment and all amendments thereto conclude at 4 o'clock.

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

There was no objection.

GENERAL DEBATE

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all Members may revise and extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. GAYDOS. Mr. Chairman, I am gravely concerned about the President's decision to send American troops into Cambodia, a nation which heretofore has been adamant in her declarations of international neutrality.

I am not privileged to know what information led the President to order this action. I must, of necessity, therefore assume the President is doing what he believes is best for the Nation. However, I am unequivocally opposed to any future expansion of this conflict, or this Nation's participation in any conflict, until such time as the Congress is given all the whys and wherefores.

I question the reasoning for using our troops in Cambodia on the grounds that that country is a sanctuary for the Vietcong and North Vietnamese forces. This has been common knowledge for years. What I cannot understand is why the President will use American soldiers to invade this sanctuary when our forces are prevented from invading the principal stronghold of the enemy—North Vietnam.

Nonetheless, our troops are in Cambodia and there are predictions they will be out in 6 weeks or so. I wonder. I can recall a prediction made during the Korean conflict that American troops would be home before Christmas of a particular year. However, Red China entered the fray and Christmas was a long time coming.

I want no more Koreas, Vietnams, Cambodias or any other undeclared war started at the discretion of any President. I believe the authority to plunge this Nation into bloody battle should rest where it was placed by the Constitution—in the hands of the Congress.

I hope and pray this latest maneuver ordered by our Chief Executive does not lead to similar involvement in Laos, Thailand, Burma, or anywhere else in Southeast Asia where the threat of enemy activity is part of the everyday life.

Mr. DADDARIO. Mr. Chairman, I support the amendment of the gentleman from Massachusetts (Mr. BOLAND). The House of Representatives finds itself today in a position where it can by its action lower the level of tension which has been built up and which has reflected itself so tragically throughout our country as a result of the invasion of Cambodia by U.S. troops. The Congress does have a constitutional responsibility which it can assert by supporting the Boland amendment—but it can also show that it is sensitive to the emotion that is engulfing our young people because they did believe that President Nixon meant to withdraw from Vietnam—and are dismayed by his actions which now includes Cambodia in that tragic course.

The decision of the President to permit hot pursuit, or what he justifies as hot pursuit, into the nation of Cambodia, is to be deplored and condemned. It is based on military intelligence indicating that geographically this nation harbored threats to the American troops in Vietnam and that the elimination of these threats would somehow speed American troop withdrawal. No one could have greater awareness than I of the potential and the uncertainties of combat intelligence. At any rate the results of the Cambodian invasion as they have been reported do not appear to have warranted any enlargement of our combat activities into Cambodia. They certainly do not support the tragic domestic consequences which have followed in the wake of our expansion of the war in Southeast Asia.

An administration which came into power on the slogan of "Bring Us Together," seems to be trying to drive us apart. The lamentable confrontation—and the tragic deaths—at Kent State University reflect rising national tension as the administration reacts unwisely to increasing dissent to its policies. I find that nothing can be said to defend the policies of an Ohio State administration which authorizes live ammunition and deadly force to control student demonstrations. A full-scale investigation of this tragedy must now be held.

We in the Congress can be most helpful in this greater effort if we support Representative BOLAND's amendment for it does not interfere with the President's present actions in Cambodia, but it will prevent further involvement in that area after July 1 without the approval and consent of the Congress.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts (Mr. BOLAND).

The recent decision of the President to extend the war in Vietnam to the neighboring nation of Cambodia constitutes, in spite of what the President has stated, a grave escalation of the war as well as a constitutional crisis.

The President failed to consult with either the Senate which has direct constitutional authority to "advise and consent" in matters of major foreign policy, or the House which holds the powers of the purse in all matters concerning Federal spending, including foreign and military assistance. The failure to formally consult with either House or, informally with any Members of the Congress, constitutes a grave slap at the only branch of Government most responsive to the changing attitudes of the people.

This failure of the President is not only an insult to Members of Congress and their constituents, but evinces an intention on the part of the President to assume greater powers than given him by the Constitution. Never before has a President invaded another country without first consulting with Congress.

Furthermore, the President indicated that the reason for sending troops to Cambodia, an independent sovereign country, was that it was necessary to destroy the North Vietnamese headquarters operation as well as other enemy installations and materiel.

At this time the Cambodian operation has been a military failure as I shall point out.

In the past few days since the invasion, I have received hundreds of letters from constituents in Hudson County deploring the President's action. When I left my office, letters, telegrams, and phone calls were still coming in. Some were from people who had never before written to me. Some constituents were so enraged they called for the impeachment of the President.

The President has created a situation bordering on hysteria among many people who believed that he meant to deescalate and end the war, not create a new and larger one.

I am appalled by this unilateral decision to substantially enlarge and materially change the scope of what I always believed has been limited to a war in Vietnam. The President's decision runs the risk of a major conflagration involving all of Southeast Asia and China.

The President previously stated in his campaign that he advocated the deescalation of the war at an early date. It was largely upon that promise that he was elected. However, this new military adventure into Cambodia is not in fact a deescalation of the war in Vietnam, nor can it lead to its termination. Together with other recent acknowledgments of our unauthorized activity in Laos and Thailand, it is an ill-considered escalation and the possible beginning of a new war in Southeast Asia which could involve over a million men in a guerrilla war. I am opposed to this escalation in Southeast Asia.

On April 20, President Nixon promised to deescalate by withdrawing 150,000 men from Vietnam by the end of 1970.

On April 23, Secretary of State Rogers told a House Appropriations Subcommittee that the administration had "no incentive to escalate. Our whole incentive is to deescalate," said the Secretary.

He continued:

> We realize that if we escalate and get involved in Cambodia with our ground troops that our whole (Vietnamization) program is defeated.

Moreover, the Secretary specifically stated that the administration would want to consult fully with the Congress because the administration recognized the need for public support.

It would seem obvious that in order to support our men in Cambodia, we would require the continued presence of at least the 150,000 men the President indicated would be withdrawn. Thus, this administration has created the greatest credibility gap of all.

The President indicated that the purpose of this invasion was to destroy enemy headquarters, military materiel and communications. As of this date no such headquarters have been found to exist, no major documents have been turned up, no important officers captured—the military materiel seized can be quickly and easily replaced.

The definition of success of this invasion has, therefore, intentionally been revised downward by the President. I understand that the "new definition of success" will involve military supplies and pounds of rice captured and installations destroyed. All can be quickly replaced or rebuilt within a short time.

Moreover, the military invasion ordered by the President, as recognized by the Secretary of State, so changed the character of our involvement in Southeast Asia that he was constitutionally bound to consult with and obtain the approval of the Congress before taking military action in Cambodia.

The Constitution specifically provides that the power to declare war and determine its strategic course rests with Congress.

The Founding Fathers were explicit in this regard. They were unwilling to bestow upon one man both the power to declare and the power to conduct a war.

I do not wish to obstruct the President in his duty as commander in chief, but neither will I, as a representative of the people who elected me, accede to the President powers conferred upon me by the Constitution and which the people of Hudson County expect me to exercise in their behalf.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. FINDLEY).

AMENDMENT OFFERED BY MR. FINDLEY TO THE AMENDMENT OFFERED BY MR. BOLAND

Mr. FINDLEY. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Massachusetts (Mr. BOLAND).

The Clerk read as follows:

> Amendment offered by Mr. FINDLEY to the amendment offered by Mr. BOLAND: In front of the period insert the following: "except those which protect the lives of American troops remaining within South Vietnam."

Mr. MAHON. Mr. Chairman, I make a point of order against the amendment.

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

Mr. MAHON. I make a point of order on the ground that the amendment requires particular and special duties.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. FINDLEY. Mr. Chairman, I feel that it does not impose any specific duties. No report is required. No determination is required. It applies simply to troops that are there for a specific purpose.

Mr. YATES. Mr. Chairman, I make the further point of order that it is legislation on an appropriation bill.

The CHAIRMAN (Mr. O'HARA). The Chair has examined the proposed amendment to the amendment. In the opinion of the Chair the proposed amendment to the amendment constitutes an exception to the limitation that was offered by the gentleman from Massachusetts, does not constitute additional legislation, and is germane. Therefore the Chair overrules the point of order.

Mr. FINDLEY. Mr. Chairman, I ask unanimous consent that the Clerk read the Boland amendment as it would be amended by my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the Boland amendment as it would be amended by the Findley amendment as follows:

Amendment offered by Mr. BOLAND of Massachusetts as amended by the Findley amendment: On page 53 on line 25 after the amount, insert the following: ", of which expenditures none shall be available for use for American ground combat forces in Cambodia except those which protect the lives of American troops remaining within South Vietnam."

Mr. FINDLEY. Mr. Chairman, I would hope that no Member of this body would wish to leave the impression, by supporting any amendment today, that subsequent to July 1 he would wish the President of the United States as Commander in Chief to fail to do what he feels is necessary to protect the lives of American troops remaining in South Vietnam.

That is why I propose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY) to the amendment offered by the gentleman from Massachusetts (Mr. BOLAND).

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 50, noes 87.

So the amendment to the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. RIEGLE).

Mr. RIEGLE. Mr. Chairman, as I understand the Boland amendment it would give the President some 7 weeks to conclude American military operations in Cambodia. I believe this is reasonable, and hence I support the Boland amendment. I believe that beyond that time, if the President feels the strategic interests of this country are really on the line, he should then do exactly what the Constitution requires; that is, come before this body and seek formal congressional authorization to proceed beyond that point.

The other day in our subcommittee of the Appropriations Committee we had as a witness the AID Director from Vietnam. He made the comment to me that his wife had been with him in Saigon for the past 10 months, and had just come back to Washington, D.C., and he said she actually feels safer on the streets of Saigon than she does on the streets of Washington, D.C., our Nation's Capital.

What a sad admission this is, that we should devote so much effort and attention to Southeast Asia that we should actually make the streets of Saigon safer than those of our Nation's Capital, or Detroit, or Los Angeles, or of any other major city in this country.

I believe that in supporting the Boland amendment we have an opportunity to regain our proper constitutional authority in the formulation of national policy.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman I rise in support of the amendment by the gentleman from Massachusetts (Mr. BOLAND) to prevent the expenditure of the funds under this act after July 1, 1970, for ground combat operations in Cambodia. The President has said that our Cambodian adventure is no open-ended arrangement. All this amendment seeks to do is to guarantee that fact.

The President has said that we will be out in 6 weeks. This amendment takes him at his word. It gives him the time he asks for and no more. I believe that is a reasonable compromise and it deserves the support of this House.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona (Mr. RHODES).

Mr. RHODES. Mr. Chairman, let there be no doubt about this. The North Vietnamese troops who are in Cambodia. are just as much a part of the war in South Vietnam as if they were stationed there permanently. They fight in South Vietnam and kill Americans there. They should be hit.

If these bases are not hit they will become the nucleus of a Communist supply and operations bastion which will seriously threaten the diminished American forces remaining behind after the next 150,000 increment is withdrawn.

There are many fine young Americans in Washington today protesting the action in Cambodia. I defend their right to do this, though I disagree with them thoroughly.

I sincerely hope that none of them will ever have to serve in Vietnam. If they do, I hope they will not be among those left after the next 150,000 Americans are pulled out. If they are a part of that diminished force, I hope they will not be threatened and perhaps overrun by troops operating from privileged sanctuaries in Cambodia. If this should occur, I am sure that each such person would regret the success of the effort in which he, and Members of this body, are engaged today.

The facts are that any American soldier who is in that diminished force, if these privileged sanctuaries are allowed to remain, will be in very grave danger. That is the precise reason the President made this difficult decision—to protect American lives—American soldiers who may, in the future, serve in Vietnam.

I say we should defeat this amendment, because if we keep saying to the North Vietnamese that you should come on back after we blow up these sanctuaries and make more sanctuaries and say to the American Government that you cannot go in and destroy them, it is no way to protect American lives.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. YATES).

Mr. YATES. The gentleman from Arizona, my very food friend, premises his argument on the fact that there should be a permanent force of North Vietnamese in Cambodia and says therefore we ought to allow a permanent force of American troops in Cambodia or else permit them to come back at some time in the future if they are needed.

Mr. RHODES. Will the gentleman yield?

Mr. YATES. I will not yield.

Mr. RHODES. The gentleman is putting words in my mouth that I did not say.

Mr. YATES. I decline to yield. Let me finish my statement.

The President of the United States himself has said that he is going to stay in Cambodia for 6 to 8 weeks. We have taken him at his word by this amendment. The gentleman from Massachusetts proposes a limitation of funds for the appropriations beginning July 1, 1970, and to continue through the next fiscal year. The President would be permitted to have American troops in Cambodia to carry on their duties until June 30, 1970.

Mr. Chairman, I rise in support of the Boland amendment. I am opposed to President Nixon's decision to send American troops into Cambodia. The gentleman's amendment would limit the Cambodian expedition to June 30, 1970; it would permit the President the 6 to 8 weeks he said he would need for his purposes there.

Mr. Chairman, together with the country, I was shocked by President Nixon's decision to invade Cambodia. I thought it was an unfortunate reversal of the winding-down policy that we had been led to believe that the President was promulgating and that we were on our way to bring our troops out of Vietnam. His announcement that he had ordered the withdrawal of 150,000 American troops was accepted as being in line with this policy and then suddenly without consulting the Congress, instead of winding down the war, the President escalated it by sending American boys into Cambodia.

I consider the President's action to be ill considered, an action that will factionalize the country to an even greater degree than it is now and will loose explosive forces. It will exacerbate tensions that were quiescent. One has only to look at the press to see that every university campus in the country has been stirred into reaction against his decision.

Mr. Chairman, earlier today, I was visited by a young man who lives in my district, Peter Temple, who attends Haverford College. I was impressed by the young man. He said that the students at Haverford College were determined not to resort to violence, but they had to have some vehicle or path to follow to indicate their profound opposition to the President's decision. The whole college, all the students and the faculty, have decided to

come to Washington today to speak to their Congressmen quietly, earnestly, to let them know their views in opposition to what the President has done. Peter gave me a statement of purpose issued by John R. Coleman, president of Haverford College; Thomas L. Gowen, president of the student council, and Stanley J. Murphy, past president of the student council. They announced their purpose as being "to express to our representatives the full depth of our concern for what the Cambodian crisis is doing to American life, and to learn from them what we can about that crisis."

They added:

We take this unusual step of moving almost the entire College to Washington because we see no other way to respond rationally and creatively to this crisis. We have already seen the frightening consequences from the enlargement of the war in Southeast Asia. We have seen much of the educational process undermined in this past week as doubts, fear, and bitterness take over on campus after campus. We reject the thought that it is "bums" who fail to see the logic in widening a war in order to narrow it. We assert that it is thoughtful men everywhere that are troubled by the path now being pursued in Vietnam and Cambodia.

We come to Washington, as members of an educational community, to speak out and to learn. We do not pretend to have any easy answers on which we unite. But we are united in our determination to act with courage, sense, and taste in expressing fear about what is now going on and hope about what Congress can do to save us from further calamity in Asia and further division at home.

Mr. Chairman, we must give the young men and women of this country the opportunity to express themselves and to know that their duly elected representatives are listening to them. This resolution offers that opportunity.

The day will come, Mr. Chairman, when the Executive will consult the Congress before taking the country into war, when Congress will insist upon it as we seek to do today in measure by the Boland amendment. The President should have done so in this instance before he ordered American boys to Cambodia. The constitutional provisions are clear. We cannot abide unilateral action of this kind by any President.

The gentleman from Arizona (Mr. RHODES) has stated that North Vietnam has stationed a permanent force in Cambodia. He argues, therefore, that the President should be able to move into Cambodia at will to battle that force as frequently as he wishes to do so. Such an argument gives substance to the fear that many Americans have that Cambodia has become a permanent battleground of the widened war, that if the President feels justified in moving our Armed Forces across boundaries of nations without the approval of Congress, he can do so if he deems it advantageous to advance our position in the war. Such an argument assumes the rightness of invading Cambodia not once, but as often as he desires to carry the war into Thailand or into such other countries as he deems necessary to support our goals in that war, all this without congressional approval. Such a thesis violates the Constitution and places too much power in the hands of the President. I am opposed to the doctrine of "the moving sanctuary," of attacking sanctuaries no matter where they may be.

I believe we ought to end the Cambodian invasion as quickly as possible and bring an end to this new Nixon doctrine. I will support the amendment of the gentleman from Massachusetts to limit our intervention.

Mr. Chairman, I discussed the situation in my recent newsletter to my constituents in which I said:

President Abraham Lincoln told the story of his friend from Illinois who was a member of a group of visitors to the state penitentiary. After the group had viewed the entire institution and was preparing to leave, Lincoln's friend became separated and suddenly found himself alone and lost. Finally, after wandering through the corridors for a while, in desperation he turned to a convict who was looking out from between the bars of his cell door and cried: "Say, how do you get out of this place?"

We have been trying for a long time to get out of the war in Vietnam but without success. In 1965 when large contingents of American troops were sent to Vietnam, briefings were initiated by the President for members of Congress at which "experts" from the Department of State and the Department of Defense would advise us on what was happening in the war. When we inquired, as we invariably did, how long they thought the war would last and whether there was any possibility of reaching an agreement with the other side of a cease-fire, the answer given was that there was no telling how long the war would last, that it would end not by any agreement but by the enemy "just fading away" after having encountered the massive power of our armed forces.

The war, of course, has not faded away and it does not appear likely to do so in the near future. Rather than disappearing, it has suddenly taken new force and shape with major fighting in Laos and Cambodia.

It was against this background that President Nixon made his statement on Vietnam last week, a statement that left many questions unanswered. Although he said nothing in so many words about the United States moving into Cambodia, his subsequent approval of sending captured communist weapons to the Cambodians, followed by Secretary of State Rogers' condemnation of the outbreak of fighting as "an invasion" would seem to indicate the President is flirting with intervention, an act which I believe would be disastrous and would escalate the war. I have written to President Nixon voicing my strong objection to any such participation on our part.

In his statement President Nixon reaffirmed his policy of Vietnamization which is supposed eventually to shift the entire burden of carrying on the war to the forces of South Vietnam without the continued assistance of American troops. But it is such a long process. Even with the withdrawal of 150,000 Americans under the President's order over the next 13 months, at this time next year there will still be 250,000 American boys in service in Vietnam, many of whom will lose their lives as the war goes on. If peace is to come, it must come through agreement rather than Vietnamization.

Although the Paris conference is presently at an impasse and although the President's statement discounted the chances for any fruitful discussions in this forum, I found some hope in the passage from his statement which read:

"A fair political solution should reflect the existing relationship of political forces within South Vietnam. We recognize the complexity of shaping machinery that would fairly apportion political power in South Vietnam. We're flexible. We have offered nothing on a take it or leave it basis."

If this passage means what it seems to say, it opens a whole new negotiating front because it indicates the President is not firmly and inexorably tied to the Thieu-Ky government. In my letter I urged him to reactivate the Paris negotiations with the appointment of a new ambassador of highest rank to represent us. I liked his use of the word "flexible." Flexibility on both sides can point the road to peace.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, every day that we are in Cambodia violates our Constitution. I support the Boland amendment as the best that can come through this House, but I think we ought to be out today.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. LANDGREBE).

Mr. LANDGREBE. Mr. Chairman, the sacred sanctuaries in Cambodia have cost the lives of unknown thousands of our finest young men. I was within 4 miles of that border last year myself. The commander of our post in this small town that I was in had lost his life because of the shelling from the safety behind the borders. These men are there and they are our finest young men. They are willing to die to protect the freedom of the South Vietnamese, the freedom of America, and the free world. Those sanctuaries should have been destroyed years ago. I do not think that Congress in this bill should be placing limitations on the actions of our President in his effort to not only protect the lives of our boys who are in South Vietnam nor this country's efforts to win military victory over the Communists in Southeast Asia.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, the purpose of this amendment is to keep our soldiers out of Cambodia after June 30, and I am all for it. We continue to divide our people and permit the fomenting of a condition that can only injure our Nation. The President said we shall only go 21 miles into Cambodia. This explodes the sanctuary theory, because beyond that area there will remain a permanent sanctuary. Hence what is the point to be gained? Let us get them out. Let us get them out as soon as we can, and if we can get them out by June 30, we will save so many more lives. Let us give the President the opportunity to carry out his pledge and pass the amendment.

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

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

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I support the Boland amendment because I believe we never should have gone into Vietnam or Cambodia, and should withdraw from both areas as quickly as possible. I have sent the following telegram to the Secretary of the Interior, the Honorable Walter Hickel, which I would like to read. I emphasize that I am categorically opposed

to violence, whether on the campuses, on the streets, or in Southeast Asia. Those misguided students and radicals who resort to rock-throwing, bottle-throwing, bomb-throwing and other forms of violence, including the burning of buildings, are inviting counterviolence and I deplore and denounce these tactics. By the adoption of the Boland amendment and a quick exit from both Cambodia and Vietnam, we can take positive steps toward peace in the world and tranquillity at home. Now I would like to read the telegram which I sent today to the Secretary of the Interior:

MAY 7, 1970.

Hon. WALTER HICKEL,
*Secretary of Interior,*
*Washington, D.C.:*

Heartiest congratulations to you on your courageous letter to the President. It has been a sad week in American history, and developments in Cambodia and on the college campuses have left millions of Americans confused, frustrated and disillusioned. The fact that a member of the President's cabinet has the courage to speak out in the frank terms lends new faith to those who are deeply concerned about the future of our nation. I trust that statements like yours can be accompanied by a spirit of cooperation, communication and better understanding between high Government leaders and all the people of this nation. Words alone cannot unit this nation, yet words have been misused to accentuate divisions among our people. Millions of determined Americans are anxious to reverse this war madness and once again place the priority where it belongs—on the life and dignity of human beings, and their ability to live and breathe in a healthy environment. As one whose official responsibilities extend to our environment, I once again congratulate you for your leadership and urge you not to retreat in your determination to hold to the views expressed in your letter to the President.

Congressman KEN HECHLER.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, what will be absolutely essential and necessary to our interest and our safety months from now, no one here today knows, or can know. Yet here on this floor this afternoon, acting under political pressure, and some of us seeking to make political headlines, we are asked, as to this particular President, to circumscribe the powers of the President of the United States, powers which he has exercised as Commander in Chief of the Armed Forces since the very earliest days of the Republic. It is an ill-considered thing, Mr. Chairman, which we ought not to do.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in support of the Boland amendment because it is the only opportunity we will have to express ourselves on the question of whether or not we approve of sending American troops into Cambodia. We tried to get a clear expression on this issue yesterday and failed. We were not consulted by the President before the fact was accomplished. We now are doing the very best we can with this amendment to express our appeal to the President not to further broaden the war and our involvement in Indochina.

I suggest to the gentleman from Arizona and others who are so deeply concerned about what our actions here may say to the North Vietnamese that they pay a little bit more attention to what our actions here today are saying to the young people of this country. They are looking to us with the question on their lips, "Can the political system of this country deal within the framework of our Constitution with the most serious question dividing this country today?"

Mr. Chairman, if we leave here today as we did yesterday demonstrating the fact that we are incapable of even taking the President at his word and preventing further expansion of the war we will be saying to every young person in the country that the Government of this country and its institutions are impotent and incapable of dealing with this serious and direct threat to the very foundations of our Nation.

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

Mr. WILLIAM D. FORD. I yield to the gentleman from California.

Mr. COHELAN. Mr. Chairman, I would like to compliment the gentleman from Michigan and to associate myself with his remarks.

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

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. BRASCO. Mr. Chairman, I rise in support of the Boland amendment and suggest that the way to cure the dilemma that this House faces is to take positive action on the Boland amendment today.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from Massachusetts (Mr. BOLAND).

Our policy in Southeast Asia is bankrupt and very clearly is flying in the face of the realities which exist in that area of the world.

We have spent billions and billions of dollars; we have sent hundreds of thousands of troops; we have assisted the South Vietnamese in their efforts to Vietnamize the war and still the war drags on and on and on interminably.

Mr. Chairman, I am convinced, as I am certain are many of the American people, that we must act favorably on this amendment to demonstrate Congress' determination to deescalate the war and to reduce the American position in that struggle. Our entry into Cambodia flies in the face of that policy.

Mr. Chairman, in my opinion this is a very positive manner in which the Congress can assert its prerogative and show its leadership in trying to reduce the American effort in Southeast Asia.

Mr. Chairman, I support the amendment which has been offered by the gentleman from Massachusetts (Mr. BOLAND).

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Chairman, the invasion of Cambodia seems to me to be an incredible admission by the administration of the failure of the President's highly touted Vietnamization policy. If 1.2 million South Vietnamese under arms cannot defend the leisurely withdrawal over a period of several years of 200,000 American troops from that country, unless the enemy is entirely destroyed by American troops, then Vietnamization means the South Vietnamese will be able to stand alone in South Vietnam only when the American Armed Forces have destroyed the enemy. That was the policy of the prior administration.

Mr. Chairman, I cannot think of a worse policy for this country to engage in and of a worse action than that which the President engaged in last week.

The President should take his eyes off the jungles of Cambodia for a moment and look at his own country. His concentration with the glamor of military strategy has prevented him from noting that his policies are causing convulsions of violence and dissent in this country. Whatever temporary military advantage might be gained by expanding this war will seem of no consequence if American society erupts into violence and chaos as a result. That tragedy is not remote but is real and present.

Lyddell-Hart, the great western military strategist, laid down a basic limitation on all military tactics. No matter how wise and effective a proposed military tactic might seem its effectiveness is limited by the adage, "He who pays the piper, calls the tune."

Mr. President, the youth of this Nation, the mothers and fathers, the wives and sweethearts, those who "pay the piper" of your dangerous attachment to military solutions in Vietnam, are sick, disillusioned, angry and lack confidence in you and this administration. They are now "calling the tune," Mr. President, and the lyrics of that tune are simple and strong—"end that war and do it now and not by expanding it."

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

Mr. WALDIE. I yield to the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, I want to associate myself with the remarks that were made by the gentleman from California, and to ask how we are going to Vietnamize the war in Vietnam by Americanizing the war in Cambodia?

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I do not intend to take much time because we discussed this at great length yesterday. The issue now is the same as it was when we debated the Leggett amendment—it is whether this body is going to assert itself on the question of Cambodia.

As the gentleman from Massachusetts (Mr. BOLAND) has said, his amendment is substantially similar to the amendment adopted by the House last year. It was then known as the Church amendment, and it provided that no expenditures

shall be available for American ground combat forces in Laos and Thailand. The amendment offered now by Mr. BOLAND would merely add Cambodia to that list.

This is a very mild amendment. It does not hinder what President Nixon proposes to do because it does not go into effect until July 1. It does not endanger any of our troops. Therefore, I think the House should assert its authority and approve this amendment.

I supported the Leggett amendment and I now support the Boland amendment because I think we in this body must speak up—and speak up loudly and clearly—to the people of this great Nation. They are looking to the Congress for guidance at this critical period, and I think we must respond—now.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr. Chairman, we are in the debt of our distinguished colleague, the gentleman from Massachusetts (Mr. BOLAND) for offering this absolutely reasonable and sensible amendment. The time has come, notwithstanding all the rhetoric to the contrary, for this body to exercise our responsibility in this regard. It is a reasonable, thoughtful, and constructive amendment, and I associate myself with the statements of those who support the amendment. Actually it is, in essence, one more opportunity for us to express our opposition to the war in Vietnam and Cambodia. We shall continue such efforts until we have the victory which Mr. BOLAND's amendment deserves.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. Moss.)

Mr. MOSS. Mr. Chairman, the gentleman from Massachusetts has afforded us an appropriate opportunity to speak out responsibly here in Congress—and if you need evidence that we need to speak out, then read the ticker tapes out in the Speaker's lobby, and you will find that the Nation has a great number of its colleges and universities closed at this moment.

We find that the Commanding Officer of the National Guard Bureau has authorized the use of National Guard personnel as night watchmen around this Nation. It reads almost like a war communique here in this Nation, and that has been brought about primarily because of the very unwise action taken by the President in acting without the sanction of the Congress.

Mr. Chairman, I think the very least we can do is to take him at his word and give him his 8 weeks, and cut off the funds for fiscal 1971.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ARENDS).

Mr. ARENDS. Mr. Chairman, we covered this ground at great length on yesterday. Now we are preparing to do it over again. May I simply say that I for one do not intend to tie the hands of the President in any way in this matter, none whatsoever, because he is my President as well as yours, and what we should do is support the President of the United States in this case whether you agree with him politically or not.

I have here two news releases which have just come out which indicate in very clear fashion that progress is being made, in Cambodia. At the moment it appears we are on the road toward doing what the President and the country had hoped we would be able to do.

As of this very moment we have captured almost—almost—1 million total rounds of ammunition. This means 1 million less rounds of ammunition that are going to be shot at our American boys just across the Cambodian border in South Vietnam.

Likewise I have a Reuters dispatch which has just come in over the wire, and it says:

An Allied force today claimed it captured the Viet Cong headquarters, which was the target of the invasion of Cambodia.

Mr. Chairman, this proves that we are moving in the direction we had hoped to move, and I would trust that Congress would do nothing at this particular time to slow down what appears to be real progress in our efforts to destroy the sanctuaries in Cambodia.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. BINGHAM.)

Mr. BINGHAM. Mr. Chairman, at the meeting Tuesday President Nixon told the members of the Committee on Foreign Relations and the Committee on Foreign Affairs, and I quote:

We expect the Soviets to protest our action (in Cambodia) just as we protested their invasion of Czechoslovakia.

That is quite an equation. I am not suggesting that Mr. Nixon regards the two actions as comparable, but I am suggesting that when he made his decision on Cambodia, President Nixon seems to have forgotten the precept of our Founding Fathers that we should show a decent respect for the opinions of mankind—and the opinions of mankind include the opinions of young Americans as well as the opinions of people around the world.

Mr. Chairman, I believe the adoption of the Boland amendment would go some way to repair the damage that has been done.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. Mr. Chairman, I am sure we are all very happy to hear the report a few minutes ago from the distinguished minority whip, who stated, as the President had indicated, that the objectives are being met and that we are destroying the enemy's capability of killing American men in South Vietnam.

I think that since the President said we would be out of there by July 1, and since this amendment of the gentleman from Massachusetts does not take effect until after July 1, that we should all give the President a vote of confidence by supporting this amendment, and then we can all go home very happy this afternoon.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I was alarmed on reading the newspapers just a few minutes ago, one of the late releases that came out, that I understand really violates the President's pledge to the members of the House Committee on Armed Services and the Senate committee that American ground forces would penetrate no more than 20 miles or 30 miles into Cambodia. I understand now the U.S. Navy is now floating up the Mekong River all the way to Phnom Penh.

I say that we ought to save the President from some of the wild desires of some of the military leaders.

He said in response to my questions down at the White House the other day—I said, "Do you need American ground forces in Cambodia in the next fiscal year?" He said, "Congressman, I want to assure you that I will have the 'head' (that is a paraphrase)—of the Chairman of my Joint Chiefs of Staff if we have them there after July 1."

So I say the amendment of Mr. BOLAND is directly in point and should be supported.

As to the arguments that have been made that this is a partisan effort, I remind again the distinguished minority whip that GERRY FORD, 2 years ago said the following to President Johnson on hot pursuit in Cambodia.

[From the Washington Post, Jan. 10, 1968]

CONSULT HILL ON "HOT PURSUIT," FORD ASKS

House Republican Leader Gerald R. Ford called on President Johnson yesterday to clear with Congress before committing U.S. troops to any "hot pursuit" of Communist troops across the Cambodian border from Vietnam.

"Personally I feel they have not made a case for hot pursuit," he told a news conference in commenting on current Administration efforts to bar use of Cambodia as a Communist sanctuary in the war.

"It is important that they [the Administration] come to Congress, present the problem, and get our concurrence before they adopt a new policy of hot pursuit. This would be a drastic change," he said.

Ford said he believes North Vietnam is displaying a "change of attitude" that could lead to negotiations and an end to the war, but he warned against any cessation of U.S. bombing until Hanoi also scales down the conflict. At a minimum, he said, North Vietnam should halve the flow of manpower and supplies across its border into South Vietnam.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, one element of this discussion that disturbs me is the repeated suggestion that somehow those of us who are concerned about the effect on young people in this country of the unauthorized extension of the war are less interested in the effect of the extension of the war on the young men who are in Vietnam. That suggestion is insulting to the intelligence of those who make it. It implies that they do not understand that bringing home soldiers involved in pointless wars is in fact the best way to diminish the risks borne by those soldiers.

The point of course is that passing

this amendment will help all the young people of this country, the young people here and the young people in Vietnam as well—and the not so young people too. It will help the United States, because it can help to spare us further bitterness, and to save lots of money. It can increase faith in the constitutional processes of this country at a time when that would add measurably to our national security. Above all, it will save a great many lives that need not be lost.

It may even help to save us from ever undergoing again the horror of young Americans in uniform shooting other young Americans on a sunny field on a pleasant campus near the heart of this country.

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

Mr. LOWENSTEIN. I yield to the gentleman.

Mr. RYAN. Mr. Chairman, today the House has an opportunity to rectify the errors of yesterday, when debate on the issue of Cambodia was cut off, and when the House failed to pass any amendments to the military procurement bill, H.R. 17123, expressing opposition to the President's unilateral, unauthorized action in sending American ground combat troops into Cambodia. It is 1 week since President Nixon's announcement that American troops had been ordered into Cambodia, and today, the press reports that 20,000 American troops are in that country.

The gentleman from Massachusetts (Mr. BOLAND) has offered an amendment to H.R. 17399, the second supplemental appropriation bill for fiscal year 1970, barring any utilization of fiscal year 1970 funds for American troops in Cambodia.

It is essential that Congress exercise the power of the purse to curb the administration's appetite for military answers to the political problem of Vietnam.

The amendment is entirely in line with the similar provision adopted last December 15 by the Senate, and agreed to by the House accepting the conference report on December 18, 1969, which is section 643 of the Department of Defense Appropriation Act, Public Law 91-171, for fiscal year 1970. It reads:

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

Today we seek to expand the import of this provision to include coverage of Cambodia. It is really not even an expansion of the previously enacted legislation embodied in the Defense Department appropriation bill, but the filling in of a gap unintentionally left by the Senate and House last December. At that time, details of the secret war in Laos and the administration's commitments in Thailand were beginning to come to light. The language then passed was an expression of congressional determination that American ground combat troops would not be used outside of Vietnam. At that time, no one even considered that the President might take the unthought-of action of invading the neutral nation of Cambodia. Had the thought occurred, clearly section 643 would have covered this possibility also. The Senate debate makes this conclusion clear, for the concern of the Senate—a concern which the House must be presumed to have shared in accepting the Senate-passed amendment—was expansion of the war in Southeast Asia.

But, the past aside, the matter of major concern now is that American ground combat troops are in Cambodia. No semantic doubletalk is available to the Pentagon, which has chosen in the past to define "ground combat troops" as excluding "advisers." Here the situation is starkly clear, and clearly extreme.

This amendment would deprive the President of the funds to conduct his new war in Camboda. It offers the House an opportunity to assert its constitutional responsibility on the question of war and peace. There was a sound reason why the Constitution states that no appropriation of money for raising and supporting an army shall be for a longer term than 2 years. It was so that the people through their elected representatives would be able to exercise control over the military. Let us do so now.

TROOPS IN CAMBODIA

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. Bow).

Mr. BOW. Mr. Chairman, I am opposed to the Boland amendment. I believe this would tie the hands of the President of the United States.

This war in Cambodia started 4 years ago when the Communists from North Vietnam invaded Cambodia and built their sanctuaries along the Cambodian boundary line. These sanctuaries are what we are going to destroy.

Now let us face the fact that we are being successful. But what you say is that we can be successful only once. You are saying the North Vietnamese can come back and build their sanctuaries, but we cannot go in and destroy them a second time. You are denying the President of the United States, as Commander in Chief of the Armed Forces, the right to protect American lives if the Communists return and rebuild their sanctuaries.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Texas (Mr. MAHON) to close the debate.

Mr. MAHON. Mr. Chairman, we cannot write war strategy from the floor. A vote on this amendment does not indicate whether one is for or against involvement in Cambodia. A vote against the amendment would support the President, the Commander in Chief of the Armed Forces—and affirm that we do not propose to tie his hands, and that we hold him to his commitment to bring the war to a successful conclusion and at the earliest possible time.

Mr. Chairman, it is not possible to reconstruct or rehash the arguments of yesterday on amendments similar to the one facing us today. But on yesterday the House voted such amendments down by substantial margin.

I think it would be unfortunate, in the eyes of the country and the world, if the House should reverse itself without any substantial reason within a 24-hour period. We must undertake to act responsibly. All Members want to see the war ended on honorable terms at the earliest possible date.

I urge the defeat of the Boland amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BOLAND and Mr. MAHON.

The Committee divided, and the tellers reported that there were—ayes 94, noes 163.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI

GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided therein.

SEC. 602. Except where specifically increased or decreased elsewhere in this Act, the restrictions contained within appropriations, or provisions affecting appropriations or other funds, available during the fiscal year 1970, limiting the amounts which may be expended for personal services, or for purposes involving personal services, ar amounts which may be transferred between appropriations or authorizations available for or involving such services, are hereby increased to the extent necessary to meet increased pay costs authorized by or pursuant to law.

AMENDMENT OFFERED BY MR. VANIK

Mr. VANIK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VANIK: On page 46, after line 23, insert the following:

"SEC. 603. None of the funds contained in this act available to the Inter-American Bank shall be used directly or indirectly as grants or loans to officers or members, of the staff, of the Inter-American Bank."

Mr. VANIK. Mr. Chairman, some time ago I was shocked to learn that the Inter-American Bank has been making extensive loans to its officers and to its staff.

Mr. Chairman, I have discussed this amendment with the chairman of the Subcommittee on Foreign Operations of the Committee on Appropriations, the distinguished gentleman from Louisiana (Mr. PASSMAN), and I should like to ask at this time if the gentleman from Louisiana could tell me whether I am correct in understanding that over 200 loans have been made to members of the staff and officers of the Inter-American Bank?

Mr. PASSMAN. Mr. Chairman, in response I should like to say to the distinguished gentleman, that is correct. There have been over 200 loans made to members and the staff of the Inter-American Development Bank. It is also true that the Asian Development Bank makes the same sort of loans.

Mr. VANIK. I should like to inquire what kinds of loans these are. Are these personal loans, property purchase loans,

or home modernization loans? What type are they?

Mr. PASSMAN. It is a combination of many. In some instances they make home purchase loans. In other instances it is merely a loan over a signature.

Mr. VANIK. Will the distinguished gentleman advise me and advise the members of this Committee as to whether or not the American representative on either the Inter-American Bank or the Asian Development Bank has had access to the information concerning the beneficiaries of these loans or the extent of these loans?

Mr. PASSMAN. I do not quite understand the gentleman's question.

Mr. VANIK. I should like to inquire whether or not the American representative on either the Inter-American Bank or the Asian Development Bank has any information concerning the extent of the loans or the beneficiaries of the loans. Is he advised of this practice?

Mr. PASSMAN. I can only speak with respect to the Asian Development Bank. During our hearings we asked our Director on the Board of the Asian Development Bank if he could furnish us with the names of the individuals borrowing the money, the terms and the amounts, and he said that information was restricted by the President of the Bank. Our own Board member was not privileged to have access as to the amounts of the loans to the employees of the Asian Development Bank.

Mr. VANIK. Last year, as the gentleman will recall, he made an extensive inquiry concerning whether or not American employees of either of these banks resident in the United States paid Federal income taxes. Can the gentleman advise the Committee whether or not these employees at the present time pay income taxes to the United States?

Mr. PASSMAN. This being an international organization, of course the emloyees do not pay any income taxes on their salaries. They pay no income taxes on their salaries notwithstanding the fact that they are domiciled here in the United States.

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

Mr. VANIK. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I commend the gentleman for his amendment, and I urge the Committee to accept it. The time is long past due for the placing of restraints on the use of International Bank funds to which Americans have contributed billions of dollars.

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

Mr. VANIK. I yield further to the gentleman from Louisiana.

Mr. PASSMAN. Of course, I do not have the right to accept the amendment, but I am going to support the gentleman's amendment.

The gentleman may recall that I discussed with him earlier the fact that I intended to write this into the legislation this year, providing certain restrictions. As he knows, there will be a request for an additional $900 million for the Special Fund for the Inter-American Development Bank. We are going to have an additional request for the Asian Development Bank. I thought at that time we would place a limitation on this type of practice, so as to stop the policy of making loans to employees.

It is rather unusual, of course, to have employees living in the District of Columbia and borrowing money from one of these international organizations. They pay no income taxes. Some of these loans are made at interest rates as low as 2 percent. It is time to stop this. That was not the purpose of our country making contributions to these international organizations.

I should say to the gentleman, when we move this money into international organizations we lose the right of an audit and we lose the right to make an investigation or interrogation on the individual projects. It is time that the membership understands fully what we are actually doing.

I commend the gentleman for offering this amendment. If he had not offered the amendment I intended, if the Committee would support me, to write a provision into the regular bill, which would have prohibited this kind of practice.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(On request of Mr. PATMAN, and by unanimous consent, Mr. VANIK was allowed to proceed for 3 additional minutes.)

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

Mr. VANIK. I am glad to yield to the chairman of the Committee on Banking and Currency.

Mr. PATMAN. I commend the gentleman for his statement. His statement is shocking to me. I am grateful to him for bringing this information to the attention of the House. Do you have the information that you could submit in the record about the number of these loans?

Mr. VANIK. I do not, but I will be happy to yield to the chairman of the Foreign Aid Subcommittee for that information.

Mr. PATMAN. If the gentleman from Louisiana, the distinguished chairman of that committee, will insert the information, I think it would be a very wholesome and helpful thing. Something should be done about it. It is unthinkable that employees in a tax-exempt status really are allowed to borrow from their own organization, their master and their employer, public funds that are tax exempt.

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

Mr. VANIK. I am happy to yield to the gentleman.

Mr. PASSMAN. This is a sad state of affairs. I have been inclined to point out to the membership of this body for many years as to just what would happen when you move assistance into these international organizations. I am requested by the Secretary of the Treasury not to reveal the list of these people who borrow these moneys, or the amounts, or the interest that they pay. I have the Secretary's letter, and I am going to ask the distinguished chairman of the Committee on Banking and Currency to see if he cannot get the Secretary of the Treasury to permit me to place in the record the names of the individuals, the amounts of the loans, and the rate of interest that they pay. They give varied reasons why the information should not be made public.

Mr. PATMAN. Will the gentleman yield?

Mr. PASSMAN. If the gentleman will permit me to finish. As far as the Asian Development Bank is concerned, which is another international organization, our board member on that Bank is not privileged to know about these loans, either the amounts or the interest rates. The President will not even let our board member have this information. If you want any additional information on that, I suggest you read my hearings and you will find out for yourself that he is not privileged to receive that information.

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

Mr. VANIK. I am happy to yield to the gentleman.

Mr. CASEY. I wonder if this is not a better rate of interest than they get on other loans.

Mr. VANIK. I do not know. We are not privy to the rate of interest, and I hope that the chairman of the Subcommittee on Foreign Aid will accept my amendment.

Mr. PASSMAN. I do not have the right to accept it, but I will certainly vote for it.

Mr. BLACKBURN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment because I do not think most understand what we are doing. The Asian Development Bank and the Inter-American Development Bank both come under the jurisdiction of the Committee on Banking and Currency. As a member of that committee, I did not know that these loans were being made until recently. I would certainly cooperate with the chairman of my committee fully in investigating and finding out what is going on.

When it came to my attention I called the institutions involved to find out what these loans represented. They are small loans that are made to employees. Many of these employees have moved to this country from other parts of the world. Their credit is no good and therefore they cannot borrow from an established banking institution in this country. Therefore, it is necessary that they borrow money to set up housekeeping and be able to maintain themselves while they are getting established here. I do not think we want to legislate matters of that substance on this floor without knowing what we are doing. If these employees are not paying the full rates of interest, then I will cooperate fully with the committee chairman to see to it that if they borrow money, they pay the full rate of interest. But they are paying back the loans. You will create a considerable amount of hardship on these employees and it will not do our country any benefit.

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

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

Mr. GROSS. What is wrong with foreign governments of those countries providing the credit necessary to finance their own employees in this or any other country? Why should we do it?

Mr. BLACKBURN. They are not employees of government. They are employees of international banking institutions.

Let us first examine what we are doing and then let us legislate. Let us not work a hardship upon these people who come here under these circumstances.

Mr. GROSS. I am absolutely opposed to American taxpayers making money available to an international bank to build a golf course for its employees.

Mr. BLACKBURN. I agree.

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

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

Mr. PASSMAN. It is just this simple. These international organizations provide good jobs for these Americans and some other foreign nationals. They have good salaries. They can borrow money at the commercial banks just like we can.

Mr. BLACKBURN. I am sorry, but I must interrupt the gentleman because I wish to complete my statement. I cannot yield further to the gentleman at this time.

Mr. PASSMAN. Well, I will get my own time later.

Mr. BLACKBURN. I do not want to see us do anything which would greatly adversely affect these people, until we have conducted adequate hearings, which are scheduled this summer. I will fully cooperate in legislation to prevent abuses but we should have all the facts before us.

Mr. GROSS. Why do their own governments not provide the credit for them?

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

RESTRICTION AGAINST LOANS TO OFFICERS AND STAFF OF INTER-AMERICAN BANK

Mr. Chairman, the members of the Banking and Currency Committee no doubt are more familiar with this situation than most of the rest of us. You have heard briefly from the gentleman from Louisiana, and he is going to seek additional time on his own.

From what I know of the matter as a result of this recent discussion, I can see no obvious reason why the amendment should be opposed. I expect to vote for the amendment—and I would assume that the amendment would be approved by the House—as it seems to be meritorious.

However, I must agree that we do not have the full facts in regard to the situation. I am sure the Subcommittee on Foreign Operations of the Committee on Appropriations and the Banking and Currency Committee will go thoroughly into this whole matter. But as of this time, it seems to me that the amendment should be adopted. The gentleman from Ohio had intended to offer the amendment earlier, but at that time the pertinent paragraph of the bill had been passed, and I was not aware of the import of the amendment.

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

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

Mr. BOW. Mr. Chairman, the members of the Subcommittee on Foreign Operations of the Committee on Appropriations seem to favor this amendment. Therefore, in an effort to save time and inasmuch as we know it is going to be adopted, I would suggest we accept it and get on with the business.

Mr. MAHON. Insofar as I am concerned, I accept it.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

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

Mr. THOMPSON of Georgia. Is it not a common practice in banking operations in America that an officer and very often employees of a bank are not granted loans from that particular bank? In other words, if they desire to borrow money, they must go to another institution with which they are not affiliated in order to borrow money?

Mr. MAHON. I am not fully familiar with banking practices, but no doubt certain safeguards are provided.

Mr. THOMPSON of Georgia. So, it would seem to me we would be placing no undue hardship upon these individuals if we should say to them that they would have to go to another banking commercial source in order to obtain their money.

Mr. PASSMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it was my purpose to stay out of this debate on this occasion and discuss the matter with the distinguished minority member from Kansas (Mr. SHRIVER) in the hopes that we could come up with some type of limitation which the committee could support on the regular bill. But it is just this simple. With reference to the two international organizations which we have examined this year—and we may limit our discussion at this particular moment to that of the Inter-American Development Bank—most of these employees draw good salaries and many of course are domiciled right here in the city of Washington because the Inter-American Development Bank is domiciled here.

I am not quarreling with the fact that they do not have to pay any income tax on their salaries because they work for an international organization and we extend to these U.S. employees the same consideration that we extend to foreign nationals who would be working with the bank, even though that is quite a concession. But many of these employees draw their salaries here, and they can borrow money locally.

But, Mr. Chairman, when you build up to where there are over 200 loans made by the banks to their employees, and at a concessionary interest rate, then to me it is wrong because it aggregates several hundreds of thousands of dollars.

This is also true in the case of the Asian Development Bank, but in the case of the Asian Development Bank the President there is so arrogant that he will not disclose to our own board members the amount of these loans.

Mr. Chairman, I hope that this amendment will be adopted, and I hope at some subsequent date that the subcommittee, which I have the honor to chair, working with the distinguished Member from Kansas (Mr. SHRIVER), and the other Members will write legislation completely prohibiting this practice, because it will continue to grow and grow.

Finally, Mr. Chairman, let me say, if I may, that the Asian Development Bank, for the first year of its operation, made a lot of money. In fact, we borrowed some of our own money back.

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

Mr. PASSMAN. I yield to the distinguished gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Chairman, I appreciate the gentleman yielding to me.

I have just now had the opportunity of reading the amendment, and I see no objection to it, and the ranking member on our subcommittee, the gentleman from Louisiana (Mr. PASSMAN) agrees.

Mr. Chairman, I urge the adoption of the amendment.

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

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

Mr. ALBERT. Mr. Chairman, I would ask the gentleman from Louisiana: Is there any doubt but what we have the authority to act here to bind an organization, made up of several countries, by an amendment?

Mr. PASSMAN. Mr. Chairman, I would say to the gentleman first of all that in this particular organization we put in about 40 percent of the last request for capital, and I do not know why we should not write a limitation into it. If we did not, it would make a mockery of the legislative process to even write such legislation in the beginning.

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

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

Mr. MAHON. Mr. Chairman, I have looked at this loan list, which I have seen for the first time, and I notice that almost all of the borrowers have Spanish names.

The first page contains the names of 44 borrowers. Most of the loans are in the area of $1,000. None is over $2,000. I notice that is typical throughout this list. They are apparently small loans.

However, on succeeding pages I find one loan relating to home improvement for $10,000, and another one for $14,000. These are the biggest ones that I see on this list. There are a total of 239 loans.

I am not so sure we have discussed this problem in the context of reality too well, but I still support the amendment offered by the gentleman. I would hope, however, that there have been no improprieties.

Mr. PASSMAN. Mr. Chairman, I would only add further that from little acorns big trees grow. If we do not stop this now it will not be too long before all of the employees will utilize this method of securing loans, and do not forget at concessionary interest rates.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I know that we have reached practically a consensus with respect to this amendment. I shall join in support of the amendment, but I thought that this was an appropriate and important time to discuss some ramifications of this problem.

We are acting with regard to a restriction of limitation to deal with a specific problem. That is fine, but the problem is far broader than that, as the distinguished chairman of the Subcommittee on Foreign Operations has alluded. We have struggled with this question from time to time.

Suffice it to say that in the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs, we are examining the foreign policy implications of U.S. participation in the Inter-American Development Bank, particularly of the recent pledges relating to additional capitalization—which pledges involve a huge sum of money on the part of the United States.

The Committee on Banking and Currency will shortly take up the question of the administration's request with respect to that additional capitalization.

But the problem with which we are struggling in the Inter-American Affairs Subcommittee is a problem that is going to be increasingly troublesome as we attempt to multilateralize our foreign policy undertakings affairs in that it is extremely difficult for us, at the policy level, except in the Department of the Treasury, to obtain information that we need upon which to make our evaluations and our judgments both from a foreign policy standpoint and from a financial standpoint.

We passed an amendment in this House a couple of years ago, pertaining to this very same inter-American institution, in an attempt to get the kind of information that would be produced in any comprehensive audit. We found that they did not have any such audit. All that was being done was a financial audit.

Finally, as the result of an amendment adopted in this body upon the initiation of the Inter-American Affairs Subcommittee, an agreement was reached between the General Accounting Office and the Secretary of the Treasury with respect to the guidelines for comprehensive audits that should be instituted by the affected institution. But that audit will still be primarily internal. There remains the question and the problem, therefore, for the Committee on Banking and Currency and the Committee on Appropriations and the Committee on Foreign Affairs and the Congress to get all of the detailed information to make sound judgments with respect to putting funds into multilateral institutions and the foreign policy implication of such decisions.

It is that problem that is going to have to be resolved at the very highest levels in this Government, if we are going to have some kind of coordinated foreign policy and some kind of intelligent handling of funds which we are putting into the Inter-American Development Bank and other multilateral institutions.

Mr. REES. Mr. Chairman, I move to strike out the last word.

I am very much opposed to this amendment because it adversely affects the International Development Bank and indirectly the Asian Development Bank.

These are important multinational banks, not American banks. The people who work for these banks are international civil servants. They do not work in the United States or Argentina or Colombia or in any specific country. They are international civil servants working for this multinational bank.

When they come to this country they do not have a credit rating. I do not care if they are making $2,000 a month, they do not have a credit rating. They have to live here for a while before they can go to a commercial bank and borrow on their signature and against their pay the $1,000 or $2,000 they need to settle their family here.

It is a problem that we definitely have with the Asian Development Bank now moving to Manila, Philippine Islands. They do not have credit ratings so they have to borrow from the institution they work for.

We should not be so shocked. We have a very good bank here in the House that has a very good interest rate. Quite a few of us, I suspect, have used that bank for borrowing. And with the IDB we are talking about people who do not have a local credit rating who have extra money needs as international civil servants when they move to a new country.

This is the type of loan fund that we are going to cut out. I really do not think this type of amendment is legal because the funds are funds of the bank and not the funds of the United States.

I do not think this amendment has any effect because we are talking of an international bank and not a United States bank or a Treasury bank.

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

Mr. REES. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. The gentleman from California is making a point that troubled me as soon as I found out what the amendment is about.

It is an intriguing amendment, but I just wonder what kind of policy we will be pursuing if we dictate to an international organization composed, I think, of some 22 member nations. It seems to me it might not only be a bad way to legislate, but bad diplomacy in dealing with all the other member nations.

Mr. REES. I agree it is bad diplomacy.

I think we will hurt a lot of small people who serve this bank as international civil servants who, when they come here do not have funds available.

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

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

Mr. STANTON. Mr. Chairman, I join the gentleman in his remarks in opposition to this particular amendment.

At this particular time, I say to the members of the committee, that we will have before the next 6 weeks supplemental funding hearings asking for funds both for the Inter-American Development Bank and the Asian Development Bank.

I say to the gentleman that once again I agree with the majority leader that this is an international member civil organization, and I say to the House once again and the majority leader that we can no more, in my opinion, do to the Inter-American Development Bank what this amendment would do at this particular time than, for example, we could do to the United Nations. This committee could control, perhaps, funds to Cuba, but we do not go to the individual employees of the United Nations and tell them where they can or cannot borrow money. I think we have a direct parallel to that particular situation. I join the gentleman from Ohio in asking the chairman of our committee, the gentleman from Texas, to thoroughly go into the subject of this amendment, and where legally we have the right, we should act.

I want the gentleman to know I agree in principle with him. We should let our Banking and Currency Committee thoroughly check this out.

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

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

Mr. VANIK. Is the gentleman able to tell us what the rate on those loans is? I will tell the gentleman I have every reason to believe it is a most favorable rate, not available to anyone else in the United States.

Mr. REES. Like the rate that we have in the House Bank.

Mr. VANIK. No; this is a preferential, low-interest loan, a rate that is not available to anyone else in this community.

Mr. REES. I suspect that when the Banking and Currency Committee looks at this, they will go into the subject of interest rates.

Mr. GROSS. Mr. Chairman, I move to strike the next to the last word.

Mr. Chairman, apparently about all some people think the taxpayers of this country should do is provide these international banks with money. Just give them the money and let them do whatever they please with it.

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

Mr. GROSS. I am glad to yield to the gentleman from Louisiana who has had long experience with this subject.

Mr. PASSMAN. A Member came to me earlier and said, "As chairman, why did you not reduce the supplemental request?"

The reason was the executive branch said no, this is a commitment. We made the commitment to other member countries to furnish all the money that we are requesting. However, if we turn all the operations over to the internationalists, we will not be able to control the funds provided by the United States. I think we have a perfect right to prevent these people from taking our money and making these loans at a concessionary interest rate to employees of the bank, and I

certainly hope that this amendment is adopted. It will demonstrate that we have a little courage in this Congress, not yielding every time to some internationalists who are spending our money.

Mr. GROSS. I thank the gentleman.

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

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

Mr. CASEY. The gentleman will recall that about 3 years ago I called attention to the fact that one of the international organizations is building a country club out here on River Road.

Mr. GROSS. The gentleman is correct.

Mr. CASEY. If the gentleman has been in that area, he has observed that it has developed really well. I do not know how many millions of dollars they have in that country club. Again, this is a situation about which we are told we have nothing to say since it is an international organization.

Mr. GROSS. It is my recollection that the cost of the land alone for that country club was about $2 million.

Mr. CASEY. No; only about $1.5 million. They have since built a golf course and put in a club. You and I do not have anything to say about it; we merely furnish money for it.

Mr. GROSS. If foreign governments cannot lend a hand to settle their employees in this country or anywhere else, then they had better get out of these international banks because they are bankrupt anyway.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. VANIK and Mr. REES.

The Committee divided, and the tellers reported that there were—ayes 69, noes 63.

So the amendment was agreed to.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time for the purpose of informing the Committee that if the previous question on the motion to recommit is voted down—and I trust it will be—I intend to offer an amendment to the motion to recommit embodying the amendment which I offered in the Committee of the Whole; a straight vote on whether or not we ought to permit any American ground combat forces in Cambodia in fiscal year 1971. This House should face this issue squarely and on a roll call vote.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17399) making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CEDERBERG

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CEDERBERG. I am in its present form, Mr. Speaker.

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

The Clerk read as follows:

Mr. CEDERBERG moves to recommit the bill H.R. 17399 to the Committee on Appropriations.

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

The SPEAKER. The question is on ordering the previous question.

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

Mr. BOLAND. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 222, nays 134, not voting 73, as follows:

[Roll No. 107]

YEAS—222

| | | |
|---|---|---|
| Abbitt | Brotzman | Crane |
| Abernethy | Brown, Ohio | Daniel, Va. |
| Adair | Broyhill, N.C. | Davis, Ga. |
| Albert | Broyhill, Va. | Davis, Wis. |
| Alexander | Buchanan | Dellenback |
| Anderson, Ill. | Burke, Fla. | Denney |
| Anderson, Tenn. | Burleson, Tex. | Dennis |
| Andrews, N. Dak. | Burlison, Mo. | Devine |
| Annunzio | Bush | Diggs |
| Arends | Byrnes, Wis. | Dorn |
| Ashbrook | Cabell | Dowdy |
| Aspinall | Caffery | Downing |
| Ayres | Camp | Duncan |
| Baring | Casey | Edmondson |
| Beall, Md. | Cederberg | Edwards, Ala. |
| Belcher | Chamberlain | Edwards, La. |
| Bennett | Chappell | Erlenborn |
| Betts | Clancy | Eshleman |
| Bevill | Clark | Feighan |
| Blackburn | Clausen, Don H. | Findley |
| Blanton | Clawson, Del | Fisher |
| Boggs | Collier | Flood |
| Bow | Collins | Flynt |
| Brinkley | Colmer | Foreman |
| Brooks | Conable | Fountain |
| Broomfield | Corbett | Frey |
| | Cowger | Fulton, Tenn. |
| | | Fuqua |
| Garmatz | Marsh | Saylor |
| Goldwater | Martin | Schadeberg |
| Gonzalez | Mathias | Scherle |
| Goodling | May | Schwengel |
| Gray | Mayne | Scott |
| Griffin | Michel | Sebelius |
| Gross | Miller, Calif. | Shriver |
| Gubser | Mills | Sisk |
| Haley | Minshall | Skubitz |
| Hall | Mize | Slack |
| Hammer-schmidt | Mizell | Smith, Calif. |
| Hansen, Idaho | Montgomery | Smith, Iowa |
| Harvey | Morgan | Smith, N.Y. |
| Hastings | Morton | Snyder |
| Hébert | Murphy, N.Y. | Springer |
| Henderson | Myers | Stanton |
| Hogan | Natcher | Steed |
| Holifield | Nelsen | Steiger, Ariz. |
| Hosmer | Nichols | Steiger, Wis. |
| Hutchinson | O'Konski | Stephens |
| Ichord | O'Neal, Ga. | Stratton |
| Johnson, Pa. | Passman | Stubblefield |
| Jonas | Patman | Stuckey |
| Jones, Ala. | Pelly | Talcott |
| Jones, N.C. | Perkins | Taylor |
| King | Pettis | Teague, Tex. |
| Kleppe | Pickle | Thompson, Ga. |
| Kluczynski | Pirnie | Thomson, Wis. |
| Kuykendall | Poff | Waggonner |
| Kyl | Price, Ill. | Wampler |
| Landgrebe | Price, Tex. | Watkins |
| Landrum | Pucinski | Watson |
| Latta | Quie | Watts |
| Lennon | Quillen | Whalley |
| Long, La. | Railsback | White |
| Lukens | Randall | Whitehurst |
| McClure | Rarick | Whitten |
| McCulloch | Reid, Ill. | Williams |
| McDonald, Mich. | Reifel | Winn |
| McEwen | Rhodes | Wright |
| McFall | Rivers | Wyatt |
| McKneally | Roberts | Wylie |
| MacGregor | Rogers, Fla. | Wyman |
| Mahon | Rooney, N.Y. | Young |
| Mailliard | Rostenkowski | Zablocki |
| Mann | Roth | Zion |
| | Sandman | Zwach |
| | Satterfield | |

NAYS—134

| | | |
|---|---|---|
| Adams | Gallagher | Nix |
| Addabbo | Gaydos | Obey |
| Anderson, Calif. | Giaimo | O'Hara |
| Ashley | Gibbons | Olsen |
| Barrett | Green, Oreg. | O'Neill, Mass. |
| Biaggi | Green, Pa. | Pepper |
| Biester | Griffiths | Philbin |
| Bingham | Grover | Pike |
| Boland | Gude | Podell |
| Bolling | Halpern | Powell |
| Brademas | Hamilton | Preyer, N.C. |
| Brasco | Hanley | Rees |
| Burke, Mass. | Hanna | Reid, N.Y. |
| Burton, Calif. | Hansen, Wash. | Reuss |
| Button | Harrington | Riegle |
| Byrne, Pa. | Hathaway | Robison |
| Carey | Hawkins | Rodino |
| Cleveland | Hechler, W. Va. | Roe |
| Cohelan | Heckler, Mass. | Rogers, Colo. |
| Conte | Helstoski | Rooney, Pa. |
| Conyers | Hicks | Rosenthal |
| Corman | Horton | Roybal |
| Coughlin | Howard | Ruppe |
| Culver | Hungate | Ryan |
| Daddario | Jacobs | St Germain |
| Daniels, N.J. | Karth | Scheuer |
| Derwinski | Kastenmeier | Shipley |
| Donohue | Koch | Stafford |
| Dulski | Kyros | Staggers |
| Dwyer | Leggett | Stokes |
| Eckhardt | Long, Md. | Sullivan |
| Edwards, Calif. | Lowenstein | Symington |
| Eilberg | McCloskey | Thompson, N.J. |
| Esch | McDade | Tiernan |
| Evans, Colo. | Macdonald, Mass. | Udall |
| Farbstein | Matsunaga | Ullman |
| Fascell | Meeds | Vander Jagt |
| Fish | Mikva | Vanik |
| Ford, William D. | Miller, Ohio | Vigorito |
| Fraser | Minish | Waldie |
| Frelinghuysen | Mink | Whalen |
| Friedel | Monagan | Widnall |
| Fulton, Pa. | Morse | Wolff |
| Gilfianakis | Mosher | Wydler |
| | Nedzi | Yates |

NOT VOTING—73

| | | |
|---|---|---|
| Andrews, Ala. | Brock | Celler |
| Bell, Calif. | Brown, Calif. | Chisholm |
| Berry | Brown, Mich. | Clay |
| Blatnik | Burton, Utah | Cramer |
| Bray | Carter | Cunningham |

| | | |
|---|---|---|
| Dawson | Jones, Tenn. | Poage |
| de la Garza | Kazen | Pollock |
| Delaney | Kee | Pryor, Ark. |
| Dent | Keith | Purcell |
| Dickinson | Kirwan | Roudebush |
| Dingell | Langen | Ruth |
| Evins, Tenn. | Lloyd | Schneebeli |
| Fallon | Lujan | Sikes |
| Flowers | McCarthy | Taft |
| Foley | McClory | Teague, Calif. |
| Ford, Gerald R. | McMillan | Tunney |
| Gettys | Madden | Van Deerlin |
| Gilbert | Melcher | Weicker |
| Hagan | Meskill | Wiggins |
| Harsha | Mollohan | Wilson, Bob |
| Hays | Moorhead | Wilson, Charles H. |
| Hull | Moss | Wold |
| Hunt | Murphy, Ill. | Yatron |
| Jarman | Ottinger | |
| Johnson, Calif. | Patten | |

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Johnson of California for, with Mr. Gilbert against.

Mr. Hays for, with Mr. Foley against.

Mr. McMillan for, with Mr. Moorhead against.

Mr. Andrews of Alabama for, with Mr. Celler against.

Mr. Evins of Tennessee for, with Mr. Dent against.

Mr. Fallon for, with Mr. Schneebeli against.

Mr. Delaney for, with Mr. Moss against.

Mr. Gettys for, with Mr. Pyror of Arkansas against.

Mr. Hagan of Georgia for, with Mr. Brown of California against.

Mr. Hull for, with Mr. Dingell against.

Mr. Jarman for, with Mr. Madden against.

Mr. Jones of Tennessee for, with Mr. McCarthy against.

Mr. Kazen for, with Mr. Clay against.

Mr. Hunt for, with Mr. Melcher against.

Mr. Murphy of Illinois for, with Mrs. Chisholm against.

Mr. Sikes for, with Mr. Ottinger against.

Mr. Bob Wilson for, with Mr. Patten against.

Mr. Cunningham for, with Mr. Van Deerlin against.

Mr. Bray for, with Mr. Charles H. Wilson against.

Mr. Meskill for, with Mr. Yatron against.

Mr. Weicker for, with Mr. Dawson against.

Until further notice:

Mr. de la Garza with Mr. Bell of California.

Mr. Flowers with Mr. Brock.

Mr. Kee with Mr. Berry.

Mr. Kirwan with Mr. Carter.

Mr. Madden with Mr. Brown of Michigan.

Mr. Tunney with Mr. Cramer.

Mr. Purcell with Mr. Burton of Utah.

Mr. Mollohan with Mr. Dickinson.

Mr. Roudebush with Mr. Teague of California.

Mr. Keith with Mr. McClory.

Mr. Ruth with Mr. Langen.

Mr. Lloyd with Mr. Taft.

Mr. Pollock with Mr. Harsha.

Mr. Wiggins with Mr. Wold.

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

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

The result of the vote was announced as above recorded.

The doors were opened.

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

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 337, nays 6, not voting 86, as follows:

[Roll No. 108]

YEAS—337

| | | |
|---|---|---|
| Abbitt | Eshleman | May |
| Abernethy | Evans, Colo. | Mayne |
| Adair | Farbstein | Meeds |
| Adams | Fascell | Michel |
| Albert | Feighan | Mikva |
| Alexander | Findley | Miller, Calif. |
| Anderson, Calif. | Fish | Miller, Ohio |
| Anderson, Ill. | Fisher | Mills |
| Anderson, Tenn. | Flood | Minish |
| Andrews, N. Dak. | Flynt | Mink |
| Annunzio | Ford, William D. | Minshall |
| Arends | Fountain | Mize |
| Ashbrook | Fraser | Monagan |
| Ashley | Frelinghuysen | Montgomery |
| Aspinall | Frey | Morgan |
| Ayres | Friedel | Morse |
| Baring | Fulton, Pa. | Morton |
| Barrett | Fulton, Tenn. | Mosher |
| Beall, Md. | Fuqua | Murphy, N.Y. |
| Belcher | Galifianakis | Myers |
| Bennett | Gallagher | Natcher |
| Betts | Garmatz | Nedzi |
| Bevill | Gaydos | Nelsen |
| Biaggi | Giaimo | Nichols |
| Biester | Gibbons | Nix |
| Bingham | Goldwater | Obey |
| Blackburn | Gonzalez | O'Hara |
| Blanton | Goodling | Olsen |
| Boggs | Gray | O'Neal, Ga. |
| Boland | Green, Oreg. | O'Neill, Mass. |
| Bolling | Green, Pa. | Passman |
| Bow | Griffin | Patman |
| Brademas | Grover | Pelly |
| Brasco | Gubser | Pepper |
| Brinkley | Gude | Perkins |
| Brooks | Haley | Pettis |
| Broomfield | Halpern | Pickle |
| Brotzman | Hamilton | Pike |
| Brown, Ohio | Hammer-schmidt | Pirnie |
| Broyhill, N.C. | Hanley | Podell |
| Broyhill, Va. | Hanna | Poff |
| Buchanan | Hansen, Idaho | Preyer, N.C. |
| Burke, Fla. | Hansen, Wash. | Price, Ill. |
| Burke, Mass. | Harrington | Price, Tex. |
| Burleson, Tex. | Harsha | Pucinski |
| Burlison, Mo. | Harvey | Quie |
| Burton, Calif. | Hastings | Quillen |
| Bush | Hathaway | Railsback |
| Button | Hawkins | Randall |
| Byrne, Pa. | Hébert | Rees |
| Byrnes, Wis. | Hechler, W. Va. | Reid, Ill. |
| Cabell | Heckler, Mass. | Reid, N.Y. |
| Caffery | Helstoski | Reifel |
| Camp | Henderson | Reuss |
| Casey | Hicks | Rhodes |
| Chamberlain | Hogan | Rivers |
| Chappell | Holifield | Roberts |
| Clancy | Horton | Robison |
| Clark | Hosmer | Rodino |
| Clausen, Don H. | Howard | Roe |
| Clawson, Del | Hungate | Rogers, Colo. |
| Cleveland | Hutchinson | Rogers, Fla. |
| Cohelan | Jacobs | Rooney, N.Y. |
| Collier | Johnson, Pa. | Rooney, Pa. |
| Collins | Jonas | Rostenkowski |
| Colmer | Jones, Ala. | Roth |
| Conable | Jones, N.C. | Roybal |
| Conte | Karth | Ruppe |
| Conyers | Kastenmeier | Ryan |
| Corbett | King | St Germain |
| Corman | Kleppe | Sandman |
| Coughlin | Koch | Satterfield |
| Cowger | Kuykendall | Saylor |
| Crane | Kyl | Schadeberg |
| Culver | Kyros | Scherle |
| Daddario | Landgrebe | Scheuer |
| Daniel, Va. | Landrum | Schwengel |
| Daniels, N.J. | Latta | Scott |
| Davis, Ga. | Leggett | Sebelius |
| Davis, Wis. | Long, La. | Shipley |
| Dellenback | Long, Md. | Shriver |
| Denney | Lowenstein | Sisk |
| Dennis | Lukens | Skubitz |
| Derwinsky | McCloskey | Slack |
| Devine | McClure | Smith, Calif. |
| Diggs | McCulloch | Smith, Iowa |
| Donohue | McDade | Smith, N.Y. |
| Dorn | McDonald, Mich. | Snyder |
| Dowdy | McEwen | Springer |
| Downing | McFall | Stafford |
| Dulski | McKneally | Staggers |
| Duncan | Macdonald, Mass. | Stanton |
| Dwyer | MacGregor | Steed |
| Eckhardt | Mahon | Steiger, Ariz. |
| Edmondson | Mailliard | Steiger, Wis. |
| Edwards, Ala. | Mann | Stephens |
| Edwards, Calif. | Marsh | Stokes |
| Edwards, La. | Martin | Stratton |
| Eilberg | Mathias | Stubblefield |
| Esch | Matsunaga | Sullivan |
| Thompson, N.J. | Watkins | Talcott |
| Thomson, Wis. | Watson | Taylor |
| Tiernan | Watts | Teague, Tex. |
| Udall | Weicker | Thompson, Ga. |
| Ullman | Whalen | Winn |
| Vander Jagt | Whalley | Wolff |
| Vanik | White | Wyatt |
| Vigorito | Whitehurst | Wydler |
| Waggonner | Whitten | Wylie |
| Waldie | Widnall | Wyman |
| Wampler | Williams | Yates |
| | | Young |
| | | Zablocki |
| | | Zion |
| | | Zwach |

NAYS—6

| | | |
|---|---|---|
| Cederberg | Hall | Powell |
| Gross | O'Konski | Rarick |

NOT VOTING—86

| | | |
|---|---|---|
| Addabbo | Foreman | Moorhead |
| Andrews, Ala. | Gettys | Moss |
| Bell, Calif. | Gilbert | Murphy, Ill. |
| Berry | Griffiths | Ottinger |
| Blatnik | Hagan | Patten |
| Bray | Hays | Philbin |
| Brock | Hull | Poage |
| Brown, Calif. | Hunt | Pollock |
| Brown, Mich. | Ichord | Pryor, Ark. |
| Burton, Utah | Jarman | Purcell |
| Carey | Johnson, Calif. | Riegle |
| Carter | Jones, Tenn. | Rosenthal |
| Celler | Kazen | Roudebush |
| Chisholm | Kee | Ruth |
| Clay | Keith | Schneebeli |
| Cramer | Kirwan | Sikes |
| Cunningham | Kluczynski | Stuckey |
| Dawson | Langen | Symington |
| de la Garza | Lennon | Taft |
| Delaney | Lloyd | Teague, Calif. |
| Dent | Lujan | Tunney |
| Dickinson | McCarthy | Van Deerlin |
| Dingell | McClory | Wiggins |
| Erlenborn | McMillan | Wilson, Bob |
| Evins, Tenn. | Madden | Wilson, Charles H. |
| Fallon | Melcher | Wold |
| Flowers | Meskill | Wright |
| Foley | Mizell | Yatron |
| Ford, Gerald R. | Mollohan | |

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Gerald R. Ford.

Mr. Gilbert with Mr. Pollock.

Mr. Addabbo with Mr. Lloyd.

Mr. Celler with Mr. Hunt.

Mr. Blatnik with Mr. Langen.

Mr. Moorhead with Mr. Brown of Michigan.

Mr. Patten with Mr. Keith.

Mr. Evins with Mr. Berry.

Mr. Delaney with Mr. Cunningham.

Mr. Carey with Mr. Teague of California.

Mr. Fallon with Mr. Bray.

Mr. Sikes with Mr. Lujan.

Mr. Rosenthal with Mr. Bell of California.

Mr. Hagan of Georgia with Mr. Brock.

Mr. Charles H. Wilson with Mr. Bob Wilson.

Mr. Johnson of California with Mr. Roudebush.

Mr. Hull with Mr. McClory.

Mr. Andrews of Alabama with Mr. Carter.

Mr. Dent with Mr. Schneebeli.

Mr. Dingell with Mr. Ruth.

Mr. Philbin with Mr. Burton of Utah.

Mr. Purcell with Mr. Cramer.

Mr. Gettys with Mr. Dickinson.

Mr. Yatron with Mr. Riegel.

Mr. Jones of Tennessee with Mr. Taft.

Mr. Kluczynski with Mr. Erlenborn.

Mr. Flowers with Mr. Mize.

Mrs. Griffiths with Mr. Wiggins.

Mr. Mollohan with Mr. Wold.

Mr. Moss with Mr. Kirwan.

Mr. Van Deerlin with Mr. Clay.

Mr. Casey with Mr. Murphy of Illinois.

Mr. Ottinger with Mrs. Chisholm.

Mr. Pryor of Arkansas with Mr. Stuckey.

Mr. Wright with Mr. Tunney.

Mr. Ichord with Mr. Brown of California.

Mr. Jarman with Mr. Kee.

Mr. Lennon with Mr. McCarthy.

Mr. McMillan with Mr. Symington.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and that all Members speaking on the bill may extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE REPORT

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow night to file a privileged report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. ARENDS. Mr. Speaker, I would ask the majority leader to please advise us as to the program for the balance of this week, if any, and the program for next week.

Mr. ALBERT. We did have one other bill programed, but it is so late that we decided to put it over until Monday.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, the program for next week is as follows:

Monday is District day. There are six bills:

H.R. 670: To amend the District of Columbia Public Assistance Act of 1962;

H.R. 9017: To amend the Alcoholic Beverage Control Act;

H.R. 15033: To authorize the gift of decedent's body;

H.R. 16476: To legalize kite flying in the District of Columbia;

S. 1458: To prohibit the business of debt adjusting; and

H.R. 17138: District of Columbia police, firemen, and teachers salary increases.

Also on Monday, we have scheduled:

H.R. 16595: Authorizing appropriations to the National Science Foundation (open rule, 1 hour of debate); and

H.J. Res. 1117: To establish a Joint Committee on Environment and Technology (1 hour of debate).

On Tuesday:

Independent offices and Department of Housing and Urban Development appropriation bill, fiscal year 1971; and

H. Res. 796: Amending the Rules of the House of Representatives relating to financial disclosure (open rule, 1 hour of debate).

For Wednesday and the balance of the week; there is:

H. Res. 960: Disapproving Reorganization Plan No. 2 of 1970;

Departments of State, Justice, Commerce, and the judiciary appropriation bill, fiscal year 1971; and

H.R. 14685: To amend the International Travel Act of 1971 (open rule, 1 hour of debate).

The announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

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

Mr. ARENDS. I yield to the gentleman.

Mr. GROSS. Will the gentleman tell us what decedent's body is to be given away?

Mr. ALBERT. If the gentleman from Illinois will yield, I do not have the slightest idea. But I hope it is not the gentleman's or mine—at least during this current calendar year.

Mr. GROSS. Mr. Speaker, I find myself in agreement with the gentleman.

Mr. ARENDS. May I say to the gentleman from Iowa, I hope he is here when we take up these bills on the legislative program.

DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL EXPLANATION

Mr. SYMINGTON. Mr. Speaker, on rollcall No. 108 I was inadvertently detained. I merely wish to state that had I been present, I would have voted "yea."

DEATH ON THE CAMPUS

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

Mr. ADDABBO. Mr. Speaker, the news of new unrest on college campuses this past week came as no surprise to the American people but the news that four students had been killed has caused millions of Americans to wonder in their shock what the next episode in confrontation between campus dissenters and law enforcement officers might produce.

The primary responsibility of the Federal Government through the President is to bring about appropriate conditions for the control of violence and to calm those whose impulses tend toward further violence.

Unfortunately this administration has aggravated the conditions which divide our Nation by statements designed to turn public opinion against those who protest Government policies.

If this situation persists, there can be little hope of realizing this administration's goal of bringing us together. Instead we will venture on a path of further violence and we will suffer the consequences of an undeclared war between those who hold political power and those who protest the way in which that power is being used.

Mr. Speaker, it would serve little purpose to debate in this forum the merits of the rationale of the dissenters or for that matter the need to maintain order, enforce the laws, and contain violence. Cliches are not needed but rather dedication to a new communication and understanding by all sides is urgently needed.

We have had some experience with violence over the past few years and we must learn from that experience if we are to prevent further bloodshed. In particular the work of the Commission on Violence, chaired by Dr. Milton Eisenhower, has been helpful in understanding the problems and dangers which we face. I would urge the President at this critical point in the history of the politics of confrontation, to assign to the Eisenhower Commission the task of recommending new and bold steps to improve communication between Government and the young people of this Nation in an effort to avert the horrors of needless death and violence.

The efforts of such a Commission, acting as consultant to Government as well as a willing sounding board for youth, can take us on that first step in the development of a national policy which can bring us together. The breakdown of respect for authority and the resulting breakdown of law and order can only be corrected by addressing ourselves to the breakdown of communication between Government and our young people. Reactivation of the Eisenhower Commission on a priority basis may provide us with some new approaches to this communication crisis.

A DEMAND FOR ANSWERS ON PROFESSIONALISM IN SOVIET SPORTS

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

Mr. VAN DEERLIN. Mr. Speaker, even though ostensibly amateur sports are a large and lucrative business for successful practitioneers in the Soviet Union, the International Olympic Committee apparently is giving serious consideration to Moscow's bid for the 1976 summer Olympics.

Two other cities, Los Angeles and Montreal, are also in the running for the 1976 Games. The I.O.C., and its long-time president, Avery Brundage, are meeting in Amsterdam to mull over the three proposals, and are expected to announce their decision Tuesday.

I personally would prefer the southern California site, where the climate is reliable and lodging and transportation facilities are bountiful enough to assure maximum comfort and convenience for a multitude of visitors.

But based on the past track record of Mr. Brundage and some of his cohorts on the I.O.C., I am not very optimistic about the prospects for Los Angeles to win the games.

Mr. Brundage in the past has been reluctant to ask hard questions about the Russian sports program. He has traditionally accepted the unsupported contention of the Kremlin sports bureaucracy that Soviet athletes are simonpure.

Unfortunately, there is an abundance of evidence—readily available to anyone who takes the trouble to look for it—that all top Soviet athletes are professionals by any definition except the Communist-approved definition.

Not only are Russian athletes subsidized by the state, but as far as we know they also can get fat cash bounties for especially superlative performances. Pravda, certainly an authoritative publication, actually announced, in 1945, a then new incentive system—the payment of awards up to 25,000 rubles—about $27,500—for world recordbreakers. For this intelligence, I am indebted to John N. Washburn, a Government-associated expert on Soviet affairs. The decree also pointed out that slightly less extravagant prizes would be available to those shattering Soviet national records but falling short of world standards.

Now, I recognize that data 25 years old, such as the announcement in Pravda, cannot necessarily be relied upon as gospel today.

On the other hand, what evidence do we—and the International Olympic Committee—have that anything has changed in the Soviet sports setup? If there has been a new decree, subsequent to 1945, let Moscow authorities cite it for us.

In my own view, sports today are a bigger industry than ever in Russia. But do not count on any guidance from the Russians in this area. The Soviet Government says only that it spends $9.9 billion a year on medical care and sports, but naturally refuses to provide a breakdown.

Certainly, Mr. Brundage and his colleagues on the IOC should ask the Soviet delegation in Amsterdam some hard questions—and get the answers—before entertaining the Russian bid.

An article outlining "Russia's Mad Dash for Sports Supremacy," as published by the Washington Star, May 3, follows:

RUSSIA'S MAD DASH FOR SPORTS SUPREMACY

(By John Weyland)

Moscow.—The Kremlin has made the Soviet Union a world sports power with a mass athletic program and a better life for those who excel.

The country has come from nowhere to the top in the postwar period thanks to a deliberate and long-range government policy of encouraging sports. Its bid to stage the 1976 Olympics is a sign of Soviet poise and assurance on the international sports scene.

The government athletic program runs all the way from daily radio-directed calisthentics for the whole population to championships in hockey, wrestling, track and field, cross-country skiing, weightlifting, table tennis, volleyball—list is a long and impressive one.

"Fifty million Soviet citizens are regularly involved in sport," said Anatoly Kolesov, deputy chairman of the state sports committee. He proudly described the network of schools, clubs and sporting societies that make organized sports available to all who are interested from the steppes of the Ukraine to the tundra of Siberia.

Among its many other advantages, sports provides the Kremlin with a way of making it look as though the Soviet Union is superior to the rest of the world. This is because it pits the best Soviet athletes against second-raters in many events through the simple expedient of denying that professionalism exists here.

The Soviet boxing team, for example, wiped up the canvas with an amateur American squad that ventured to Moscow last winter. The result would have been different if Joe Frazier, say, had taken on Soviet heavyweight Alexander Vasyushkin instead of a fellow named Jerry Daniels.

Soviet athletes maintain the appearance of amateur status by remaining students perpetually, or turning up as army officers with no discernible duties, or identifying themselves as workers at some factory, where they may actually be seen sometimes.

The government has no intention of admitting any hanky-panky, since the present setup works so well in its favor. Even the sports budget is as much of a military secret as the location of intercontinental missiles. The government will say only that it spends 9 billion rubles ($9.9 billion) on medical care and sports, but no breakdown is ever given.

Yuri Vlasov, two-time Soviet heavyweight Olympic weightlifting champion, once publicly urged that the Soviet Union admit "sport is a profession." He said the country should distinguish between professional and amateur athletes just as it does between professional and amateur artists or actors.

That was in 1966 and the first time such an idea ever appeared in the government-controlled press. It was also the last time.

Kolesov, serving as a spokesman for the Soviet sports establishment during the campaign to get the Olympics here, made it clear the Kremlin will not budge on its so-called amateurs stand.

"It will not be a live issue for 1976," he said.

Sports attract young people so much in this country because it opens up to them the good life, and little else can.

Otherwise, it's trudge out to the fields or down to the factory in the morning, with the same drab routine day after day.

Sports here are what bullfighting is to the peasant's son in Spain or boxing to the ghetto boy in a big American city.

The government heaps favors on winners in all kinds of competition, even those with little popular appeal. This means Soviet victories in events other countries don't bother with, and more and more Soviet points toward that total by which Olympic victors are judged.

Economic troubles limit the Kremlin's encouragement of some kind of sports. The Soviet Union is strongest in events that do not require expensive equipment or facilities.

The country hardly shows in downhill skiing, which involves well-made and expensive skis, boots and other accessories, as well as lifts and tended slopes. Golf, with its acres of well-kept grass and bags full of finely wrought clubs, does not exist.

But the Soviet Union excels in soccer, which requires a ball and an open field, and in ice skating, where nature provides 90 percent of what's needed, and wrestling, that can be done on any handy mat, and so on.

Even simple equipment is hard to come by in the shortage-ridden Soviet economy.

Konstantin Bolshakov, deputy minister of trade for the Russian Federation, estimated the cross-country ski shortage at 600,000 pairs a year.

He noted such things as hockey skates piling up on store shelves because of lack of boots to go with them. Bolshakov said that when it comes to sports clothes "there is a completely insufficient number of jackets, gloves, wool sweaters and caps. . . ."

Boris Rogatin, chief of the sports department of the Young Communist League Komsomol, complained that because of the poor quality and shortages of equipment "our showing in major sports events is suffering." He acknowledged that once Soviet athletes get into international competition they frequently have to use foreign equipment because their own is so bad.

Things of this kind are characteristic of Soviet life and do not indicate, as they might elsewhere, a lack of interest on the part of the government. This country, with its population of 235 million, can still produce a great number of top athletes despite the handicaps caused by the uneven economy.

The whole of the Soviet Union has been turned into one big farm system to bring up boys and girls who show athletic ability. This is done through clubs and sporting societies, many sponsored by trade unions, instead of through schools as in the United States.

Soviet high schools require only two hours of physical education a week and this tends to be spent on simple group games, such as volleyball, or gymnastics.

"More than a million young people take part in our special sports training, boasted Kolesov of the clubs and sporting societies, "and they do not have to pay anything."

He ran through statistics to impress how much the government backs up the development of athletes:

Eighteen institutes in various parts of the countries to turn out physical education teachers, plus 30 lower-level schools that concentrate on the less highly qualified.

34,318 athletic fields and grounds with the necessary buildings.

3,065 stadiums with capacities ranging from 1,500 to 101,000 at Moscow's Luzhniki Stadium.

30 indoor rinks for figure skating and hockey, seating from 3,000 to 14,000 spectators. More than 90 open-air rinks.'

The state sports committee is giving out information about the country's sports program as part of the effort to persuade the world the 1976 Olympics should be held in Moscow.

"We're convinced Moscow would do a great job for the Olympics," Kolesov said. "We can guarantee that our country knows sports, appreciates them and would make a success of this."

The Kremlin is willing to build a big complex at Moscow's Izmailovo Park to accommodate 10,000 athletes and their coaches. It promises 20 or more new hotels to help put up the Olympic crowd.

Foreigners who have competed here generally speak well of the sports facilities themselves. The complaints are usually about hotels, restaurants and the amenities, along with the bureaucratic snarls that can seem to take forever to unravel.

Night life hardly exists, and then only in a primitive form that pleases the provincials but leaves people from the West yawning. But there is lots of culture with a capital C, such as the Bolshoi Ballet, for those who go for this.

One thing is sure. The Kremlin and the sports-oriented Soviet people will be mighty disappointed if the International Olympic Committee decides against Moscow. The day of the committee's decision, May 12, is being awaited tensely—and hopefully—in this country.

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## THE PROBLEMS OF INFLATION AND RECESSION IN THE AMERICAN ECONOMY

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

Mr. ALEXANDER. Mr. Speaker, it is becoming increasingly clear that we have not solved the problems of either inflation or recession in the American economy. Prices continue to rise while profits continue to decline. Unemployment is still on the upswing and the stock market is drastically on a downturn.

In its editions of April 28, the New York Times had an editorial which asked some probing questions about our current economic state. The editorial also called for a "searching reappraisal" of current economic policies.

While I do not agree with every point made, the editorial deserves the attention of every Member of the Congress, and I commend it to their attention:

THE PROBLEMS OF INFLATION AND RECESSION IN THE AMERICAN ECONOMY

There is no limit to the number of theories about what ails the stock market—despair over persistent inflation, falling profits, rising unemployment; the skid of the Federal budget into deficit, and the likelihood that this might force the Federal Reserve to tighten money again; the weakness of the security industry itself; the worsening of the United States balance of payments; the danger of a widening war in Southeast Asia; waning confidence in the Administration's ability to manage the economy.

Although the market may have a tendency to exaggerate worrisome news, there can be little doubt that the pressures on profits and security values are real and not merely psychological. It will do the Administration no good to put out more optimistic bulletins to accompany every piece of disappointing economic news. There has been enough of that already. Indeed, the regular stream of cheerful interpretations, regularly contradicted by subsequent events, has helped to undermine investor, business, and consumer confidence and to build up fears that the economy is out of control.

What is needed now is a searching reappraisal of why the Administration's single-minded policies are failing to produce the advertised results and what needs to be done now to set the nation on a course with more promise of stopping inflation and preventing a continuous drift toward higher unemployment.

The optimistic presupposition with which the Administration arrived in office—that slow growth in the money supply was the magic elixir for steady and noninflationary economic growth—is turning out to be an illusion. Unemployment is running above expected levels; so is inflation.

One champion of the monetarist approach, the St. Louis Federal Reserve Bank, now foresees a continuous increase in unemployment up to nearly the 7 per cent level by the end of 1971, even if the money supply is kept growing at a 3 percent annual rate from now on. There is, in fact, widespread uncertainty among monetary economists over the time lags before changes in monetary policy affect output, employment, and inflation.

The nation needs a broad-based program if it is simultaneously to achieve price stability and high employment. Higher tax revenues will be needed in the future to provide resources for essential public programs. Erosion of the tax base caused by the tax reform act of 1969 and the premature wiping out of the 10 per cent surtax would be repaired. A larger budget surplus would make it possible to shift resources to the depressed housing sector and to business investment.

The Administration has failed to provide effective leadership and guidance on the price and wage front. The excessive and restrictive market power of both large-scale industry and large unions must be curbed. A stronger program is needed to provide jobs for the unemployed. A multifaced program along these lines is minimal if the American economy is to be restored to health and stable growth.



## A TIME OF TROUBLES

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

Mr. GONZALEZ. Mr. Speaker, this is a time of profound trouble for this country. The people are confused, concerned and distressed by our policies and actions in Southeast Asia. There is every reason to believe that discord and violence are on the increase, rather than on the decline that we all had hoped for.

It may well be that the decision of the President to invade Cambodia was militarily correct, and even a wise course to influence world events. But politically it has been a mistake, and I am convinced that most Americans are shocked and dismayed at what seems to be a sudden reversal of American policy in Southeast Asia.

It may well be that what the President has done was right, but we do not know enough to be certain. It may well be that he deserves our fullest support, and that of all our people, but we do not know enough about the situation to be certain.

I have my reservations, but I do not wish to make a judgment either in haste or in ignorance.

Accordingly, I want more information—information for myself and for the people, because neither they nor I can make a blind decision to support this new action.

I have asked the President to report fully on his actions to a joint session of the Congress, at the earliest possible date. I believe that such an explanation from him is required immediately, and urgently desired by the vast majority of this Congress.

Moreover, I believe that in the present crisis Congress itself has a responsibility to exert leadership.

It is up to Congress to set the national goals and objectives in this war, and this is something that we failed to do. We have responsibilities that we must carry out, for the burden of this war is on us all. I have, therefore, written to the Speaker and the leadership of this House, as well as the Vice President and leaders of the other body, suggesting appropriate action.

Mr. Speaker, I hope that you and all my colleagues will join me in these actions. With your permission I make my communications to the President and the Speaker a part of the RECORD:

CANNON HOUSE OFFICE BUILDING,
*Washington, D.C., May 6, 1970.*

Hon. RICHARD MILHOUS NIXON,
*President of the United States,*
*The White House,*
*Washington, D.C.:*

The military operations that you have ordered into Cambodia have caused deep divisions within our country. I believe that the people are confused because the administration has failed thus far to state a clear and attainable goal for our efforts in Viet Nam and has failed to give clear reasons regarding the need for offensive operations in Cambodia.

I believe that at this critical juncture it is essential that Congress and the people be given a full and candid report on the entire situation in southeast Asia.

I respectfully suggest that you seek a joint meeting of Congress at the earliest practicable date for the purpose of reporting on the objectives of the United States in southeast Asia, a full accounting of the need for the operations to date, and whether such operations might in the future be required in other areas such as Laos and Thailand. It would be refreshing for Congress and the Nation to be more fully informed on all these matters and my hope is that full and frank information might help dispel the confusion that exists in the Nation today.

I believe that the American people are willing to support a military effort if it can be shown that such an effort is required and in our interests and if it is morally right. I do not believe that today the Congress or the people of this country have enough information about the war, its objectives and its conduct to assess accurately whether they can support it. I urge that you take action to dispel the confusion by making an early report to Congress and the Nation.

HENRY B. GONZALEZ,
*Member of Congress.*

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., May 6, 1970.*

Hon. JOHN MCCORMACK,
*Speaker of the House,*
*Washington, D.C.*

DEAR MR. SPEAKER: Like most citizens, I am gravely disturbed by the current confusion and division among the people of this country.

I believe that it is urgent that the President and the Congress act now, at this critical juncture, to restore the public confidence that is essential to the maintenance of order.

I believe that the chief source of our troubles is the war in Viet Nam. The problem appears to be that the United States has not clear, attainable goals in Southeast Asia. Without such goals, and without clear knowledge of the reasons for our continued presence in Viet Nam, let alone the invasion of Cambodia, it is not surprising that there is confusion, dismay and discord.

I have requested the President to report to a joint session of Congress all the details of the current situation in Southeast Asia, because I believe that a full and frank report to the Congress and the people is required to establish what our goals are, why our present actions are necessary, and what our progress has been to date.

I hope that you will join me in this request for the President to report to the Congress.

I believe that Congress itself has a responsibility to exert leadership. The task at hand is too great to leave to one man, even one endowed with all the powers of the Presidency.

Accordingly, I request that you consider the possibility of establishing jointly with the House and Senate a parliamentary committee which would have its task the full assessment of the situation in Southeast Asia, with a view toward establishing realistic recommendations on national objectives and means to reach those objectives in that part of the world. Congress has never established a national goal in Southeast Asia, never exercised its prerogative to declare the existence of war, and never sought to fulfill its complete responsibilities in the matter of Southeast Asia—duties which are required by the Constitution.

I respectfully urge that you consider ways

and means of assuring the required Congressional leadership, toward the end that our people have attainable objectives in Southeast Asia, coherent and unified leadership, and confidence that our objectives are meritorious and can be met.

Sincerely yours,

HENRY B. GONZALEZ,
*Member of Congress.*

## FROM VOICES TO VOLLEYS

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

Mr. MIKVA. Mr. Speaker, I have today introduced a resolution calling for a temporary joint commission of the Congress to investigate the tragic events at Kent State College. I do this because of the crescendo of concern that violence is not receding but is getting worse.

On January 20, 1969, Richard Milhous Nixon said that we needed the simple things. "To lower our voices would be a simple thing," he continued. The President also said that "for its part, the Government will listen—to the injured voices, to the anxious voices, the voices that have despaired of being heard." Appropriate and timely words—a palliative to an anxious America.

On November 3, 1969, the President raised his voice against those who offered an alternative policy in Southeast Asia. He implied that America had only two choices: Either agree with the President and support his policy or disagree and humiliate America. But these were false alternatives. Proponents of a policy of peace were as stanch patriots as the advocates of the Nixon program. The raised voice—more division, more tension in the United States.

On November 15, 1969, over 200,000 Americans passionately—but peacefully—petitioned the President to seek peace in Vietnam. Instead of listening as he promised, the President flaunted the largest assembly for peace in American history and turned his ear instead to TV's game of the week. Those who preferred peace to pompoms were the true Americans—but the President's deaf ear only frustrated and angered protesters for peace.

Then winter fell on the Nation's Capital. But voices were not heard and voices were not lowered. The President's mouthpiece, the Vice President, began to riddle every pet enemy with oral bullets. Slamming the media, denouncing students, and calling for the ouster of a university president—who was in the habit of listening—the Vice President helped to polarize a weary and anxious nation.

But words were wedded with deeds.

On April 30, the President announced that the United States and South Vietnam were invading the neutral state of Cambodia. He made the decision without consulting with Cambodia—the country invaded—and without the consent of Congress—the body neglected. Is it any wonder that responsible Americans would protest when their own President carries out a "constitutionally unauthorized war" in Vietnam, Laos, and Cambodia?

On May 1, 1970, apparently in response to such criticism, the President lavished America with unity by referring to "these bums" on the college campuses. Instead of conciliating a divided country, the President further helped to create a climate of violence. He said:

Get rid of the war and there'll be another one.

Well, we still have the war—or wars—in Southeast Asia, but the other one triggered by callous words and deeds of insensitive leaders may already have begun. Today, America is still reeling from the killing of four university students and the wounding of other students.

No one can impute responsibility for this tragic event to the President and Vice President. But the atmosphere that is ripe for violence has been cast forth upon our land, and that atmosphere at least in part was created by the two highest officials of our country in dividing the country, rather than uniting it; in alienating our youth, rather than embracing them.

Let the President and the Vice President keep their promises by lowering their voices and listening to the injured, anxious, and despairing voices of peace. Over 40,000 Americans have perished in the jungles of Vietnam. At least four Americans have died at Kent State. When, Mr. President, will you hear the voices of the living?

## PROPOSED CREATION OF A CONGRESSIONAL COMMITTEE TO INVESTIGATE EVENTS AT KENT STATE COLLEGE

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

Mr. HAYS. Mr. Speaker, I was somewhat surprised and concerned at the remarks of the gentleman from Illinois (Mr. MIKVA) about wanting a congressional committee to investigate the events at Kent State.

It seems to me that there has been enough tragedy and misunderstanding there without any political exploitation from Washington. I would suggest that this resolution be given a quiet and decent burial.

## STUDENT DISORDER

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

Mr. SCHERLE. Mr. Speaker, the present bloodshed and violence which rages on our college campuses throughout the country can be attributed primarily to the glaring absence of any workable plan by university administrators to outline the limits of dissent and demonstration that will be tolerated under the guise of freedom of speech. The blame for this void may be placed squarely on the doorstep of the weeping liberals.

Last fall, before the start of the academic year, I attempted to add an amendment to the student loan bill which would have required college officials to implement this necessary step in order for the school to qualify for Federal aid. The usually vocal liberals silently invoked a gag rule which forbade the offering of any amendments in order to prevent the House from working its will.

Many of the university presidents who objected most vehemently to the enforcement of sections 504 A and B of the Higher Education Act are now experiencing serious campus melees. Last year I wrote these college officials asking if they were implementing those sections of the Higher Education Act.

For the information of my colleagues I will read excerpts of letters from the presidents of Kent State, Ohio; Yale University, and the University of Northern Iowa.

President Robert I. White, Kent State, February 10, 1969: "Of course many will criticize us and have. I would only point out that we are still stable, still operating fully and easily, and still possessed of an at least apparent dedication to due process and to law and order throughout the campus."

President Kingman Brewster, Jr., Yale University, March 6, 1969: "I for one do not believe that putting strings on students aid is wise, proper, or in spirit a Consti tutional exercise of federal power."

President J. W. Maucker, University of Northern Iowa, February 10, 1969: "I would urge that the maximum amount of discretion be left to institutions in judging what kind of penalties should be used in case of disruptive behavior."

The unwillingness of college administrators to come to grips with reality—with the concept that Federal law should be enforced is contributing to the wave of present college riots.

I intend to ask college presidents to submit a list of all students convicted either by a court of law or a campus body who have participated in these riots. If they are now receiving Federal aid it will be cut off.

Mr. Speaker, the right of students to learn should not be thwarted by violent disrupters. I want to serve notice that I stand ready to add my student unrest amendment to the next relevant legislative vehicle.

The material follows:

KENT STATE UNIVERSITY,
*Kent, Ohio, February 10, 1969.*

Hon. WILLIAM J. SCHERLE,
*Member of Congress, Seventh Iowa District, Washington, D.C.*

MY DEAR MR. SCHERLE: I deeply appreciate the tenor and composition of your inquiry of February 4. Certainly, no one could more completely share with you the hope for stability on our campuses than do I.

I am taking the liberty of forwarding to you under separate cover a copy of Volume 2, No. 5 of *Kent* which, in my opinion, contains a rather accurate although highly condensed recital of the entire experience.

As you will see, it did not become necessary for us to invoke Sections 504(a) and 504(b) of the Higher Education Amendments of 1968 and Section 411 of the Department of Labor and the Department of Health, Education and Welfare Appropriation Act of 1969. Had the circumstances been different, I would have had much more experience affording a base on which to make a helpful response to you.

Of course, many will criticize us and have. I would only point out that we are still stable, still operating fully and easily,

and still possessed of an at least apparent dedication to due process and to law and order throughout the campus.

I hold a special spot in my heart for Iowans. I do not know whether you are aware that I was in Burlington for practically a decade.

Sincerely,

ROBERT I. WHITE,
*President.*

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UNIVERSITY OF NORTHERN IOWA,
*Cedar Falls, Iowa, February 10, 1969.*

Hon. WILLIAM J. SCHERLE,
*Congressman from Iowa, House of Representatives, Washington, D.C.*

DEAR REPRESENTATIVE SCHERLE: I am responding to your letter of February 4 inquiring about our experience under the laws adopted by the 90th Congress with respect to federal assistance to students engaged in violent or disruptive protest.

You indicated, Mr. Scherle, that the news media reported incidents of "student unrest" on our campus, but actually we have had no incident whatsoever of violent or disruptive protest. The only mass demonstration we had on campus was a gathering of students and faculty in November, 1967 on the campus south of the President's residence in support of a statement I had made concerning academic freedom. The group came and withdrew in absolute silence and there was no destruction or disruptive behavior whatsoever. I think that some accounts of this event were picked up and tabulated along with the violent type of protest in national summaries of the general picture regarding student unrest throughout the country.

My general view regarding the statutory provisions is that we should be extremely careful not to penalize dissent. As indicated in the attached memorandum, which is our policy statement regarding demonstrations, we try to make an important distinction between expression of opinion and use of violence or disruptive tactics." I would urge that the maximum amount of discretion be left to institutions in judging what kinds of penalties should be used in case of disruptive behavior."

I will be glad to respond further if you or your committee have additional questions.

Sincerely yours,

J. W. MAUCKER,
*President.*

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YALE UNIVERSITY,
*New Haven, Conn., March 6, 1969.*

Hon. WILLIAM J. SCHERLE,
*Congress of the United States, House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN SCHERLE: I would be interested in the "news media" report referred to in your letter of early February. To date Yale has not had any violent or disruptive protests, although we are seething with verbal demonstrations of all kinds. I for one, do not believe that putting strings on student aid is wise, proper, or in spirit a constitutional exercise of federal power.

Sincerely,

KINGMAN BREWSTER, JR.

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STUDENT UNREST

A disappointing, typically weak-kneed and contradictory report by a special educators' committee on student unrest graphically illustrates the spongy, illogical reasoning which has given rise to increasing violence on college campuses. The Commission, headed by Sol M. Linowitz, former U.S. Ambassador to the Organization of American States, stated that legislative efforts to curb unrest, intimidation and violence on the campus "are inimical to the spirit of free inquiry."

As the principal author of the Student Unrest Amendments, which require college administrators to terminate Federal aid to students who participate in serious campus disturbances, I know that this concept has no basis in fact. The latest statistics for the academic year 1968–69 show that Federal aid to 676 college students was terminated because of their participation in campus disorders. Many of these schools have yet to experience a recurrence of serious campus unrest. Yet nationally one out of every five colleges has suffered violence or disruption during the same period. Violent protest demonstrations have occurred far more frequently at the sophisticated, highly selective, private universities than at state institutions, and violence has erupted more often on large campuses than on smaller ones.

Recently the news media reported an increase of violent disorders in higher educational institutions. Academic eruptions are averaging more than one a day in 1970. Most prevalent of the students' demands are a voice in the school's decisionmaking process at all levels and recognition of minority students.

It is inconceivable that legislation which would bring some semblance of order to the colleges would be considered "inimical to the spirit of free inquiry." Nearly everyone agrees that only a tiny minority of students engage in violent protest. But what about the majority of students who come to school to learn, not to burn? Is it not "inimical" to the spirit, if not the reality, of free inquiry to allow disorders which frustrate those who want to derive the full benefit of their education? The present legislation provides starch for the backbone of spineless administrators. It is an aid to the continuance of the educational process.

The Linowitz Commission also took to the woodshed those public officials who speak out on campus disturbances. Thus in the same breath, the Commission supports free speech for students but not for those who represent the taxpayer. Most inconsistent of all is the naive "Babes in Toyland" belief that if only the colleges would be more receptive to the concerns of student radicals, peace would prevail on campus.

One of the most outspoken members of the Commission was Yale President Kingman Brewster, Jr. His experience should have taught him the fallacy of such an approach. Since 1964, when he was named President of Yale, more changes have taken place at "Old Ely" than at any other time since it was founded in 1701. He has created a Black Studies program, placed students on the Yale policy committee, liberalized visiting hours for women, instituted seminars on relevant if unorthodox topics, spoken out for the Black Panthers (saying it is impossible for them to get a fair trial in this country) and for an immediate withdrawal of all troops from Vietnam. Just recently, he rushed back to his campus to unite a divided faculty behind student demands. Yet even this capitulation has not mollified the student fanatics. Violence is still rampant at Yale. Brewster's permissiveness has not dampened but fanned the fires of revolution. History provides many such examples for those who are willing to learn. But apparently Mr. Brewster is incapable of learning wisdom from experience. It is unfortunate for the rest of us that he nevertheless feels qualified to offer a solution which has already proved a failure.

Unless college administrators exercise some individual initiative to maintain order on the campus, the taxpayer, who foots the bill, will be forced to take action through his elected representative.

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## FARM SUBSIDIES AND POSTAL SUBSIDIES

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

Mr. HENDERSON. Mr. Speaker, I have just concluded a press conference in which I announced that I have requested Reader's Digest for space to respond to an article in its May issue entitled, "Time to Say No to Big Farm Subsidies." My article would point out the distortions and inaccuracies of their article.

I have also announced that I will raise some questions during the consideration in the Post Office and Civil Service Committee of the propriety of the second class postal subsidy being paid indiscriminately to all publications in a certain class regardless of the content.

At the present time, deliberate distortions and outright misstatements of fact are subsidized exactly like the plainest and most unvarnished truth and accuracy. Magazines like Evergreen are subsidized to the same degree as Time, Newsweek, and U.S. News & World Report.

It has occurred to me quite strongly that if we are going to subsidize second class mail on the theory that disseminating information is a valuable service to the public, we need to take a hard look at what kind of information we are helping to distribute.

The full text of the statement I made in my news conference follows:

STATEMENT OF CONGRESSMAN DAVID N. HENDERSON, DEMOCRAT OF NORTH CAROLINA

I have received a number of complaints from constituents concerning an article recently published by Reader's Digest entitled "Time to Say *No* to Big Farm Subsidies."

The individuals who have complained to me are mostly farmers. The farmers operate medium-sized units. Let me emphasize that they are *not* recipients of the so-called "big payments" so much in controversy at the moment.

I represent one of the most rural congressional districts in America and my constituents are becoming increasingly resentful of the steady barrage of negative news about our agricultural program fed almost systematically to the general public. One cliche after another has been paraded before the public, almost totally suppressing the fact that farmers are doing a good job, and that virtually every individual in America benefits as a result. Farmers are pictured with increasing frequency as public parasites, fattened on taxpayer dole. They are saddled with much of the blame for prevailing food prices despite the fact that inflation and rapidly escalating labor costs depress their profits to very low levels when compared to returns on similar investments in other businesses. Still the tide of adverse publicity rolls on, and many persons in agriculture have concluded in despair that it is destined to continue indefinitely.

But it is this particular article published in the Reader's Digest, coupled with constituent complaints, which prompts me to speak out, because the Reader's Digest should know better than to publish a bitter composition based on a minimum concern for the facts and which pursues emotion-charged arguments which simply do not make sense. As usual, the chosen whipping boy is the large producer and solely because he happens to be large.

Since I am not a member of the House Committee on Agriculture, I do not know all the detailed information about the long-time history and background of our basic farm programs and how they have evolved over the years.

But I do know something about postal subsidies because I am Vice Chairman of the House Post Office and Civil Service Committee and have sat through many hours of

hearings on rate structures and preferential classes of mail.

The Reader's Digest should know something about postal rate subsidies, too, because as one of the nation's largest second-class publications, it receives an annual subsidy amounting to some $9.4 million in the mailing of their magazine. A combined total of the second class commercial publications—the so-called slick magazines—receive $431 million a year in federal subsidies.

Newspapers and magazines which comprise the bulk of second class mail in our country receive a preferential mail rate which amounts to an indirect subsidy because Congress in its wisdom decided many years ago that in disseminating vital public information, such publications rendered a valuable service to the general public and that the expenditure of public funds to further or guarantee the continuation of that service was justified.

If we accept this as a valid basic precept, it logically follows that the company or mailer which disseminates the most information is entitled to the largest subsidy. If the subsidy amounts to one cent per piece of mail, the mailer who sends a million pieces gets a larger subsidy than the mailer who sends only a thousand. Hence, the Reader's Digest, as one of the largest second class mailers, gets a large subsidy.

This particular article in Reader's Digest has raised in my mind for the first time the question of whether a publication actually renders a valuable public service which ought to be subsidized by the taxpayers when it disseminates information which is factually incorrect or deliberately slanted or biased.

I shall not attempt here to go into detail as to all of the misleading statements in the article. Suffice it to say that I have read it and they are quite obvious. In my judgment, this article is a perfect example of subsidized distortion. I can cite specific examples if any of you would like details at the conclusion of my statement.

In the postal rate hearings now in progress in response to the President's request for rate increases, I intend to raise this issue to explore whether we have some duty as guardians of the public purse to insure that the information we are helping publish really is in the public interest.

I am as aware as anyone of the guarantees of freedom of the press contained in the first amendment, and am not suggesting censorship or restrictions on what the press can publish within the limits of the laws governing libel and slander. What I am saying is that if the taxpayers are going to help pay for the distribution of this information, the question arises—Should there be some method of insuring truth and fairness?

As in the case of mail subsidies, the Congress in its wisdom decided many years ago that certain incentives were necessary to guarantee an adequate supply of food and fiber without periodic shortages. The Congress decided that these incentives were in the *public* interest. To provide adequate and at the same time avoid over-production of some commodities—in short, to *stabilize* production and sale of basic commodities was determined to be a desirable goal. To accomplish these goals various farm programs have been instituted, many of which pay subsidies of one sort or another to farmers as an inducement to them to cooperate in the programs.

It is not the goal of the agriculture subsidies to "help the *farmers*" any more than it is the goal of preferential mail rates to "help the *magazines*". In both instances, the subsidy is based on the proposition that it is the public that is being benefitted.

If a program provides for a farmer to be paid a given amount per acre for planting cotton or for keeping his acreage of wheat at a level to guarantee an adequate supply, it is logical to pay the farmer who farms 5,000 acres more in total (not more per acre) than the farmer who farms 50 or 100 acres just as it is logical to "subsidize" the big second class mailer with more dollars than the small second class mailer.

There is no doubt that in both the postal rate structure and our agriculture program there is room for improvement. I am confident that no system ever devised by the mind of man is perfect.

It does seem to me, however, that the publishing industry in casting stones at "big farmers" should take note of the glass house in which it lives.

I have today wired Reader's Digest and asked that it publish, not later than its July edition, an article by me of comparable length to "Time to Say No to Farm Subsidies" in response to that article. I have requested that they respond not later than May 12. If the response is negative, I will take the article to other publications and the news media expressing an interest in it.

Finally, I would conclude by saying that the second class mail subsidy began in 1789. Farm subsidies were begun in 1933 only 37 years ago. I have no figures on the total cost of either program since its origin, but it is a safe bet that the subsidy to second class mail has cost the American taxpayers many billions of dollars more than the farm subsidies.

## CONTRACTS FOR JANITORIAL SERVICES, TRASH REMOVAL, AND SIMILAR SERVICES

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

Mr. BROOKS. Mr. Speaker, I have introduced today a bill which would amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator or General Services to enter into contracts for janitorial services, trash removal, and similar services for periods not to exceed 3 years. At present, the Administrator is limited to 1-year contracts for services of this type.

The GSA has experienced numerous problems with work awarded on the basis of short-term, 1-year contracts. In the first place, GSA must absorb the expense of soliciting and administering the annual bids for cleaning services. This cost would be the same per contract for 3-year contracts as it is for short-term agreements but would occur only one-third as often.

A more significant problem, however, is that a 1-year contract does not give GSA adequate control over the contractor who is awarded the job. The contractor must assemble and buy equipment, and in many cases, must recruit and train employees. The 1-year contract is not always sufficiently attractive to encourage the best performance. If the GSA is not satisfied with the contractor's performance, too little time is left for remedial action.

From the contractor's standpoint, a 1-year contract means that he may lose the source of revenue for which he had trained personnel and purchased equipment after only 1 year. It has been the experience of GSA that this factor often results in inadequate outlays for equipment and supplies, low levels of employee proficiency and generally poor performance by contractors.

In 1965, the Government Activities Subcommittee, which I serve as chairman, held hearings on a similar proposal that was enacted into law by the 89th Congress. At that time, contracts for the maintenance of fixed equipment with private firms were authorized for up to 3 years. Since then, the GSA has determined that longer term contracts save the Government considerably and result in better performance by contractors. In the area of cleaning services, I think we could expect similar savings upon the enactment of this bill.

Mr. Speaker, I wish to stress that this legislation would not infringe upon Federal employees in any way. This bill does not prescribe that services now performed by Federal workers be contracted to private firms in the future; it would simply make possible longer contracts for services that are currently provided by private firms on a short-term basis.

Perhaps the most important impact of this bill would be its effect on those who would be employed in janitorial and other cleaning jobs. Longer term contracts would insure contractors of income for a period that would justify training new employees. In our technologically based society, unskilled and semiskilled laborers find it increasingly difficult to find jobs. Employers would more readily hire and train new employees from this labor pool, giving these employees a degree of job security and income protection. Therefore, not only will the Government benefit from more efficient contracting, but, in addition, certain lower income groups will profit from improved economic stability.

## URGES POW PROTEST ON WORLD RED CROSS DAY, MAY 8

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

Mr. ZABLOCKI. Mr. Speaker, all Americans are being asked to commemorate World Red Cross Day tomorrow, May 8, by protesting to Hanoi on the treatment of American prisoners held by North Vietnam.

That request has come from the American Red Cross which will hold its annual convention in Chicago tomorrow. At the convention, which will attract some 5,000 delegates from across the country, the prisoner of war issue will be a major topic of discussion.

The event will inaugurate a new "Write Hanoi" campaign in which the American people will be asked for an outpouring of letters to North Vietnam protesting its violation of the Geneva Prisoner of War Convention, of which it is a signatory.

A similar letter-writing campaign last year resulted in tens of thousands of letters being sent by Americans to Hanoi. Red Cross officials have urged that letters be addressed to: Office of the President, Democratic Republic of Vietnam, Hanoi, North Vietnam.

Air mail letters weighing one-half ounce or less should carry 25 cents in postage.

World Red Cross Day celebrates the birthday of Henri Dunant, the Swiss philanthropist who founded the Red Cross movement in 1863. It will be cele-

brated this year by 113 Red Cross, Red Crescent, and Red Lion and Sun societies with over 225 members around the world, under the 1970 theme: "Protect Man: Thwart War."

Since the Red Cross has become the traditional neutral intermediary in time of conflict, World Red Cross Day is considered by American officials of the organization an appropriate time to launch the protest letter campaign.

It should be understood, Mr. Speaker, that the letter writing campaign is only one part of the effort being made by the American National Red Cross on behalf of our American servicemen held captive in Southeast Asia and their loved ones here at home.

Just yesterday the Subcommittee on National Security Policy and Scientific Developments, of which I am chairman, heard testimony from representatives of the Department of State, Department of Defense, and the American National Red Cross on the POW issue.

In their statements both Assistant Secretary of Defense G. Warren Nutter and Deputy Assistant Secretary of State William Sullivan recognized the work of the Red Cross in attempting to bring relief to our prisoners and their relatives here at home.

Speaking for the Red Cross itself was Mr. Ramone Eaton, vice president of the organization. He pointed out that the activities of the American Red Cross—ARC—on behalf of the POW's fall into four categories:

First, the ARC assists the American Government in carrying out its obligations under the Geneva Convention on Prisoners of War. For example, at the request of the U.S. Government, it has forwarded to the International Committee of the Red Cross—ICRC—a list of the names of all Americans missing in action in Southeast Asia or known to be prisoners. It also has acted as a conduit for letters from their families to those men.

Second, the ARC works with and at times prods the ICRS, which has the responsibility for investigating conditions of prisoners under the Geneva Convention. Up to this time, unfortunately, Hanoi has refused to allow ICRC representatives to visit prisoners, in gross violation of its responsibilities under international law.

Third, the ARC has taken direct action on behalf of the POW's. It has met directly with the Vietcong and has held discussions with the North Vietnamese. Moreover, it has been in continuous touch with each of the other Red Cross societies in the world on the problem.

Fourth, it has sought to arouse interest, and understanding, and action by the American people on the plight of the prisoners. The "Write Hanoi" campaign is a major part of that effort.

On the occasion of World Red Cross Day, I am sure that all of us join in commending the officers and members of the American Red Cross for their untiring work on behalf our our American prisoners of war in Vietnam.

I am certain, too, that the Members of this body support the "Write Hanoi" campaign. Let us express that support by acquainting our own constituents about the campaign and urging their participation.

## ROGERS PURSUES INQUIRY INTO MARINE RECRUIT'S DEATH AT PARRIS ISLAND

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

Mr. ROGERS of Florida. Mr. Speaker, on April 24, 1970, 22-year-old George J. Girot, U.S. Marine Corps, 253–74–64, arrived at Parris Island, S.C., to begin basic training. Six days later, on April 29, he died during training exercises.

Cause of death has been diagnosed as subvascular aortic stenosis.

Upon receiving word of George J. Girot's death, I contacted the office of the Commandant, U.S. Marine Corps, and requested a full report with respect to Mr. Girot's enlistment and his subsequent death.

In reviewing that report and after discussion with the Office of the Director of the Selective Service System and with the Armed Forces Entrance Examination Station—AFEES, Coral Gables, Fla., where young Girot was given his physical examination, I am of the opinion that there is apparently insufficient liaison between the AFEES, Coral Gables, and the recruiters for the armed services using that examination facility.

George J. Girot was classified 4–F by Local Board No. 43, Selective Service System, West Palm Beach, Fla., at age 18 based upon a letter from a physician who noted that young Girot had rheumatic fever as a child and that he suffered from a heart condition.

Despite this condition, young Girot wanted to join the Army. On March 10, 1970, he interviewed the U.S. Army recruiter in West Palm Beach, who upon ascertaining Girot's draft classification informed Girot that he was not eligible for military service. However, since Girot indicated that the classification was 4 years old, the recruiter suggested that Girot have a physical at the AFEES, Coral Gables.

On March 12, young Girot was examined and found "fit" for military service. Although Girot made no reference at any time to his heart condition during the physical examination nor during the completion of written statements, the U.S. Army recruiter did not inform AFEES, Coral Gables, of the fact that Girot was 4–F.

Moreover, no one at AFEES, Coral Gables, requested information concerning Girot's draft status from either Local Board No. 43 or the U.S. Army recruiter who arranged for the examination.

Because of this serious absence of communication, I have today written the Secretary of the Army, Stanley Resor, requesting prompt attention to this matter.

In part, I said in the letter:

I am at a loss to understand how any Armed Forces Entrance Examination Station could physically examine a prospective recruit for one of the armed services without knowing his draft status. I further do not understand why, if the draft status is not known, an effort would not be made to ascertain the classification from either the recruiter who referred the man or from the man's local draft board.

Had such liaison been in effect at the time George Girot was physically examined, I believe that the basis for his 4–F classification would have become known and his enlistment could have been prevented.

Because the Department of the Army is the executive agent of the Department of Defense for the 70 Armed Forces entrance examinations stations throughout the country, I have urged that administrative changes be promptly implemented by the Secretary of the Army to prevent such a tragic error from occurring in the future. To assist the Armed Forces entrance examination stations, the Selective Service System should direct the local boards throughout the country to cooperate with the AFEES.

I will report to the House on the action taken by the Secretary of the Army.

## FEDERAL FOOD STAMPS GIVEN TO STRIKING TEAMSTERS

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

Mr. HALL. Mr. Speaker, it has been called to my attention and otherwise substantiated that striking members of the Teamsters Union in St. Louis City and St. Louis County are receiving Federal food stamps. In other words, the Federal Government is subsidizing the continuation of a strike that is bringing some parts of the country and especially Missouri to its economic knees. Thousands of workers are being laid off because the flow of materials has ceased, as a result of these "wildcat strikes." In turn, their hard-earned tax dollars are being spent to furnish food to the very men that are taking away their means of livelihood. While I do not wish to see the families of striking teamsters go for want of food, I strongly believe that it is grossly unfair and unjust that teamster leaders would reduce the families of their members to a status of welfare, and would likewise reduce wives and children of affected and laid-off workers to the same status.

Mr. Speaker, besides the harsh economic realities that have resulted, this action has destroyed the traditional impartial role of the Federal Government in labor-management disputes. Besides tipping the scales in favor of those that are committing breach of contract, the public interest is completely flouted. Defense-wise this cannot be tolerated. The very few cannot be privileged and subsidized by the Federal Government, at the expense of economic suffering and distress of the vast majority. Therefore, Mr. Speaker, I call upon this Congress to amend and remedy the food stamp law to end this inequitable practice. In addition I urge Congress to act by passing legislation that will protect the public interest, when nationwide transportation strikes occur. If we do not act soon, economic ruination will forever plague this nation.

## A STAMP FOR DR. WILLIAMS

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

Mr. CONYERS. Mr. Speaker, today 23 cosponsors and I introduced a bill to provide for the issuance of a 6-cent postage stamp commemorating Dr. Daniel Hale Williams, the first surgeon to perform open heart surgery. I am joined in this resolution by my distinguished colleagues Mr. ADDABBO, Mr. ANDERSON of Tennessee, Mr. BROWN of California, Mrs. CHISHOLM, Mr. CORMAN, Mr. DERWINSKI, Mr. DINGELL, Mr. FLOOD, Mr. HUNGATE, Mrs. MINK, Mr. MOORHEAD, Mr. OTTINGER, Mr. PIRNIE, Mr. POWELL, Mr. QUIE, Mr. REUSS, Mr. RODINO, Mr. ROSENTHAL, Mr. RYAN, Mr. SCHEUER, Mr. STOKES, Mr. TUNNEY, and Mr. VANDEERLIN. In an age in which medical advancements in heart surgery are increasing and becoming widely acclaimed, this bill seeks tc honor the memory of the distinguished black physician who pioneered medical operations involving the human heart.

On the warm and humid day of July 9, 1893, a brawl erupted in a Chicago barroom, leaving expressman James Cornish stabbed in the region of the heart. Shortly after being rushed to Provident Hospital, Cornish was examined by the founder of the institution, Dr. Daniel Hale Williams, a 37-year-old genius only 10 years out of Chicago Medical College. Although the best medical opinion of the day suggested that heart wounds be left alone, Dr. Williams realized that without an operation, his patient would probably die. With the aid of five assistants, he set to work with no X-ray pictures to direct him, no trained anesthetist to assist him, no blood transfusions to keep the patient alive, no chemotherapeutic drugs to correct an infection, no artificial airway to keep the windpipe open, and no previous surgical experience in this area to guide him. Working swiftly and deftly, Dr. Williams entered the thoracic cavity and proceeded to perform a surgical exploration of the heart. Not only was the operation a success, but the patient, Mr. Cornish, recovered to live for over another 20 years.

Even before the historic operation, Dr. Williams had been heralded as one of the premier physicians of his day. A founder of the National Medical Association and its first vice president, he was also a member of the medical societies of Chicago and of the entire State of Illinois. In 1891 he realized what had been his consuming ambition, establishing a biracially operated institution, Provident Hospital, complete with a training school for nurses. As the hospital's reputation grew, so did that of the founder, and in 1893, President Grover Cleveland appointed Dr. Williams surgeon-in-chief of the Freedmen's Hospital in Washington, D.C. As head of the largest Negro hospital in the country, Dr. Williams proceeded to make innovations and expand operations. He reorganized the surgical services and established a nursing school. The hospital's horse-drawn ambulances patrolled the Capital streets, picking up black patients, some of whom had been turned away from white hospitals.

Despite his eminence in the surgical world, Dr. Williams, who created a method by which the living heart could be sutured, had his own heart broken by the weight of racial prejudices. Exhausted by his efforts to overcome the great odds against him, Dr. Williams retired into self-exile for almost a decade and a half before his death in 1931. A scholar and scientist, reserved and sensitive, he withdrew from active participation in medical and scientific affairs before the full flowering of his genius.

In the history of the Post Office, only two stamps commemorating the efforts of medical men have ever been issued. The doctor's stamp was created in 1947, and in 1964 a stamp was issued in honor of the brothers Charles and William Mayo. We who are the cosponsors of this bill think it most fitting that Dr. Daniel Hale Williams, a man who dedicated his life to the medical advancement of America, be similarly honored by an American stamp saluting both his achievements and his dedication.

## ANNOUNCEMENT OF CAPTURE OF BASE COMPLEX IN CAMBODIA COULD BE THE BREAK WE ARE ALL WAITING FOR IN VIETNAM

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

Mr. PUCINSKI. Mr. Speaker, the Associated Press reports that the White House has just announced American troops in Cambodia have captured a major, sophisticated base complex that possibly could be the supreme Communist headquarters designated as the goal of the American attack in that country. We pray that this report is correct and that, indeed, this is the headquarters the President has sent the troops in to clean out, and that President Nixon will be able to withdraw the troops very quickly after the successful mopup operation.

I would hope that the thousands of young people who are visiting Washington this weekend to register their protest over Cambodia and Vietnam will realize the situation is very fluid.

We have a report from Chicago by Jack Knabley, one of our most reliable columnists, that some of the young people intend to storm the White House this weekend. We hope this report is incorrect. We hope the young people who are visiting Washington, and I want to stress that they are most welcome here—we welcome their views and their suggestions—we hope that they realize we are at a most critical juncture in the Vietnam war. Indeed, if the President's gamble in Cambodia was correct, if indeed the destruction of this major Communist headquarters is correct, it is entirely possible that the President may be able to withdraw the 150,000 American troops from Vietnam before Labor Day or maybe perhaps even sooner.

I have had serious reservation about escalating the war into Cambodia on our own and have so stated on a number of occasions. But once the President had made his decision, he must have our support. During the past 3 days as thousands of college students converged in Washington, my position has been to give the President the 6 weeks he says he needs to clean out Communist operations in Cambodia and then withdraw our troops. I believe the President should be given the chance even though we may not agree with the basic strategy. The next few days may be decisive and I hope the young people will go along with the President. Let us not do anything that could hurt our own cause and help the enemy.

## TRIBUTE TO PRESIDENT HARRY TRUMAN ON HIS 86TH BIRTHDAY

The SPEAKER pro tempore (Mr. HUNGATE). Under a previous order of the House, the Chair recognizes the gentleman from Missouri (Mr. RANDALL) for 60 minutes.

Mr. RANDALL. Mr. Speaker, this is the eve of the birthday of our 32d President, whom I have the privilege to represent in the Congress. It is my pleasure and honor once again to be able to stand here in the well and say, "Happy Birthday, President Truman."

Mr. Speaker, I regret the lateness of the hour. In former years we have had several who participated. I am sure most of my colleagues would agree the country has produced no better President. This is not to deny, of course, that there are many more well-known symbols, such as the Father of Our Country astride the white horse at Valley Forge; Abe Lincoln, the railsplitter from Illinois; Woodrow Wilson going down to a tragic but brave defeat; and the broad smile of the man with the uptilted cigaretteholder, Franklin D. Roosevelt. But I submit that none of these gave more of himself to the Presidency than did Harry Truman.

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

Mr. RANDALL. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I join in paying tribute to the 32d President of the United States, Harry Truman, on the 86th birthday which he will celebrate tomorrow.

Each year that passes Harry Truman gets to be greater in stature for the great decisions which he made on behalf of this Nation, not only in domestic policy but in particular the great decisions which he made to strengthen our Nation in its relations with other nations. NATO, the Berlin airlift, Korea, the Marshall plan—one could call the roll for quite some time before coming to a conclusion of all the things that Harry Truman has done which stands out in history.

I am particularly pleased my colleague and good friend from Missouri, who represents Harry Truman's district, has taken this time today. All of us wish Harry Truman "happy birthday."

Mr. RANDALL. I appreciate the contribution of the gentleman from West Virginia.

Mr. Truman was the son of poor but

devoted parents. As a boy he learned very early many of life's hard lessons, so when he became President no adviser was ever needed to fill in that President on the needs of the people. He was one of them.

He was a fighter. Not even his friends thought he would win the Presidency in 1948, but he did.

The Chicago Tribune went so far as to print the front page of the election day issue, 2 or 3 days before, with the headline predictably reading for the last edition, "Dewey Defeats Truman." Well, Harry Truman held up this headline, leading the Nation in laughter, the day after he had won, and he had the last laugh on the Chicago Tribune more than once.

It was the opinion of many competent students of Presidential leadership that the reason Mr. Truman was able to do so much so often was because he never sought to portray himself greater than he was. Again and again he tried to paint himself less than he was. He encouraged people to think, and even his opponents to say, that he was a little man.

He said again and again that he could not fill the shoes of Franklin Roosevelt. Remember, he created that image himself on the day he assumed office, when he said to reporters:

> Boys, if you ever pray, pray for me now. You fellows have never had a load of hay fall on you, but when they told me what happened to Franklin Roosevelt I felt as if all the stars, the moon and all the planets had fallen on me.

There is a professor by the name of Neustadt who contributed a good appraisal of the 32d President when he wrote, speaking of Mr. Truman:

> He was unlike either the one who preceded, Mr. Roosevelt, or the one who succeeded him, Mr. Eisenhower, in that he did not regard the office as "an extension of his own personality."

He did not believe that he had some august right to the national leadership and whatever was all right with him would therefore be all right with the country. Instead, he viewed the Presidency as a grave responsibility whose duties he would try hard to perform.

This was certainly true of the first years, when he considered the Presidency was his by accident; and later, when he won the Presidency by the people's will, he continued to be just as scrupulously fair and objective as he could be, and not a President dominated by the obsession that he was some kind of august ruler, but rather that he was the servant of the people.

In a very few words, he did many things that made him unpopular, but before he left office he was regarded as a good President, because he had himself regarded the job of being President was simply the job of a steward. He selflessly saw the role as a duty, not a right, and nothing he did in those years of the Presidency polorized the country because he always sought to unite it.

No President should regard his defeat on an issue involving his office as a personal defeat or, for that matter, a personal victory. Mr. Truman displayed the fact that in an official matter it was not a personal confrontation when he had what we call the Berlin Incident in 1948. Mr. Truman said he would be very poorly advised indeed to regard this as a "personal" confrontation with the Russian Premier because, he said, this would cause false issues to be mixed in with real issues, and if a President attached himself to an issue because of a personal involvement then a Chief Executive could be in real trouble because he would not be free to think his way through the issues, with perhaps tragic consequences to his country.

It was this selflessness of Mr. Truman coupled with his sense of duty that established a pattern of Presidential conduct that became so important in all of the cold war years and which has been a bulwark for the world's stability and for peace since those years. The Truman doctrine was instituted in order to contain the march of Communist imperialism. By the Marshall plan the failing economies of Western European nations were bolstered arresting the Red march in France and Italy. We lost the China mainland during the Truman administration, but it was not because of any shortcomings of his administration. Rather it was because of the political ineptitude of the non-Communist Chinese leaders. He bolstered the failing political systems of Turkey, Greece, and Iran against encroachments both foreign and domestic. And as we entered the Korean conflict, we took most of the United Nations countries with us either in terms of material of moral support, against invasion by Communist troops from the north.

It has been mentioned here earlier this afternoon that it was during the Truman years that NATO was established and it became a steel band of security to protect Western Europe against Communist invasion in that quarter of the world. All of this was done during the Truman administration. I think we can say it was a time of creation. That was the title of a recent book by former Secretary of State Dean Acheson, who wrote the book, "Present at the Creation," because it was during these years that much of the world's present political structure was created and then built. The chief architect of all of these things was a country boy. His enemies called him an exhaberdasher. We who are his friends like to refer to him as the "Man from Independence." In Missouri and in the Middle West and throughout the Nation he is regarded today as one of the greatest Presidents of our age. Some refer to the 32d President of the United States as a blunt man, but really everyone recognizes that he was a tough opponent. One time while campaigning in the Midwest in 1948 the story was told, which is believed to be true, that he was handed a basket of eggs by an admirer. Then he was asked if he planned to throw them at his opponents, and he said, no, he would never throw fresh eggs at an opponent.

Today, Mr. Speaker, when there is so much talk about polarization in this country, it is well to remind ourselves that Mr. Truman had some sharp and negative things to say about any group or individual that was actively trying to divide this country. He struck out at both fringes, both the left and the right. He criticized the far right by charging his opposition all over the country was trying to enlist all of the workers and form them together in one great big company union all for the benefit of the National Association of Manufacturers. He charged rather powerful reactionary forces backed by big money and conservative political leadership with trying silently to undermine our democratic institutions.

Now, to the far left he had some things to say about what would be called the flower people of his day. He had some gritty things to say about those whom he said called themselves progressive but were much further to the left and what we would probably call today the "New Left." He was against white racism. He was against the Dixiecrats of his day but not nearly so much as he was outspoken against the KKK who he said were led by the Yahoos of his time.

One time he said that the big job of the modern Presidency was an exercise in persuading people to do those things they ought to do anyway without being persuaded.

Mr. Truman may have been unpopular at times when he was President, but his popularity now seems to increase each year.

When I appeared here in the well earlier today to announce the purpose of this special order and to invite my colleagues who cared to join in this special order or submit for the RECORD their greetings to the former President, after I left the well a prominent leader of the minority in the House said to me that Mr. Truman looks better and better all the time. I am sure the gentleman would not object to his name being mentioned, but since he did not authorize me to do so I shall not do so. It was a private conversation. But I thought it was significant coming from a minority Member of the leadership of the House.

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

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

Mr. PUCINSKI. Mr. Speaker, I would like to join my colleague in his remarks and commend and congratulate him for taking this time today to pay tribute to a great President.

There is no question but that Harry Truman will go down in history as one of the giants of the history of our time. He made more major decisions during his tenure in office affecting the outcome of civilization and humanity, perhaps, than any other President before him and, perhaps, after him.

The whole course of history revolved around many of those decisions.

He brought World War II to a successful conclusion. He was the first to realize the menace of international communism. He recognized early, as early as 1947, in the Greek civil war that the Soviet Union was not planning and had no intention of keeping its World War II pledges; that the Soviet Union had already then began building up the necessary modus operandi to take over the captive nations of Europe and that they

could plunge this whole world into great turmoil.

Mr. Speaker, Harry Truman was a brave man. He was a man not afraid to make a decision. He did not play to the galleries. He did not run any popularity contests. He stood up on his own two feet in making these decisions in the best interest of the country and of the world.

Mr. Speaker, we are proud of the fact that this humble man who liked to tell the stories about himself—the fact that he had never sought the Presidency, he had never intended to be the President when the tragedy struck down President Roosevelt, but there was the sense of his individual merits. This man who was plunged into the Presidency for the ensuing 6 years discharged his responsibilities with great honor and great dedication and outstanding courage.

We Americans can all find great pride in the fact that President Truman had reflected in so many instances the ambitions and aspirations of the American people. He was a great leader. He was a man who understood the great strength of freedom in a democracy such as ours. He trusted people. He was not afraid to take his troubles to the American people and share with them his troubles, and then trusted their good judgment to help him resolve those problems.

Mr. Speaker, he stuck it out in Korea because he knew the odds over there were against freedom, and I say it was a great decision that Harry Truman made when he stopped the Communist conquest of all Southeast Asia and other areas of that part of the world.

Today the world has a right to wish for him all the best of luck and happiness in the remaining years of his life. Harry Truman has made a great contribution and I am sure when the good Lord calls him as he will some day, the epitaph on his grave ought to read: "He had the courage to be different; Harry Truman had the courage to innovate and experiment with new ideas and new programs to fit the changing times of a vibrant democracy."

Mr. Speaker, Harry Truman realized well the fundamental rules of politics. He knew the President of the United States was like a basketball player. As you know, a basketball player cannot stand still with the ball, because if you turn loose, you lose the ball. You have to dribble, pivot, turn and shoot. You have to keep moving.

Mr. Speaker, his whole administration was one of providing new ideas to meet the new postwar problems of a great nation.

He inherited many problems that were latent during the war years when America struggled to retain freedom for the world, and then in an exemplary manner and in a most inspiring manner Harry Truman led the country into new heights of achievement.

We all join my colleague in the well in wishing the President a happy birthday.

Mr. Speaker, I remember one little personal anecdote. I happened to be in Chicago with Mr. Truman on his birthday, and I happened to mention to him in passing that I was proud because my mother's birthday was on the very same day as Harry Truman's. It was a chance remark. It was a very passing remark, and he made some little comment that this was fine, and wonderful. And then, by golly, about two hours later one of the President's aides called upon my mother and brought her a personal letter from the President wishing her a happy birthday.

This tiny little incident shows you the enormity of this man, the humanity of this man. He was constantly trying to see how he could do things better, how he could improve the lot of the people, how he could make our people happier.

So I can tell you that this country can be proud, and this country can be grateful that Harry Truman came by the Presidency of this great Nation. He has left an indelible mark on the Presidency.

Again, Mr. Chairman, I congratulate my friend and colleague, the gentleman from Missouri [Mr. RANDALL] for taking this time. I am sure that all of us on both sides of the aisle, in both Chambers of the Congress of the United States, as well as all the people of America, extend to President Harry Truman our very best wishes for many, many more healthy and fruitful years.

Mr. RANDALL. Mr. Speaker, I appreciate the remarks of the gentleman from Illinois, and particularly the incident he cited concerning his good mother. It demonstrates again the human sort of a person that our former President, Mr. Truman, was—and there are other incidents that have been reported to me, all in connection with not only the 1948 campaign, but on all of his travels across our country.

I would like to comment a little more about what seems to be the greatest distinguishing characteristics of this great man mentioned by the gentleman from West Virginia, and then again by the gentleman from Illinois, because I think Mr. Truman will always be distinguished as a man who had to make more important decisions than most of our Presidents have had to make, and most of them have proven to be wise decisions.

First, I think there are some facets in his makeup that enabled him to make these decisions promptly, for he had a capacity to quickly clarify and weigh and make them on all the facts presented to him.

Secondly, he chose for his counselors men who were specialists on specific matters.

And thirdly, his instinctive ability to sort out all of the essentials always seemed to be with him.

Dean Acheson, in speaking of Truman some years after the close of the Truman administration, said:

> If a President will make decisions, you're in luck. That is the essential quality. And if he has a high batting average in the correctness of his decisions, then you're in clover.

Mr. Speaker, in this year, as our former President celebrates his 86th birthday, it also happens to be the year which is the 25th anniversary of the day Harry S. Truman became President of the United States in 1945. Just remember that the day of his ascension to the Presidency was on April 12, 1945.

This year, at the Truman Library in Independence, on Saturday, April 11, there was an appropriate observance held in the auditorium of the library, and I was glad to be able to be present. Many distinguished Americans were on the stage that afternoon as speakers and participants. There was former Secretary of State Dean Acheson, former Ambassador and Governor of New York, Averill Harriman, former Chief Justice Earl Warren and the Junior Senator from Maine, EDMUND MUSKIE, and former Secretary of the Treasury, John W. Snyder.

All of them made their separate contributions. Yet, as I look back upon the program that afternoon, I recall that some of the most interesting remarks were those made by Mr. Snyder as he spoke of the happenings during the hours and days following Mr. Truman's ascension to the Presidency, as well as during the drama-filled days that followed.

Mr. Snyder very dramatically portrayed how Mr. Truman so quickly realized the magnitude of the task of being President of the United States and also told the group assembled how quickly the new President informed himself about the war, the complications involved, and proceeded immediately to do his homework, and he always did his homework, preparatory to the block-busting decisions that had to be made by President Truman in those 4 months of the Presidency ending with the surrender of Japan. For those who might be interested in the contents of those remarks I have included that speech as a part of the CONGRESSIONAL RECORD for April 21, 1970, at page 12605.

In his home State and particularly in western Missouri, Mr. Truman has been honored many times to have named after him just about every conceivable kind of things ranging from streets and roads and highways, to airports and sports complexes. Within the past 2 weeks the members of the Missouri delegation in the Congress have introduced a resolution that the great public works project, a multipurpose dam and reservoir heretofore known as Kaysinger, should be changed to the name of the Truman Reservoir. I joined in that resolution and shall proudly support it because I so well recall that it was my privilege as a member of the Jackson County court late in 1948 and 1949, to sponsor an order which was adopted to name the principal east-west thoroughfare in Kansas City and the eastern Jackson County area, Truman Road. In my home city of Independence, our largest secondary school is the Truman High School.

The repetition with which parks, airports and now this reservoir are named for Mr. Truman is but another evidence of the love and respect all Missourians have for their leading citizen and a demonstration of the attitude that it is difficult to honor him too much.

Tonight in the city of Kansas City, at the Music Hall in the Municipal Auditorium, there will be presented a two-act documentary drama, entitled "Give 'Em Hell, Harry." Obviously, the date was se-

lected for the performance because it is the eve of Mr. Truman's 86th birthday. It is with deep regret that I cannot be present but it is my understanding there will be many ranking Government officials from the time of the Truman administration to the present time who will be in the Music Hall in Kansas City tonight. The event is sponsored by the Jackson County Junior Chamber of Commerce of Kansas City and the proceeds will go to the Kansas City Philharmonic orchestra.

All the history of the Truman years in the White House will be portrayed.

It promises to be a gala night. There is a portion of the play devoted to recreating the day when Mr. Truman became a little bit angry about an unfavorable review of his daughter Margaret's recital. There will be other scenes depicting the creation of the Hoover Commission, the beginning of the Marshall plan and even a scene having to do with the attack on the President and the House of Representatives by a little handful of enraged Puerto Ricans.

Best of all, there will be a revival and an explanation of those famous quotes such as "The buck stops here," and "If you can't stand the heat, get out of the kitchen," and, finally, that gem which is not used too frequently, but, in my opinion, is one of the best of them all, "It's time I spoke to him in the same restrained manner that a sergeant speaks to a mule."

For all of these things and many more that we do not have time to recall tonight, we honor the 32d President and always shall.

One of the best summations of the Truman Presidency was presented by former Secretary of the Treasury John W. Snyder in his speech at the Truman Library on April 11, this year, when he said:

> Chance, in good part, took Harry Truman to the Presidency, but it was his character, his simplicity, his honesty and his self-discipline that kept him there and determined his historical fate. He is, without any doubt, destined to live in the books as one of the strongest and most decisive of the American Presidents.

Happy birthday, President Truman.

## GENERAL LEAVE

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the 86th birthday of former President Truman.

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

There was no objection.

## TAKE PRIDE IN AMERICA

The SPEAKER pro tempore (Mr. HUNGATE). Under a previous order of the House, the Chair recognizes the gentleman from Ohio (Mr. MILLER), for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States has more refrigerators than any other country. In 1966 there were 49,160,000 refrigerators in the United States as compared to 2,565,000 in Japan, the second-ranked nation.

## VIETNAM CONGRESSIONAL MEDAL OF HONOR WINNERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 60 minutes.

Mr. MICHEL. Mr. Speaker, last month the Vice President in ceremonies at the White House awarded the Congressional Medal of Honor posthumously to heroes of the war in Vietnam but I was distressed to see that only the names of the medal winners were printed, with nothing said about the circumstances and details of their heroic deeds.

In that regard, I have asked the Defense Department for the full text of the citations for all Medal of Honor winners during the war in Vietnam and I insert the text of these citations in the RECORD at this point.

[December 5, 1964]

CAPT. ROGER H. C. DONLON, U.S. ARMY

Captain Roger H. C. Donlon, Infantry, distinguished himself by conspicuous gallantry and intrepidity at the risk of his own life above and beyond the call of duty while defending a United States Military installation against a fierce attack by hostile forces on 6 July 1964, near Nam Dong, Republic of Vietnam. Captain Donlon was serving as the Commanding Officer of the United States Army Special Forces Detachment A-726 at Camp Nam Dong when a reinforced Viet Cong battalion suddenly launched a full-scale predawn attack on the camp. During the violent battle that ensued, lasting five hours and resulting in heavy casualties on both sides, Captain Donlon directed the defense operations in the midst of an enemy barrage of mortar shells, falling grenades, and extremely heavy gun fire. Upon the initial onslaught, he swiftly marshaled his forces and ordered the removal of the needed ammunition from a blazing building. He then dashed through a hail of small arms fire and exploding hand grenades to abort a breach of the main gate. Enroute to this position he detected an enemy demolition team of three in the proximity of the main gate and quickly annihilated them. Although exposed to the intense grenade attack, he then succeeded in reaching a 60mm mortar position despite sustaining a severe stomach wound as he was within five yards of the gun pit.

When he discovered that most of the men in this gun pit were also wounded, he completely disregarded his own injury, directed their withdrawal to a location thirty meters away, and again risked his own life by remaining behind and covering the movement with the utmost effectiveness. Noticing that his team sergeant was unable to evacuate the gun pit, he crawled toward him and, while dragging the fallen soldier out of the gun pit, an enemy mortar exploded and inflicted a wound in Captain Donlon's left shoulder. Although suffering from multiple wounds, he carried the abandoned 60mm mortar weapon to a new location thirty meters away where he found three wounded defenders. After administering first aid and encouragement to these men, he left the weapon with them, headed toward another position, and retrieved a 57mm recoilless rifle. Then with great courage and coolness under fire, he returned to the abandoned gun pit, evacuated ammunition for the two weapons and, while crawling and dragging the urgently needed ammunition, received a third wound on his leg by an enemy hand grenade. Despite his critical physical condition, he again crawled one hundred and seventy five meters to an 81mm mortar position and directed firing operations which protected the seriously threatened east sector of the camp. He then moved to an eastern 69 mm mortar position and upon determining that the vicious enemy assault had weakened, crawled back to the gun pit with the 60mm mortar, set it up for defensive operations, and turned it over to two defenders with minor wounds. Without hesitation, he left this sheltered position and moved from position to position around the beleaguered perimeter while hurling hand grenades at the enemy and inspiring his men to superhuman effort. As he bravely continued to move around the perimeter, a mortar shell exploded, wounding him in the face and body. As the long awaited daylight brought defeat to the enemy forces and their retreat back to the jungle leaving behind fifty four of their dead, many weapons, and grenades, Captain Donlon immediately reorganized his defenses and administered first aid to the wounded. His dynamic leadership, fortitude, and valiant efforts inspired not only the American personnel but the friendly Vietnamese defenders as well and resulted in the successful defense of the camp. Captain Donlon's conspicuous gallantry, extraordinary heroism, and intrepidity at the risk of his own life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the Armed Forces of his country.

[February 24, 1966]

SGT. LARRY S. PIERCE, U.S. ARMY—POSTHUMOUSLY

Sergeant Larry S. Pierce distinguished himself by conspicuous gallantry and intrepidity at the risk of his own life above and beyond the call of duty while leading a Squad against hostile forces near Ben Cat, Republic of Vietnam, on September 20, 1965. Sergeant Pierce was serving as squad leader in a reconnaissance platoon when his patrol was ambushed by hostile forces. Through his inspiring leadership and personal courage, the squad succeeded in eliminating an enemy machine gun and routing the opposing force. While pursuing the fleeing enemy, the squad came upon a dirt road and, as the main body of his men entered the road, Sergeant Pierce discovered an anti-personnel mine emplaced in the road bed. Realizing that the mine could destroy the majority of his squad, Sergeant Pierce saved the lives of his men at the sacrifice of his own by throwing himself directly onto the mine as it exploded. Through his indomitable courage, complete disregard for his own safety, and profound concern for his fellow soldiers, he averted loss of life and injury to the members of his squad. Sergeant Pierce's conspicuous gallantry, extraordinary heroism, and intrepidity at the cost of his own life, above and beyond the call of duty, are in the highest traditions of the United States Army and reflect great credit upon himself and the Armed Forces of his country.

[April 21, 1966]

PFC. MILTON L. OLIVE, III, U.S. ARMY—POSTHUMOUSLY

Private First Class Milton L. Olive, III, distinguished himself by conspicuous gallantry and intrepidity at the risk of his own life above and beyond the call of duty while participating in a search and destroy operation in the vicinity of Phu Cuong, Republic of Vietnam, on 22 October 1965. Private Olive was a member of the 3d Platoon of Company

B, 2d Battalion (Airborne), 503d Infantry, as it moved through the jungle to find the Viet Cong operating in the area. Although the Platoon was subjected to a heavy volume of enemy gun fire and pinned down temporarily, it retaliated by assaulting the Viet Cong positions, causing the enemy to flee. As the Platoon pursued the insurgents, Private Olive and four other soldiers were moving through the jungle together when a grenade was thrown into their midst. Private Olive saw the grenade, and then saved the lives of his fellow soldiers at the sacrifice of his own by grabbing the grenade in his hand and falling on it to absorb the blast with his body. Through his bravery, unhesitating actions, and complete disregard for his own safety, he prevented additional loss of life or injury to the members of his platoon. Private Olive's conspicuous gallantry, extraordinary heroism, and intrepidity at the risk of his own life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the Armed Forces of his country.

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[June 23, 1966]

1ST LT. CHARLES Q. WILLIAMS, USA

First Lieutenant Charles Q. Williams, (then Second Lieutenant), Infantry, distinguished himself by conspicuous gallantry and intrepidity at the risk of his own life above and beyond the call of duty while defending the Special Forces Camp at Dong Xoai, Republic of Vietnam, against a violent attack by hostile forces that lasted for fourteen hours, June 9 to 10, 1965. Lieutenant Williams was serving as Executive Officer of a Special Forces Detachment when an estimated Vietcong reinforced regiment struck the Camp and threatened to overrun it and the adjacent District headquarters. He awoke personnel, organized them, determined the source of the insurgents' main effort, and led the troops to their defensive positions on the south and west walls. Then, after running to the District Headquarters to establish communication, he found that there was no radio operational with which to communicate with his commanding officer in another compound. To reach the other compound, he traveled through darkness but was halted in this effort by a combination of shrapnel in his right leg and the increase of the Vietcong gun fire. Ignoring his wound, he returned to the District Headquarters and directed the defense against the first assault. As the insurgents attempted to scale the walls and as some of the Vietnamese defenders began to retreat, he dashed through a barrage of gun fire, succeeded in rallying these defenders, and led them back to their positions. Although wounded in the thigh and left leg during this gallant action, he returned to his position and, upon being told that communications were reestablished and that his commanding officer was seriously wounded, Lieutenant Williams took charge of actions in both compounds. Then in an attempt to reach the communications bunker, he sustained wounds in the stomach and right arm from grenade fragments. As the defensive positions on the walls had been held for hours and casualties were mounting, he ordered the consolidation of the American personnel from both compounds to establish a defense in the District building. After radio contact was made with a friendly air controller, he disregarded his wounds and directed the defense from the District building, using descending flares as reference points to adjust air strikes. By his courage, he inspired his team to hold out against the insurgent force that was closing in on them and throwing grendades into the windows of the building. As daylight arrived and the Vietcong continued to besiege the stronghold, firing a machine gun directly south of the District building, he was determined to eliminate this menace that threatened the lives of his men. Taking a 3.5 rocket launcher and a volunteer to load it, he worked his way across open terrain, reached the berm south of the District Headquarters, and took aim at the Vietcong machine gun one hundred and fifty meters away. Although the sight was faulty, he succeeded in hitting the machine gun. While he and the loader were trying to return to the District Headquarters, they were both wounded.

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[September 13, 1966]

CONSTRUCTION MECHANIC 3C. MARVIN G. SHIELDS, U.S. NAVY—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving with United States Navy Seabee Team 1104 at Dong Xoai, Republic of Vietnam, on 10 June 1965. Although wounded when the compound of Detachment A–342, 5th Special Forces Group (Airborne), 1st Forces, came under intense fire from an estimate reinforced Viet Cong regiment employing machine guns, heavy weapons and small arms, Shields continued to resupply his fellow Americans who needed ammunition and to return the enemy fire for a period of approximately three hours, at which time the Viet Cong launched a massive attack at close range with flame throwers, hand grenades and small-arms fire. Wounded a second time during this attack, Shields nevertheless assisted in carrying a more critically wounded man to safety, and then resumed firing at the enemy for four more hours. When the Commander asked for a volunteer to accompany him in an attempt to knock out an enemy machine gun emplacement which was endangering the lives of all personnel in the compound because of the accuracy of its fire, Shields unhesitatingly volunteered for this extremely hazardous mission. Proceeding toward their objective with a 3.5-inch rocket launcher, they succeeded in destroying the enemy machine-gun emplacement, thus undoubtedly saving the lives of many of their fellow servicemen in the compound. Shields was mortally wounded by hostile fire while returning to his defensive position. His heroic initiative and great personal valor in the face of intense enemy fire sustain and enhance the finest traditions of the United States Naval Service.

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[December 6, 1966]

CPL. ROBERT E. O'MALLEY, UNITED STATES MARINE CORPS

For conspicuous gallantry and intrepidity in action against the communist (Viet Cong) forces at the risk of his own life above and beyond the call of duty while serving as Squad Leader in Company "I", Third Battalion, Third Marines, Third Marine Division (Reinforced), near An Cu'ong 2, South Vietnam, on 18 August 1965. While leading his squad in the assault against a strongly entrenched enemy force, his unit came under intense small arms fire. With complete disregard for his personal safety, Corporal O'Malley raced across an open rice paddy to a trench line where the enemy forces were located. Jumping into the trench, he attacked the Viet Cong with his rifle and grenades, and singly killed eight of the enemy. He then led his squad to the assistance of an adjacent Marine unit which was suffering heavy casualties. Continuing to press forward, he reloaded his weapon and fired with telling effect into the enemy emplacement. He personally assisted in the evacuation of several wounded Marines, and again regrouping the remnants of his squad, he returned to the point of the heaviest fighting. Ordered to an evacuation point by an officer, Corporal O'Malley gathered his besieged and badly wounded squad and boldly led them under fire to a helicopter for withdrawal. Although three times wounded in this encounter, and facing imminent death from a fanatic and determined enemy, he steadfastly refused evacuation and continued to cover his squad's boarding of the helicopters while, from an exposed position, he delivered fire against the enemy until his wounded men were evacuated. Only then, with his last mission accomplished, did he permit himself to be removed from the battlefield. By his valor, leadership, and courageous efforts in behalf of his comrades, he served as an inspiration to all who observed him, and reflected the highest credit upon the Marine Corps and the United States Naval Service.

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[January 19, 1967]

MAJ. BERNARD F. FISHER, USAF

Major Bernard F. Fisher distinguished himself by conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as an A–1E pilot near A Shau, Republic of Vietnam, on 10 March 1966. On that date, the special forces camp at A Shau was under attack by 2,000 North Vietnamese Army Regulars. Hostile troops had positioned themselves between the airstrip and the camp. Other hostile troops had surrounded the camp and were continuously raking it with automatic weapons fire from the surrounding hills. The tops of the 1,500 foot hills were obscured by an 800 foot ceiling, limiting aircraft maneuverability and forcing pilots to operate within range of hostile gun positions, which often were able to fire down on the attacking aircraft. During the battle, Major Fisher observed a fellow airman crash land on the battle torn airstrip. In the belief that the downed pilot was seriously injured and in imminent danger of capture, Major Fisher announced his intention to land on the airstrip to effect a rescue. Although aware of the extreme danger and likely failure of such an attempt, he elected to continue. Directing his own air cover, he landed his aircraft and taxied almost the full length of the runway, which was littered with battle debris and parts of an exploded aircraft. While effecting a successful rescue of the downed pilot, heavy ground fire was observed, with nineteen bullets striking his aircraft. In the face of the withering ground fire, he applied power and gained enough speed to lift-off at the overrun of the airstrip. Major Fisher's conspicuous gallantry, his profound concern for his fellow airman, and his intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Air Force and reflect great credit upon himself and the armed forces of his country.

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[January 31, 1967]

1ST LT. FRANK S. REASONER, USMC—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as Commanding Officer, Company A, 3d Reconnaissance Battalion, 3d Marine Division in action against hostile Viet Cong forces near Da Nang, Vietnam on 12 July 1965. The reconnaissance patrol led by Lieutenant Reasoner had deeply penetrated heavily controlled enemy territory when it came under extremely heavy fire from an estimated 50 to 100 Viet Cong insurgents. Accompanying the advance party and the point that consisted of five men, he immediately deployed his men for an assault after the Viet Cong had opened fire from numerous concealed positions. Boldly shouting encouragement and virtually isolated from the main body, he organized a base of fire for an assault on the enemy positions. The slashing fury of the Viet Cong machine gun and automatic weapons fire made it impossible for the main body to move forward. Repeatedly exposing himself to the devastating attack he skillfully provided covering fire, killing at least two Viet Cong and effectively silencing an automatic weapons position in a valiant attempt to effect evacuation of a wounded man. As casualties began to mount

his radio operator was wounded and Lieutenant Reasoner immediately moved to his side and tended his wounds. When the radio operator was hit a second time while attempting to reach a covered position, Lieutenant Reasoner courageously running to his aid through the grazing machine gun fire fell mortally wounded. His indomitable fighting spirit, valiant leadership and unflinching devotion to duty provided the inspiration that was to enable the patrol to complete its mission without further casualties. In the face of almost certain death he gallantly gave his life in the service of his country. His actions upheld the highest traditions of the Marine Corps and the United States Naval Service.

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[February 7, 1967]

L. CPL. JOE C. PAUL, UNITED STATES MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a Fire Team Leader with Company H, Second Battalion, Fourth Marines, during Operation STARLITE near Chu Lai in the Republic of Vietnam on 18 August 1965. In violent battle, Corporal Paul's platoon sustained five casualties as it was temporarily pinned down by devastating mortar, recoilless rifle, automatic weapons, and rifle fire delivered by insurgent communist (Viet Cong) forces in well entrenched positions. The wounded Marines were unable to move from their perilously exposed positions forward of the remainder of their platoon, and were suddenly subjected to a barrage of white phosphorous rifle grenades. Corporal Paul, fully aware that his tactics would almost certainly result in serious injury or death to himself, chose to disregard his own safety and boldly dashed across the fire-swept rice paddies, placed himself between his wounded comrades and the enemy, and delivered effective suppressive fire with his automatic weapon in order to divert the attack long enough to allow the casualties to be evacuated. Although critically wounded during the course of the battle, he resolutely remained in his exposed position and continued to fire his rifle until he collapsed and was evacuated. By his fortitude and gallant spirit of self-sacrifice in the face of almost certain death, he saved the lives of several of his fellow Marines. His heroic action served to inspire all who observed him and reflect the highest credit upon himself, the Marine Corps and the United States Naval Service. He gallantly gave his life in the cause of freedom.

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[February 27, 1967]

FIRST LT. HARVEY C. BARNUM, JR., U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Forward Observer for Artillery, while attached to Company H, Second Battalion, Ninth Marines, Third Marine Division (Reinforced), in action against communist forces at Ky Phu in Quang Tin Province, Republic of Vietnam, on 18 December 1965. When the company was suddenly pinned down by a hail of extremely accurate enemy fire and was quickly separated from the remainder of the battalion by over five hundred meters of open and fire-swept ground, and casualties mounted rapidly, Lieutenant Barnum quickly made a hazardous reconnaissance of the area seeking targets for his artillery. Finding the rifle company commander mortally wounded and the radio operator killed, he, with complete disregard for his own safety, gave aid to the dying commander, then removed the radio from the dead operator and strapped it to himself. He immediately assumed command of the rifle company, and moving at once into the midst of the heavy fire, rallying and giving encouragement to all units, reorganized them to replace the loss of key personnel and led their attack on enemy positions from which deadly fire continued to come. His sound and swift decisions and his obvious calm served to stabilize the badly decimated units and his gallant example as he stood exposed repeatedly to point out targets served as an inspiration to all. Provided with two armed helicopters, he moved fearlessly through enemy fire to control the air attack against the firmly entrenched enemy while skillfully directing one platoon in a successful counter-attack on the key enemy positions. Having thus cleared a small area, he requested and directed the landing of two transport helicopters for the evacuation of the dead and wounded. He then assisted in the mopping up and final seizure of the battalion's objective. His gallant initiative and heroic conduct reflected great credit upon himself and were in keeping with the highest traditions of the Marine Corps and the United States Naval Service.

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[March 9, 1967]

SP5C. LAWRENCE JOEL, UNITED STATES OF AMERICA

Specialist Five Lawrence Joel distinguished himself by gallantry and intrepidity at the risk of his life above and beyond the call of duty on November 8, 1965 while serving as a Medical Aidman, Headquarters and Headquarters Company, 1st Battalion (Airborne), 503d Infantry on a battlefield in the Republic of Vietnam. Specialist Joel demonstrated indomitable courage, determination, and professional skill when a numerically superior and well-concealed Viet Cong element launched a vicious attack which wounded or killed nearly every man in the lead squad of the Company. After treating the men wounded by the initial burst of gun fire, he bravely moved forward to assist others who were wounded while proceeding to their objective. While moving from man to man, he was struck in the right leg by machine gun fire. Although painfully wounded his desire to aid his fellow soldiers transcended all personal feeling. He bandaged his own wound and self administered morphine to deaden the pain enabling him to continue his dangerous undertaking. Throughout this period of time, he constantly shouted words of encouragement to all around him. Then completely ignoring the warning of others, and his own pain, he continued his search for wounded exposing himself to hostile fire; and, as bullets dug up the dirt around him, he held plasma bottles high while kneeling completely engrossed in his life saving mission. Then, after being struck a second time and with a bullet lodged in his thigh, he dragged himself over the battlefield and succeeded in treating thirteen more men before his medical supplies ran out. Displaying resourcefulness, he saved the life of one man by placing a plastic bag over a severe chest wound to congeal the blood. As one of the platoons pursued the Viet Cong, an insurgent force in concealed positions opened fire on the platoon and wounded many more soldiers. With a new stock of medical supplies, Specialist Joel again shouted words of encouragement as he crawled through an intense hail of gun fire to the wounded men. After the twenty-four hour battle subsided and the Viet Cong dead numbered four hundred and ten, snipers continued to harass the Company. Throughout the long battle, Specialist Joel never lost sight of his mission as a Medical Aidman and continued to comfort and treat the wounded until his own evacuation was ordered. His meticulous attention to duty saved a large number of lives and his unselfish, daring example under most adverse conditions was an inspiration to all. Specialist Joel's profound concern for his fellow soldiers, his conspicuous gallantry, and his intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

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[April 6, 1967]

SP4C. DANIEL FERNANDEZ, U.S. ARMY

Specialist Four Daniel Fernandez distinguished himself by gallantry and intrepidity at the risk of his life above and beyond the call of duty on February 18, 1966 while serving as a member of an eighteen-man patrol engaged in a vicious battle with the Viet Cong in the vicinity of Cu Chi, Hau Nghia Province, Republic of Vietnam. Specialist Fernandez demonstrated indomitable courage when the small patrol was ambushed by a Viet Cong rifle company and driven back by the intense enemy automatic weapons fire before it could evacuate an American soldier who was struck down in the initial attack. Specialist Fernandez and three comrades immediately fought their way through devastating gun fire and exploding grenades to reach the fallen soldier. After the volunteers reached their fallen comrades and attempted to return to their defensive positions, a United States Army sergeant was struck in the knee by .50 caliber machine gun fire. Specialist Fernandez rallied the left flank of his patrol, went to assist in the recovery of the wounded sergeant and, while first aid was being administered to the wounded man, an enemy rifle grenade landed in the midst of their group. Realizing there was no time for the wounded sergeant or the other men to gain protection from the grenade blast, Specialist Fernandez threw himself on the grenade as it exploded, saving the lives of the four men at the sacrifice of his own. Specialist Fernandez' profound concern for his fellow soldiers, his conspicuous gallantry, and his intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

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[May 2, 1967]

S. SGT. PETER S. CONNOR, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity in action against enemy Viet Cong forces at the risk of his life above and beyond the call of duty while serving as Platoon Sergeant of the Third Platoon, Company F, Second Battalion, Third Marines, First Marine Division (Reinforced), Fleet Marine Force, in Quang Ngai Province, Republic of Vietnam on 25 February 1966. Leading his platoon on a search and destroy operation in an area made particularly hazardous by extensive cave and tunnel complexes, Sergeant Connor maneuvered his unit aggressively forward under intermittent enemy small-arms fire. Exhibiting particular alertness and keen observation, he spotted an enemy spider hole emplacement approximately fifteen meters to his front. He pulled the pin from a fragmentation grenade intending to charge the hole boldly and drop the missile into its depths. Upon pulling the pin he realized that the firing mechanism was faulty, and that even as he held the safety device firmly in place, the fuze charge was already activated. With only precious seconds to decide, he further realized that he could not cover the distance to the small opening of the spider hole in sufficient time, and that to hurl the deadly bomb in any direction would result in death or injury to some of his comrades tactically deployed near him. Manifesting extraordinary gallantry and with utter disregard for his personal safety, he chose to hold the grenade against his own body in order to absorb the terrific explosion and spare his comrades. His act of extreme valor and selflessness in the face of virtually certain death, although leaving him mortally

wounded, spared many of his fellow Marines from death or injury. His gallant action in giving his life in the cause of freedom reflects the highest credit upon the Marine Corps and the Armed Forces of the United States.

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[September 28, 1967]

SP4C. DAVID C. DOLBY, U.S.A.

On 21 May 1966, Specialist Dolby was serving as a machine gunner of Company B, 1st Battalion (Airborne), 8th Cavalry in the Republic of Vietnam, when his platoon, while advancing tactically, suddenly came under intense fire from the enemy located on a ridge immediately to the front. Six members of the platoon were killed instantly and a number were wounded, including the platoon leader. Specialist Dolby's every move brought fire from the enemy. However, aware that the platoon leader was critically wounded, and that the platoon was in a precarious situation, Specialist Dolby moved the wounded men to safety and deployed the remainder of the platoon to engage the enemy. Subsequently, his dying platoon leader ordered Specialist Dolby to withdraw the forward elements to rejoin the platoon. Despite the continuing intense enemy fire and with utter disregard for his own safety, Specialist Dolby positioned able-bodied men to cover the withdrawal of the forward elements, assisted the wounded to the new position, and he, alone, attacked enemy positions until his ammunition was expended. Replenishing his ammunition, he returned to the area of most intense action, singlehandedly killed three enemy machine gunners and neutralized the enemy fire, thus enabling friendly elements on the flank to advance on the enemy redoubt. He defied the enemy fire to personally carry a seriously wounded soldier to safety, where he could be treated and, returning to the forward area, he crawled through withering fire to within fifty meters of the enemy bunkers and threw smoke grenades to mark them for air strikes. Although repeatedly under fire at close range from the enemy snipers and automatic weapons, Specialist Dolby directed artillery fire on the enemy and succeeded in silencing several enemy weapons. He remained in his exposed location until his comrades had displaced to more secure positions. His actions of unsurpassed valor during four hours of intense combat were a source of inspiration to his entire company, contributed significantly to the success of the overall assault of the enemy position, and were directly responsible for saving the lives of a number of his fellow soldiers. Specialist Dolby's heroism was in the highest tradition of the United States Army.

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[October 25, 1967]

MAJ. HOWARD V. LEE, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Commanding Officer, Company E, Fourth Marines, Third Marine Division near Cam Lo, Republic of Vietnam, on 8 and 9 August 1966. A platoon of Major (then Captain) Lee's company, while on an operation deep in enemy territory, was attacked and surrounded by a large Vietnamese force. Realizing that the unit had suffered numerous casualties, depriving it of effective leadership, and fully aware that the platoon was even then under heavy attack by the enemy, Major Lee took seven men and proceeded by helicopter to reinforce the beleaguered platoon. Major Lee disembarked from the helicopter with two of his men and, braving withering enemy fire, led them into the perimeter, where he fearlessly moved from position to position, directing and encouraging the overtaxed troops. The enemy then launched a massive attack with the full might of their forces. Although painfully wounded by fragments from an enemy grenade in several areas of his body, including his eye, Major Lee continued undauntedly throughout the night to direct the valiant defense, coordinate supporting fires, and apprise higher headquarters of the plight of the platoon. The next morning he collapsed from his wounds and was forced to relinquish command. However the small band of Marines had held their position and repeatedly fought off many vicious enemy attacks for a grueling six hours until their evacuation was effected the following morning. Major Lee's actions saved his men from capture, minimized the loss of lives, and dealt the enemy a severe defeat. His indomitable fighting spirit, superb leadership, and great personal valor in the face of tremendous odds, reflect great credit upon himself and are in keeping with the highest traditions of the Marine Corps and the United States Naval Service.

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[January 30, 1968]

SEAMAN DAVID G. OUELLET, U.S. NAVY AT THE PENTAGON

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving with River Section 532, in combat against the enemy in the Republic of Vietnam. As the forward machine gunner on River Boat Patrol (PBR) 124, which was on patrol on the Mekong River during the early evening hours of 6 March 1967, Seaman Ouellet observed suspicious activity near the river bank, alerted his Boat Captain and recommended movement of the boat to the area to investigate. While the PBR was making a high-speed run along the river bank, Seaman Ouellet spotted an incoming enemy grenade falling toward the boat. He immediately left the protected position of his gun mount and ran aft for the full length of the speeding boat, shouting to his fellow crewmembers to take cover. Observing the Boat Captain standing unprotected on the boat, Seaman Ouellet bounded onto the engine compartment cover, and pushed the Boat Captain down to safety. In the split second that followed the grenade's landing, and in the face of certain death, Seaman Ouellet fearlessly placed himself between the deadly missile and his shipmates, courageously absorbing most of the blast fragments with his own body in order to protect his shipmates from injury and death. His extraordinary heroism and his selfless and courageous actions on behalf of his comrades at the expense of his own life were in the finest traditions of the United States Naval Service.

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[February 1, 1968]

MAJ. MERLYN H. DETHLEFSEN, UNITED STATES AIR FORCE

On 10 March 1967, Major Dethlefsen (then Captain) was one of a flight of F-105 aircraft engaged in a fire suppression mission designed to destroy a key antiaircraft defensive complex containing surface-to-air-missiles (SAM), an exceptionally heavy concentration of antiaircraft artillery, and other automatic weapons. The defensive network was situated to dominate the approach and provide protection to an important North Vietnam industrial center that was scheduled to be attacked by fighter bombers immediately after the strike by Major Dethlefsen's flight. In the initial attack on the defensive complex the lead aircraft was crippled, and Major Dethlefsen's aircraft was extensively damaged by the intense enemy fire. Realizing that the success of the impending fighter bomber attack on the center now depended on his ability to effectively suppress the defensive fire, Major Dethlefsen ignored the enemy's overwhelming firepower and the damage to his aircraft and pressed his attack. Despite a continuing hail of antiaircraft fire, deadly surface-to-air missiles, and counterattacks by MIG interceptors, Major Dethlefsen flew repeated close range strikes to silence the enemy defensive positions with bombs and cannon fire. His action in rendering ineffective the defensive SAM and antiaircraft artillery sites enabled the ensuing fighter bombers to strike successfully the important industrial target without loss or damage to their aircraft, thereby appreciably reducing the enemy's ability to provide essential war material. Major Dethlefsen's conspicuous gallantry, consummate skill and selfless dedication to this significant mission were in keeping with the highest traditions of the United States Air Force and reflect great credit upon himself and the armed forces of his country.

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[February 7, 1968]

SGT. DONALD R. LONG, U.S. ARMY, POSTHUMOUSLY

This award recognizes Sergeant Long's heroic actions during a reconnaissance mission near Srok Dong, Republic of Vietnam, on June 30, 1966.

Sergeant Long was serving as assistant to the platoon leader, Troop C, 1st Squadron, 4th Cavalry, 1st Infantry Division when his unit was attacked by a heavily supported Viet Cong Regiment. He inspired his comrades by repeatedly exposing himself to enemy fire while assisting the wounded and by fearlessly standing unprotected to repel the attackers with rifle fire and grenades. When an enemy grenade was hurled onto the deck of his Armored Personnel Carrier he immediately shouted a warning and pushed to safety a man who had not heard. Realizing that these actions would not fully protect the exposed crewmen, Sergeant Long threw himself over the grenade to absorb the blast and thereby saved the lives of eight of his comrades at the expense of his own life.

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[February 15, 1968]

PFC. LEWIS ALBANESE, U.S. ARMY, POSTHUMOUSLY

This award recognizes Private Albanese's heroic actions during a platoon assault on an enemy position near Phu Muu II, Republic of Vietnam, on December 1, 1966.

At the time of the action Private Albanese was providing security for the left flank of the 2d Platoon, Company B, 5th Battalion, 7th Cavalry, 1st Cavalry Division, Airmobile) when his unit came under intense automatic weapons fire from very close range. Heavy fire from the left flank of the platoon prompted Private Albanese to fix his bayonet and move aggressively into a well organized complex of enemy defenses. Disregarding the danger to himself, he advanced 100 meters along the ditch and killed six snipers armed with automatic weapons. When his ammunition was exhausted, he engaged and killed two more enemy soldiers in fierce hand to hand combat. In this fight, which saved the lives of many members of his platoon who otherwise would have fallen to the sniper fire from the ditch, Private Albanese was mortally wounded.

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[March 12, 1968]

SECOND LT. JOHN J. MCGINTY III, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Acting Platoon Leader, First Platoon, Company K, Third Battalion, Fourth Marines, Third Marine Division, in the Republic of Vietnam on 18 July 1966, Second Lieutenant (then Staff Sergeant) McGinty's platoon, which was providing rear security to protect the withdrawal of the Battalion from a position which had been under attack for three days, came under heavy small arms, automatic weapons and mortar fire from an estimated enemy regiment. With each successive human wave which assaulted his thirty-

two-man platoon during the four-hour battle, Second Lieutenant McGinty rallied his men to beat off the enemy. In one bitter assault, two of the squads became separated from the remainder of the platoon. With complete disregard for his safety, Second Lieutenant McGinty charged through intense automatic weapons and mortar fire to their position. Finding twenty men wounded and the Medical Corpsman killed, he quickly reloaded ammunition magazines and weapons for the wounded men and directed their fire upon the enemy. Although he was painfully wounded as he moved to care for the disabled men, he continued to shout encouragement to his troops and to direct their fire so effectively that the attacking hordes were beaten off. When the enemy tried to out-flank his position, he killed five of them at point-blank range with his pistol. When they again seemed on the verge of over-running the small force, he skillfully adjusted artillery and air strikes within fifty yards of his position. This destructive fire power routed the enemy, who left an estimated 500 bodies on the battlefield. Second Lieutenant McGinty's personal heroism, indomitable leadership, selfless devotion to duty, and bold fighting spirit inspired his men to resist the repeated attacks by a fanatical enemy, reflected great credit upon himself, and upheld the highest traditions of the Marine Corps and the United States Naval Service.

[April 16, 1968]

PFC. DOUGLAS E. DICKEY, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving with the Second Platoon, Company C, First Battalion, Fourth Marines, Third Marine Division in the Republic of Vietnam on 26 March 1967. While participating in Operation Beacon Hill 1, the Second Platoon was engaged in a fierce battle with the Viet Cong at close range in dense jungle foliage. Private First Class Dickey had come forward to replace a radio operator who had been wounded in this intense action and was being treated by a medical corpsman. Suddenly an enemy grenade landed in the midst of a group of Marines, which included the wounded radio operator who was immobilized. Fully realizing the inevitable result of his actions, Private First Class Dickey, in a final valiant act, quickly and unhesitatingly threw himself upon the deadly grenade, absorbing with his own body the full and complete force of the explosion. Private First Class Dickey's personal heroism, extraordinary valor and selfless courage saved a number of his comrades from certain injury and possible death at the cost of his own life. His actions reflected great credit upon himself, the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

[May 1, 1968]

SGT. JOHN F. BAKER, JR., U.S. ARMY

Sergeant John F. Baker, Jr., (then Private First Class) greatly distinguished himself on 5 November 1966 while serving with Company A, 2d Battalion, 27th Infantry, on a combat operation in the Republic of Vietnam. Enroute to assist another unit that was engaged with the enemy, Company A came under intense enemy fire and the lead man was killed instantly. Sergeant Baker immediately moved to the head of the column and together with another soldier knocked out two enemy bunkers. When his comrade was mortally wounded, Sergeant Baker, spotting four Viet Cong snipers, killed all of them, evacuated the fallen soldier and returned to lead repeated assaults against the enemy positions, killing several more Viet Cong. Moving to attack two additional enemy bunkers, he and another soldier drew intense enemy fire and Sergeant Baker was blown from his feet by an enemy grenade. He quickly recovered and singlehandedly destroyed one bunker before the other soldier was wounded. Seizing his fallen comrade's machine gun, Sergeant Baker charged through the deadly fusillade to silence the other bunker. He evacuated his comrade, replenished his ammunition and returned to the forefront to brave the enemy fire and continue the fight. When the forward element was ordered to withdraw, he carried one wounded man to the rear. As he returned to evacuate another soldier, he was taken under fire by snipers, but raced beyond the friendly troops to attack and kill the snipers. After evacuating the wounded man, he returned to cover the deployment of the unit. His ammunition now exhausted, he dragged two more of his fallen comrades to the rear. Sergeant Baker's selfless heroism, indomintable fighting spirit, and extraordinary gallantry were responsible for saving the lives of several of his comrades, and inflicting serious damage on the enemy. His acts were in keeping with the highest traditions of the United States Army and reflect great credit upon himself and the Armed Forces of his country.

[May 1, 1968]

CAPT. ROBERT F. FOLEY, U.S. ARMY

On 5 November 1966, while serving as Commander, Company A, 2nd Battalion, 27th Infantry, near Quan Dau Tieng, Republic of Vietnam, Captain Foley's company was ordered to extricate another company of the Battalion. Moving through the dense jungle to aid the besieged unit, Company A encountered a strong enemy force occupying well concealed, defensive positions, and the company's leading element quickly sustained several casualties. Captain Foley immediately ran forward to the scene of most intense action to direct the company's efforts. Deploying one platoon on the flank, he led the other two platoons in an attack on the enemy in face of intense fire. During this action both radio operators accompanying him were wounded. At grave risk to himself he defied the enemy's murderous fire, and helped the wounded operators to a position where they could receive medical care. As he moved forward again one of his machine gun crews was wounded. Seizing the weapon, he charged forward firing the machine gun, shouting orders and rallying his men thus maintaining the momentum of the attack. Under increasingly heavy enemy fire he ordered his assistant to take cover and, alone, Captain Foley continued to advance firing the machine gun until the wounded had been evacuated and the attack in this area could be resumed. When movement on the other flank was halted by the enemy's fanatical defense, Captain Foley moved to personally direct this critical phase of the battle. Leading the renewed effort he was blown off his feet and wounded by an enemy grenade. Despite his painful wounds he refused medical aid and persevered in the forefront of the attack on the enemy redoubt. He led the assault on several enemy gun emplacements and, singlehandedly, destroyed three such positions. His outstanding personal leadership, under intense enemy fire during the fierce battle which lasted for several hours, inspired his men to heroic efforts and was instrumental in the ultimate success of the operation. Captain Foley's magnificent courage, selfless concern for his men and professional skill reflect the utmost credit upon himself and the United States Army.

[May 14, 1968]

CAPT. GERALD O. YOUNG, U.S. AIR FORCE

Captain Young distinguished himself on 9 November 1967 while serving as a Helicopter Rescue Crew Commander in Southeast Asia. Captain Young was flying escort for another Helicopter attempting the night rescue of an Army ground reconnaissance team in imminent danger of death or capture. Previous attempts had resulted in the loss of two helicopters to hostile ground fire. The endangered team was positioned on the side of a steep slope which required unusual airmanship on the part of Captain Young to effect pickup. Heavy automatic weapons fire from the surrounding enemy severely damaged one rescue helicopter, but it was able to extract three of the team. The commander of this aircraft recommended to Captain Young that further rescue attempts be abandoned because it was not possible to suppress the concentrated fire from enemy automatic weapons. With full knowledge of the danger involved, and the fact that supporting helicopter gunships were low on fuel and ordnance, Captain Young hovered under intense fire until the remaining survivors were aboard. As he maneuvered the aircraft for take-off, the enemy appeared at point blank range and raked the aircraft with automatic weapons fire. The aircraft crashed, inverted, and burst into flames. Captain Young escaped through a window of the burning aircraft. Disregarding serious burns, Captain Young aided one of the wounded men and then attempted to lead the hostile forces away from his position. Later, despite intense pain from his burns, he declined to accept rescue because he had observed hostile forces setting up automatic weapons positions to entrap any rescue aircraft. For more than 17 hours he evaded the enemy until rescue aircraft could be brought into the area. Through his extraordinary heroism, aggressiveness, and concern for his fellowman, Captain Young reflected the highest credit upon himself, the United States Air Force, and the armed forces of his country.

[May 14, 1968]

SGT. RICHARD A. PITTMAN, UNITED STATES MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a member of First Platoon, Company I, Third Battalion, Fifth Marines during combat operations near the Demilitarized Zone, Republic of Vietnam. On 24 July 1966, while Company I was conducting an operation along the axis of a narrow jungle trail, the leading company elements suffered numerous casualties when they suddenly came under heavy fire from a well concealed and numerically superior enemy force. Hearing the engaged Marines' calls for more firepower, Sergeant (then Lance Corporal) Pittman quickly exchanged his rifle for a machine gun and several belts of ammunition, left the relative safety of his platoon, and unhesitatingly rushed forward to aid his comrades. Taken under intense enemy small-arms fire at point blank range during his advance, he returned the fire silencing the enemy positions. As Sergeant Pittman continued to forge forward to aid members of the leading platoon, he again came under heavy fire from two automatic weapons which he promptly destroyed. Learning that there were additional wounded Marines fifty yards further along the trail, he braved a withering hail of enemy mortar and small-arms fire to continue onward. As he reached the position where the leading Marines had fallen, he was suddenly confronted with a bold frontal attack by 30 to 40 enemy. Totally disregarding his own safety, he calmly established a position in the middle of the trail and raked the advancing enemy with devastating machine-gun fire. His weapon rendered ineffective, he picked up an enemy submachine gun and, together with a pistol seized from a fallen comrade, continued his lethal fire until the enemy force had withdrawn. Having exhausted his ammunition except for a grenade which he hurled at the enemy, he then rejoined his own platoon. Sergeant

Pittman's daring initiative, bold fighting spirit and selfless devotion to duty inflicted many enemy casualties, disrupted the enemy attack and saved the lives of many of his wounded comrades. His personal valor at grave risk to himself reflects the highest credit upon himself, the Marine Corps and the United States Naval Service.

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[May 14, 1968]

BOATSWAIN'S MATE 1C. JAMES E. WILLIAMS, U.S. NAVY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a member of River Section 531 during combat operations on the Mekong River in the Republic of Vietnam. On 31 October 1966, Petty Officer Williams was serving as Boat Captain and Patrol Officer aboard River Patrol Boat (PBR) 105 accompanied by another patrol boat when the patrol was suddenly taken under fire by two enemy sampans. Petty Officer Williams immediately ordered the fire returned, killing the crew of one enemy boat and causing the other sampan to take refuge in a nearby river inlet. Pursuing the fleeing sampan, the U.S. patrol encountered a heavy volume of small arms fire from enemy forces, at close range, occupying well-concealed positions along the river bank. Maneuvering through this fire, the patrol confronted a numerically superior enemy force aboard two enemy junks and eight sampans augmented by heavy automatic weapons fire from ashore. In the savage battle that ensued, Petty Officer Williams, with utter disregard for his own safety, exposed himself to the withering hail of enemy fire to direct counter-fire and inspire the actions of his patrol. Recognizing the overwhelming strength of the enemy force, Petty Officer Williams deployed his patrol to await the arrival of armed helicopters. In the course of his movement he discovered an even larger concentration of enemy boats. Not waiting for the arrival of the armed helicopters, he displayed great initiative and boldly led the patrol through the intense enemy fire and damaged or destroyed fifty enemy sampans and seven junks. This phase of the action completed, and with the arrival of the armed helicopters, Petty Officer Williams directed the attack on the remaining enemy force. Now virtually dark, and although Petty Officer Williams was aware that his boats would become even better targets, he ordered the patrol boats' search lights turned on to better illuminate the area and moved the patrol perilously close to shore to press the attack. Despite a waning supply of ammunition the patrol successfully engaged the enemy ashore and completed the rout of the enemy force. Under the leadership of Petty Officer Williams, who demonstrated unusual professional skill and indomitable courage throughout the three hour battle, the patrol accounted for the destruction or loss of sixty-five enemy boats and inflicted numerous casualities on the enemy personnel. His extraordinary heroism and exemplary fighting spirit in the face of grave risks inspired the efforts of his men to defeat a larger enemy force, and are in keeping with the finest traditions of the United States Naval Service.

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[May 14, 1968]

SP5C. CHARLES C. HAGEMEISTER, U.S. ARMY

Specialist Five (then Specialist Four) Charles C. Hagemeister, distinguished himself at the risk of his life above and beyond the call of duty on 20 March 1967, while serving as a Medical Aidman, Company A., 1st Battalion, 5th Cavalry. While conducting combat operations against a hostile force in Binh Dinh Province, Republic of Vietnam, Specialist Hagemeister's platoon suddenly came under heavy attack from three sides by an enemy force occupying well concealed, fortified positions and supported by machine guns and mortars. Seeing two of his comrades seriously wounded in the initial action. Specialist Hagemeister unhesitatingly and with total disregard for his own safety, raced through the deadly hail of enemy fire to provide them medical aid. Upon learning that the platoon leader and several other soldiers also had been wounded, Specialist Hagemeister continued to brave the withering enemy fire and crawled forward to render lifesaving treatment and to offer words of encouragement. Attempting to avacuate the seriously wounded soldiers. Specialist Hagemeister was taken under fire at close range by an enemy sniper. Realizing that the lives of his fellow soldiers depended on his actions, Specialist Hagemeister seized a rifle from a fallen comrade, killed the sniper, three other enemy soldiers who were attempting to encircle his position and silenced an enemy machine gun that covered the area with deadly fire. Unable to remove the wounded to a less exposed location and aware of the enemy's efforts to isolate his unit, he dashed through the fusillade of fire to secure help from a nearby platoon. Returning with help, he placed men in positions to cover his advance as he moved to evacuate the wounded forward of his location. These efforts successfully completed, he then moved to the other flank and evacuated additional wounded men despite the fact that his every move drew fire from the enemy. Specialist Hagemeister's repeated heroic and selfless actions at the risk of his own life saved the lives of many of his comrades and inspired their actions in repelling the enemy assault. Specialist Hagemeister's conspicuous gallantry and indomitable courage are in the highest traditions of the United States Armed Forces and reflect great credit upon himself.

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[June 4, 1968]

SP4C. DONALD W. EVANS, JR., U.S. ARMY—POSTHUMOUSLY

Specialist Evans distinguished himself while serving as a medical aidman with Company A, 2d Battalion, 12th Infantry in combat operations north of Tri Tam, Republic of Vietnam on 27 January 1967. He left his position of relative safety with his platoon which had not yet been committed to the battle to answer the calls for medical aid from the wounded men of another platoon which was heavily engaged with the enemy force. Dashing across one hundred meters of open area through a withering hail of enemy fire and exploding grenades, he administered life saving treatment to one individual and continued to expose himself to the deadly enemy fire as he moved to treat each of the other wounded men and to offer them encouragement. Realizing that the wounds of one man required immediate attention, Specialist Evans dragged the injured soldier back across the dangerous fire-swept area, to a secure position from which he could be further evacuated. Miraculously escaping the enemy fusillade, Specialist Evans returned to the forward location. As he continued the treatment of the wounded, he was struck by fragments from an enemy grenade. Despite his serious and painful injury he succeeded in evacuating another wounded comrade, rejoined his platoon as it was committed to battle, and was soon treating other wounded soldiers. As he evacuated another wounded man across the fire covered field, he was severely wounded. Continuing to refuse medical attention and ignoring advice to remain behind, he managed with his waning strength to move yet another wounded comrade across the dangerous open area to safety. Disregarding his painful wounds and seriously weakened from profuse bleeding, he continued his life saving medical aid and was killed while treating another wounded comrade. Specialist Evans' extraordinary valor, dedication and indomitable spirit saved the lives of several of his fellow soldiers, served as an inspiration to the men of his company, were instrumental in the success of their mission, and reflect great credit upon himself and the Armed Forces of his country.

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[June 27, 1968]

1ST LT. GEORGE K. SISLER, U.S. ARMY—POSTHUMOUSLY

First Lieutenant Sisler, Headquarters and Headquarters Company, 5th Special Forces Group (Airborne), 1st Special Forces, distinguished himself by conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty in the Republic of Vietnam on February 7, 1967. Lieutenant Sisler was the platoon leader/advisor to a Special United States/Vietnam exploitation force. While on patrol deep within enemy dominated territory, Lieutenant Sisler's platoon was attacked from three sides by a company sized enemy force. Lieutenant Sisler quickly rallied his men, deployed them to a better defensive position, called for air strikes, and moved among his men to encourage and direct their efforts. Learning that two men had been wounded and were unable to pull back to the perimeter, Lieutenant Sisler charged from the position through intense enemy fire to assist them. He reached the men and began carrying one of them back to the perimeter, when he was taken under more intensive automatic weapons fire by the enemy. Laying down his wounded comrade, he killed three onrushing enemy soldiers by firing his rifle and silenced the enemy machine gun with a grenade. As he returned the wounded man to the perimeter, the left flank of the position came under extremely heavy attack by the superior enemy force and several additional men of his platoon were quickly wounded. Realizing the need for instant action to prevent his position from being overrun, Lieutenant Sisler picked up some grenades and charged single-handedly into the enemy onslaught, firing his weapon and throwing grenades. This singularly heroic action broke up the vicious assault and forced the enemy to begin withdrawing. Despite the continuing enemy fire, Lieutenant Sisler was moving about the battlefield directing air strikes upon the fleeing force when he fell mortally wounded. His extraordinary leadership, infinite courage, and selfless concern for his men saved the lives of a number of his comrades. His actions reflected great credit upon himself and uphold the highest traditions of the military service.

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[September 19, 1968]

1ST SGT. DAVID H. MCNERNEY, U.S. ARMY

On 22 March 1967, First Sergeant McNerney distinguished himself when his unit, Company A, 1st Battalion, 8th Infantry was attacked by a North Vietnamese battalion near Polci Doc, Republic of Vietnam. Running through the hail of enemy fire to the era of heaviest contact, he was assisting in the development of a defensive perimeter when he encountered several enemy at close range. He killed the enemy but was painfully injured when blown from his feet by a grenade. In spite of this injury, he assaulted and destroyed an enemy machine gun position that had pinned down five of his comrades beyond the defensive line. Upon learning his commander and artillery forward observer had been killed, he assumed command of the company. He adjusted artillery fire to within twenty meters of the position in a daring measure to repulse enemy assaults. When the smoke grenades used to mark the position were gone, he moved into a nearby clearing to designate the location to friendly aircraft. In spite of enemy fire he remained exposed until he was certain the position was spotted and then climbed into a tree and tied the identification panel to its highest branches. Then he moved among his men readjusting their position, encouraging the defenders and checking the

wounded. As the hostile assaults slackened, he began clearing a helicopter landing site to evacuate the wounded. When explosives were needed to remove large trees, he crawled outside the relative safety of his perimeter to collect demolition material from abandoned rucksacks. Moving through a fusillade of fire he returned with the explosives that were vital to the clearing of the landing zone. Disregarding the pain of his injury and refusing medical evacuation First Sergeant McNerney remained with his unit until the next day when the new commander arrived. First Sergeant McNerney's outstanding heroism and leadership were inspirational to his comrades. His actions were in keeping with the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

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[September 19, 1968]

SGT. LEONARD B. KELLER, U.S. ARMY

Sergeant Leonard B. Keller distinguished himself on 2 May 1967 as a machine gunner with Company A, 3d Battalion, 60th Infantry, 9th Infantry Division in the Ap Bac Zone, Republic of Vietnam. Sweeping through an area where an enemy ambush had occurred earlier, Sergeant Keller's unit suddenly came under intense automatic weapons and small arms fire from a number of enemy bunkers and numerous snipers in nearby trees. Sergeant Keller quickly moved to a position where he could fire at a bunker from which automatic weapons fire was received, killing one Viet Cong who attempted to escape. Leaping to the top of a dike, he and a comrade charged the enemy bunkers, dangerously exposing themselves to the enemy fire. Armed with a light machine gun, Sergeant Keller and his comrade began a systematic assault on the enemy bunkers. While Sergeant Keller neutralized the fire from the first bunker with his machine gun, the other soldier threw in a hand grenade killing its occupant. Then he and the other soldier charged a second bunker, killing its occupant. A third bunker contained an automatic rifleman who had pinned down much of the friendly platoon. Again, with utter disregard for the fire directed at them, the two men charged, killing the enemy within. Continuing their attack, Sergeant Keller and his comrade assaulted four more bunkers, killing the enemy within. During their furious assault, Sergeant Keller and his comrade had been almost continuously exposed to intense sniper fire as the enemy desperately sought to stop their attack. The ferocity of their assault had carried the soldiers beyond the line of bunkers into the treeline, forcing the snipers to flee. The two men gave immediate chase, driving the enemy away from the friendly unit. When his ammunition was exhausted, Sergeant Keller returned to the platoon to assist in the evacuation of the wounded. The two-man assault had driven an enemy platoon from a well prepared position, accounted for numerous enemy dead, and prevented further friendly casualties. Sergeant Keller's selfless heroism, indomitable fighting spirit, and extraordinary gallantry saved the lives of many of his comrades and inflicted serious damage on the enemy. His acts were in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

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[September 19, 1968]

S. SGT. KENNETH E. STUMPF, U.S. ARMY

Staff Sergeant Kenneth E. Stumpf (then Specialist Four) distinguished himself on 25 April 1967, while serving as a Squad Leader of the 3d Platoon, Company C, 1st Battalion, 35th Infantry, on a search and destroy mission near Duc Pho in the Republic of Vietnam. As Sergeant Stumpf's company approached a village, it encountered a North Vietnamese rifle company occupying a well fortified bunker complex. During the initial contact, three men from his squad fell wounded in front of a hostile machine gun emplacement. The enemy's heavy volume of fire prevented the unit from moving to the aid of the injured men, but Sergeant Stumpf left his secure position in a deep trench and ran through the barrage of incoming rounds to reach his wounded comrades. He picked up one of the men and carried him back to the safety of the trench. Twice more Sergeant Stumpf dashed forward while the enemy turned automatic weapons and machine guns on him, yet he managed to rescue the remaining two wounded squad members. He then organized his squad and led an assault against several enemy bunkers from which continuously heavy fire was being received. He and his squad successfully eliminated two of the bunker positions, but one to the front of the advancing platoon remained a serious threat. Arming himself with extra hand grenades, Sergeant Stumpf ran over open ground, through a volley of fire directed at him by a determined enemy, toward the machine gun position. As he reached the bunker, he threw a hand grenade through the aperture. It was immediately returned by the occupants, forcing Sergeant Stumpf to take cover. Undaunted, he pulled the pins on two more grenades, held them for a few seconds after activation, then hurled them into the position, this time successfully destroying the emplacement. With the elimination of this key position, his unit was able to assault and overrun the enemy. Sergeant Stumpf's relentless spirit of aggressiveness, intrepidity, and ultimate concern for the lives of his men, at the risk of his own life above and beyond the call of duty, are in the highest traditions of the military service and reflect great credit upon himself and the United States Army.

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[September 19, 1968]

SP4C. RAYMOND R. WRIGHT, U.S. ARMY

On 2 May 1967, while serving as a rifleman with Company A, 3d Battalion, 60th Infantry, 9th Infantry Division, in the Ap Bac Zone, Republic of Vietnam, Specialist Four Raymond R. Wright distinguished himself during a combat patrol in an area where an enemy ambush had occurred earlier. Specialist Wright's unit suddenly came under intense automatic weapons and small arms fire from an enemy bunker system protected by numerous snipers in nearby trees. Despite the heavy enemy fire, Specialist Wright and another soldier leaped to the top of a dike to assault the position. Armed with a rifle and several grenades, he and his comrade exposed themselves to intense fire from the bunkers as they charged the nearest one. Specialist Wright raced to the bunker, threw in a grenade, killing its occupant. The two soldiers then ran through a hail of fire to the second bunker. While his comrade covered him with his machine gun, Specialist Wright charged the bunker and succeeded in killing its occupant with a grenade. A third bunker contained an automatic rifleman who had pinned down much of the friendly platoon. While his comrade again covered him with machine gun fire, Specialist Wright charged in and killed the enemy rifleman with a grenade. The two soldiers worked their way through the remaining bunkers, knocking out four of them. Throughout their furious assault, Specialist Wright and his comrade had been almost continuously exposed to intense sniper fire from the treeline as the enemy desperately sought to stop their attack. Overcoming stubborn resistance from the bunker system, the men advanced into the treeline forcing the snipers to retreat, giving immediate chase, and driving the enemy away from the friendly unit so that it advanced across the open area without further casualty. When his ammunition was exhausted, Specialist Wright returned to his unit to assist in the evacuation of the wounded. This two-man assault had driven an enemy platoon from a well prepared position, accounted for numerous enemy casualties, and averted further friendly casualties. Specialist Wright's extraordinary heroism, courage, and indomitable fighting spirit saved the lives of many of his comrades and inflicted serious damage on the enemy. His acts were in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

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[September 3, 1968]

STAFF SGT. DELBERT O. JENNINGS, U.S. ARMY

Staff Sergeant Delbert O. Jennings distinguished himself with Company C, 1st Battalion (Airborne), 12th Cavalry, 1st Air Cavalry Division, in Kim Song Valley, Republic of Vietnam, on 27 December 1966. Part of Company C was defending an artillery position when attacked by a North Vietnamese Army regiment supported by mortar, recoilless-rifle, and machine gun fire. At the outset, Sergeant Jennings sprang to his bunker, astride the main attack route, and slowed the on-coming enemy wave with highly effective machine gun fire. Despite a tenacious defense in which he killed at least twelve enemy, his squad was forced to the rear. After covering the withdrawal of the squad, he rejoined his men, destroyed an enemy demolition crew about to blow up a nearby howitzer, and killed three enemy at his initial bunker position. Ordering his men back into a secondary position, he again covered their withdrawal, killing one enemy with the butt of his weapon. Observing that some of the defenders were unaware of an enemy force in their rear, he raced through a fire swept area to warn the men, turn their fire on the enemy, and lead them into the secondary perimeter. Assisting in the defense of the new position, he aided the air-landing of reinforcements by throwing white phosphorous grenades on the landing zone despite dangerously silhouetting himself with the light. After helping to repulse the final enemy assaults, he led a group of volunteers well beyond friendly lines to an area where eight seriously wounded men lay. Braving enemy sniper fire and ignoring the presence of booby traps in the area, they recovered the eight men who would have probably perished without early medical treatment. Sergeant Jennings' extraordinary heroism and inspirational leadership saved the lives of many of his comrades and contributed greatly to the defeat of a superior enemy force. His actions stand with the highest traditions of the military profession and reflect great credit upon himself, his unit, and the United States Army.

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[October 3, 1968]

PLATOON SGT. ELMELINDO R. SMITH, U.S. ARMY—POSTHUMOUSLY

Platoon Sergeant Elmelindo R. Smith (then Staff Sergeant), distinguished himself with the 1st Platoon, Company C, 2d Battalion, 8th Infantry during combat operations in the Republic of Vietnam on 16 February 1967. During a reconnaissance patrol, his platoon was suddenly engaged by intense machine gun fire hemming in the platoon on three sides. A defensive perimeter was hastily established, but the enemy added mortar and rocket fire to the deadly fusillade and assaulted the position from several directions. With complete disregard for his own safety, Sergeant Smith moved through the deadly fire along the defensive line, positioning soldiers, distributing ammunition and encouraging his men to repel the enemy attack. Struck to the ground by enemy fire which caused a severe shoulder wound, he regained

his feet, killed the enemy soldier and continued to move about the perimeter. He was again wounded in the shoulder and stomach but continued moving on his knees to assist in the defense. Noting the enemy massing at a weakened point on the perimeter, he crawled into the open and poured deadly fire into the enemy ranks. As he crawled on, he was struck by a rocket. Moments later, he regained consciousness, and drawing on his fast dwindling strength, continued to crawl from man to man. When he could move no farther, he chose to remain in the open where he could alert the perimeter to the approaching enemy. Sergeant Smith perished, never relenting in his determined effort against the enemy. The valorous acts and heroic leadership of this outstanding soldier inspired those remaining members of his platoon to beat back the enemy assaults. Sergeant Smith's gallant actions were in keeping with the highest traditions of the United States Army and they reflect great credit upon him and the armed forces of his country.

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[October 17, 1968]

PFC. JAMES H. MONROE, U.S. ARMY—POSTHUMOUSLY

Private First Class James H. Monroe distinguished himself on 16 February 1967 while serving as a medical aidman with the 1st Platoon, Company C, 1st Battalion, 8th Cavalry, in the vicinity of Bong Son, Hoai Nhon Province, Republic of Vietnam. His platoon was deployed in a night ambush when the position was suddenly subjected to an intense and accurate grenade attack, and one foxhole was hit immediately. Responding without hesitation to the calls for help from the wounded men Private Monroe moved forward through heavy small arms fire to the foxhole but found that all of the men had expired. He turned immediately and crawled back through the deadly hail of fire toward other calls for aid. He moved to the platoon sergeant's position where he found the radio operator bleeding profusely from fragmentation and bullet wounds. Ignoring the continuing enemy attack, Private Monroe began treating the wounded man when he saw a live grenade fall directly in front of the position. He shouted a warning to all those nearby, pushed the wounded radio operator and the platoon sergeant to one side, and lunged forward to smother the grenade's blast with his body. Through his valorous actions, performed in a flash of inspired selflessness, Private Monroe saved the lives of two of his comrades and prevented the probable injury of several others. His conspicuous gallantry and intrepidity above and beyond the call of duty were in the highest traditions of the United States Army, and reflect great credit upon himself and the armed forces of his country.

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[October 22, 1968]

PFC. GARY W. MARTINI, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a rifleman, Company F, Second Battalion, First Marines, First Marine Division in the Republic of Vietnam. On April 21, 1967, during Operation UNION, elements of Company F. conducting offensive operations at Binh Son, encountered a firmly entrenched enemy force and immediately deployed to engage them. The Marines in Private Martini's platoon assaulted across an open rice paddy to within twenty meters of the enemy trench line where they were suddenly struck by hand grenades, intense small arms, automatic weapons, and mortar fire. The enemy onslaught killed 14 and wounded 18 Marines, pinning the remainder of the platoon down behind a low paddy dike. In the face of imminent danger, Private Martini immediately crawled over the dike to a forward open area within 15 meters of the enemy position where, continuously exposed to the hostile fire, he hurled hand grenades, killing several of the enemy. Crawling back through the intense fire, he rejoined his platoon which had moved to the relative safety of a trench line. From this position he observed several of his wounded comrades lying helpless in the fire swept paddy. Although he knew that one man had been killed attempting to assist the wounded, Private Martini raced through the open area and dragged a comrade back to a friendly position. In spite of a serious wound received during this first daring rescue, he again braved the unrelenting fury of the enemy fire to aid another companion lying wounded only twenty meters in front of the enemy trench line. As he reached the fallen Marine, he received a mortal wound, but disregarding his own condition, he began to drag the Marine toward his platoon's position. Observing men from his unit attempting to leave the security of their position to aid him, concerned only for their safety, he called to them to remain under cover, and through a final supreme effort, moved his injured comrade to where he could be pulled to safety, before he fell, succumbing to his wounds. Stouthearted and indomitable, Private Martini unhesitatingly yielded his life to save two of his comrades and insure the safety of the remainder of his platoon. His outstanding courage, valiant fighting spirit and selfless devotion to duty reflected the highest credit upon himself, the Marine Corps, and the United States Naval Service. He gallantly gave his life for his country.

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[October 29, 1968]

CAPT. JAMES A. GRAHAM, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Commanding Officer, Company F, Second Battalion, Fifth Marines, First Marine Division, in the Republic of Vietnam on 2 June 1967. During Operation UNION II, the First Battalion, Fifth Marines, consisting of Companies A and D, with Captain Graham's company attached launched an attack against an enemy occupied position, with two companies assaulting and one in reserve, Company F, a leading company, was proceeding across a clear paddy area one thousand meters wide, attacking toward the assigned objective, when it came under heavy fire from mortars and small arms which immediately inflicted a large number of casualties. Hardest hit by the enemy fire was the second platoon of Company F, which was pinned down in the open paddy area by intense fire from two concealed machineguns. Forming an assault unit from members of his small company headquarters. Captain Graham boldly led a fierce assault through the second platoon's position, forcing the enemy to abandon the first machinegun position, thereby relieving some of the pressure on his second platoon, and enabling evacuation of the wounded to a more secure area. Resolute to silence the second machinegun, which continued its devastating fire, Captain Graham's small force stood steadfast in its hard won enclave. Subsequently, during the afternoon's fierce fighting, he suffered two minor wounds while personally accounting for an estimated fifteen enemy killed. With the enemy position remaining invincible upon each attempt to withdraw to friendly lines, and although knowing that he had no chance of survival, he chose to remain with one man who could not be moved due to the seriousness of his wounds. This last radio transmission from Captain Graham reported that he was being assaulted by a force of twenty-five enemy; he died while protecting himself and the wounded man he chose not to abandon. Captain Graham's actions throughout the day were a series of heroic achievements. His outstanding courage, superb leadership and indomitable fighting spirit undoubtedly saved the second platoon from annihilation and reflected great credit upon himself, the Marine Corps, and the United States Naval Service. He gallantly gave his life for his country.

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[October 31, 1968]

FIRST SGT. MAXIMO YABES, U.S. ARMY—POSTHUMOUSLY

On 26 February 1967, First Sergeant Yabes distinguished himself with Company A, 4th Battalion, 9th Infantry, which was providing security for a land clearing operation near Phu Hoa Dong, Republic of Vietnam. Early that morning the company suddenly came under intense automatic weapons and mortar fire followed by a battalion sized assault from three sides. Penetrating the defensive perimeter the enemy advanced on the company command post bunker. The command post received increasingly heavy fire and was in danger of being overwhelmed. When several enemy grenades landed within the command post, First Sergeant Yabes shouted a warning and used his body as a shield to protect others in the bunker. Although painfully wounded by numerous grenade fragments, and despite the vicious enemy fire on the bunker, he remained there to provide covering fire and enable the others in the command group to relocate. When the command group had reached a new position, First Sergeant Yabes moved through a withering hail of enemy fire to another bunker 50 meters away. There he secured a grenade launcher from a fallen comrade and fired point blank into the attacking Viet Cong stopping further penetration of the perimeter. Noting two wounded men helpless in the fire swept area, he moved them to a safer position where they could be given medical treatment. He resumed his accurate and effective fire killing several enemy soldiers and forcing others to withdraw from the vicinity of the command post. As the battle continued, he observed an enemy machine gun within the perimeter which threatened the whole position. On his own, he dashed across the exposed area, assaulted the machine gun, killed the crew, destroyed the weapon, and fell mortally wounded. First Sergeant Yabes valiant and selfless actions saved the lives of many of his fellow soldiers and inspired his comrades to effectively repel the enemy assault. His indomitable fighting spirit, extraordinary courage and intrepidity at the cost of his own life are in the highest military traditions and reflect great credit upon himself and the Armed Forces of his country.

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[December 19, 1968]

PLATOON SGT. MATTHEW LEONARD, U.S. ARMY—POSTHUMOUSLY

Platoon Sergeant Leonard distinguished himself during combat operations with Company B, 1st Battalion, 16th Infantry, near Suoi Da, Republic of Vietnam, on 28 February 1967. His platoon was suddenly attacked by a large enemy force employing small arms, automatic weapons, and hand grenades. Although the platoon leader and several other key leaders were among the first wounded, Sergeant Leonard quickly rallied his men to throw back the initial enemy assaults. During the short pause that followed, he organized a defensive perimeter, redistributed ammunition, and inspired his comrades through his forceful leadership and words of encouragement. Noticing a wounded companion outside the perimeter, he dragged the man to safety but was struck by a sniper's bullet which shattered his left hand. Refusing medical attention and continuously exposing himself to the increasing fire as the enemy again assaulted the perimeter, Sergeant Leonard moved from position to position to direct the fire of his men against

the well camouflaged foe. Under the cover of the main attack, the enemy moved a machine gun into a location where it could sweep the entire perimeter. This threat was magnified when the platoon machine gun in this area malfunctioned. Sergeant Leonard quickly crawled to the gun position and was helping to clear the malfunction when the gunner and other men in the vicinity were wounded by fire from the enemy machine gun. Sergeant Leonard rose to his feet, charged the enemy gun, and destroyed the hostile crew despite being hit several times by enemy fire. He moved to a tree, propped himself against it, and continued to engage the enemy until he succumbed to his many wounds. His fighting spirit, heroic leadership, and valiant acts inspired the remaining members of his platoon to hold back the enemy until assistance arrived. Sergeant Leonard's profound courage and devotion to his men are in keeping with the highest traditions of the military service, and his gallant actions reflect great credit upon himself and the United States Army.

[January 7, 1969]

CHAPLAIN LT. VINCENT R. CAPODANNO, U.S. NAVY—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Chaplain of the 3rd Battalion, 5th Marines, 1st Marine Division (Rein), FMF, in connection with operations against enemy forces in Quang Tin Province, Republic of Vietnam on 4 September 1967. In response to reports that the 2nd Platoon of M Company was in danger of being overrun by a massed enemy assaulting force, Lieutenant Capodanno left the relative safety of the Company Command Post and ran through an open area raked with fire, directly to the beleaguered platoon. Disregarding the intense enemy small-arms, automatic-weapons, and mortar fire, he moved about the battlefield administering last rites to the dying and giving medical aid to the wounded. When an exploding mortar round inflicted painful multiple wounds to his arms and legs, and severed a portion of his right hand, he steadfastly refused all medical aid. Instead, he directed the corpsmen to help their wounded comrades and, with calm vigor, continued to move about the battlefield as he provided encouragement by voice and example to the valiant Marines. Upon encountering a wounded corpsman in the direct line of fire of an enemy machine gunner positioned approximately fifteen yards away, Lieutenant Capodanno rushed forward in a daring attempt to aid and assist the mortally wounded corpsman. At that instant, only inches from his goal, he was struck down by a burst of machine-gun fire. By his heroic conduct on the battlefield, and his inspiring example, Lieutenant Capodanno upheld the finest traditions of the United States Naval Service. He gallantly gave his life in the cause of freedom.

[January 9, 1969]

FIRST LT. STEPHEN E. KAROPCZYC, U.S. ARMY—POSTHUMOUSLY

While leading the 3d Platoon, Company A, 2d Battalion, 35th Infantry, on a flanking maneuver against a superior enemy force in Kontum Province, Republic of Vietnam, on 12 March 1967, Lieutenant Karopczyc observed that his lead element was engaged with a small enemy unit along his route. Aware of the importance of quickly pushing through to the main enemy force in order to provide relief for a hard-pressed friendly platoon, he dashed through the intense enemy fire into the open and hurled colored smoke grenades to designate the foe for attack by helicopter gunships. He moved among his men to embolden their advance, and he guided their attack by marking enemy locations with bursts of fire from his own weapon. His forceful leadership quickened the advance, forced the enemy to retreat, and allowed his unit to close with the main hostile force. Continuing the deployment of his platoon, he constantly exposed himself as he ran from man to man to give encouragement and to direct their efforts. A shot from an enemy sniper struck him above the heart but he refused aid for this serious injury, plugging the bleeding wound with his finger until it could be properly dressed. As the enemy strength mounted, he ordered his men to organize a defensive position in and around some abandoned bunkers where he conducted a defense against the increasingly strong enemy attacks. After several hours, a North Vietnamese soldier hurled a hand grenade to within a few feet of Lieutenant Karopczyc and two other wounded men. Although his position protected him, he leaped up to cover the deadly grenade with a steel helmet. It exploded to drive fragments into Lieutenant Karopczyc's legs, but his action prevented further injury to the two wounded men. Severely weakened by his multiple wounds, he continued to direct the actions of his men until he succumbed two hours later. Lieutenant Karopczyc's heroic leadership, unyielding perseverance, and selfless devotion to his men were directly responsible for the successful and spirited action of his platoon throughout the battle and are in keeping with the highest traditions of the United States Army.

[January 16, 1969]

LT. CLYDE E. LASSEN, U.S. NAVY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty on 19 June 1968 as pilot and aircraft commander of a search and rescue helicopter, attached to Helicopter Support Squadron Seven, Detachment One Hundred Four, embarked in U.S.S. Preble (DLG–15), during operations against enemy forces in North Vietnam. Launched shortly after midnight to attempt the rescue of two downed aviators, Lieutenant (then Lieutenant, Junior Grade) Lassen skillfully piloted his aircraft over unknown and hostile terrain to a steep tree-covered hill on which the survivors had been located. Although enemy fire was being directed at the helicopter, he initially landed in a clear area near the base of the hill, but, due to the dense undergrowth, the survivors could not reach the helicopter. With the aid of flare illumination, Lieutenant Lassen successfully accomplished a hover between two trees at the survivors' position. Illumination was abruptly lost as the last of the flares were expended, and the helicopter collided with a tree, commencing a sharp descent. Expertly righting his aircraft and maneuvering clear, Lieutenant Lassen remained in the area, determined to make another rescue attempt, and encouraged the downed aviators while awaiting resumption of flare illumination. After another unsuccessful, illuminated, rescue attempt, and with his fuel dangerously low and his aircraft significantly damaged, he launched again and commenced another approach in the face of the continuing enemy opposition. When flare illumination was again lost, Lieutenant Lassen, fully aware of the dangers in clearly revealing his position to the enemy, turned on his landing lights and completed the landing. On this attempt, the survivors were able to make their way to the helicopter. En route to the coast, Lieutenant Lassen encountered and successfully evaded additional hostile antiaircraft fire and, with fuel for only five minutes of flight remaining, landed safety aboard U.S.S. Jouett (DLG–29). His courageous and daring actions, determination, and extraordinary airmanship in the face of great risk sustain and enhance the finest traditions of the United States Naval Service.

[January 16, 1969]

MAJ. STEPHEN W. PLESS, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a helicopter gunship pilot attached to Marine Observation Squadron Six in action against enemy forces near Quang Ngai, Republic of Vietnam, on 19 August 1967. During an escort mission Major (then Captain) Pless monitored an emergency call that four American soldiers stranded on a nearby beach, were being overwhelmed by a large Viet Cong force. Major Pless flew to the scene and found 30 to 50 enemy soldiers in the open. Some of the enemy were bayoneting and beating the downed Americans. Major Pless displayed exceptional airmanship as he launched a devastating attack against the enemy force, killing or wounding many of the enemy and driving the remainder back into a treeline. His rocket and machinegun attacks were made at such low levels that the aircraft flew through debris created by explosions from its rockets. Seeing one of the wounded soldiers gesture for assistance, he maneuvered his helicopter into a position between the wounded men and the enemy, providing a shield which permitted his crew to retrieve the wounded. During the rescue the enemy directed intense fire at the helicopter and rushed the aircraft again and again, closing to within a few feet before being beaten back. When the wounded men were aboard, Major Pless maneuvered the helicopter out to sea. Before it became safely airborne, the overloaded aircraft settled four times into the water. Displaying superb airmanship, he finally got the helicopter aloft. Major Pless' extraordinary heroism coupled with his outstanding flying skill prevented the annihilation of the tiny force. His courageous actions reflect great credit upon himself and uphold the highest traditions of the Marine Corps and the United States Naval Service.

[January 16, 1969]

STAFF SGT. DREW D. DIX, U.S. ARMY

Staff Sergeant Drew D. Dix distinguished himself by exceptional heroism on 31 January and 1 February 1968 while serving as a unit adviser in Chau Phu, Chau Doc Province, Republic of Vietnam. Two heavily armed Viet Cong battalions attacked the Province capital city of Chau Phu on 31 January 1968, resulting in the complete breakdown and fragmentation of the defenses of the city. Sergeant Dix, with a patrol of Vietnamese soldiers, was recalled to assist in the defense of Chau Phu. Learning that a nurse was trapped in a house near the center of the city, Sergeant Dix organized a relief force, successfully rescued the nurse, and returned her to the safety of the Tactical Operations Center. Being informed of other trapped civilians located in a building which was under heavy mortar and small arms fire, Sergeant Dix then returned to the center of the city. Upon approaching a building, he was subjected to intense automatic rifle and machine gun fire from an unknown number of Viet Cong. He personally assaulted the building, killing six Viet Cong, and rescuing two Filipinos. The following day Sergeant Dix, still on his own volition, assembled a 20 man force and though under intense enemy fire cleared the Viet Cong out of the hotel, theater, and other adjacent buildings within the city. During this portion of the attack, Army Republic of Vietnam soldiers, inspired by the heroism and success of Sergeant Dix, rallied and commenced firing upon the Viet Cong. Sergeant Dix captured 20 prisoners including a high ranking Viet Cong official. He then attacked enemy troops who had entered the residence of the Deputy Province Chief and was successful in rescuing the official's wife and children. Sergeant Dix's personal heroic actions resulted in 14

confirmed Viet Cong killed in action and possibly 25 more, the capture of 20 prisoners, 15 weapons, and the rescue of the 14 United States and Free World civilians. The heroism of Sergeant Dix was in the highest tradition and reflects great credit upon the United States Army.

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[January 16, 1969]

LT. COL. JOE M. JACKSON, U.S. AIR FORCE

Colonel Jackson distinguished himself as pilot of a C–123 aircraft in the Republic of Vietnam, on 12 May 1968. On that date, Colonel Jackson volunteered to attempt the rescue of a three-man USAF Combat Control Team from the Special Forces Camp at Kham Duc. Hostile forces had overrun the forward outpost and established gun positions on the airstrip. They were raking the camp with small arms, mortars, light and heavy automatic weapons, and recoilless rifle fire. The camp was engulfed in flames and ammunition dumps were continuously exploding and littering the runway with debris. In addition, eight aircraft had been destroyed by the intense enemy fire and one aircraft remained on the runway reducing its usable length to only 2200 feet. To further complicate the landing, the weather was deteriorating rapidly, thereby permitting only one airstrike prior to his landing. Although fully aware of the extreme danger and likely failure of such an attempt, Colonel Jackson elected to land his aircraft and attempt the rescue. Displaying superb airmanship and extraordinary heroism, he landed his aircraft near the point where the Combat Control Team was reported to be hiding. While on the ground, his aircraft was the target of intense hostile fire. A rocket landed in front of the nose of the aircraft but failed to explode. Once the Combat Control Team was aboard, Colonel Jackson succeeded in getting airborne despite the hostile fire directed across the runway in front of his aircraft. Colonel Jackson's conspicuous gallantry, his profound concern for his fellowmen, and his intrepidity at the risk of his life above and beyond the call of duty are in keeping with the highest traditions of the United States Air Force and reflect great credit upon himself and the armed forces of his country.

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SP4C. GEORGE ALAN INGALLS, U.S. ARMY—POSTHUMOUSLY

On 16 April 1967, Specialist Ingalls, a member of Company A, 2d Battalion, 5th Cavalry, 1st Cavalry Division (Airmobile), accompanied his squad on a night ambush mission near Duc Pho, Republic of Vietnam. Shortly after the ambush was established, an enemy soldier entered the killing zone and was shot when he tried to evade capture. Other enemy soldiers were expected to enter the area, and the ambush was maintained in the same location. Two quiet hours passed without incident, then suddenly a hand grenade was thrown from the nearby dense undergrowth into the center of the squad's position. The grenade did not explode, but shortly thereafter a second grenade landed directly between Specialist Ingalls and a nearby comrade. Although he could have jumped to a safe position, Specialist Ingalls, in a spontaneous act of great courage, threw himself on the grenade and absorbed its full blast. The explosion mortally wounded Specialist Ingalls, but his heroic action saved the lives of the remaining members of his squad. His gallantry and selfless devotion to his comrades are in keeping with the highest tradition of the military service and reflects great credit upon Specialist Ingalls, his unit, and the United States Army.

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[March 7, 1969]

SFC. FRED W. ZABITOSKY, U.S. ARMY

Sergeant First Class (then Staff Sergeant) Fred W. Zabitosky, United States Army, distinguished himself by conspicuous gallantry and intrepidity, at the risk of his life, above and beyond the call of duty in the Republic of Vietnam, on 19 February 1968, while serving as an assistant team leader of a nine-man Special Forces long-rang reconnaissance patrol. Sergeant Zabitosky's patrol was operating deep within enemy controlled territory when they were attacked by a numerically superior North Vietnamese Army unit. Sergeant Zabitosky rallied his team members, deployed them into defensive positions, and, exposing himself to concentrated enemy automatic weapons fire, directed their return fire. Realizing the gravity of the situation. Sergeant Zabitosky ordered his patrol to move to a landing zone for helicopter extraction while he covered their withdrawal with rifle fire and grenades. Rejoining the patrol under increasing enemy pressure, he positioned each man in a tight perimeter defense and continually moved from man to man, encouraging them and controlling their defensive fire. Mainly due to his example, the outnumbered patrol maintained its precarious position until the arrival of tactical air support and a helicopter extraction team. As the rescue helicopters arrived, the determined North Vietnamese pressed their attack. Sergeant Zabitosky repeatedly exposed himself to their fire to adjust suppressive helicopter gunship fire around the landing zone. After boarding one of the rescue helicopters, he positioned himself in the door delivering fire on the enemy as the ship took off. The helicopter was engulfed in a hail of bullets and Sergeant Zabitosky was thrown from the craft as it spun out of control and crashed. Recovering consciousness, he ignored his extremely painful injuries and moved to the flaming wreckage. Heedless of the danger of exploding ordnance and fuel, he pulled the severely wounded pilot from the searing blaze and made repeated attempts to rescue his patrol members, but was driven back by the intense heat. Despite his own serious burns and crushed ribs, he carried and dragged the unconscious pilot through a curtain of enemy fire to within ten feet of a hovering rescue helicopter before collapsing. Sergeant Zabitosky's extraordinary heroism and devotion to duty were in keeping with the highest traditions of the military service and reflect great credit upon himself, has unit and the United States Army.

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[March 26, 1969]

SGT. RODEY M. DAVIS, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as the right guide of the Second Platoon, Company B, First Battalion, Fifth Marines, First Marine Division, in action against enemy forces in Quang Nam Province, Republic of Vietnam, on 6 September 1967. Elements of the Second Platoon were pinned down by a numerically superior force of attacking North Vietnamese Army Regulars. Remnants of the platoon were located in a trench line where Sergeant Davis was directing the fire of his men in an attempt to repel the enemy attack. Disregarding the enemy hand grenades and high volume of small arms and mortar fire, Sergeant Davis moved from man to man shouting words of encouragement to each of them while firing and throwing grenades at the onrushing enemy. When an enemy grenade landed in the trench in the midst of his men, Sergeant Davis, realizing the gravity of the situation, and in a final valiant act of complete self-sacrifice, instantly threw himself upon the grenade, absorbing with his own body the full and terrific force of the explosion. Through his extraordinary initiative and inspiring valor in the face of almost certain death, Sergeant Davis saved his comrades from injury and possible loss of life, enabled his platoon to hold its vital position, and upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

[May 17, 1969]

SP4C. THOMAS J. KINSMAN, U.S. ARMY

Specialist Four Thomas J. Kinsman (then Private First Class) distinguished himself by gallantry and intrepidity in action on the afternoon of 6 February 1968 while serving as a Rifleman with Company B, 3d Battalion, 60th Infantry, 9th Infantry Division, on a reconnaissance in force mission near the City of Vinh Long, in the Republic of Vietnam. As his company was proceeding up a narrow canal in armored troop carriers, it came under sudden and intense rocket, automatic weapons and small arms fire from a well entrenched Viet Cong force. The company immediately beached and began assaulting the enemy bunker complex. Hampered by exceedingly dense undergrowth which limited visibility to ten meters, a group of eight men became cut off from the main body of the company. As they were moving through heavy enemy fire to effect a link-up, an enemy soldier in a concealed position hurled a grenade into their midst. Specialist Kinsman immediately alerted his comrades of the danger, then unhesitatingly threw himself on the grenade and blocked the explosion with his body. As a result of his courageous action, he received severe head and chest wounds. Through his indomitable courage, complete disregard for his personal safety and profound concern for his fellow soldiers, Specialist Kinsman's conspicious gallantry and extraordinary heroism at the risk of his own life, above and beyond the call of duty, are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.

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[May 17, 1969]

CWO FREDERICK E. FERGUSON, U.S. ARMY

Chief Warrant Officer Frederick E. Ferguson, United States Army, distinguished himself by conspicuous gallantry and intrepidity while serving with Company C, 227th Aviation Battalion, 1st Cavalry Division (Airmobile) at Hue, Republic of Vietnam. On 31 January 1968, Chief Warrant Officer Ferguson, commander of a resupply helicopter, monitoring an emergency call from wounded passengers and crewmen of a downed helicopter under heavy attack within the enemy controlled city of Hue, unhesitatingly volunteered to attempt evacuation. Despite warnings for all aircraft to stay clear of the area due to heavy anti-aircraft fire, Chief Warrant Officer Ferguson began a low-level flight at maximum airspeed along the Perfume River toward the tiny, isolated South Vietnamese Army compound in which the crash survivors had taken refuge. Coolly and skillfully maintaining his course in the face of intense, short range fire from enemy occupied buildings and boats, he displayed superior flying skill and tenacity of purpose by landing his aircraft in an extremely confined area in a blinding dust cloud under heavy mortar and small arms fire. Although the helicopter was severely damaged by mortar fragments during the loading of the wounded, Chief Warrant Officer Ferguson disregarded the damage and, taking off through the continuing hail of mortar fire, he flew his crippled aircraft on the return route through the rain of fire that he had experienced earlier and safely returned his wounded passengers to friendly control. Chief Warrant Officer Ferguson's extraordinary gallantry, determination and intrepidity saved the lives of five of his comrades. His actions are in the highest traditions of the military service and reflect great credit on himself and the United States Army.

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[May 23, 1969]

M. SGT. CHARLES E. HOSKING, JR., U.S. ARMY—POSTHUMOUSLY

Master Sergeant Charles E. Hosking, Jr. (then Sergeant First Class), Detachment A–302, Company A, 5th Special Forces Group

(Airborne) 1st Special Forces, greatly distinguished himself on 21 March 1967 while serving as Company Advisor in the III Corps Civilian Irregular Defense Group Reaction Battalion during combat operations in Don Luan District, Phuoc Long Province, Republic of Vietnam. A Viet Cong suspect was apprehended and subsequently identified as a Viet Cong sniper. While Sergeant Hosking was preparing the enemy for movement back to the base camp, the prisoner suddenly grabbed a hand grenade from Sergeant Hosking's belt, armed the grenade, and started running towards the Company Command Group which consisted of two Americans and two Vietnamese who were standing a few feet away. Instantly realizing that the enemy intended to kill the other men, Sergeant Hosking immediately leaped upon the Viet Cong's back. With utter disregard for his own personal safety, he grasped the Viet Cong in a "Bear Hug" forcing the grenade against the enemy soldier's chest. He then wrestled the Viet Cong to the ground and covered the enemy's body with his own until the grenade detonated. The blast instantly killed both Sergeant Hosking and the Viet Cong. By absorbing the full force of the exploding grenade with his own body and that of the enemy, he saved the other members of his Command Group from death or serious injury. Sergeant Hosking's conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty are in the highest tradition of the United States Army and reflect great credit upon himself and the armed forces of his country.

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[May 23, 1969]

SP4C. DON L. MICHAEL, U.S. ARMY—POSTHUMOUSLY

Specialist Four Don L. Michael, U.S. Army, distinguished himself by conspicuous gallantry and intrepidity while serving with Company C, 4th Battalion, 503d Infantry, 173d Airborne Brigade, in the Republic of Vietnam. On 8 April 1697, Specialist Michael was part of a platoon which was moving through an area of suspected enemy activity. While the rest of the platoon stopped to provide security, the squad to which Specialist Michael was assigned moved forward to investigate signs of recent enemy activity. After moving approximately 125 meters, the squad encountered a single Viet Cong soldier. When he was fired upon by the squad's machinegunner, other Viet Cong opened fire with automatic weapons from a well-concealed bunker to the squad's right front. The volume of enemy fire was so withering as to pin down the entire squad and halt all forward movement. Realizing the gravity of the situation, Specialist Michael exposed himself to throw two grenades, but failed to eliminate the enemy position. From his position on the left flank, Specialist Michael maneuvered forward with two more grenades until he was within 20 meters of the enemy bunkers, when he again exposed himself to throw the grenades, which failed to detonate. Undaunted, Specialist Michael made his way back to the friendly positions to obtain more grenades. With two grenades in hand, he again started his perilous move towards the enemy bunker, which by this time was under intense artillery fire from friendly positions. As he neared the bunker, an enemy soldier attacked him from a concealed position. Specialist Michael killed him with his rifle and in spite of the enemy fire and the exploding artillery rounds, was successful in destroying the enemy position. Specialist Michael took up pursuit of the remnants of the retreating enemy. When his comrades reached Specialist Michael, he had been mortally wounded. His inspiring display of determination and courage saved the lives of many of his comrades and successively eliminated a destructive enemy force. Specialist Michael's actions were in keeping with the highest traditions of the military service and reflect the utmost credit upon himself and the United States Army.

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[June 20, 1969]

LARRY E. SMEDLEY, CPL., USMC—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a squad leader with Company D, First Battalion, Seventh Marines, First Marine Division, in connection with operations against the enemy in the Republic of Vietnam. On the evening of 20–21 December 1967, Corporal Smedley led his six-man squad to an ambush site at the mouth of Happy Valley, near Phouc Ninh (2) in Quang Nam Province. Later that night, an estimated 100 Viet Cong and North Vietnamese Army Regulars, carrying 122mm rocket launchers and mortars, were observed moving toward Hill 41. Realizing this was a significant enemy move to launch an attack on the vital Danang complex, Corporal Smedley immediately took sound and courageous action to stop the enemy threat. After he radioed for a reaction force, he skillfully maneuvered his men to a more advantageous position and led an attack on the numerically superior enemy force. A heavy volume of fire from an enemy machine gun positioned on the left flank of the squad inflicted several casualties on Corporal Smedley's unit. Simultaneously, an enemy rifle grenade exploded nearby, wounding him in the right foot and knocking him to the ground. Corporal Smedley disregarded this serious injury and valiantly struggled to his feet, shouting words of encouragement to his men. He fearlessly led a charge against the enemy machine gun emplacement, firing his rifle and throwing grenades, until he was again struck by enemy fire and knocked to the ground. Gravely wounded and weak from loss of blood, he rose and commenced a one-man assault against the enemy position. Although his aggressive and singlehanded attack resulted in the destruction of the machine gun, he was struck in the chest by enemy fire and fell mortally wounded. Corporal Smedley's inspiring and courageous actions, bold initiative, and selfless devotion to duty in the face of certain death were in keeping with the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[June 20, 1969]

WILLIAM T. PERKINS, JR., CPL., USMC—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a combat photographer attached to Company C, First Battalion, First Marines, First Marine Division, in the Republic of Vietnam on 12 October 1967. During Operation MEDINA, a major reconnaissance in force southwest of Quang Tri, Company C made heavy combat contact with a numerically superior North Vietnamese Army Force estimated at from two to three companies. The focal point of the intense fighting was a helicopter landing zone which was also serving as the Command Post of Company C. In the course of a strong hostile attack, an enemy grenade landed in the immediate area occupied by Corporal Perkins and three other marines. Realizing the inherent danger, he shouted the warning, "Incoming Grenade" to his fellow marines, and in a valiant act of heroism, hurled himself upon the grenade absorbing the impact of the explosion with his own body, thereby saving the lives of his comrades at the cost of his own. Through his exceptional courage and inspiring valor in the face of certain death, Corporal Perkins reflected great credit upon himself and the Marine Corps and upheld the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

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[June 20, 1969]

PAUL H. FOSTER, SGT., USMC—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as an Artillery Liaison Operations Chief with the Second Battalion, Fourth Marines, Third Marine Division, near Con Thien in the Republic of Vietnam. In the early morning hours of 14 October 1967, the Second Battalion was occupying a defensive position which protected a bridge on the road leading from Con Thien to Cam Lo. Suddenly, the marines' position came under a heavy volume of mortar and artillery fire, followed by an aggressive enemy ground assault. In the ensuing engagement, the hostile force penetrated the perimeter and brought a heavy concentration of small arms, automatic weapons, and rocket fire to bear on the Battalion Command Post. Although his position in the Fire Support Coordination Center was dangerously exposed to enemy fire and he was wounded when an enemy hand grenade exploded near his position, Sergeant Foster resolutely continued to direct accurate mortar and artillery fire on the advancing North Vietnamese troops. As the attack continued, a hand grenade landed in the midst of Sergeant Foster and his five companions. Realizing the danger, he shouted a warning, threw his armored vest over the grenade, and unhesitatingly placed his own body over the armored vest. When the grenade exploded, Sergeant Foster absorbed the entire blast with his own body and was mortally wounded. His heroic actions undoubtedly saved his comrades from further injury or possible death. Sergeant Foster's courage, extraordinary heroism, and unfaltering devotion to duty reflected great credit upon himself and the Marine Corps and upheld the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

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[October 16, 1969]

SP5C. EDGAR L. MCWETHY, JR., U.S. ARMY—POSTHUMOUSLY

Serving as a medical aidman with Company B, 1st Battalion, 5th Cavalry, 1st Cavalry Division (Airmobile), in Binh Dinh Province, Republic of Vietnam, on 21 June 1967, Specialist McWethy accompanied his platoon to the site of a downed helicopter. Shortly after the platoon established a defensive perimeter around the aircraft, a large enemy force attacked the position from three sides with a heavy volume of automatic weapons fire and grenades. The platoon leader and his radio operator were wounded almost immediately, and Specialist McWethy rushed across the fire swept area to their assistance. Although he could not help the mortally wounded radio operator, Specialist McWethy's timely first aid enabled the platoon leader to retain command during this critical period. Hearing a call for aid, Specialist McWethy started across the open toward the injured men, but was wounded in the head and knocked to the ground. He regained his feet and continued on but was hit again, this time in the leg. Struggling onward despite his wounds, he gained the side of his comrades and treated their injuries. Observing another fallen rifleman lying in an exposed position raked by enemy fire, Specialist McWethy moved toward him without hesitation. Although the enemy fire wounded him a third time, Specialist McWethy reached his fallen companion. Though weakened and in extreme pain, Specialist McWethy gave the wounded man artificial respiration but suffered a fourth and fatal wound. Through his in-

domitable courage, complete disregard for his own safety, and demonstrated concern for his fellow soldiers, Specialist McWethy inspired the members of his platoon and contributed in great measure to their successful defense of the position and the ultimate rout of the enemy force. Specialist McWethy's profound sense of duty, bravery, and his willingness to accept extraordinary risks in order to help the men of his unit are characteristic of the highest traditions of the military service and reflect great credit upon himself and the United States Army.

[October 16, 1969]

SP4C. DALE E. WAYRYNEN, U.S. ARMY—POSTHUMOUSLY

Specialist Wayrynen distinguished himself with Company B, 2d Battalion, 502 Infantry, 1st Brigade, 101st Airborne Division, during combat operations on 18 May 1967 near Duc Pho, Quang Ngai Province, Republic of Vietnam. His platoon was assisting in the night evacuation of the wounded from an earlier enemy contact when the lead man of the unit met face to face with a Viet Cong soldier. The American's shouted warning also alerted the enemy who immediately swept the area with automatic weapons fire from a strongly built bunker close to the trail and threw hand grenades from another nearby fortified position. Almost immediately, the lead man was wounded and knocked from his feet. Specialist Wayrynen, the second man in the formation, leaped beyond his fallen comrade to kill another enemy soldier who appeared on the trail, and he dragged his injured companion back to where the point squad had taken cover. Suddenly, a live enemy grenade landed in the center of the tightly grouped men. Specialist Wayrynen, quickly assessing the danger to the entire squad as well as to his platoon leader who was nearby, shouted a warning, pushed one soldier out of the way, and threw himself on the grenade at the moment it exploded. He was mortally wounded. His deep and abiding concern for his fellow soldiers was significantly reflected in his supreme and courageous act that preserved the lives of his comrades. Specialist Wayrynen's heroic actions are in keeping with the highest traditions of the service, and they reflect great credit upon himself and the United States Army.

[October 16, 1969]

SP4C. CARMEL B. HARVEY, JR., U.S. ARMY—POSTHUMOUSLY

Specialist Harvey distinguished himself as a fire team leader with Company B, 1st Battalion, 5th Cavalry, 1st Cavalry Division (Airmobile), during combat operations in Binh Dinh Province, Republic of Vietnam, on 21 June 1967. Ordered to secure a downed helicopter, his platoon established a defensive perimeter around the aircraft, but shortly thereafter a large enemy force attacked the position from three sides. Specialist Harvey and two members of his squad were in a position directly in the path of the enemy's onslaught, and their location received the brunt of the fire from an enemy machine gun. In short order, both of his companions were wounded, but Specialist Harvey covered this loss by increasing his deliberate rifle fire at the foe. The enemy machine gun seemed to concentrate on him and the bullets struck the ground all around his position. One round hit and armed a grenade attached to his belt. Quickly, he tried to remove the grenade but was unsuccessful. Realizing the danger to his comrades if he remained and despite the hail of enemy fire, he jumped to his feet, shouted a challenge at the enemy, and raced toward the deadly machine gun. He nearly reached the enemy position when the grenade on his belt exploded, mortally wounding Specialist Harvey, and stunning the enemy machine gun crew. His final act caused a pause in the enemy fire, and the two wounded men were moved from the danger area. Specialist Harvey's dedication to duty, high sense of responsibility, and heroic actions inspired the others in his platoon to decisively beat back the enemy attack. His acts are in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

[October 31, 1969]

L. CPL. JEDH C. BARKER, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a machine gunner with Company F, Second Battalion, Fourth Marines, Third Marine Division, in the Republic of Vietnam on 21 September 1967. During a reconnaissance operation near Con Thien, Corporal Barker's squad was suddenly hit by enemy sniper fire. The squad immediately deployed to a combat formation and advanced to a strongly fortified enemy position, when it was again struck by small arms and automatic weapons fire, sustaining numerous casualties. Although wounded by the initial burst of fire, Corporal Barker boldly remained in the open, delivering a devastating volume of accurate fire on the numerically superior force. The enemy was intent upon annihilating the small marine force and, realizing that Corporal Barker was a threat to their position, directed the preponderance of their fire on his position. He was again wounded, this time in the right hand, which prevented him from operating his vitally needed machine gun. Suddenly, and without warning, an enemy grenade landed in the midst of the few surviving marines. Unhesitatingly and with complete disregard for his own personal safety, Corporal Barker threw himself upon the deadly grenade, absorbing with his own body the full and tremendous force of the explosion. In a final act of bravery, he crawled to the side of a wounded comrade and administered first aid before succumbing to his grievous wounds. His bold initiative, intrepid fighting spirit, and unwavering devotion to duty in the face of almost certain death undoubtedly saved his comrades from further injury or possible death and reflected great credit upon himself, the Marine Corps, and the United States Naval Service. He gallantly gave his life for his country.

[October 31, 1969]

SGT. ALFREDO GONZALEZ, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as Platoon Commander, Third Platoon, Company A, First Battalion, First Marines, First Marine Division, in the Republic of Vietnam. On 31 January 1968, during the initial phase of Operation HUE CITY Sergeant Gonzalez's unit was formed as a reaction force and deployed to Hue to relieve the pressure on the beleaguered city. While moving by truck convoy along Route No. 1, near the village of Lang Van Lrong, the marines received a heavy volume of enemy fire. Sergeant Gonzalaz aggressively maneuvered the marines in his platoon, and directed their fire until the area was cleared of snipers. Immediately after crossing a river south of Hue, the column was again hit by intense enemy fire. One of the marines on top of a tank was wounded and fell to the ground in an exposed position. With complete disregard for his own safety, Sergeant Gonzalez ran through the fire-swept area to the assistance of his injured comrade. He lifted him up and though receiving fragmentation wounds during the rescue, he carried the wounded marine to a covered position for treatment. Due to the increased volume and accuracy of enemy fire from a fortified machine gun bunker on the side of the road, the company was temporarily halted. Realizing the gravity of the situation, Sergeant Gonzalez exposed himself to the enemy fire and moved his platoon along the east side of a bordering rice paddy to a dike directly across from the bunker. Though fully aware of the danger involved, he moved to the fire-swept road and destroyed the hostile position with hand grenades. Although seriously wounded again on 3 February, he steadfastly refused medical treatment and continued to supervise his men and lead the attack. On 4 February, the enemy had again pinned the company down, inflicting heavy casualties with automatic weapons and rocket fire. Sergeant Gonzalez, utilizing a number of light antitank assault weapons, fearlessly moved from position to position firing numerous rounds at the heavily fortified enemy emplacements. He successfully knocked out a rocket position and suppressed much of the enemy fire before falling mortally wounded. The heroism, courage, and dynamic leadership displayed by Sergeant Gonzalez reflected great credit upon himself and the Marine Corps and were in keeping with the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

[November 4, 1969]

SP4C. ROBERT F. STRYKER, U.S. ARMY—POSTHUMOUSLY

Specialist Four Robert F. Stryker, United States Army, distinguished himself by conspicuous gallantry and intrepidity on 7 November 1967 while serving with Company C, 1st Battalion, 26th Infantry, 1st Infantry Division in the Republic of Vietnam. On this date Specialist Stryker was serving as a grenadier in a multi-company reconnaissance in force near Loc Ninh. As his unit moved through the dense underbrush, it was suddenly met with a hail of rocket, automatic weapons and small arms fire from enemy forces concealed in fortified bunkers and in the surrounding trees. Reacting quickly, Specialist Stryker fired into the enemy positions with his grenade launcher. During the devastating exchange of fire, Specialist Stryker detected enemy elements attempting to encircle his company and isolate it from the main body of the friendly force. Undaunted by the enemy machine gun and small arms fire, Specialist Stryker repeatedly fired grenades into the trees, killing enemy snipers and enabling his comrades to sever the attempted encirclement. As the battle continued, Specialist Stryker observed several wounded members of his squad in the killing zone of an enemy claymore mine. With complete disregard for his own safety, he threw himself upon the mine as it was detonated. He was mortally wounded as his body absorbed the blast and shielded his comrades from the explosion. His unselfish actions were responsible for saving the lives of at least six of his fellow soldiers. Specialist Stryker's great personal bravery was in keeping with the highest traditions of the military service and reflects great credit upon himself, his unit and the United States Army.

[November 4, 1969]

CHAPLAIN (MAJOR) CHARLES J. WATTERS, U.S. ARMY—POSTHUMOUSLY

Chaplain (Major) Charles J. Watters, Company A, 173d Support Battalion, 173d Airborne Brigade, distinguished himself by gallantry and intrepidity at the risk of his life during an assault in the vicinity of Dak To, Republic of Vietnam, on 19 November 1967. Chaplain Watters was moving with one of the companies when it engaged a heavily armed enemy battalion. As the battle raged and the casualties mounted, Chaplain Watters, with complete disregard for his own safety, rushed forward to the line of contact. Unarmed and completely exposed, he moved among, as well as in front of, the

advancing troops, giving aid to the wounded, assisting in their evacuation, giving words of encouragement, and administering the last rites to the dying. When a wounded paratrooper was standing in shock in front of the assaulting forces, Chaplain Watters ran forward, picked the man up on his shoulders and carried him to safety. As the troopers battled to the first enemy entrenchment, Chaplain Watters ran through the intense fire to the front of the entrenchment to aid a fallen comrade. A short time later, the paratroopers pulled back in preparation for a second assault. Chaplain Watters exposed himself to both friendly and enemy fire between the two forces in order to recover two wounded soldiers. Later, when the battalion was forced to pull back into a perimeter, Chaplain Watters noticed that several wounded soldiers were lying outside the newly formed perimeter. Without hesitation and ignoring attempts to restrain him, Chaplain Watters left the perimeter three times in the face of small arms, automatic weapons, and mortar fire to carry and to assist the injured troopers to safety. Satisfied that all of the wounded were inside the perimeter, he began aiding the medics—applying field bandages to open wounds, obtaining and serving food and water, giving spiritual and mental strength and comfort. During his ministering, he moved out to the perimeter from position to position redistributing food and water, and tending to the needs of his men. Chaplain Watters was giving aid to the wounded when he himself was mortally wounded. Chaplain Watter's unyielding perseverance and selfless devotion to his comrades was in keeping with the highest traditions of the United States Army.

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[November 18, 1969]

SGT. GORDON D. YNTEMA, U.S. ARMY—POSTHUMOUSLY

Sergeant Gordon D. Yntema, United States Army, distinguished himself by conspicuous gallantry and intrepidity on 16–18 January 1968, while assigned to Detachment A–431, Company D, 5th Special Forces Group (Airborne), 1st Special Forces, in the Republic of Vietnam. As part of a larger force of civilian irregulars from Camp Cai Cai, he accompanied two platoons to a blocking position east of the village of Thong Binh, where they became heavily engaged in a small arms firefight with the Viet Cong. Assuming control of the force when the Vietnamese commander was seriously wounded, he advanced his troops to within fifty meters of the enemy bunkers. After a fierce thirty minute firefight, the enemy forced Sergeant Yntema to withdraw his men to a trench in order to afford them protection and still perform their assigned blocking mission. Under cover of machine gun fire, approximately one company of Viet Cong maneuvered into a position which pinned down the friendly platoons from three sides. A dwindling ammunition supply, coupled with a Viet Cong mortar barrage which inflicted heavy losses on the exposed friendly troops, caused many of the irregulars to withdraw. Seriously wounded and ordered to withdraw himself, Sergeant Yntema refused to leave his fallen comrades. Under withering small arms and machine gun fire, he carried the wounded Vietnamese commander and a mortally wounded American Special Forces advisor to a small gully fifty meters away in order to shield them from the enemy fire. Sergeant Yntema then continued to repulse the attacking Viet Cong attempting to overrun his position until, out of ammunition and surrounded, he was offered the opportunity to surrender. Refusing, Sergeant Yntema stood his ground, using his rifle as a club to fight the approximately fifteen Viet Cong attempting his capture. His resistance was so fierce that the Viet Cong were forced to shoot in order to overcome him. Sergeant Yntema's personal bravery in the face of insurmountable odds and supreme self-sacrifice were in keeping with the highest traditions of the military service and reflect the utmost credit upon himself, the 1st Special Forces and the United States Army.

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[November 18, 1969]

CARLOS J. LOZADA, U.S. ARMY—POSTHUMOUSLY

Private First Class Carlos J. Lozada, United States Army, distinguished himself by conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty on 20 November 1967, in the battle of Dak To, Republic of Vietnam. While serving as a machine gunner with 1st Platoon, Company A, 2d Battalion (Airborne), 503d Infantry, 173d Airborne Brigade (Separate), Private Lozada was part of a four man early warning outpost, located thirty-five meters from his company's lines. At 1400 hours a North Vietnamese Army company rapidly approached the outpost along a well defined trail. Private Lozada alerted his comrades and commenced firing at the enemy who were within ten meters of the outpost. His heavy and accurate machine gun fire killed at least twenty North Vietnamese soldiers and completely disrupted their initial attack. Private Lozada remained in an exposed position and continued to pour deadly fire upon the enemy despite the urgent pleas of his comrades to withdraw. The enemy continued their assault, attempting to envelop the outpost. At the same time enemy forces launched a heavy attack on the forward west flank of Company A with the intent to cut them off from their battalion. Company A was given the order to withdraw. Private Lozada apparently realized that if he abandoned his position there would be nothing to hold back the surging North Vietnamese soldiers and that the entire company withdrawal would be jeopardized. He called for his comrades to move back and that he would stay and provide cover for them. He made this decision realizing that the enemy was converging on three sides of his position and only meters away, and a delay in withdrawal meant almost certain death. Private Lozada continued to deliver a heavy, accurate volume of suppressing fire against the enemy until he was mortally wounded. His actions not only inflicted heavy casualties on the enemy but saved the lives of many of his comrades, several of whom were seriously wounded and had to be carried during the withdrawal. His heroic deed served as an example and an inspiration to his comrades throughout the ensuing four-day battle. Private Lozada's actions are in the highest traditions of the United States Army and reflect great credit upon himself, his unit, and the United States Army.

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[November 18, 1969]

CPL. JERRY WICKAM, U.S. ARMY—POSTHUMOUSLY

Corporal Jerry W. Wickam, United States Army, distinguished himself by conspicuous gallantry and intrepidity on 6 January 1968, while serving with Troop F, 2d Squadron, 11th Armored Cavalry Regiment in the Republic of Vietnam. On this date, Troop F was conducting a reconnaissance in force mission southwest of Loc Ninh when the lead element of the friendly force was subjected to a heavy barrage of rocket, automatic weapons, and small arms fire from a well concealed enemy bunker complex. Disregarding the intense fire, Corporal Wickam leaped from his armored vehicle and assaulted one of the enemy bunkers and threw a grenade into it, killing two enemy soldiers. He moved into the bunker, and with the aid of another soldier, began to remove the body of one Viet Cong when he detected the sound of an enemy grenade being charged. Corporal Wickam warned his comrade and physically pushed him away from the grenade thus protecting him from the force of the blast. When a second Viet Cong bunker was discovered, he ran through a hail of enemy fire to deliver deadly fire into the bunker, killing one enemy soldier. He also captured one Viet Cong who later provided valuable information on enemy activity in the Loc Ninh area. After the patrol withdrew and an airstrike was conducted, Corporal Wickam led his men back to evaluate the success of the strike. They were immediately attacked again by enemy fire. Without hesitation, he charged the bunker from which the fire was being directed, enabling the remainder of his men to seek cover. He threw a grenade inside of the enemy's position killing two Viet Cong and destroying the bunker. Moments later he was mortally wounded by enemy fire. Corporal Wickam's conspicuous gallantry, extraordinary heroism and intrepidity at the cost of his own life were in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

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[November 24, 1969]

STAFF SGT. PAUL R. LAMBERS, U.S. ARMY

Staff Sergeant (then Sergeant) Paul R. Lambers distinguished himself by conspicuous gallantry and intrepidity in action on 20 August 1968 while serving with the Third Platoon, Company A, 2d Battalion, 27th Infantry, 25th Infantry Division, in Tay Ninh Province, Republic of Vietnam. The unit had established a night defensive position astride a suspected enemy infiltration route, when it was attacked by an estimated Viet Cong battalion. During the initial enemy onslaught, the platoon leader fell seriouly wounded and Sergeant Lambers assumed command of the platoon. Disregarding the intense enemy fire, Sergeant Lambers left his covered position, secured the platoon radio and moved the command post to direct the defense. When his radio became inoperative due to enemy action, Sergeant Lambers crossed the fire swept position to secure the 90mm recoilless rifle crew's radio in order to re-establish communications. Upon discovering that the 90mm recoilless rifle was not functioning, Sergeant Lambers assisted in the repair of the weapon and directed cannister fire at point blank range against the attacking enemy who had breached the defensive wire of the position. When the weapon was knocked out by enemy fire, he single-handedly repulsed a penetration of the position by detonating claymore mines and throwing grenades into the midst of the attackers, killing five of the enemy. He then attacked a number of enemy who were moving on the northwest sector of the perimeter, killing four more of the Viet Cong with well aimed hand grenades. Sergeant Lambers maintained command of the platoon elements by moving from position to position under the hail of enemy fire, providing assistance where the assault was the heaviest and by his outstanding example inspiring his men to the utmost efforts of courage. He displayed great skill and valor throughout the five hour battle by personally directing artillery and helicopter fires, placing them at times within five meters of the defensive position. He repeatedly exposed himself to hostile fire at great risk to his own life in order to redistribute ammunition and to care for seriously wounded comrades and to move them to sheltered positions. Sergeant Lambers' superb leadership, professional skill and magnificent courage saved the lives of his comrades, resulted in the virtual annihilation of a vastly superior enemy force and were largely instrumental in thwarting an enemy offensive against Tay Ninh City. His conspicuous gallantry at the risk of his own life is in keeping with the highest traditions of the military service and reflects great credit upon himself, his unit and the United States Army.

[November 24, 1969]

SFC. WEBSTER ANDERSON, U.S. ARMY

Sergeant First Class Webster Anderson (then Staff Sergeant), distinguished himself by conspicuous gallantry and intrepidity in action while serving as Chief of Section in Battery A, 2d Battalion, 320th Artillery, 101st Airborne Infantry Division (Airmobile) against a hostile force near Tam Ky, Republic of Vietnam. During the early morning hours on 15 October 1967, Battery A's defensive position was attacked by a determined North Vietnamese Army Infantry unit supported by heavy mortar, recoilless rifle, rocket propelled grenade and automatic weapon fire. The initial enemy onslaught breached the battery defensive perimeter. Sergeant Anderson with complete disregard for his personal safety mounted the exposed parapet of his howitzer position and became the mainstay of the defense of the battery position. Sergeant Anderson directed devastating direct howitzer fire on the assaulting enemy while providing rifle and grenade defensive fire against enemy soldiers attempting to overrun his gun section position. While protecting his crew and directing their fire against the enemy from his exposed position, two enemy grenades exploded at his feet knocking him down and severely wounding him in the legs. Despite the excruciating pain and though not able to stand, Sergeant Anderson valorously propped himself on the parapet and continued to direct howitzer fire upon the closing enemy and to encourage his men to fight on. Seeing an enemy grenade land within the gun pit near a wounded member of his gun crew, Sergeant Anderson, heedless of his own safety, seized the grenade and attempted to throw it over the parapet to save his men. As the grenade was thrown from the position it exploded and Sergeant Anderson was again grievously wounded. Although only partially conscious and severely wounded, Sergeant Anderson refused medical evacuation and continued to encourage his men in the defense of the position. Sergeant Anderson by his inspirational leadership, professionalism, devotion to duty and complete disregard for his own welfare was able to maintain the defense of his section position and to defeat a determined enemy attack. Sergeant Anderson's conspicuous gallantry and extraordinary heroism at the risk of his own life above and beyond the call of duty are in the highest traditions of the military service and reflect great credit upon himself, his unit and the United States Army.

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[November 24, 1969]

S. SGT. NICKY D. BACON, U.S. ARMY

Staff Sergeant Nicky D. Bacon distinguished himself by conspicuous gallantry and intrepidity while serving as a squad leader with the 1st Platoon, Company B, 4th Battalion, 21st Infantry, Americal Division during an operation west of Tam Ky, Republic of Vietnam, on 26 August 1968. When Company B came under fire from an enemy bunker line to the front, Sergeant Bacon quickly organized his men and led them forward in an assault. He advanced on a hostile bunker and destroyed it with grenades. As he did so, several fellow soldiers, including the 1st Platoon leader, were struck by machine gun fire and fell wounded in an exposed position forward of the rest of the platoon. Sergeant Bacon immediately assumed command of the platoon and assaulted the hostile gun position, finally killing the enemy gun crew in a single-handed effort. When the 3d Platoon moved to Sergeant Bacon's location, its leader was also wounded. Without hesitation Sergeant Bacon took charge of the additional platoon and continued the fight. In the ensuing action he personally killed four more enemy soldiers and silenced an anti-tank weapon. Under his leadership and example, the members of both platoons accepted his authority without question. Continuing to ignore the intense hostile fire, he climbed up on the exposed deck of a tank and directed fire into the enemy position while several wounded men were evacuated. As a result of Sergeant Bacon's extraordinary efforts, his company was able to move forward, eliminate the enemy positions, and rescue the men trapped to the front. Sergeant Bacon's conspicuous gallantry at the risk of his own life was in the highest traditions of the military service and reflects great credit upon himself, his unit and the United States Army.

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[December 2, 1969]

S. SGT. CLIFFORD C. SIMS, U.S. ARMY—POSTHUMOUSLY

Staff Sergeant Clifford C. Sims distinguished himself on 21 February 1968, while serving as a squad leader with Company D, 2nd Battalion (Airborne), 501st Infantry, 101st Airborne Division, near Hue, in the Republic of Vietnam. Company D was assaulting a heavily fortified enemy position concealed within a dense wooded area when it encountered strong enemy defensive fire. Once within the woodline, Sergeant Sims led his squad in a furious attack against an enemy force which had pinned down the 1st Platoon and threatened to overrun it. His skillful leadership provided the platoon with freedom of movement and enabled it to regain the initiative. Sergeant Sims was then ordered to move his squad to a position where he could provide covering fire for the company command group and to link up with the 3d Platoon, which was under heavy enemy pressure. After moving no more than thirty meters Sergeant Sims noticed that a brick structure in which ammunition was stocked was on fire. Realizing the danger, Sergeant Sims took immediate action to move his squad from this position. Though in the process of leaving the area two members of his squad were injured by the subsequent explosion of the ammunition, Sergeant Sims' prompt actions undoubtedly prevented more serious casualties from occurring. While continuing through the dense woods amidst heavy enemy fire, Sergeant Sims and his squad were approaching a bunker when they heard the unmistakable noise of a concealed booby trap being triggered immediately to their front. Sergeant Sims warned his comrades of the danger and unhesitatingly hurled himself upon the device as it exploded, taking the full impact of the blast. In so protecting his fellow soldiers, he willingly sacrificed his own life. Staff Sergeant Sims' conspicuous gallantry, extraordinary heroism and intrepidity at the cost of his own life, above and beyond the call of duty, are in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

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[December 2, 1969]

SFC. EUGENE ASHLEY, JR., U.S. ARMY—POSTHUMOUSLY

Sergeant First Class Eugene Ashley, Jr., distinguished himself by conspicuous gallantry and intrepidity while serving with Detachment A–101, Company C, 5th Special Forces Group (Airborne), 1st Special Forces, near Lang Vei Special Forces Camp in the Republic of Vietnam. On 6 and 7 February 1968 Sergeant Ashley was the Senior Special Forces Advisor of a hastily organized assault force whose mission was to rescue entrapped United States Special Forces Advisors at Camp Lang Vei. During the initial attack on the Special Forces camp by North Vietnamese Army forces, Sergeant Ashley supported the camp with high explosive and illumination mortar rounds. When communications were lost with the main camp, he assumed the additional responsibility of directing air strikes and artillery support. Sergeant Ashley organized and equipped a small assault force composed of local friendly personnel. During the ensuing battle, Sergeant Ashley led a total of five vigorous assaults against the enemy, continuously exposing himself to a voluminous hail of enemy grenades, machine gun and automatic weapons fire. Throughout these assaults, he was plagued by numerous booby trapped satchel charges in all bunkers on his avenue of approach. During his fifth and final assault, he adjusted air strikes nearly on top of his assault element, forcing the enemy to withdraw and resulting in friendly control of the summit of the hill. While exposing himself to intense enemy fire, he was seriously wounded by machine gun fire but continued his mission without regard to his personal safety. After the fifth assault he lost consciousness and was carried from the summit by his comrades only to suffer a fatal wound when an enemy artillery round landed in the area. Sergeant Ashley displayed extraordinary heroism in risking his life in an attempt to save the lives of his entrapped comrades and commanding officer. His total disregard for his own personal safety while exposed to enemy observation and automatic weapons fire was an inspiration to all men committed to the assault. The resolute valor with which he led five gallant charges placed critical diversionary pressure on the attacking enemy and his valiant efforts carved a channel in the overpowering enemy forces and weapons positions through which the survivors of Camp Lang Vei eventually escaped to freedom. Sergeant Ashley's conspicuous gallantry at the cost of his own life was in the highest traditions of the military service, and reflects great credit upon himself, his unit and the United States Army.

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[December 2, 1969]

2D LT. TERRENCE C. GRAVES, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a Platoon Commander with the Third Force Reconnaissance Company, Third Reconnaissance Battalion, Third Marine Division, in the Republic of Vietnam on 16 February 1968. While on a long-range reconnaissance mission, Lieutenant Graves' eight-man patrol observed seven enemy soldiers approaching their position. Reacting instantly, he deployed his men and directed their fire on the approaching enemy. After the fire had ceased, he and two patrol members commenced a search of the area, and suddenly came under a heavy volume of hostile small arms and automatic weapons fire from a numerically superior enemy force. When one of his men was hit by the enemy fire, Lieutenant Graves moved through the fire-swept area to his radio and, while directing suppressive fire from his men, requested air support and adjusted a heavy volume of artillery and helicopter gunship fire upon the enemy. After attending the wounded, Lieutenant Graves, accompanied by another marine, moved from his relatively safe position to confirm the results of the earlier engagement. Observing that several of the enemy were still alive, he launched a determined assault, eliminating the remaining enemy troops. He then began moving the patrol to a landing zone for extraction, when the unit again came under intense fire which wounded two more marines and Lieutenant Graves. Refusing medical attention, he once more adjusted air strikes and artillery fire upon the enemy while directing the fire of his men. He led his men to a new landing site into which he skillfully guided the incoming aircraft and boarded his men while

remaining exposed to the hostile fire. Realizing that one of the wounded had not embarked, he directed the aircraft to depart and, along with another marine, moved to the side of the casualty. Confronted with a shortage of ammunition, Lieutenant Graves utilized supporting arms and directed fire until a second helicopter arrived. At this point, the volume of enemy fire intensified, hitting the helicopter and causing it to crash shortly after liftoff. All aboard were killed. Lieutenant Graves' outstanding courage, superb leadership and indomitable fighting spirit throughout the day were in keeping with the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 7, 1970]

SGT. ANUND C. ROARK, U.S. ARMY—POSTHUMOUSLY

Sergeant Anund C. Roark distinguished himself by extraordinary gallantry and intrepidity while serving with Company C, 1st Battalion, 12th Infantry, 4th Infantry Division in Kontum Province, Republic of Vietnam. On 16 May 1968, Sergeant Roark was the point squad leader of a small force which had the mission of rescuing eleven men in a hilltop observation post under heavy attack by a company-size force, approximately 1000 meters from the battalion perimeter. As lead elements of the relief force reached the besieged observation post, intense automatic weapons fire from enemy occupied bunkers halted their movement. Without hesitation, Sergeant Roark maneuvered his squad, repeatedly exposing himself to the withering enemy fire to hurl grenades and direct the fire of his squad to gain fire superiority and cover the withdrawal of the outpost and evacuation of its casualties. Frustrated in their effort to overrun the position, the enemy swept the hilltop with small arms and volleys of grenades. Seeing a grenade land in the midst of his men, Sergeant Roark, with complete disregard for his own safety, hurled himself upon the grenade, absorbing its blast with his body. Sergeant Roark's magnificent leadership and dauntless courage saved the lives of many of his comrades and were the inspiration for the successful relief of the outpost. His actions which culminated in the supreme sacrifice of his life were in keeping with the highest traditions of the military service and reflect great credit on himself and the United States Army.

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[April 7, 1970]

SP5C. JOHN J. KEDENBURG, U.S. ARMY—POSTHUMOUSLY

Specialist Five John J. Kedenburg, United States Army, Command and Control Detachment North, Forward Operating Base 2, 5th Special Forces Group (Airborne), 1st Special Forces, distinguished himself by conspicuous gallantry and intrepidity in the Republic of Vietnam on 13 June 1968, while serving as advisor to a long range reconnaissance team of South Vietnamese irregular troops. The team's mission was to conduct counterguerilla operations deep within enemy-held territory. Prior to reaching the day's objective, the team was attacked and encircled by a battalion-size North Vietnamese Army force. Specialist Kedenburg assumed immediate command of the team which succeeded, after a fierce fight, in breaking out of the encirclement. As the team moved through thick jungle to a position from which it could be extracted by helicopter, Specialist Kedenburg conducted a gallant rear guard fight against the pursuing enemy and called for tactical air support and rescue helicopters. His withering fire against the enemy permitted the team to reach a pre-selected landing zone with the loss of only one man, who was unaccounted for. Once in the landing zone, Specialist Kedenburg deployed the team into a perimeter defense against the numerically superior enemy force. When the tactical air support arrived, he skillfully directed air strikes against the enemy, suppressing their fire so that helicopters could hover over the area and drop slings to be used in the extraction of the team. After half of the team was extracted by helicopter, Specialist Kedenburg and the remaining three members of the team harnessed themselves to the sling on a second hovering helicopter. Just as the helicopter was to lift them out of the area, the South Vietnamese team member who had been unaccounted for after the initial encounter with the enemy appeared in the landing zone. Specialist Kedenburg unhestitatingly gave up his place in the sling to the man and directed the helicopter pilot to leave the area. He then continued to engage the enemy who were swarming into the landing zone, killing six enemy soldiers before he was overpowered. Specialist Kedenburg's inspiring leadership, consummate courage and willing self-sacrifice permitted his small team to inflict heavy casualties on the enemy and escape almost certain annihilation. His actions reflect great credit upon himself and the United States Army.

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[April 7, 1970]

S. SGT. LASZLO RABEL, U.S. ARMY—POSTHUMOUSLY

Staff Sergeant Laszlo Raber distinguished himself by conspicuous gallantry and intrepidity while serving as leader of Team Delta, 74th Infantry Detachment (Long Range Patrol), 173d Airborne Brigade, in Binh Dinh Province, Republic of Vietnam on 13 November 1968. At 1000 hours on this date, Team Delta was in a defensive perimeter conducting reconnaissance of enemy trail networks when a member of the team detected enemy movement to the front. As Sergeant Rabel and a comrade prepared to clear the area, he heard an incoming grenade as it landed in the midst of the team's perimeter. With complete disregard for his own life, Sergeant Rabel threw himself on the grenade and, covering it with his body, received the complete impact of the immediate explosion. Through his indomitable courage, complete disregard for his own safety and profound concern for his fellow soldiers. Sergeant Rabel averted the loss of life and injury to the other members of Team Delta. By his conspicuous gallantry at the cost of his own life in the highest traditions of the military service, Staff Sergeant Rabel has reflected great credit upon himself, his unit and the United States Army.

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[April 7, 1970]

SP4C. KENNETH L. OLSON, U.S. ARMY—POSTHUMOUSLY

Specialist Four Kenneth L. Olson distinguished himself by conspicuous gallantry and intrepidity at the cost of his life on 13 May 1968 while serving as a team leader with Company A, 5th Battalion, 12th Infantry, 199th Infantry Brigade (Separate) (Light), in the Republic of Vietnam. On this date Specialist Olson was participating in a mission to reinforce a reconnaissance platoon which was heavily engaged with a well-entrenched Viet Cong force. When his platoon moved into the area of contact and had overrun the first line of enemy bunkers, Specialist Olson and a fellow soldier moved forward of the platoon to investigate another suspected line of bunkers. As the two men advanced they were pinned down by intense automatic weapons fire from an enemy position ten meters to their front. With complete disregard for his own safety, Specialist Olson exposed himself and hurled a hand grenade into the Viet Cong position. Failing to silence the hostile fire, he again exposed himself to the intense fire in preparation to assault the enemy position. As he prepared to hurl the grenade he was wounded, causing him to drop the activated device within his own position. Realizing that it would explode immediately, Specialist Olson threw himself upon the grenade and pulled it in to his body to take the full force of the explosion. By this unselfish action Specialist Olson sacrificed his own life to save the lives of his fellow comrades-in-arms. His extraordinary heroism inspired his fellow soldiers to renew their efforts and totally defeat the enemy force. Specialist Olson's profound courage and intrepidity were in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit and the United States Army.

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[April 7, 1970]

PFC. DAVID P. NASH, U.S. ARMY—POSTHUMOUSLY

Private First Class David P. Nash distinguished himself on 29 December 1968 while serving as grenadier with Company B. 2d Battalion, 39th Infantry, 9th Infantry Division in Giao Duc District of Dinh Tuong Province, Republic of Vietnam. When an ambush patrol of which he was a member suddenly came under intense attack before reaching its destination, he was the first to return the enemy fire. Taking an exposed location, Private Nash suppressed the hostile fusillade with a rapid series of rounds from his grenade launcher, enabling artillery fire to be adjusted on the enemy. After the foe had been routed, his small element continued to the ambush site where he established a position with three fellow soldiers on a narrow dike. Shortly past midnight, while Private Nash and a comrade kept watch and the two other men took their turn sleeping, an enemy grenade wounded two soldiers in the adjacent position. Seconds later, Private Nash saw another grenade land only a few feet from his own position. Although he could have escaped harm by rolling down the other side of the dike, he shouted a warning to his comrades and leaped upon the lethal explosive. Absorbing the blast with his own body, he saved the lives of the three men in the area at the sacrifice of his own. By his conspicuous gallantry at the cost of his own life in the highest traditions of the military service, Private Nash has reflected great credit on himself, his unit and the United States Army.

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[April 7, 1970]

S. SGT. MARVIN R. YOUNG, U.S. ARMY—POSTHUMOUSLY

Staff Sergeant Marvin R. Young distinguished himself by conspicuous gallantry and intrepidity at the cost of his life on 21 August 1968, while serving as a squad leader with Company C, 1st Battalion (Mechanized), 5th Infantry, 25th Infantry Division in the Republic of Vietnam. While conducting a reconnaissance mission in the vicinity of Ben Cui, Company C was suddenly engaged by an estimated regimental-size force of the North Vietnamese Army. During the initial volley of fire the point element of the 1st Platoon was pinned down, sustaining several casualties, and the acting platoon leader was killed. Sergeant Young unhesitatingly assumed command of the platoon and immediately began to organize and deploy his men into a defensive position in order to repel the attacking force. As a human wave attack advanced on Sergeant Young's platoon, he moved from position to position, encouraging and directing fire on the hostile insurgents while exposing himself to the hail of enemy bullets. After receiving orders to withdraw to a better defensive position, he remained behind to provide covering fire for the withdrawal. Observing that a small element of the point squad was unable to extract itself from its position, and completely disregarding his personal safety, Sergeant Young began moving toward their position,

firing as he maneuvered. When halfway to their position he sustained a critical head injury, yet he continued his mission and ordered the element to withdraw. Remaining with the squad as it fought its way to the rear, he was twice seriously wounded in the arm and leg. Although his leg was badly shattered, Sergeant Young refused assistance that would have slowed the retreat of his comrades, and he ordered them to continue their withdrawal while he provided protective covering fire. With domitable courage and heroic selfsacrifice, he continued his self-assigned mission until the enemy force engulfed his position. By his conspicuous gallantry at the cost of his own life in the highest traditions of the military service, Staff Sergeant Young has reflected great credit upon himself, his unit and the United States Army.

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[April 7, 1970]

SFC. RODNEY J. Y. YANO, U.S. ARMY—POSTHUMOUSLY

Sergeant First Class Rodney J. T. Yano distinguished himself on 1 January 1969 while serving with the Air Cavalry Troop, 11th Armored Cavalry Regiment, in the vicinity of Bien Hao, Republic of Vietnam. Segreant Yano was performing the duties of crew chief aboard the troop's command-and-control helicopter during action against enemy forces entrenched in dense jungle. From an exposed position in the face of intense small arms and antiaircraft fire he delivered suppressive fire upon the enemy forces and marked their positions with smoke and white phosphorous grenades, thus enabling his troop commander to direct accurate and effective artillery fire against the hostile emplacements. A grenade, exploding prematurely, covered him with burning phosphorous, and left him severely wounded. Flaming fragments within the helicopter caused supplies and ammunition to detonate. Dense white smoke filled the aircraft, obscuring the pilot's vision and causing him to lose control. Although having the use of only one arm and being partially blinded by the initial explosion, Sergeant Yano completely disregarded his own welfare and began hurling blazing ammunition from the helicopter. In so doing he inflicted additional wounds upon himself, yet he persisted until the danger was past. Sergeant Yano's indomitable courage and profound concern for his comrades averted loss of life and additional injury to the rest of the crew. By his conspicuous gallantry at the cost of his own life, in the highest traditions of the military service, Sergeant Yano has reflected great credit on himself, his unit and the United States Army.

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[April 7, 1970]

SGT. LESTER R. STONE JR., U.S. ARMY—POSTHUMOUSLY

Sergeant Lester R. Stone Jr. distinguished himself on 3 March 1969 while serving as squad leader of the 1st Platoon, Company B, 1st Battalion, 20th Infantry, 11th Infantry Brigade, 23d Infantry Division (Americal). On this date, the 1st Platooon was on a combat patrol mission just west of Landing Zone Liz when it came under intense automatic weapons and grenade fire from a well-concealed company-size force of North Vietnamese regulars. Observing the platoon machine gunner fall critically wounded, Sergeant Stone rushed into the open area to the side of his injured comrade. Utilizing the machine gun, Sergant Stone remained in the exposed area to provide cover fire for the wounded soldier who was being pulled to safety by another member of the platoon. With enemy fire impacting all around him, Sergeant Stone had a malfunction in the machine gun, preventing him from firing the weapon automatically. Displaying extraordinary courage under the most adverse conditions, Sergeant Stone repaired the weapon and continued to place on the enemy positions effective suppressive fire which enabled the rescue to be completed. In a desperate attempt to overrun his position, an enemy force left its cover and charged Sergeant Stone. Disregarding the danger involved, Sergeant Stone rose to his knees and began placing intense fire on the enemy at pointblank range, killing six of the enemy before falling mortally wounded. His actions of unsurpassed valor were a source of inspiration to his entire unit, and he was responsible for saving the lives of a number of his fellow soldiers. His actions were in keeping with the highest traditions of the military profession and reflect great credit on him, his unit, and the United States Army.

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[April 7, 1970]

SGT. WILLIAM W. SEAY, U.S. ARMY—POSTHUMOUSLY

Sergeant William W. Seay distinguished himself on 25 August 1968 while serving as a driver with the 62d Transportation Company (Medium Truck), 7th Transportation Battalion, 48th Transportation Group on a resupply mission near Ap Nhi, Republic of Vietnam. The convoy with which he was travelling, carrying critically needed ammunition and supplies from Long Binh to Tay Ninh, was ambushed by a reinformed battalion of the North Vietnamese Army. As the main elements of the convoy entered the ambush killing zone, they were struck by intense rocket, machine gun and automatic weapon fires from the well-concealed and entrenched enemy force. When his convoy was forced to stop, Sergeant Seay immediately dismounted and took a defensive position behind the wheels of a vehicle loaded with high-explosive ammunition. As the violent North Vietnamese assault approached to within ten meters of the road, Sergeant Seay opened fire, killing two of the enemy. He then spotted a sniper in a tree approximately seventy-five meters to his front and killed him. When an enemy grenade was thrown under an ammunition trailer near his position, without regard for his own safety he left his protective cover, exposing himself to intense enemy fire, picked up the grenade, and threw it back to the North Vietnamese position, killing four more of the enemy and saving the lives of the men around him. Another enemy grenade landed approximately three meters from Sergeant Seay's position. Again Sergeant Seay left his covered position and threw the armed grenade back upon the assaulting enemy. After returning to his position he was painfully wounded in the right wrist; however, Sergeant Seay continued to give encouragement and direction to his fellow soldiers. After moving to the relative cover of a shallow ditch, he detected three enemy soldiers who had penetrated the position and were preparing to fire on his comrades. Although weak from loss of blood and with his right hand immobilized, Sergeant Seay stood up and fired his rifle with his left hand, killing all three and saving the lives of the other men in his location. As a result of his heroic action, Sergeant Seay was mortally wounded by a sniper's bullet. Sergeant Seay, by his conspicuous gallantry and intrepidity in action at the cost of his own life, has reflected great credit upon himself, his unit and the United States Army.

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[April 7, 1970]

SP4C. HECTOR SANTIAGO-COLON, U.S. ARMY—POSTHUMOUSLY

Specialist Four Hector Santiago-Colon distinguished himself by conspicuous gallantry and intrepidity at the cost of his life on 28 June 1968 while serving as a gunner in the mortar platoon of Company B, 5th Battalion, 7th Cavalry, 1st Cavalry Division (Airmobile) in Quang Tri Province, Republic of Vietnam. On this date, while serving as a perimeter sentry, Specialist Santiago-Colon heard distinct movement in the heavily wooded area to his front and flanks. Immediately he alerted his fellow sentries in the area to move to their foxholes and remain alert for any enemy probing forces. From the wooded area around his position heavy enemy automatic weapons and small arms fire suddenly broke out, but extreme darkness rendered difficult the precise location and identification of the hostile force. Only the muzzle flashes from enemy weapons indicated their position. Specialist Santiago-Colon and the other members of his position immediately began to repel the attackers, utilizing hand arms fire. Due to the heavy volume of enemy fire and exploding grenades around them, a North Vietnamese soldier was able to crawl, grenades, anti-personnel mines and small undetected, to their position. Suddenly, the enemy soldier lobbed a hand grenade into Specialist Santiago-Colon's foxhole. Realizing that there was no time to throw the grenade out of his position, Specialist Santiago-Colon retrieved the grenade, tucked it in to his stomach and, turning away from his comrades, absorbed the full impact of the blast. His heroic self-sacrifice saved the lives of those who occupied the foxhole with him, and provided them with the inspiration to continue fighting until they had forced the enemy to retreat from the perimeter. By his conspicuous gallantry at the cost of his own life in the highest traditions of the military service, Specialist Four Hector Santiago-Colon has reflected great credit upon himself, his unit and the United States Army.

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[April 7, 1970]

SGT. RAY MCKIBBEN, U.S. ARMY—POSTHUMOUSLY

Sergeant Ray McKibben distinguished himself by conspicuous galantry and intrepidity in action above and beyond the call of duty while serving as team leader of the point element of a reconnaissance patrol of Troop B, 7th Squadron (Airmobile), 17th Cavalry operating in enemy territory near Song Mao in the Republic of Vietnam on 6 December 1968. Sergeant McKibben was leading his point element in a movement to contact along a well-travelled trail when the lead element came under heavy automatic weapons fire from a fortified bunker position, forcing the patrol to take cover. Sergeant McKibben, appraising the situation and without regard for his own safety, charged through bamboo and heavy brush to the fortified position, killed the enemy gunner, secured the weapon and directed his patrol element forward. As the patrol moved out, Sergeant McKibben observed enemy movement to the flank of the patrol. Fire support from helicopter gunships was requested and the area was effectively neutralized. The patrol again continued its mission and as the lead element rounded the bend of a river it came under heavy automatic weapons fire from camouflaged bunkers. As Sergeant McKibben was deploying his men to covered positions, he observed one of his men fall wounded. Although bullets were hitting all around the wounded man, Sergeant McKibben, with complete disregard for his own safety, sprang to his comrade's side and under heavy enemy fire pulled him to safety behind the cover of a rock emplacement where he administered hasty first aid. Sergean McKibben, seeing that his comrades were pinned down and were unable to deliver effective fire against the enemy bunkers, again undertook a single handed assault of the enemy defenses. He charged through the brush and hail of automatic weapons fire closing on the first bunker, killing the enemy with accurate rifle fire and securing the enemy's weapon. He continued his assault against the next bunker, firing his rifle as he charged. As he approached the second bunker his rifle ran out of ammunition; however, he used the captured

enemy weapon until it too was empty, at which time he silenced the bunker with well-placed hand grenades. He reloaded his weapon and covered the advance of his men as they moved forward. Observing the fire of another bunker impeding the patrol's advance, Sergeant McKibben again single-handedly assaulted the new position. As he neared the bunker he was mortally wounded but was able to fire a final burst from his weapon killing the enemy and enabling the patrol to continue the assault. Sergeant McKibben's indomitable courage, extraordinary heroism, profound concern for the welfare of his fellow soldiers and disregard for his own personal safety saved the lives of his comrades and enabled the patrol to accomplish its mission. Sergeant McKibben's conspicuous gallantry and intrepidity in action at the cost of his life above and beyond the call of duty are in the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.

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[April 7, 1970]

PFC. PHILL G. MCDONALD, U.S. ARMY—POSTHUMOUSLY

Private First Class Phill G. McDonald distinguished himself on 7 June 1968 while serving as a Team Leader with the 1st Platoon of Company A, 1st Battalion, 14th Infantry, 4th Infantry Division, in the Republic of Vietnam. While on a combat mission near Kontum City, his platoon came under a heavy barrage of automatic weapons fire from a well-concealed company-size enemy force. Volunteering to escort two wounded comrades to an evacuation point, Private McDonald crawled through intense fire to destroy with a grenade an enemy automatic weapon threatening the safety of the evacuation. Returning to his platoon, he again volunteered to provide covering fire for the maneuver of the platoon from its exposed position. Realizing the threat he posed, enemy gunners concentrated their fire on Private McDonald's position, seriously wounding him. Despite his painful wounds, Private McDonald recovered the weapon of a wounded machine gunner to provide accurate covering fire for the gunner's evacuation. When other soldiers were pinned down by a heavy volume of fire from a hostile machine gun to his front, Private McDonald crawled toward the enemy position to destroy it with grenades. He was mortally wounded in this intrepid action. Private McDonald's conspicuous gallantry at the risk of his own life above and beyond the call of duty, which resulted in the saving of the lives of his comrades, is in keeping with the highest traditions of the military service and reflects great credit upon himself, his unit, and the United States Army.

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[April 7, 1970]

PFC. MILTON A. LEE, U.S. ARMY—POSTHUMOUSLY

Private First Class Milton A. Lee, distinguished himself by conspicuous gallantry and intrepidity in action above and beyond the call of duty on 26 April 1968, near the city of Phu Bai in the Province of Thua Thien, Republic of Vietnam. Private Lee was serving as the radio telephone operator with the 3d Platoon, Company B, 2d Battalion, 502d Infantry, 1st Brigade, 101st Airborne Division (Airmobile). As lead element for the company, the 3d Platoon received intense surprise hostile fire from a force of North Vietnamese Army Regulars in well concealed bunkers. With 50 per cent casualties, the platoon maneuvered to a position of cover to treat their wounded and reorganize, while Private Lee moved through the heavy enemy fire giving life-saving first aid to his wounded comrades. During the subsequent assault on the enemy defensive positions, Private Lee continuously kept close radio contact with the company commander, relaying precise and understandable orders to his platoon leader. While advancing with the front rank toward the objective, Private Lee observed four North Vietnamese soldiers with automatic weapons and a rocket launcher lying in wait for the lead element of the platoon. As the element moved forward, unaware of the concealed danger, Private Lee immediately and with utter disregard for his own personal safety, passed his radio to another soldier and charged through the murderous fire. Without hesitation he continued his assault, overrunning the enemy position, killing all occupants and capturing four automatic weapons and a rocket launcher. Private Lee continued his one-man assault on the second position through a heavy barrage of enemy automatic weapons fire. Grievously wounded, he continued to press the attack, crawling forward into a firing position and delivering accurate covering fire to enable his platoon to maneuver and destroy the position. Not until the position was overrun did Private Lee falter in his steady volume of fire and succumb to his wounds. Private Lee's heroic actions saved the lives of the lead element and were instrumental in the destruction of the key position of the enemy defense. Private Lee's conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty are in keeping with the highest traditions of the military service and reflect great credit on himself, the 502d Infantry, and the United States Army.

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[April 7, 1970]

PFC. GARFIELD M. LANGHORN, U.S. ARMY

Private First Class Garfield H. Langhorn distinguished himself at the cost of his life above and beyond the call of duty on 15 January 1969, while serving as a radio operator with Troop C, 7th Squadron (Airmobile), 17th Cavalry, 1st Aviation Brigade, near Plei Djereng in Pleiku Province, Republic of Vietnam. Private Langhorn's platoon was inserted into a landing zone to rescue two pilots of a Cobra helicopter shot down by enemy fire on a heavily timbered slope. He provided radio coordination with the command-and-control aircraft overhead while the troops hacked their way through dense undergrowth to the wreckage, where both aviators were found dead. As the men were taking the bodies to a pickup site, they suddenly came under intense fire from North Vietnamese soldiers in camouflaged bunkers to the front and right flank, and within minutes they were surrounded. Private Langhorn immediately radioed for help from the orbiting gunships, which began to place mini-gun and rocket fire on the aggressors. He then lay between the platoon leader and another man, operating the radio and providing covering fire for the wounded who had been moved to the center of the small perimeter. Darkness soon fell, making it impossible for the gunships to give accurate support, and the aggressors began to probe the perimeter. An enemy hand grenade landed in front of Private Langhorn and a few feet from personnel who had become casualties. Choosing to protect these wounded, he unhesitatingly threw himself on the grenade, scooped it beneath his body and absorbed the blast. By sacrificing himself, he saved the lives of his comrades. Private Langhorn's conspicuous gallantry and extraordinary heroism at the cost of his own life were in keeping with the highest traditions of the military service and reflect great credit on himself, his unit and the United States Army.

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[Apr. 7, 1970]

SP4C. PETER M. GUENETTE, U.S. ARMY—POSTHUMOUSLY

Specialist Four Peter M. Guenette distinguished himself while serving as a machine gunner with Company D, 2d Battalion (Airborne), 506th Infantry, 101st Airborne Division (Airmobile) during combat operations in Quan Tan Uyen Province, Republic of Vietnam, on 18 May 1968. While Specialist Guenette's platoon was sweeping a suspected enemy base camp, it came under light harassing fire from a well-equipped and firmly entrenched squad of North Vietnamese Army regulars which was serving as a delaying force at the entrance to their base camp. As the platoon moved within ten meters of the fortified positions, the enemy fire became intense. Specialist Guenette and his assistant gunner immediately began to provide a base of suppressive fire, ceasing momentarily to allow the assistant gunner time to throw a grenade into a bunker. Seconds later, an enemy grenade was thrown to Specialist Guenette's right flank. Realizing that the grenade would kill or wound at least four men and destroy the machine gun, he shouted a warning and smothered the grenade with his body, absorbing its blast. Through his actions, he prevented loss of life or injury to at least three men and enabled his comrades to maintain their fire superiority. By his conspicuous gallantry at the cost of his own life in keeping with the highest traditions of the military service, Specialist Guenette has reflected great credit on himself, his unit and the United States Army.

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[April 7, 1970]

PFC. JAMES W. FOUS, U.S. ARMY—POSTHUMOUSLY

Private First Class James W. Fous distinguished himself by conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty on 14 May 1968 while serving as a rifleman with Company E, 4th Battalion, 47th Infantry, 9th Infantry Division in the Republic of Vietnam. On this date, Private Fous was participating in a reconnaissance in force mission in Kien Hoa Province when his unit formed its perimeter defense for the night. Private Fous, together with three other American soldiers, occupied a position in a thickly vegetated area facing a woodline. Private Fous detected three Viet Cong maneuvering toward his position and after alerting the other men, directed accurate fire upon the enemy soldiers, silencing two of them. The third Viet Cong soldier managed to escape in the thick vegetation after throwing a hand grenade into Private Fous' position. Without hesitation, Private Fous shouted a warning to his comrades and leaped upon the lethal explosive, absorbing the blast with his own body to save the lives of the three men in the area at the sacrifice of his own life. Private Fous' conspicuous gallantry and extraordinary heroism at the cost of his own life were in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit and the United States Army.

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[April 7, 1970]

FIRST LT. DOUGLAS B. FOURNET, U.S. ARMY—POSTHUMOUSLY

First Lieutenant Douglas B. Fournet, Infantry, distinguished himself by conspicuous gallantry and intrepidity in action on 4 May 1968 while serving as rifle platoon leader of the 2d Platoon, Company B, 1st Battalion, 7th Cavalry, 1st Cavalry Division (Airmobile) in the Republic of Vietnam. While advancing uphill against fortified enemy positions in the A Shau Valley, the platoon encountered intense sniper fire, making movement very difficult. The right flank man suddenly discovered an enemy claymore mine covering the route of advance and shouted a warning to his comrades. Realizing that the enemy would also be alerted, Lieutenant Fournet ordered his men to take cover and ran uphill toward the mine, drawing a sheath knife as he approached it. With complete disregard for his own safety and realizing the imminent danger to members of his command, he

used his body as a shield in front of the mine as he attempted to slash the control wires leading from the enemy positions to the mine. As he reached for the wire the mine was detonated, killing him instantly. Five men nearest the mine were slightly wounded, but Lieutenant Fournet's heroic and unselfish act spared his men serious injury or death. His gallantry and willing self-sacrifice are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.

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[April 7, 1970]

SP4C. EDWARD A. DEVORE, JR., U.S. ARMY—POSTHUMOUSLY

Specialist Four Edward A. DeVore, Jr., distinguished himself by exceptionally valorous actions on the afternoon of 17 March 1968, while serving as a machine gunner with Company B, 4th Battalion, 39th Infantry, 9th Infantry Division, on a reconnaissance in force mission approximately 5 kilometers south of Saigon, Republic of Vietnam. Specialist DeVore's platoon, the company's lead element, abruptly came under fire from automatic weapons, claymore mines, rockets, and grenades from well concealed bunkers in a nipa palm swamp. One man was killed and three wounded about 20 meters from the bunker complex. Specialist DeVore raced through a hail of fire to provide a base of fire with his machine gun, enabling the point element to move the wounded back to friendly lines. After supporting artillery, gunships and airstrikes had been employed on the enemy positions, a squad was sent forward to retrieve their fallen comrade. Intense enemy frontal and enfilading automatic weapons fire pinned down this element in the kill zone. With complete disregard for his own personal safety, Specialist DeVore assaulted the enemy positions. Hit in the shoulder and knocked down about 35 meters short of his objective, Specialist DeVore, ignoring his pain and the warnings of his fellow soldiers, jumped to his feet and continued his assault under intense hostile fire. Although mortally wounded during this advance, he continued to place highly accurate suppressive fire upon the entrenched insurgents. By drawing the enemy fire upon himself, Specialist DeVore enabled the trapped squad to rejoin the platoon in safety. Specialist DeVore's extraordinary heroism and devotion to duty in close combat were in keeping with the highest traditions of the military service and reflect great credit upon himself, the 39th Infantry and the United States Army.

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[April 7, 1970]

SP4C. NICHOLAS J. CUTINHA, U.S. ARMY—POSTHUMOUSLY

On 2 March 1968 while serving as a machine gunner with Company C, 4th Battalion, 9th Infantry Regiment, 25th Infantry Division in the Republic of Vietnam, Specialist Four Cutinha accompanied his unit on a combat mission near Gia Dinh. Suddenly his company came under small arms, automatic weapons, mortar and rocket propelled grenade fire from a battalion size enemy unit. During the initial hostile attack, communication with the battalion was lost and the company commander and numerous members of the company became casualties. When Specialist Cutinha observed that his company was pinned down and disorganized, he moved to the front with complete disregard for his own safety, firing his machine gun at the charging enemy. As he moved forward he drew fire on his own position and was seriously wounded in the leg. As the hostile fire intensified and half of the company was killed or wounded, Specialist Cutinha assumed command of all the survivors in his area and initiated a withdrawal while providing covering fire for the evacuation of the wounded. He killed several enemy but sustained another leg wound when his machine gun was destroyed by incoming rounds. Undaunted, he crawled through a hail of enemy fire to an operable machine gun in order to continue the defense of his injured comrades who were being administered medical treatment. Specialist Cutinha maintained this position, refused assistance, and provided defensive fire for his comrades until he fell mortally wounded. He was solely responsible for killing fifteen enemy soldiers while saving the lives of at least nine members of his own unit. Specialist Cutinha's conspicuous gallantry and extraordinary heroism were in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit and the United States Army.

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[April 7, 1970]

CPL. MICHAEL J. CRESCENZ, U.S. ARMY

Corporal Michael J. Crescenz distinguished himself by conspicuous gallantry and intrepidity in action on 20 November 1968 while serving as a rifleman with Company A, 4th Battalion, 31st Infantry, 196th Infantry Brigade, Americal Division in the Hiep Duc Valley area of the Republic of Vietnam. On this morning his unit engaged a large, well-entrenched force of the North Vietnamese Army whose initial burst of fire pinned down the lead squad and killed the two point men, halting the advance of Company A. Immediately, Corporal Crescenz left the relative safety of his own position, seized a nearby machine gun and, with complete disregard for his own safety, charged 100 meters up a slope toward the enemy bunkers which he effectively silenced, killing the two occupants of each. Undaunted by the withering machine gun fire around him, Corporal Crescenz courageously moved forward toward a third bunker which he also succeeded in silencing, killing two more of the enemy and momentarily clearing the route of advance for his comrades. Suddenly intense machine gun fire erupted from an unseen, camouflaged bunker. Realizing the danger to his fellow soldiers, Corporal Crescenz disregarded the barrage of hostile fire directed at him and daringly advanced toward the position. Assaulting with his machine gun, Corporal Crescenz was within 5 meters of the bunker when he was mortally wounded by the fire from the enemy machine gun. As a direct result of his heroic action, his company was able to manuever freely with minimal danger and to complete its mission, defeating the enemy. Corporal Crescenz's conspicuous gallantry and extraordinary heroism at the cost of his own life above and beyond the call of duty are in the highest traditions of the military service and reflect great credit on himself, his unit and the United States Army.

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[April 7, 1970]

CPL. THOMAS W. BENNETT, U.S. ARMY—POSTHUMOUSLY

Corporal Thomas W. Bennett distinguished himself during the period 9 to 11 February 1969 while serving as a platoon medical aidman with the Second Platoon, Company B, 1st Battalion, 14th Infantry during a reconnaissance-in-force mission in the Chu Pa region, Pleiku Province, Republic of Vietnam. On 9 February the platoon was moving to assist the First Platoon of Company D which had run into a North Vietnamese ambush when it became heavily engaged by the intense small arms, automatic weapons, mortar and rocket fire from a well fortified and numerically superior enemy unit. In the initial barrage of fire, three of the point members of the platoon fell wounded. Corporal Bennett, with complete disregard for his own safety, ran through the heavy fire to his fallen comrades, administered lifesaving first aid under fire and then made repeated trips carrying the wounded men to positions of relative safety from which they could be medically evacuated from the battle position. Corporal Bennett repeatedly braved the intense enemy fire, moving across open areas to give aid and comfort to his wounded comrades. He valiantly exposed himself to the heavy fire in order to retrieve the bodies of several fallen personnel. Throughout the night and following day, Corporal Bennett moved from position to position treating and comforting the several personnel who had suffered shrapnel and gunshot wounds. On 11 February, Company B again moved in an assault on the well fortified enemy positions and became heavily engaged with the numerically superior enemy force. Five members of the company fell wounded in the initial assault. Corporal Bennett ran to their aid without regard to the heavy fire. He treated one wounded comrade and began running towards another seriously wounded man. Although the wounded man was located forward of the company position covered by heavy enemy grazing fire and Corporal Bennett was warned that it was impossible to reach the location, he leaped forward with complete disregard for his own safety to save his comrade's life. In attempting to save his fellow soldier, he was mortally wounded. Corporal Bennett's conspicuous gallantry, undaunted concern for his comrades and intrepidity at the cost of his own life above and beyond the call of duty are in keeping with the highest traditions of the military service and reflect great credit on himself, his unit and the United States Army.

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[April 20, 1970]

PFC. JIMMY W. PHIPPS, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Combat Engineer with Company B, First Engineer Battalion, First Marine Division in connection with combat operations against the enemy in the Republic of Vietnam. On 27 May 1969, Private First Class Phipps, was a member of a two-man combat engineer demolition team assigned to locate and destroy enemy artillery ordnance and concealed firing devices. After he had expended all of his explosives and blasting caps, Private First Class Phipps discovered a 175mm high explosive artillery round in a rice paddy. Suspecting that the enemy had attached the artillery round to a secondary explosive device, he warned other marines in the area to move to covered positions and prepared to destroy the round with a hand grenade. As he was attaching the hand grenade to a stake beside the artillery round, the fuse of the enemy's secondary explosive device ignited. Realizing that his assistant and the platoon commander were both within a few meters of him and that the imminent explosion could kill all three men, Private First Class Phipps grasped the hand grenade to his chest and dived forward to cover the enemy's explosive and the artillery round with his body, thereby shielding his companions from the detonation while absorbing the full and tremendous impact with his own boy. Private First Class Phipps' indomitable courage, inspiring initiative and selfless devotion to duty saved the lives of two marines and upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

L. CPL. WILLIAM R. PROM, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Machine Gun Squad Leader with Company I, Third Battalion, Third Marines, Third Marine Divi-

sion in action against the enemy in the Republic of Vietnam. While returning from a reconnaissance operation on 9 February 1969 during Operation Taylor Common, two platoons of Company I came under an intense automatic weapons fire and grenade attack from a well-concealed North Vietnamese Army force in fortified positions. The leading element of the platoon was isolated and several marines were wounded. Lance Corporal Prom immediately assumed control of one of his machine guns and began to deliver return fire. Disregarding his own safety he advanced to a position from which he could more effectively deliver covering fire while first aid was administered to the wounded men. Realizing that the enemy would have to be destroyed before the injured marines could be evacuated, Lance Corporal Prom again moved forward and delivered a heavy volume of fire with such accuracy that he was instrumental in routing the enemy, thus permitting his men to regroup and resume their march. Shortly thereafter, the platoon again came under heavy fire in which one man was critically wounded. Reacting instantly, Lance Corporal Prom moved forward to protect his injured comrade. Unable to continue his own fire because of his severe wounds, he continued to advance to within a few yards to the enemy positions. There, standing in full view of the enemy, he accurately directed the fire of his support elements until he was mortally wounded. Inspired by his heroic actions, the marines launched an assault that destroyed the enemy. Lance Corporal Prom's indomitable courage, inspiring initiative and selfless devotion to duty upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

PFC. DEWAYNE T. WILLIAMS, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a rifleman with the First Platoon, Company H, Second Battalion, First Marines, First Marine Division in action against communist insurgent forces in the Quang Nam Province, Republic of Vietnam. Private First Class Williams was a member of a combat patrol sent out from the platoon with the mission of establishing positions in the company's area of operations, from which it could intercept and destroy enemy sniper teams operating in the area. On the night of 18 September 1968, as the patrol was preparing to move from its daylight position to a preselected night position, it was attacked from ambush by a squad of enemy using small arms and hand grenades. Although severely wounded in the back by the close intense fire, Private First Class Williams, recognizing the danger to the patrol, immediately began to crawl forward toward a good firing position. While he was moving under the continuing intense fire, he heard one of the members of the patrol sound the alert that an enemy grenade had landed in their position. Reacting instantly to the alert, he saw that the grenade had landed close to where he was lying and without hesitation, in a valiant act of heroism, he rolled on top of the grenade as it exploded, absorbing the full and tremendous impact of the explosion with his own body. Through his extraordinary initiative and inspiring valor in the face of certain death, he saved the other members of his patrol from serious injury and possible loss of life, and enabled them to successfully defeat the attackers and hold their position until assistance arrived. His personal heroism and devotion to duty upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

[April 20, 1970]

PFC. ALFRED M. WILSON, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Rifleman with Company M, Third Battalion, Ninth Marines, Third Marine Division in action against hostile forces in the Republic of Vietnam. On 3 March 1969, while returning from a reconnaissance in force mission in the vicinity of Fire Support Base Cunningham in Quang Tri Province, the First Platoon of Company M came under intense automatic weapons fire and a grenade attack from a well concealed enemy force. As the center of the column was pinned down, the leading squad moved to outflank the enemy. Private First Class Wilson, acting as Squad Leader of the rear squad, skillfully maneuvered his men to form a base of fire and act as a blocking force. In the ensuing fire fight, both his machine gunner and assistant machine gunner were seriously wounded and unable to operate their weapon. Realizing the urgent need to bring the weapon into operation again, Private First Class Wilson, followed by another marine and with complete disregard for his own safety, fearlessly dashed across the fire-swept terrain to recover the weapon. As they reached the machine gun, an enemy soldier stepped from behind a tree and threw a grenade toward the two marines. Observing the grenade fall between himself and the other marine, Private First Class Wilson, fully realizing the inevitable result of his actions, shouted to his companion and unhesitatingly threw himself on the grenade, absorbing the full force of the explosion with his own body. His heroic actions inspired his platoon members to maximum effort as they aggressively attacked and defeated the enemy. Private First Class Wilson's indomitable courage, inspiring valor and selfless devotion to duty upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

L. CPL. KENNETH L. WORLEY, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Machine Gunner with Company L, Third Battalion, Seventh Marines, First Marine Division in action against enemy forces in the Republic of Vietnam. After establishing a night ambush position in a house in the Bo Ban Hamlet of Quang Nam Province, security was set up and the remainder of the patrol members retired until their respective watch. During the early morning hours of 12 August 1968, the marines were abruptly awakened by the platoon leader's warning that "Grenades" had landed in the house. Fully realizing the inevitable result of his actions, Lance Corporal Worley, in a valiant act of heroism, instantly threw himself upon the grenade nearest him and his comrades, absorbing with his own body, the full and tremendous force of the explosion. Through his extraordinary initiative and inspiring valor in the face of almost certain death, he saved his comrades from serious injury and possible loss of life although five of his fellow marines incurred minor wounds as the other grenades exploded. Lance Corporal Worley's gallant actions upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantry gave his life for his country.

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[April 20, 1970]

H3C. WAYNE M. CARON, U.S. NAVY—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty on 28 July 1968 while serving as Platoon Corpsman with Company K, Third Battalion, Seventh Marines, First Marine Division during combat operations against enemy forces in the Republic of Vietnam. While on a sweep through an open rice field in Quang Nam Province, Petty Officer Caron's unit started receiving enemy small-arms fire. Upon seeing two Marine casualties fall, he immediately ran forward to render first aid, but found that they were dead. At this time, the platoon was taken under intense small-arms and automatic-weapons fire, sustaining additional casualties. As he moved to the aid of his wounded comrades, Petty Officer Caron was hit in the arm by enemy fire. Although knocked to the ground, he regained his feet and continued to the injured Marines. He rendered medical assistance to the first Marine he reached, who was grievously wounded, and undoubtedly was instrumental in saving the man's life. Petty Officer Caron then ran toward the second wounded Marine, but was again hit by enemy fire, this time in the leg. Nonetheless, he crawled the remaining distance and provided medical aid for this severely wounded man. Petty Officer Caron started to make his way to yet another injured comrade, when he was again struck by enemy small-arms fire. Courageously and with unbelievable determination, Petty Officer Caron continued his attempt to reach the third Marine until he himself was killed by an enemy rocket round. His inspiring valor, steadfast determination, and selfless dedication in the face of extreme danger, sustain and enhance the finest traditions of the United States Naval Service.

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[April 20, 1970]

H2C. DAVID R. RAY, U.S. NAVY—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Corpsman with Battery D, Second Battalion, Eleventh Marines, First Marine Division, at Phu Loc 6, near An Hoa, Quang Nam Province, in the Republic of Vietnam, on 19 March 1969. During the early morning hours, an estimated battalion-sized enemy force launched a determined assault against the Battery's position, and succeeded in effecting a penetration of the barbed-wire perimeter. The initial burst of enemy fire caused numerous casualties among the Marines who had immediately manned their howitzers during the rocket and mortar attack. Undaunted by the intense hostile fire, Petty Officer Ray moved from parapet to parapet, rendering emergency medical treatment to the wounded. Although seriously wounded himself while administering first aid to a Marine casualty, he refused medical aid and continued his lifesaving efforts. While he was bandaging and attempting to comfort another wounded Marine, Petty Officer Ray was forced to battle two enemy soldiers who attacked his position, personally killing one and wounding the other. Rapidly losing his strength as a result of his own severe wounds, he nonetheless managed to move through the hail of enemy fire to other casualties. Once again, he was faced with the intense fire of oncoming enemy troops and, despite the grave personal danger and insurmountable odds, succeeded in treating the wounded and holding off the enemy until he ran out of ammunition, at which time he sustained fatal wounds. Petty Officer Ray's final act of heroism was to protect the patient he was treating. He threw himself upon the wounded Marine, thus saving the man's life when an enemy grenade exploded nearby. By his determined and persevering actions, courageous spirit, and selfless devotion to the welfare of his Marine Comrades, Petty Officer Ray served to inspire the men of Battery D to heroic efforts in defeating the enemy. His conduct throughout was in keeping with the finest traditions of the United States Naval Service.

[April 20, 1970]

PFC. OSCAR P. AUSTIN, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and interpidity at the risk of his life above and beyond the call of duty while serving as an Assistant Machine Gunner with Company E, Second Battalion, Seventh Marines, First Marine Division in connection with operations against enemy forces in the Republic of Vietnam. During the early morning hours of 23 February 1969, Private First Class Austin's observation post was subjected to a fierce ground attack by a large North Vietnamese Army force supported by a heavy volume of hand grenades, satchel charges and small arms fire. Observing that one of his wounded companions had fallen unconscious in a position dangerously exposed to the hostile fire, Private First Class Austin unhesitatingly left the relative security of his fighting hole and, with complete disregard for his own safety, raced across the fire-swept terrain to assist the Marine to a covered location. As he neared the casualty, he observed an enemy grenade land nearby and, reacting instantly, leaped between the injured marine and the lethal object, absorbing the effects of its detonation. As he ignored his painful injuries and turned to examine the wounded man, he saw a North Vietnamese Army soldier aiming a weapon at his unconscious companion. With full knowledge of the probable consequences and thinking only to protect the marine, Private First Class Austin resolutely threw himself between the casualty and the hostile soldier and, in so doing, was mortally wounded. Private First Class Austin's indomitable courage, inspiring initiative and selfless devotion to duty upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

PFC. ROBERT C. BURKE, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty for service as a Machine Gunner with Company I, Third Battalion, Twenty Seventh Marines, First Marine Division in the Republic of Vietnam on 17 May 1968. While on Operation Allen Brook, Company I was approaching a dry river bed with a heavily wooded treeline that bordered the hamlet of Le Nam (1), when they suddenly came under intense mortar, rocket propelled grenade, automatic weapons and small arms fire from a large, well concealed enemy force which halted the company's advance and wounded several marines. Realizing that key points of resistance had to be eliminated to allow the units to advance and casualties to be evacuated, Private Burke, without hesitation, seized his machine gun and launched a series of one man assaults against the fortified emplacements. As he aggressively maneuvered to the edge of the steep river bank, he delivered accurate suppressive fire upon several enemy bunkers, which enabled his comrades to advance and move the wounded marines to positions of relative safety. As he continued his combative actions, he located an opposing automatic weapons emplacement and poured intense fire into the position, killing three North Vietnamese soldiers as they attempted to flee. Private Burke then fearlessly moved from one position to another, quelling the hostile fire until his weapon malfunctioned. Obtaining a casualty's rifle and hand grenades, he advanced further into the midst of the enemy fire in an assault against another pocket of resistance, killing two more of the enemy. Observing that a fellow marine had cleared his malfunctioning machine gun he grasped his weapon and moved into a dangerously exposed area and saturated the hostile treeline until he fell mortally wounded. Private Burke's gallant actions upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

SGT. LAWRENCE D. PETERS, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a squad leader with Company M, Third Battalion, Fifth Marines, First Marine Division in the Republic of Vietnam on 4 September 1967. During Operation SWIFT, in the province of Quang Tin, the marines of the second platoon of Company M were struck by intense mortar, machine gun, and small arms fire from an entrenched enemy force. As the company rallied its forces, Sergeant Peters maneuvered his squad in an assault on an enemy defended knoll. Disregarding his own safety, as enemy rounds hit all about him, he stood in the open, pointing out enemy positions until he was painfully wounded in the leg. Disregarding his wound he moved forward and continued to lead his men. As the enemy fire increased in accuracy and volume, his squad lost its momentum and was temporarily pinned down. Exposing himself to devastating enemy fire, he consolidated his position to render more effective fire. While directing the base of fire, he was wounded a second time in the face and neck from an exploding mortal round. As the enemy attempted to infiltrate the position of an adjacent platoon, Sergeant Peters stood erect in the full view of the enemy firing burst after burst forcing them to disclose their camouflaged positions. Sergeant Peters continued firing until he was critically wounded by a gunshot wound in his chest. Although usable to walk or stand, Sergeant Peters steadfastly continued to direct his squad in spite of two additional wounds, persisted in his efforts to encourage and supervise his men until he lost consciousness and succumbed. Inspired by his selfless actions, the squad regained fire superiority and once again carried the assault to the enemy. By his outstanding valor, indomitable fighting spirit and tenacious determination in the face of overwhelming odds, Sergeant Peters upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

CPL. LARRY L. MAXAM, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Fire Team Leader with Company D, First Battalion, Fourth Marines, Third Marine Division in the Republic of Vietnam. On 2 February 1968, the Cam Lo District Headquarters came under extremely heavy rocket, artillery, mortar, and recoilless rifle fire from a numerically superior enemy force, destroying a portion of the defensive perimeter. Corporal Maxam, observing the enemy massing for an assault into the compound across the remaining defensive wire, instructed his Assistant Fire Team Leader to take charge of the fire team, and unhesitatingly proceeded to the weakened section of the perimeter. Completely exposed to the concentrated enemy fire, he sustained multiple fragmentation wounds from exploding grenades as he ran to an abandoned machine gun position. Reaching the emplacement, he grasped the machine gun and commenced to deliver effective fire on the advancing enemy. As the enemy directed maximum fire power against the determined marine, Corporal Maxam's position received a direct hit from a rocket propelled grenade, knocking him backwards and inflicting severe fragmentation wounds to his face and right eye. Although momentarily stunned and in intense pain, Corporal Maxam courageously resumed his firing position and subsequently was struck again by small arms fire. With resolute determination, he gallantly continued to deliver intense machine gun fire, causing the enemy to retreat through the defensive wire to positions of cover. In a desperate attempt to silence his weapon, the North Vietnamese threw hand grenades and directed recoilless rifle fire against him inflicting two additional wounds. Too weak to reload his machine gun, Corporal Maxam fell to a prone position and valiantly continued to deliver effective fire with his rifle. After one and a half hours, during which he was hit repeatedly by fragments from exploding grenades and concentrated small arms fire, he succumbed to his wounds, having successfully defended nearly one half of the perimeter single-handedly. Corporal Maxam's aggressive fighting spirit, inspiring valor and selfless devotion to duty reflected great credit upon himself and the Marine Corps and upheld the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

PFC. RALPH H. JOHNSON, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Reconnaissance Scout with Company A, First Reconnaissance Battalion, First Marine Division in action against the North Vietnamese Army and Viet Cong Forces in the Republic of Vietnam. In the early morning hours of 5 March 1968, during Operation Rock, Private First Class Johnson was a member of a fifteen-man reconnaissance patrol manning an observation post on Hill 146 overlooking the Quan Duc Duc Valley deep in enemy controlled territory. They were attacked by a platoon-size hostile force employing automatic weapons, satchel charges and hand grenades. Suddenly, a hand grenade landed in the three-man fighting hole occupied by Private Johnson and two fellow marines Realizing the inherent danger to his two comrades, he shouted a warning and unhesitatingly hurled himself upon the explosive device. When the grenade exploded, Private Johnson absorbed the tremendous impact of the blast and was killed instantly. His prompt and heroic act saved the life of one marine at the cost of his own and undoubtedly prevented the enemy from penetrating his sector of the patrol's perimeter. Private Johnson's courage, inspiring valor and selfless devotion to duty were in keeping with the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

PFC. ROBERT H. JENKINS, JR., U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Machine Gunner with Company C, Third Reconnaissance Battalion, Third Marine Division in connection with operations against enemy forces in the Republic of Vietnam. Early on the morning of 5 March 1969, Private First Class Jenkins' twelve-man reconnaissance team was occupying a defensive position at Fire Support Base Argonne south of the Demilitarized Zone. Suddenly, the marines were assaulted by a North Vietnamese Army platoon employing mortars, automatic weapons, and hand grenades. Reacting instantly, Private First Class Jenkins and another marine quickly moved into a two-man fighting emplacement, and as they boldly delivered accurate machine gun fire against the enemy, a North Vietnamese soldier threw a hand grenade into the friendly emplacement. Fully realizing the inevitable results of his actions, Private First Class Jenkins quickly

seized his comrade, and pushing the man to the ground, he leaped on top of the marine to shield him from the explosion. Absorbing the full impact of the detonation, Private First Class Jenkins was seriously injured and subsequently succumbed to his wounds. His courage, inspiring valor and selfless devotion to duty saved a fellow marine from serious injury or possible death and upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

PFC. RONALD L. COKER, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Rifleman with Company M, Third Battalion, Third Marines, Third Marine Division in action against enemy forces in the Republic of Vietnam. On 24 March 1969, while serving as Point Man for the Second Platoon, Private First Class Coker was leading his patrol when he encountered five enemy soldiers on a narrow jungle trail. Private First Class Coker's squad aggressively pursued them to a cave. As the squad neared the cave, it came under intense hostile fire, seriously wounding one marine and forcing the others to take cover. Observing the wounded man lying exposed to continous enemy fire, Private First Class Coker disregarded his own safety and moved across the fire-swept terrain toward his companion. Although wounded by enemy small arms fire, he continued to crawl across the hazardous area and skillfully threw a hand grenade into the enemy positions, suppressing the hostile fire sufficiently to enable him to reach the wounded man. As he began to drag his injured comrade towards safety, a grenade landed on the wounded marine. Unhesitatingly, Private First Class Coker grasped it with both hands and turned away from his wounded companion, but before he could dispose of the grenade it exploded. Severely wounded, but undaunted, he refused to abandon his comrade. As he moved toward friendly lines, two more enemy grenades exploded near him, inflicting still further injuries. Concerned only for the safety of his comrade, Private First Class Coker, with supreme effort, continued to crawl and pull the wounded marine with him. His heroic deeds inspired his fellow marines to such aggressive action that the enemy fire was suppressed sufficiently to enable others to reach him and carry him to a relatively safe area where he succumbed to his extensive wounds. Private First Class Coker's indomitable courage, inspiring initiative and selfless devotion to duty upheld the highest traditions of the Marine Corps and of the United States Naval Service. He gallantly gave his life for his country.

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[April 20, 1970]

L. CPL. THOMAS E. CREEK, U.S. MARINE CORPS—POSTHUMOUSLY

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Rifleman with Company I, Third Battalion, Ninth Marines, Third Marine Division in action against enemy forces in the Republic of Vietnam. On 13 February 1969, Lance Corporal Creek's squad was providing security for a convoy moving to resupply the Vandegrift Combat Base when an enemy command detonated mine destroyed one of the vehicles and halted the convoy near the Cam Lo Resettlement Village. Almost immediately, the marines came under a heavy volume of hostile mortar fire followed by intense small arms fire from a well-concealed enemy force. As his squad deployed to engage the enemy, Lance Corporal Creek quickly moved to a fighting position and aggressively engaged in the fire fight. Observing a position from which he could more effectively deliver fire against the hostile force, he completely disregarded his own safety as he fearlessly dashed across the fire-swept terrain and was seriously wounded by enemy fire. At the same time, an enemy grenade was thrown into the gully where he had fallen, landing between him and several companions. Fully realizing the inevitable results of his action, Lance Corporal Creek rolled on the grenade and absorbed the full force of the explosion with his own body, thereby saving the lives of five of his fellow marines. As a result of his heroic action, his men were inspired to such aggressive action that the enemy was defeated and the convoy was able to continue its vital mission. Lance Corporal Creek's indomitable courage, inspiring valor and selfless devotion to duty upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

Those for whom we have no dates are as follows:

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S. SGT. JIMMY G. STEWART, U.S. ARMY

Early on the morning of 18 May 1966, a reinforced North Vietnamese company attacked Company B, 2d Battalion, 12 Cavalry, which was manning a defensive perimeter in Vietnam. The surprise onslaught wounded five members of a six-man squad caught in the direct path of the enemy's thrust. Sergeant Stewart became a lone defender of vital terrain—virtually one man against a hostile platoon. Refusing to take advantage of a lull in the firing which would have permitted him to withdraw, Sergeant Stewart elected to hold his ground to protect his fallen comrades and prevent an enemy penetration of the company perimeter. As the full force of the platoon-sized main attack struck his lone position, he fought like a man possessed; emptying magazine after magazine at the determined, oncharging enemy. The enemy drove almost to his position and hurled grenades, but Sergeant Stewart decimated them by retrieving and throwing the grenades back. Exhausting his ammunition, he crawled under intense fire to his wounded team members and collected ammunition that they were unable to use. Far past the normal point of exhaustion, he held his position for four harrowing hours and through three assaults, annihilating the enemy as they approached and before they could get a foothold. As a result of his defense, the company position held until the arrival of a reinforcing platoon which counterattacked the enemy, now occupying foxholes to the left of Sergeant Stewart's position. After the counterattack, his body was found in a shallow enemy hole where he had advanced in order to add his fire to that of the counterattacking platoon. Eight enemy dead were found around his immediate position, with evidence that fifteen others had been dragged away. The wounded whom he gave his life to protect, were recovered and evacuated. Sergeant Stewart's indomitable courage, in the face of overwhelming odds, stands as a tribute to himself and an inspiration to all men of his unit. His actions were in the highest traditions of the United States Army and the Armed Forces of his country.

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CAPT. EURIPIDES RUBIO, JR., U.S. ARMY

On 8 November 1966, Captain Rubio, Infantry, was serving as Communications Officer, 1st Battalion, 28th Infantry, 1st Infantry Division in Tay Ninh Province, Republic of Vietnam, when a numerically superior enemy force launched a massive attack against the battalion defense position. Intense enemy machine gun fire raked the area while mortar rounds and rifle grenades exploded within the perimeter. Leaving the relative safety of his post, Captain Rubio received two serious wounds as he braved the withering fire to go to the area of most intense action where he distributed ammunition, re-established positions and rendered aid to the wounded. Disregarding the painful wounds, he unhesistatingly assumed command when a rifle company commander was medically evacuated. Captain Rubio was wounded a third time as he selflessly exposed himself to the devastating enemy fire to move among his men to encourage them to fight with renewed effort. While aiding the evacuation of wounded personnel, he noted that a smoke grenade which was intended to mark the Viet Cong position for air strikes had fallen dangerously close to the friendly lines. Captain Rubio ran to reposition the grenade but was immediately struck to his knees by enemy fire. Despite his several wounds, Captain Rubio scooped up the grenade, ran through the deadly hail of fire to within 20 meters of the enemy position and hurled the already smoking grenade into the midst of the enemy before he fell for the final time. Using the repositioned grenade as a marker, friendly air strikes were directed to destroy the hostile positions. Captain Rubio's singularly heroic act turned the tide of battle, and his extraordinary leadership and valor were a magnificent inspiration to his men. His remarkable bravery and selfless concern for his men are in keeping with the highest traditions of the military service and reflect great credit on Captain Rubio and the United States Army.

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SGT. JAMES W. ROBINSON, JR., U.S. ARMY

On April 11, 1966, Company C, 2d Battalion, 16th Infantry was engaged in fierce combat with a Viet Cong battalion. Despite the heavy fire, Sergeant Robinson moved among the men of his fire team, instructing and inspiring them, and placing them in advantageous positions. Enemy snipers located in nearby trees were inflicting heavy casualties on forward elements of Sergeant Robinson's unit. Upon locating the enemy sniper whose fire was taking the heaviest toll, he took a grenade launcher and eliminated the sniper. Seeing a medic hit while administering aid to a wounded sergeant in front of his position and aware that now the two wounded men were at the mercy of the enemy, he charged through a withering hail of fire and dragged his comrades to safety, where he rendered first aid and saved their lives. As the battle continued and casualties mounted, Sergeant Robinson moved about under intense fire to collect from the wounded their weapons and ammunition and redistribute them to able-bodied soldiers. Adding his own fire to that of his men, he assisted in eliminating a major enemy threat. Seeing another wounded comrade in front of his position, Sergeant Robinson again defied the enemy's fire to effect a rescue. In so doing he was himself wounded in the shoulder and leg. Despite his painful wounds, he dragged the soldier to shelter and saved his life by administering first aid. While patching his own wounds, he spotted an enemy machine gun which had inflicted a number of casualties on the American force. His rifle ammunition expended, he seized two grenades and, in an act of unsurpassed heroism, charged toward the entrenched enemy weapon. Hit again in the leg, this time with a tracer round which set fire to his clothing, Sergeant Robinson ripped the burning clothing from his body and staggered indomitably through the enemy fire, now concentrated solely on him, to within grenade range of the enemy machine gun position. Sustaining two additional chest wounds, he marshalled his fleeting physical strength and hurled the two grenades thus destroying the enemy gun position as he fell dead upon the battlefield. His magnificent display of leadership and bravery saved several lives and inspired his soldiers to defeat the numerically superior enemy force. Sergeant Robinson's conspicu-

ous gallantry and intrepidity, at the cost of his life, are in keeping with the finest traditions of the United States Army and reflect great credit upon the 1st Infantry Division and the United States Armed Forces.

CAPT. HILLIARD A. WILBANKS, U.S. AIR FORCE

As a forward air controller near Dalat, Republic of Vietnam, on 24 February 1967, Captain Wilbanks was pilot of an unarmed, light aircraft flying visual reconnaissance ahead of a South Vietnamese Army Ranger Battalion. His intensive search revealed a well-concealed and numerically superior hostile force poised to ambush the advancing Rangers. The Viet Cong, realizing that Captain Wilbanks' discovery had compromised their position and ability to launch a surprise attack, immediately fired on the small aircraft with all available fire power. The enemy then began advancing against the exposed forward elements of the Ranger force which were pinned down by devastating fire. Captain Wilbanks recognized that close support aircraft could not arrive in time to enable the Rangers to withstand the advancing enemy onslaught. With full knowledge of the limitations of his unarmed, unarmored, light reconnaissance aircraft, and the great danger imposed by the enemy's vast fire power, he unhesitatingly assured a covering, close support role. Flying through a hail of withering fire at treetop level, Captain Wilbanks passed directly over the advancing enemy and inflicted many casualties by firing his rifle out of the side window of his aircraft. Despite increasingly intense antiaircraft fire, Captain Wilbanks continued to completely disregard his own safety and made repeated low passes over the enemy to divert their fire away from the Rangers. His daring tactics successfully interrupted the enemy advance, allowing the Rangers to withdraw to safety from their perilous position. During his final courageous attack to protect the withdrawing forces, Captain Wilbanks was mortally wounded and his bullet-riddled aircraft crashed between the opposing forces. Captain Wilbanks' magnificent action saved numerous friendly personnel from certain injury or death. His unparalleled concern for his fellowman and his extraordinary heroism were in the highest traditions of the military service, and have reflected great credit upon himself and the United States Air Force.

PFC. LOUIS E. WILLETT, U.S. ARMY

Private Willett distinguished himself on 15 February 1967 while serving as a rifleman in Company C, 1st Battalion, 12th Infantry, 4th Infantry Division during combat operations in Kontum Province, Republic of Vietnam. His squad was conducting a security sweep when it made contact with a large enemy force. The squad was immediately engaged with a heavy volume of automatic weapons fire and pinned to the ground. Despite the deadly fusillade, Private Willett rose to his feet firing rapid bursts from his own weapon and moved to a position from which he placed highly effective fire on the enemy. His action allowed the remainder of his squad to begin to withdraw from the superior enemy force toward the company perimeter. Private Willett covered the squad's withdrawal, but his position drew heavy enemy machine gun fire, and he received multiple wounds enabling the enemy again to pin down the remainder of the squad. Private Willett struggled to an upright position, and, disregarding his painful wounds, he again engaged the enemy with his rifle to allow his squad to continue its movement and to evacuate several of his comrades who were by now wounded. Moving from position to position, he engaged the enemy at close range until he was mortally wounded. By his unselfish acts of bravery, Private Willett insured the withdrawal of his comrades to the company position, saving their lives at the cost of his own. Private Willett's valorous actions were in keeping with the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

S. SGT. FRANKIE Z. MOLNAR, U.S. ARMY

Sergeant Molnar distinguished himself while serving as a squad leader with Compnay B, 1st Battalion, 8th Infantry, 4th Infantry Division, on 20 May 1967 during combat operations in Kontum Province, Republic of Vietnam. Shortly after the battalion's defensive perimeter was estabilshed, it was hit by intense mortar fire as the prelude to a massive enemy night attack. Sergeant Molnar immediately left his sheltered location to insure the readiness of his squad to meet the attack. As he crawled through the position, he discovered a group of enemy soldiers closing in on his squad area. His accurate rifle fire killed five enemy and forced the remainder to flee. When the mortar fire stopped, the enemy attacked in a human wave supported by grenades, rockets, automatic weapons, and small arms fire. After assisting to repel the first enemy assault, Sergeant Molnar found that his squad's ammunition and grenade supply was nearly expended. Again leaving the relative safety of his position, he crawled through intense enemy fire to secure additional ammunition and distribute it to his squad. He rejoined his men to beat back the renewed enemy onslaught, and he moved about his area providing medical aid and assisting in the evacuation of the wounded. With the help of several men, he was preparing to move a severely wounded soldier when an enemy hand grenade was thrown into the group. The first to see the grenade. Sergeant Molnar threw himself on it and absorbed the deadly blast to save his comrades. His demonstrated selflessness and inspirational leadership on the battle field were a major factor in the successful defense of the American position and are in keeping with the finest traditions of the United States Army, Sergeant Molnar's actions reflect great credit upon himself, his unit, and the United States Army.

SGT. WALTER K. SINGLETON, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as Supply Sergeant, Company A, First Battalion, Ninth Marines, Third Marine Division, on 24 March 1967. Sergeant Singleton's company was conducting combat operations in Gio Linh District, Quang Tri Province, Republic of Vietnam, when the lead platoon received intense small arms, automatic weapons, rocket, and mortar fire from a well entrenched enemy force. As the company fought its way forward, the extremely heavy enemy fire caused numerous friendly casualties. Sensing the need for early treatment of the wounded, Sergeant Singleton quickly moved from his relatively safe position in the rear to the foremost point of the advance and made numerous trips through the enemy killing zone to move the injured men out of the danger area. Noting that a large part of the enemy fire was coming from a hedgerow, he seized a machine gun and assaulted the key enemy location, delivering devastating fire as he advanced. He forced his way through the hedgerow directly into the enemy strong point. Although he was mortally wounded, his fearless attack killed eight of the enemy and drove the remainder from the hedgerow. Sergeant Singleton's bold actions completely disorganized the enemy defense and saved the lives of many of his comrades. His daring initiative, selfless devotion to duty and indomitable fighting spirit reflected great credit upon himself and the Marine Corps, and his performance upheld the highest traditions of the United States Naval Service.

CAPT. JAMES A. TAYLOR, U.S. ARMY

Captain James A. Taylor (then First Lieutenant), Armor, was serving as Executive Officer of Troop B, 1st Squadron, 1st Cavalry, on 9 November 1967 in the Republic of Vietnam. His troop was engaged in an attack on a fortified position west of Que Son when it came under intense enemy recoilless rifle, mortar, and automatic weapons fire from an enemy strong point located immediately to its front. One armored cavalry assault vehicle was hit immediately by recoilless rifle fire and all five crew members were wounded. Aware that the stricken vehicle was in grave danger of exploding, Captain Taylor rushed forward and personally extracted the wounded to safety despite the hail of enemy fire and exploding ammunition. Within minutes a second armored cavalry assault vehicle was hit by multiple recoilless rifle rounds. Despite the continuing intense enemy fire, Captain Taylor moved forward on foot to rescue the wounded men from the burning vehicle and personally removed all the crew men to the safety of a nearby dike. Moments later the vehicle exploded. As he was returning to his vehicle, a bursting mortar round painfully wounded Captain Taylor, yet he valiantly returned to his vehicle to relocate the medical evacuation landing zone to an area closer to the front lines. As he was moving his vehicle, it came under machine gun fire from an enemy position not fifty yards away. Captain Taylor engaged the position with his own machine gun, killing the three man crew. Upon arrival at the new evacuation site, still another vehicle was struck. Once again Captain Taylor rushed forward and pulled the wounded from the vehicle, loaded them aboard his vehicle, and returned them safely to the evacuation site. His actions of unsurpassed valor were a source of inspiration to his entire troop, contributed significantly to the success of the overall assault on the enemy position, and were directly responsible for saving the lives of a number of his fellow soldiers. His actions were keeping with the highest traditions of the military profession and reflect great credit upon himself, his unit, and the United States Army.

L. CPL. ROY M. WHEAT, U.S. MARINE CORPS.

For conspicuous gallantry and intrepidity at the risk of his life, above and beyond the call of duty, while serving as a fire team leader with the First Platoon, Company K, Third Battalion, Seventh Marines, First Marine Division, in the Republic of Vietnam. On 11 August 1967, Corporal Wheat and two other Marines were assigned the mission of providing security for a Navy construction battalion crane and crew operating along Liberty Road in the vicinity of the Dien Ban District, Quang Nam Province. After the Marines had set up security positions in a tree line adjacent to the work site, Corporal Wheat reconnoitered the area to the rear of their location for the possible presence of guerrillas. He then returned to within ten feet of the friendly position, and here unintentionally triggered a well concealed, bounding type, antipersonnel mine. Immediately, a hissing sound was heard which was identified by the three Marines as that of a burning time fuse. Shouting a warning to his comrades, Corporal Wheat in a valiant act of heroism hurled himself upon the mine, absorbing the tremendous impact of the explosion with his own body. The inspirational personal heroism and extraordinary valor of his unselfish action saved his fellow Marines from certain injury and possible death, reflected great credit upon himself, and upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

SGT. ROBERT M. PATTERSON, U.S. ARMY

Sergeant Robert M. Patterson, (then Specialist Four), distinguished himself on 6 May

1968 while serving as a fire team leader of the 3d Platoon, B Troop, 2d Squadron, 17th Cavalry during an assault against a North Vietnamese Army Battalion which was entrenched in a heavily fortified position near La Chu, Republic of Vietnam. When the leading squad of the 3d Platoon was pinned down by heavy interlocking automatic weapon and rocket propelled grenade fire from two enemy bunkers, Sergeant Patterson and the two other members of his assault team moved forward under a hail of enemy fire to destroy the bunkers with grenade and machine gun fire. Observing that his comrades were being fired on from a third enemy bunker covered by enemy gunners in one-man spider holes, Sergeant Patterson, with complete disregard for his own safety and ignoring the warning of his comrades that he was moving into a bunker complex, assaulted and destroyed the position. Although exposed to intensive small arm and grenade fire from the bunkers and their mutually supporting emplacements, Sergeant Patterson continued his assault upon the bunkers which were impeding the advance of his unit. Sergeant Patterson singlehandedly destroyed by rifle and grenade fire five enemy bunkers, killed eight enemy soldiers and captured seven weapons. His dauntless courage and heroism inspired his platoon to resume the attack and to penetrate the enemy defensive position. Sergeant Patterson by his conspicuous gallantry and intrepidity in action at the risk of his own life has reflected great credit upon himself, his unit and the United States Army.

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SP4C. GARY G. WETZEL, U.S. ARMY

Specialist Four Gary G. Wetzel (then Private First Class), 173d Assault Helicopter Company, distinguished himself by conspicuous gallantry and intrepidity at the risk of his own life, above and beyond the call of duty, near Ap Dong An in the Republic of vietnam. On 8 January 1968, Specialist Wetzel was serving as door gunner aboard a helicopter which was part of an insertion force trapped in a landing zone by intense and deadly hostile fires. Specialist Wetzel was going to the aid of his aircraft commander when he was blown into a rice paddy and critically wounded by two enemy rockets that exploded just inches from his location. Although bleeding profusely due to the loss of his left arm and severe wounds in his right arm, chest, and left leg, Specialist Wetzel staggered back to his original position in his gun-well and took the enemy forces under fire. His machine gun was the only weapon placing effective fire on the enemy at that time. Through a resolve that overcame the shock and intolerable pain of his injuries, Specialist Wetzel remained at his position until he had eliminated the automatic weapons emplacement that had been inflicting heavy casualties on the American troops and preventing them from moving against this strong enemy force. Refusing to attend his own extensive wounds, he attempted to return to the aid of his aircraft commander but passed out from loss of blood. Regaining consciousness, he persisted in his efforts to drag himself to the aid of his fellow crewman. After an agonizing effort, he came to the side of the crew chief who was attempting to drag the wounded aircraft commander to the safety of a nearby dike. Unswerving in his devotion to his fellow man, Specialist Wetzel assisted his crew chief even though he lost consciousness once again during this action. Specialist Wetzel displayed extraordinary heroism and intrepidity at the risk of his own life, above and beyond the call of duty, in his efforts to aid his fellow crewmen. His gallant actions were in keeping with the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

CAPT. JAMES M. SPRAYBERRY, U.S. ARMY

Captain (then First Lieutenant) James M. Sprayberry, Armor, United States Army, distinguished himself by exceptional bravery on 25 April 1968 in the Republic of Vietnam while serving as Executive Officer of Company D, 5th Battalion, 7th Cavalry, 1st Cavalry Division (Airmobile). On this date his Company Commander and a great number of the men were wounded and separated from the main body of the company. A daylight attempt to rescue them was driven back by the well-entrenched enemy's heavy fire. Captain Sprayberry then organized and led a volunteer night patrol to eliminate the intervening enemy bunkers and to relieve the surrounded element. The patrol soon began receiving enemy machine gun fire. Captain Sprayberry quickly moved the men to protective cover and without regard for his own safety, crawled within close range of the bunker from which the fire was coming. He silenced the machine gun with a hand grenade. Identifying several one-man enemy positions nearby, Captain Sprayberry immediately attacked them with the rest of his grenades. He crawled back for more grenades and when two grenades were thrown at his men from a position to the front, Captain Sprayberry, without hesitation, again exposed himself and charged the enemy-held bunker killing its occupants with a grenade. Placing two men to cover his advance, he crawled forward and neutralized three more bunkers with grenades. Immediately thereafter, Captain Sprayberry was surprised by an enemy soldier who charged from a concealed position. He killed the soldier with his pistol and with continuing disregard for the danger, neutralized another enemy emplacement. Captain Sprayberry then established radio contact with the isolated men, directing them toward his position. When the two elements made contact he organized his men into litter parties to evacuate the wounded. As the evacuation was nearing completion, he observed an enemy machine gun position which he silenced with a grenade. Captain Sprayberry returned to the rescue party, established security, and moved to friendly lines with the wounded. This rescue operation, which lasted approximately seven and one-half hours, saved the lives of many of his fellow soldiers. Captain Sprayberry personally killed twelve enemy soldiers, eliminated two machine guns, and destroyed numerous enemy bunkers. Captain Sprayberry's indomitable spirit and gallant action at great personal risk to his life are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.

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SP5C. CLARENCE S. SASSER, U.S. ARMY

Specialist Five Clarence E. Sasser (then Private First Class) distinguished himself by conspicuous gallantry and intrepidity on 10 January 1968 while assigned to Headquarters and Headquarters Company, 3d Battalion, 60th Infantry, 9th Infantry Division in the Republic of Vietnam. On this date he was serving as a medical aidman with Company A, 3d Battalion, on a reconnaissance in force operation in Ding Tuong Province. His company was making an air assault when suddenly it was taken under heavy small arms, recoilless rifle, machine gun and rocket fire from well fortified enemy positions on three sides of the landing zone. During the first few minutes, over thirty casualties were sustained. Without hesitation, Specialist Sasser ran across an open rice paddy through a hail of fire to assist the wounded. After helping one man safety, he was painfully wounded in the left shoulder by fragments of an exploding rocket. Refusing medical attention, he ran through a barrage of rocket and automatic weapons fire to aid casualties of the initial attack and, after giving them urgently needed treatment, continued to search for other wounded. Despite two additional wounds immobilizing his legs, he dragged himself through the mud toward another soldier one hundred meters away. Although in agonizing pain and faint from loss of blood, Specialist Sasser reached the man, treated him, and proceeded on to encourage another group of soldiers to crawl two hundred meters to relative safety. There he attended their wounds for five hours until they were evacuated. Specialist Sasser's conspicuous gallantry, extraordinary heroism and intrepidity at the risk of his own life, above and beyond the call of duty, are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit and the United States Army.

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CAPT. RILEY L. PITTS, U.S. ARMY

Captain Riley L. Pitts, Infantry, United States Army, distinguished himself by exceptional heroism while serving as Company Commander of Company C, 2d Battalion, 27th Infantry, during an airmobile assault in the vicinity of Ap Dong, Republic of Vietnam, on 31 October 1967. Immediately after his company landed in the area, several Viet Cong opened fire with automatic weapons. Despite the enemy fire, Captain Pitts forcefully led an assault which overran the enemy positions. Shortly thereafter, Captain Pitts was ordered to move his unit to the north to reinforce another company heavily engaged against a strong enemy force. As Captain Pitts' company moved forward to engage the enemy, intense fire was received from three directions, including fire from four enemy bunkers, two of which were within 15 meters of Captain Pitts' position. The severity of the incoming fire prevented Captain Pitts from maneuvering his company. His rifle fire proving ineffective against the enemy due to the dense jungle foliage, he picked up an M–79 grenade launcher and began pinpointing the targets. Seizing a Chinese Communist grenade which had been taken from a captured Viet Cong's web gear, Captain Pitts lobbed the grenade at a bunker to his front, but it hit the dense jungle foliage and rebounded. Without hesitation, Captain Pitts threw himself on top of the grenade which, fortunately, failed to explode. Captain Pitts then directed the repositioning of the company to permit friendly artillery to be fired. Upon completion of the artillery fire mission, Captain Pitts again led his men toward the enemy positions, personally killing at least one more Viet Cong. The jungle growth still prevented effective fire to be placed on the enemy bunkers. Captain Pitts, displaying complete disregard for his life and personal safety, quickly moved to a position which permitted him to place effective fire on the enemy. He maintained a continuous fire, pinpointing the enemy's fortified positions, while at the same time directing and urging his men forward, until he was mortally wounded. Captain Pitts' conspicuous gallantry, extraordinary heroism, and intrepidity at the cost of his own life, above and beyond the call of duty, are in the highest traditions of the United States Army and reflect great credit upon himself, his unit, and the armed forces of his country.

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PFC. BILLY L. LAUFFER, U.S. ARMY

While participating in combat operations against a strong enemy force near Bong Son in Binh Dinh Province, Republic of Vietnam, on 21 September 1966, Private First Class Lauffer's squad, a part of Company C, 2d Battalion, 5th Cavalry, was suddenly struck at close range by an intense machine gun crossfire from two concealed bunkers astride the squad's route. Private Lauffer, the second man in the column, saw the lead man fall and noted that the remainder of the squad was unable to move. Two comrades, previously wounded and being carried on litters,

were lying helpless in the beaten zone of the enemy fire. Reacting instinctively, Private Lauffer quickly engaged both bunkers with fire from his rifle, but when the other squad members attempted to maneuver under his covering fire, the enemy fusillade increased in volume and thwarted every attempt to move. Seeing this and his wounded comrades helpless in the open, Private Lauffer rose to his feet and charged the enemy machine gun positions, firing his weapon and drawing the enemy's attention. Keeping the enemy confused and off balance; his one man assault provided the crucial moments for the wounded point man to crawl to a covered position, the squad to move the exposed litter patients to safety, and his comrades to gain more advantageous positions. Private Lauffer was fatally wounded during his selfless act of courage and devotion to his fellow soldiers. His conspicuous gallantry and intepidity at the cost of his life served as an inspiration to his comrades and saved the lives of an untold number of his companions. His actions are in keeping with the highest traditions of military service and reflect great credit upon himself, his unit, and the United States Army.

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CHAPLAIN CAPT. ANGELO J. LITEKY, U.S. ARMY

Chaplain (Captain) Angelo J. Liteky distinguished himself by exceptional heroism on 6 December 1967, while serving with Company A, 4th Battalion, 12th Infantry, 199th Light Infantry Brigade. He was participating in a search and destroy operation near Phuoc Lac, Bien Hoa Province, in the Republic of Vietnam, when Company A came under intense fire from a battalion size enemy force. Momentarily stunned from the immediate encounter that ensued, the men hugged the ground for cover. Observing two wounded men, Chaplain Liteky moved to within fifteen meters of an enemy machine gun position to reach them, placing himself between the enemy and the wounded men. When there was a brief respite in the fighting, he managed to drag them to the relative safety of the landing zone. Inspired by his courageous actions, the company rallied and began placing a heavy volume of fire upon the enemy's positions. In a magnificent display of courage and leadership, Chaplain Liteky began moving upright through the enemy fire, administering last rites to the dying and evacuating the wounded. Noticing another trapped and seriously wounded man, Chaplain Liteky crawled to his aid. Realizing that the wounded man was too heavy to carry, he rolled on his back, placed the man on his chest and through sheer determination and fortitude crawled back to the landing zone using his elbows and heels to push himself along. Pausing for breath momentarily, he returned to the action and came upon a man entangled in the dense, thorny underbrush. Once more intense enemy fire was directed at him, but Chaplain Liteky stood his ground and calmly broke the vines and carried the man to the landing zone for evacuation. On several occasions when the landing zone was under small arms and rocket fire, Chaplain Liteky stood up in the face of hostile fire and personally directed the medevac helicopters into and out of the area. With the wounded safely evacuated, Chaplain Liteky returned to the perimeter, constantly encouraging and inspiring the men. Upon the unit's relief on the morning of 7 December 1967, it was discovered that despite painful wounds in the neck and foot, Chaplain Liteky had personally carried over twenty men to the landing zone for evacuation during the savage fighting. Through his indomitable inspiration and heroic actions, Chaplain Liteky saved the lives of a number of his comrades and enabled the company to repulse the enemy. Chaplain Liteky's actions reflect great credit upon himself and were in keeping with the highest traditions of the United States Army.

SECOND LT. WALTER J. MARM, U.S. ARMY

Second Lieutenant Walter J. Marm, Infantry, distinguished himself by conspicuous gallantry and intrepidity at the risk of his own life above and beyond the call of duty while engaged in action against a hostile force in the vicinity of the Ia Drang Valley, Republic of Vietnam, on November 14, 1965. As a Platoon Leader in the 1st Cavalry Division (Airmobile), Lieutenant Marm demonstrated indomitable courage during a combat operation in the Ia Drang Valley. His company was moving through the valley to relieve a friendly unit surrounded by an enemy force of estimated regimental size. Lieutenant Marm led his platoon through withering fire until the were finally forced to take cover. Realizing that his platoon could not hold very long, and seeing four enemy moving into his position, he moved quickly under heavy fire and annihilated all four. Then, seeing that his platoon was receiving intense fire from a concealed machine gun, he deliberately exposed himself to draw its fire. Thus locating its position, he attempted to destroy it with an anti-tank weapon. Although he inflicted casualties, the weapon did not silence the enemy fire. Quickly, disregarding the intense fire directed on him and his platoon, he charged 30 meters across open ground, and hurled grenades into the enemy position, killing some of the eight insurgents manning it. Although severely wounded, when his grenades were expended, armed with only a rifle, he continued the momentum of his assault on the position and killed the remainder of the enemy. Lieutenant Marm's selfless actions reduced the fire on his platoon, broke the enemy assault and rallied his unit to continue toward the accomplishment of their mission. Lieutenant Marm's conspicuous gallantry on the battlefield and his extraordinary intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

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MAJ. ROBERT J. MODRZEJEWSKI, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as Commanding Officer, Company K, Third Battalion, Fourth Marines, Third Marine Division, in the Republic of Vietnam from 15 to 18 July 1966. On 15 July, during Operation HASTINGS, Company K was landed in an enemy infested jungle area to establish a blocking position at a major enemy trail network. Shortly after landing, the Company encountered a reinforced enemy platoon in a well organized, defensive position. Major (then Captain) Modrzejewski led his men in the successful seizure of the enemy redoubt, which contained large quantities of ammunition and supplies. That evening a numerically superior enemy force counterattacked in an effort to retake the vital supply area, thus setting the pattern of activity for the next two and one-half days. In the first series of attacks, the enemy assaulted repeatedly in overwhelming numbers but each time was repulsed by the gallant Marines. The second night the enemy struck in battalion strength, and Major Modrzejewski was wounded in this intensive action which was fought at close quarters. Although exposed to enemy fire, and despite his painful wounds, he crawled 200 meters to provide critically needed ammunition to an exposed element of his command and was constantly present wherever the fighting was heaviest, despite numerous casualties, a dwindling supply of ammunition and the knowledge that they were surrounded, he skillfully directed artillery fire to within a few meters of his position and courageously inspired the efforts of his Company in repelling the aggressive enemy attack. On 18 July, Company K was attacked by a regimental size enemy force. Although his unit was vastly outnumbered and weakened by the previous fighting, Major Modrzejewski reorganized his men and calmly moved among them to encourage and direct their efforts to heroic limits as they fought to overcome the vicious enemy onslaught. Again he called in air and artillery strikes at close range with devastating effect on the enemy, which together with the bold and determined fighting of the men of Company K, repulsed the fanatical attack of the larger North Vietnamese force. His unparalleled personal heroism and indomitable leadership inspired his men to a significant victory over the enemy force and reflected great credit upon himself, the Marine Corps and the United States Naval Service.

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SGT. TED BELCHER, U.S. ARMY

Sergeant Ted Belcher, United States Army, distinguished himself by conspicuous gallantry and intrepidity at the risk of his life on 19 November 1966 near Plei Djerang, Republic of Vietnam. On that date, Sergeant Belcher's unit, Company C, 1st Battalion, 14th Infantry, was engaged in a search and destroy mission with Company B, 1st Battalion, 14th Infantry, the Battalion Reconnaissance Platoon and a Special Forces Company of Civilian Irregular Defense Group Personnel. As a squad leader of the 2d Platoon of Company C, Sergeant Belcher was leading his men when they encountered a bunker complex. The Reconnaissance Platoon, located a few hundred meters northwest of Company C, received a heavy volume of fire from well camouflaged snipers. As the 2d Platoon moved forward to assist the unit under attack, Sergeant Belcher and his squad, advancing only a short distance through the dense jungle terrain, met heavy and accurate automatic weapons and sniper fire. Sergeant Belcher and his squad were momentarily stopped by the deadly volume of enemy fire. He quickly gave the order to return fire and resume the advance toward the enemy. As he moved up with his men, a hand grenade landed in the midst of the sergeant's squad. Instantly realizing the immediate danger to his men, Sergeant Belcher, unhesitatingly and with complete disregard for his own safety, lunged forward, covering the grenade with his body. Absorbing the grenade blast at the cost of his life, he saved his comrades from becoming casualties. Sergeant Belcher's conspicuous gallantry, his profound concern for his fellow soldiers, and his intrepidity at the risk of his life above and beyond the call of duty are in keeping with the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

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PFC. LESLIE A. BELLRICHARD, U.S. ARMY

Acting as a fire team leader with Company C, 1st Battalion, 8th Infantry, during combat operations in Kontum Province, Republic of Vietnam, on 20 May 1967, Private Bellrichard was with four fellow soldiers in a foxhole on their unit's perimeter when the position came under a massive enemy attack. Following a thirty minute mortar barrage, the enemy launched a strong ground assault. Private Bellrichard rose in the face of a group of charging enemy soldiers and threw hand grenades into their midst, eliminating several of the foe and forcing the remainder to withdraw. Failing in their initial attack, the enemy repeated the mortar and rocket bombardment of the friendly perimeter, then once again charged against the defenders in a concerted effort to overrun the position. Private Bellrichard resumed throwing hand grenades at the onrushing attackers. As he was about to hurl a grenade, a mortar round exploded just in front of his position, knocking him into the foxhole and causing him to lose his grip on the already armed grenade. Recovering instantly, Private Bellrichard recognized the threat to the lives of

his four comrades and threw himself upon the grenade, shielding his companions from the blast that followed. Although severely wounded, Private Bellrichard struggled into an upright position in the foxhole and fired his rifle at the enemy until he succumbed to his wounds. His selfless heroism contributed greatly to the successful defense of the position, and he was directly responsible for saving the lives of several of his comrades. His acts are in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

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MAJ. PATRICK H. BRADY, MEDICAL SERVICE CORPS, U.S. ARMY

Major Patrick H. Brady, Medical Service Corps, distinguished himself by conspicuous gallantry and intrepidity while serving with the 54th Medical Detachment, 67th Medical Group, 44th Medical Brigade in the Republic of Vietnam. On 6 January 1968 Major Brady, commanding a UH–1H ambulance helicopter in the vicinity of Chu Lai, volunteered to rescue wounded men from a site in enemy held territory which was reported to be heavily defended and to be blanketed by fog. To reach the site he descended through heavy fog and smoke and hovered slowly along a valley trail, turning his ship sideward to blow away the fog with the backwash from his rotor blades. Despite the unchallenged, close-range enemy fire, he found the dangerously small site, where he successfully landed and evacuated two badly wounded South Vietnamese soldiers. He was then called to another area completely covered by dense fog where American casualties lay only 50 meters from the enemy. Two aircraft had previously been shot down and others had made unsuccessful attempts to reach this site earlier in the day. With unmatched skill and extraordinary courage, Major Brady made four flights to this embattled landing zone and successfully rescued all the wounded. On his third mission of the day Major Brady once again landed at a site surrounded by the enemy. The friendly ground force, pinned down by enemy fire, had been unable to reach and secure the landing zone. Although his aircraft had been badly damaged and his controls partially shot away during his initial entry into this area, he returned minutes later and rescued the remaining injured. Shortly thereafter, obtaining a replacement aircraft, Major Brady was requested to land in an enemy minefield where a platoon of American soldiers was trapped. A mine detonated near his helicopter, wounding two crew members and damaging his ship. In spite of this, he managed to fly six severely injured patients to medical aid. Throughout that day Major Brady utilized three helicopters to evacuate a total of fifty-one seriously wounded men, many of whom would have perished without prompt medical treatment. Major Brady's conspicuous gallantry was in the highest traditions of the military service and reflects great credit upon himself and the United States Army.

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SECOND LT. JOHN P. BOBO, U.S. MARINE CORPS RESERVE

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Weapons Platoon Commander, Company I, Third Battalion, Ninth Marines, Third Marine Division, in Quang Tri Province, Republic of Vietnam, on 30 March 1967. Company I was establishing night ambush sites when the command group was attacked by a reinforced North Vietnamese company supported by heavy automatic weapons and mortar fire. Lieutenant Bobo immediately organized a hasty defense and moved from position to position encouraging the outnumbered Marines despite the murderous enemy fire. Recovering a rocket launcher from among the friendly casualties, he organized a new launcher team and directed its fire into the enemy machine gun positions. When an exploding enemy mortar round severed Lieutenant Bobo's right leg below the knee, he refused to be evacuated and insisted upon being placed in a firing position to cover the movement of the command group to a better location. With a web belt around his leg serving as a tourniquet and with his leg jammed into the dirt to curtail the bleeding, he remained in this position and delivered devastating fire into the ranks of the enemy attempting to overrun the Marines. Lieutenant Bobo was mortally wounded while firing his weapon into the mainpoint of the enemy attack but his valiant spirit inspired his men to heroic efforts, and his tenacious stand enabled the command group to gain a protective position where it repulsed the enemy onslaught. Lieutenant Bobo's superb leadership, dauntless courage, and bold initiative reflected great credit upon himself and upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

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SGT. SAMMY L. DAVIS, U.S. ARMY

Sergeant Sammy L. Davis (then Private First Class) distinguished himself during the early morning hours of 18 November 1967 while serving as a cannoneer with Battery C, 2nd Battalion, 4th Artillery, 9th Infantry Division, at a remote fire support base west of Cai Lay, Republic of Vietnam. At approximately 0200 hours, the fire support base came under heavy enemy mortar attack. Simultaneously, an estimated reinforced Viet Cong battalion launched a fierce ground assault upon the fire support base. The attacking enemy drove to within twenty-five meters of the friendly positions. Only a river separated the Viet Cong from the fire support base. Detecting a nearby enemy position, Sergeant Davis seized a machine gun and provided covering fire for his gun crew, as they attempted to bring direct artillery fire on the enemy. Despite his efforts, an enemy recoilless rifle round scored a direct hit upon the artillery piece. The resultant blast hurled the gun crew from their weapon and blew Sergeant Davis into a foxhole. He struggled to his feet and returned to the howitzer, which was burning furiously. Ignoring repeated warnings to seek cover, Sergeant Davis rammed a shell into the gun. Disregarding a withering hail of enemy fire directed against his position, he aimed and fired the howitzer which rolled backward, knocking Sergeant Davis violently to the ground. Undaunted, he returned to the weapon to fire again when an enemy mortar round exploded within twenty meters of his position, injuring him painfully. Nevertheless, Sergeant Davis loaded the artillery piece, aimed and fired. Again he was knocked down by the recoil. In complete disregard for his own safety, Sergeant Davis loaded and fired three more shells into the enemy. Disregarding his extensive injuries and his inability to swim, Sergeant Davis picked up an air mattress and struck out across the deep river to rescue three wounded comrades on the far side. Upon reaching the three wounded men, he stood upright and fired into the dense vegetation to prevent the Viet Cong from advancing. While the most seriously wounded soldier was helped across the river, Sergeant Davis protected the two remaining casualties until he could pull them across the river to the fire support base. Though suffering from painful wounds, he refused medical attention, joining another howitzer crew which fired at the large Viet Cong force until it broke contact and fled. Sergeant Davis' conspicuous gallantry, extraordinary heroism, and intrepidity at the risk of his own life, above and beyond the call of duty, are in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

SECOND LT. HAROLD B. DURHAM, JR., U.S. ARMY

Second Lieutenant Harold B. Durham, Jr., Artillery, distinguished himself by conspicuous gallantry and intrepidity at the cost of his life above and beyond the call of duty on 17 October 1967 while assigned to Battery C, 6th Battalion, 15th Artillery, 1st Infantry Division, in the Republic of Vietnam. On this date, Lieutenant Durham was serving as a forward observer with Company D, 2d Battalion, 28th Infantry, during a battalion reconnaissance in force mission. At approximately 1015 hours contact was made with an enemy force concealed in well-camouflaged positions and fortified bunkers. Lieutenant Durham immediately moved into an exposed position to adjust the supporting artillery fire onto the insurgents. During a brief lull in the battle he administered emergency first aid to the wounded in spite of heavy enemy sniper fire directed toward him. Moments later, as enemy units assaulted friendly positions, he learned that Company A, bearing the brunt of the attack had lost its forward observer. While he was moving to replace the wounded observer, the enemy detonated a claymore mine, severely wounding him in the head and impairing his vision. In spite of the intense pain, he continued to direct the supporting artillery fire and to employ his individual weapon in support of the hard pressed infantrymen. As the enemy pressed their attack, Lieutenant Durham called for supporting fire to be placed almost directly on his position. Twice the insurgents were driven back, leaving many dead and wounded behind. Lieutenant Durham was then taken to a secondary defensive position. Even in his extremely weakened condition, he continued to call artillery fire onto the enemy. He refused to seek cover and instead positioned himself in a small clearing which afforded a better vantage point from which to adjust the fire. Suddenly, he was severely wounded a second time by enemy machine gun fire. As he lay on the ground near death, he saw two Viet Cong approaching, shooting the defenseless wounded men. With his last effort, Lieutenant Durham shouted a warning to a nearby soldier who immediately killed the insufgents. Lieutenant Durham died moments later, still grasping the radio handset. Lieutenant Durham's gallant actions in close combat with an enemy force are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.

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FIRST LT. JAMES A. GARDNER, U.S. ARMY

On 7 February 1966 Lieutenant Gardner's platoon was advancing to relieve a company of the 1st Battalion (Airborne), 327th Infantry, that had been pinned down for several hours by a numerically superior enemy force in the village of My Canh, Vietnam. The enemy occupied a series of strongly fortified bunker positions which were mutually supporting and expertly concealed. Approaches to the position were well covered by an integrated pattern of fires including automatic weapons, machine guns and mortars. Air strikes and artillery placed on the fortifications had little effect. Lieutenant Gardner's platoon was to relieve the friendly company by encircling and destroying the enemy force. Even as it moved to begin the attack, the platoon was under heavy enemy fire. During the attack, the enemy fire intensified. Leading the assault and disregarding his own safety, Lieutenant Gardner charged through a withering hail of fire across an open rice paddy. On reaching the first bunker he destroyed it with a grenade and without hesitation dashed to the second bunker and eliminated it by tossing a grenade inside. Then, crawling swiftly along the dike of a rice paddy, he reached the third bunker. Before he could arm a grenade, the enemy gunner leaped forth, firing at him. Lieuten-

ant Gardner instantly returned the fire and killed the enemy gunner at a distance of six feet. Following the seizure of the main enemy position, he reorganized the platoon to continue the attack. Advancing to the new assault position, the platoon was pinned down by an enemy machine gun emplaced in a fortified bunker. Lieutenant Gardner immediately collected several grenades and charged the enemy position, firing his rifle as he advanced to neutralize the defenders. He dropped a grenade into the bunker and vaulted beyond. As the bunker blew up, he came under fire again. Rolling into a ditch to gain cover, he moved toward the new source of fire. Nearing the position, he leaped from the ditch and advanced with a grenade in one hand and firing his rifle with the other. He was gravely wounded just before he reached the bunker, but with a last valiant effort he staggered forward and destroyed the bunker and its defenders with a grenade. Although he fell dead on the rim of the bunker, his extraordinary actions so inspired the men of his platoon that they resumed the attack and completely routed the enemy. Lieutenant Gardner's conspicuous gallantry and intrepidity, above and beyond the call of duty, were in the highest traditions of the United States Army.

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PLATOON SGT. BRUCE A. GRANDSTAFF, U.S. ARMY

Platoon Sergeant Grandstaff distinguished himself on 18 May 1967 while leading the Weapons Platoon, Company B, 1st Battalion, 8th Infantry on a reconnaissance mission near the Cambodian border in Pleiku Province, Republic of Vietnam. His platoon was advancing through intermittent enemy contact when it was struck by heavy enemy small arms and automatic weapons fire from three sides. As he established a defensive perimeter, Sergeant Grandstaff noted that several of his men had been struck down. He raced 30 meters through the intense fire to aid them but could only save one. Denied freedom to maneuver his unit by the intensity of the enemy onslaught, he adjusted artillery to within 45 meters of his position. When helicopter gunships arrived, he crawled outside the defensive position to mark the location with smoke grenades. Realizing his first marker was probably ineffective, he crawled to another location and threw his last smoke grenade but the smoke did not penetrate the jungle foliage. Seriously wounded in the leg during this effort he returned to his radio and, refusing medical aid, adjusted the artillery even closer as the enemy advanced on his position. Recognizing the need for additional firepower, he again braved the enemy fusillade, crawled to the edge of his position and fired several magazines of tracer ammunition through the jungle canopy. He succeeded in designating the location to the gunships but this action again drew the enemy fire and he was wounded in the other leg. Now enduring intense pain and bleeding profusely, he crawled to within ten meters of an enemy machine gun which had caused many casualties among his men. He destroyed the position with hand grenades but received additional wounds. Rallying his remaining men to withstand the enemy assaults, he realized his position was being overrun and asked for artillery directly on his location. He fought until mortally wounded by an enemy rocket. Although every man in the platoon was a casualty, survivors attest to the indomitable spirit and exceptional courage of this outstanding combat leader who inspired his own men to fight courageously against overwhelming odds and cost the enemy heavy casualties. Sergeant Grandstaff's conspicuous and selfless gallantry, above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

[May 14, 1968]

CAPT. JOSEPH X. GRANT, U.S. ARMY

On 13 November 1966, Company A, 1st Battalion, 14th Infantry, was participating in a search and destroy operation when the leading platoon made contact with the enemy and a fierce firefight ensued. Captain (then First Lieutenant) Grant was ordered to disengage the two remaining platoons and to maneuver them to envelop and destroy the enemy. After beginning their movement, the platoons encountered intense enemy automatic weapons and mortar fire from the front and flank. Captain Grant was ordered to deploy the platoons in a defensive position. As this action was underway, the enemy attacked, using "human wave" assaults, in an attempt to literally overwhelm Captain Grant's force. In a magnificent display of courage and leadership, Captain Grant moved under intense fire along the hastily formed defensive line repositioning soldiers to fill gaps created by the mounting casualties and inspiring and directing the efforts of his men to successfully repel the determined enemy onslaught. Seeing a platoon leader wounded, Captain Grant hastened to his aid, in the face of the mass of fires of the entire enemy force, and moved him to a more secure position. During this action, Captain Grant was wounded in the shoulder. Refusing medical treatment, he returned to the forward part of the perimeter, where he continued to lead and to inspire his men by his own indomitable example. While attempting to evacuate a wounded soldier, he was pinned down by fire from an enemy machine gun. With a supply of hand grenades, he crawled forward under a withering hail of fire and knocked out the machine gun, killing the crew, after which he moved the wounded man to safety. Learning that several other wounded men were pinned down by enemy fire forward of his position, Captain Grant disregarded his painful wound and led five men across the fireswept open ground to effect a rescue. Following return of the wounded men to the perimeter, a concentration of mortar fire landed in their midst and Captain Grant was killed instantly. His heroic actions saved the lives of a number of his comrades and enabled the task force to repulse the vicious assaults and defeat the enemy. Captain Grant's actions reflect great credit upon himself and were in keeping with the finest traditions of the United States Army.

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SECOND LT. ROBERT J. HIBBS, U.S. ARMY

Second Lieutenant Robert J. Hibbs, Infantry, distinguished himself by gallantry and intrepidity at the risk of his life above and beyond the call of duty on March 5, 1966 in the vicinity of Don Dien Lo Ke, Republic of Vietnam. Lieutenant Hibbs was in command of a fifteen-man ambush patrol of the 2d Battalion, 28th Infantry when his unit observed a company of Viet Cong advancing along the road toward the 2d Battalion's positions. Informing his command post by radio of the impending attack, he prepared his men for the oncoming Viet Cong, emplaced two mines in their path and, when the insurgents were within twenty feet of the patrol's position, he fired the two antipersonnel mines, wounding or killing half of the enemy company. Then, to cover the withdrawal of his patrol, he threw hand grenades, stepped onto the open road, and opened fire on the remainder of the Viet Cong force of approximately fifty men. Having rejoined his men, he was leading them toward the Battalion perimeter when the patrol encountered the rear elements of another Viet Cong company deployed to attack the Battalion. With the advantage of surprise, he directed a charge against the Viet Cong which carried the patrol through the insurgent force completely disrupting its attack. Learning that a wounded patrol member was wandering in the area between the two opposing forces and although moments from safety and wounded in the leg himself, he and a sergeant went back to the battlefield to recover the stricken man. After they maneuvered through the withering fire of two Viet Cong machine guns, the sergeant grabbed the dazed soldier and dragged him back toward the friendly lines while Lieutenant Hibbs remained behind to provide covering fire. Armed with only an M–16 rifle and a pistol, but determined to destroy the enemy positions, he then charged the two machine gun emplacements and was struck down. Before succumbing to his mortal wounds, he destroyed the starlight telescopic sight attached to his rifle to prevent its capture and use by the Viet Cong. Lieutenant Hibbs' conspicuous gallantry, his profound concern for his fellow soldiers, and his intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

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S. SGT. JOE R. HOOPER, U.S. ARMY

Staff Sergeant (then Sergeant) Joe R. Hooper, United States Army, distinguished himself by conspicuous gallantry and intrepidity on 21 February 1968, while serving as squad leader with Company D, 2nd Battalion (Airborne), 501st Infantry, 101st Airborne Division, near Hue, Republic of Vietnam. Company D was assaulting a heavily defended enemy position along a river bank when it encountered a withering hail of fire from rockets, machine guns and automatic weapons. Staff Sergeant Hooper rallied several men and stormed across the river, overrunning several bunkers on the opposite shore. Thus inspired, the rest of the company moved to the attack. With utter disregard for his own safety, he moved out under the intense fire again and pulled back the wounded, moving them to safety. During this act Staff Sergeant Hooper was seriously wounded, but he refused medical aid and returned to his men. With the relentless enemy fire disrupting the attack, he singlehandedly stormed three enemy bunkers, destroying them with hand grenades and rifle fire, and shot two enemy soldiers who had attacked and wounded the chaplain. Leading his men forward in a sweep of the area, Staff Sergeant Hooper destroyed three buildings housing enemy riflemen. At this point he was attacked by a North Vietnamese officer whom he fatally wounded with his bayonet. Finding his men under heavy fire from a house to the front, he proceeded alone to the building, killing its occupants with rifle fire and grenades. By now his initial body wound had been compounded by grenade fragments, yet despite the multiple wounds and loss of blood, he continued to lead his men against the intense enemy fire. As his squad reached the final line of enemy resistance, it received devastating fire from four bunkers in line on its left flank. Staff Sergeant Hooper gathered several hand grenades and raced down a small trench which ran the length of the bunker line, tossing grenades into each bunker as he passed by, killing all but two of the occupants. With these positions destroyed, he concentrated on the last bunkers facing his men, destroying the first with an incendiary grenade and neutralizing two more by rifle fire. He then raced across an open field, still under enemy fire, to rescue a wounded man who was trapped in a trench. Upon reaching the man, he was faced by an armed enemy soldier whom he killed with a pistol. Moving his comrade to safety and returning to his men, he neutralized the final pocket of enemy resistance by fatally wounding three North Vietnamese officers with rifle fire. Staff Sergeant Hooper then established a final line and reorganized his men, not accepting treatment until this was accomplished and not

consenting to evacuation until the following morning. His supreme valor, inspiring leadership and heroic self-sacrifice were directly responsible for the company's success and provided a lasting example in personal courage for every man on the field. Staff Sergeant Hooper's actions were in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

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GUNNERY SGT. JIMMIE E. HOWARD, U.S. MARINE CORPS

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Platoon Leader with Company C, First Reconnaissance Battalion, First Marine Division, in the Republic of Vietnam. Gunnery Sergeant (then Staff Sergeant) Howard and his eighteen-man platoon were occupying an observation post deep within enemy-controlled territory. Shortly after midnight on 16 June 1966, a Viet Cong force of estimated battalion size approached the Marines' position and launched a vicious attack with small arms, automatic weapons, and mortar fire. Reacting swiftly and fearlessly in the face of the overwhelming odds, Gunnery Sergeant Howard skillfully organized his small but determined force into a tight perimeter defense and calmly moved from position to position to direct his men's fire. Throughout the night, during assault after assault, his courageous example and firm leadership inspired and motivated his men to withstand the unrelenting fury of the hostile fire in the seemingly hopeless situation. He constantly shouted encouragement to his men and exhibited imagination and resourcefulness in directing their return fire. When fragments of an exploding enemy grenade wounded him severely and prevented him from moving his legs, he distributed his ammunition to the remaining members of his platoon and proceeded to maintain radio communications and direct air strikes on the enemy with uncanny accuracy. At dawn, despite the fact that five men were killed and all but one wounded, his beleaguered platoon was still in command of its position. When evacuation helicopters approached his position, Gunnery Sergeant Howard warned them away and called for additional air strikes and directed devastating small arms fire and air strikes against enemy automatic weapons positions in order to make the landing zone as secure as possible. Throught his extraordinary courage and resolute fighting spirit, Gunnery Sergeant Howard was largely responsible for preventing the loss of his entire platoon. His valiant leadership and courageous fighting spirit served to inspire the men of his platoon to heroic endeavor in the face of overwhelming odds, and reflect the highest credit upon Gunnery Sergeant Howard, the Marine Corps and the United States Naval Service.

CAPT. JACK H. JACOBS, U.S. ARMY

Captain Jack H. Jacobs (then First Lieutenant), Infantry, distinguished himself on 9 March 1968 while serving as Assistant Battalion Advisor, 2d Battalion, 16th Infantry, 9th Infantry Division, Army of the Republic of Vietnam, during an operation in Kien Phong Province, Republic of Vietnam. The 2d Battalion was advanced to contact when it came under intense heavy machine gun and mortar fire from a Viet Cong battalion positioned in well-fortified bunkers. As the 2d Battalion deployed into attack formation its advance was halted by devastating fire. Captain Jacobs, with the command element of the lead company, called for and directed air strikes on the enemy positions to facilitate a renewed attack. Due to the intensity of the enemy fire and heavy casualties to the command group, including the company commander, the attack stopped and the friendly troops became disorganized. Although wounded by mortar fragments, Captain Jacobs assumed command of the allied company, ordered a withdrawal from the exposed position and established a defensive perimeter. Despite profuse bleeding from head wounds which impaired his vision, Captain Jacobs, with complete disregard for his own safety, returned under intense fire to evacuate a seriously wounded advisor to the safety of a wooded area where he administered lifesaving first aid. He then returned through heavy automatic weapon fire to evacuate the wounded company commander. Captain Jacobs made repeated trips across the fire-swept open rice paddies evacuating wounded and their weapons. On three separate occasions, Captain Jacobs contacted and drove off Viet Cong squads who were searching for allied wounded and weapons, singlehandedly killing three and wounding several others. His gallant actions and extraordinary heroism saved the lives of one United States advisor and thirteen allied soldiers. Through his effort the allied company was restored to an effective fighting unit and prevented defeat of the friendly forces by a strong and determined enemy. Captain Jacobs, by his conspicuous gallantry and intrepidity in action in the highest traditions of the military service, has reflected great credit upon himself, his unit and the United States Army.

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SP5C. DWIGHT H. JOHNSON, U.S. ARMY

Specialist Five Dwight H. Johnson distinguished himself by gallantry and intrepidity at the risk of his life above and beyond the call of duty on 15 January 1968 near Dak To, Kontum Province, Republic of Vietnam. On that date, Specialist Johnson, a tank driver with Company B, 1st Battalion, 69th Armor, 4th Infantry Division, was a member of a reaction force moving to aid other elements of his platoon, which was in heavy contact with a battalion size North Vietnamese force. Specialist Johnson's tank, upon reaching the point of contact, threw a track and became immobilized. Realizing that he could do no more as a driver, he climbed out of the vehicle, armed only with a .45 caliber pistol. Despite intense hostile fire, Specialist Johnson killed several enemy soldiers before he had expended his ammunition. Returning to his tank through a heavy volume of antitank rocket, small arms and automatic weapons fire, he obtained a submachine gun with which to continue his fight against the advancing enemy. Armed with this weapon, Specialist Johnson again braved deadly enemy fire to return to the center of the ambush site where he courageously eliminated more of the determined foe. Engaged in extremely close combat when the last of his ammunition was expended, he killed an enemy soldier with the stock end of his submachine gun. Now weaponless, Specialist Johnson ignored the enemy fire around him, climbed into his platoon sergeant's tank, extricated a wounded crew member and carried him to an armored personnel carrier. He then returned to the same tank and assisted in firing the main gun until it jammed. In a magnificent display of courage, Specialist Johnson exited the tank and again armed only with a .45 caliber pistol, engaged several North Vietnamese troops in close proximity to the vehicle. Fighting his way through devastating fire and remounting his own immobilized tank, he remained fully exposed to the enemy as he bravely and skillfully engaged them with the tank's externally-mounted .50 caliber machine gun, where he remained until the situation was brought under control. Specialist Johnson's profound concern for his fellow soldiers, his conspicuous gallantry, and his intrepidity at the risk of his life above and beyond the call of duty are in keeping with the highest traditions of the military service and reflect great credit upon himself and the United States Army.

## REPRESENTATIVE ROONEY'S RECORD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, JOHN ROONEY is an outstanding Member of this House. Even before I had the opportunity to serve with him, I had heard of his constant support for progressive programs. Knowing of his reputation for service to the working man, I was not surprised that his voting record proved to be outstanding. I believe that actions speak louder than words, and the actions of JOHN ROONEY prove beyond any doubt his great and beneficent service to this country.

Mr. Speaker, everyone seems to be evaluating Congress and Congressmen these days—the New Left, the Old Right; the very young, the very old; labor, management—you name it. Some of these evaluations are meaningful, some not worth the press release they are written on. But one of the more meaningful ones comes every year for the past 20 years or so from the AFL–CIO and from its political education arm—COPE. The AFL–CIO represents not only all the millions of unionized members but virtually every workingman and woman in this country; therefore its evaluation is a significant one. I could not help but notice as I read the AFL–CIO evaluation of the present Congress that my longtime friend from Brooklyn, Congressman JOHN J. ROONEY, once again scored a flat 100 percent in his voting record with reference to what labor considered key issues before this 91st Congress. The votes that the labor body considered significant came in support of aid to education and education funds, farm subsidies limitation, opposition to the income tax surcharge—increase—in favor of tax reform, electoral reform, voting rights, school desegregation, and the war on poverty. These were issues that affected us all. It should come as no surprise to any member here that the distinguished gentleman from Brooklyn (Mr. ROONEY) has a fine voting record as far as organized labor is concerned. I checked back with COPE over its 20-year history and find that in the entire time Congressman ROONEY had only one wrong vote, and that one vote is a dubious wrong. He wanted to send back a conservation bill to which some financial frills had been attached. When they were removed and the bill came to a vote again, he supported it. In short, he is one of the best friends the workingman has in the House of Representatives. They are lucky he is here—and so are we.

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## LEGISLATION TO PROHIBIT UNTRAINED NATIONAL GUARDSMEN FROM CARRYING LIVE AMMUNITION ON CAMPUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN), is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I intend to introduce, shortly, legislation to prohibit the carrying of live ammunition

by National Guardsmen on college campuses unless they are adequately trained in firearms and riot control.

National Guardsmen untrained in the use of live weapons and unsure of their response to riot situations are being used on some of our college campuses. Such persons are most likely to resort to violence at the first difficult moment and thus bring only more massive confrontations to the college campus.

Neither of the two units sent to Kent State University received more than the minimal level of riot control training. The Ohio adjutant general's office informed me that the 1145th infantry had had the minimum 16 hours of refresher riot-control training, while the 2d squadron, 107th Armed Calvary Regiment had had only 14 hours of such training. If the guardsmen sent to Kent State University had received adequate training in riot control and the use of weapons with live ammunition, the Kent State killings might never have occurred.

Adequate training provides the individual with personal confidence in his ability both to act and react to unexpected situations. The longer the training period, the more proficient the individual becomes. Under current procedures, only military police receive any basic training in riot control.

Members of the Guard sent to at least one school, the University of Maryland campus at College Park, told students that they would not know how to fire their rifles if they had to.

The legislation I intend to introduce would prohibit any guardsman, who has not had 100 hours of training in firearms and 56 hours of riot-control training, from carrying a loaded weapon with live ammunition on a college campus. It would also prohibit the carrying of loaded weapons unless a situation existed which imperiled life, and a specific order to carry live ammunition had been issued. States failing to comply would lose Federal funding of National Guard training and equipment.

Department of Defense standards for the National Guard provide for 84 hours of basic training in the use of live ammunition and 16 hours annually of refresher training. It provides for no basic riot-control training except for military police, only 8 hours of subsequent training in the area, and 16 hours annually of refresher training. Some State units require two or three times these minimal requirements.

The use of uncontrolled Armed Force provokes confrontation and radicalizes campus moderates. Our military actions abroad have caused much of the current college violence. Our military actions at home are greatly intensifying that violence. A deescalation of the level of campus violence will require a deescalation of the threat to life posed by any military force that comes to campus.

## AUTOMOTIVE AIR POLLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK), is recognized for 20 minutes.

Mr. VANIK. Mr. Speaker, to assist the New York City Council in its study of automotive air pollution the Yale Legislation Service of Yale University has prepared the following report. City council president Sanford Garelik and Vice President Thomas Cuite appreciated the report and found it exceedingly useful.

More importantly, the report appears to have general applicability to municipal governments across the country.

Yale Legislative Service is a self-governing organization of law and graduate students at Yale University which provides independent legal, analytic, and technical research to State, local, and national legislators desiring assistance in the preparation or evaluation of legislation.

I commend this important report to the attention of every Member of this body and every city councilman and mayor across the country. The report is as follows:

THE CONTROL OF AUTOMOTIVE AIR POLLUTION IN NEW YORK CITY

INTRODUCTION TO THE AIR POLLUTION PROBLEM

The air pollution problem in the United States is approaching *crisis* proportions. The most seriously affected victims of this problem are the inhabitants of our cities.[1] Recently, doctors in Los Angeles advised more than 10,000 people in a single year to move away from the city because of the severe effects of air pollution on their health.[2] New York City has been found to have significantly worse air pollution problems than Los Angeles.[3] N.Y.C. could very well become uninhabitable.

The single greatest polluter of our urban environment is the *automobile*.[4] It is responsible for at least 60 per cent of the total air pollution in the United States by weight and upwards of 85 per cent of the pollution in some of our cities.[5] In New York City the automobile contributes 60 per cent of the pollution, which is 2.7 times greater than its nearest competitor—space heating.[6] In N.Y.C. alone, this comes out to 8.3 million pounds of carbon monoxide; 1.1 million pounds of hydrocarbons and 200 thousand pounds of oxides of nitrogen *each day*[7] from automobiles.

New York City has taken steps to combat the pollution attributable to non-automotive sources. Local Law 14 has begun to reap some real benefits.[8] Local Law 14 leaves automobiles unaffected, however, and today "the combustion engine exhaust pipe has replaced the smokestack as the greatest producer of air pollution in the city."[9]

The primary responsibility for regulating motor vehicles lies with the federal and state governments,[10] but as of yet they have not shouldered the responsibility. The city should, in self defense of its citizens, do everything legally within its power, to meet the growing threat of automotive air pollution.

This report analyzes the automotive air pollution problem and recommends six specific steps the city can take to meet the problem. Section I of the report outlines specifically how the automobile pollutes the atmosphere and the dangers of each of the pollutants found in automotive exhaust. Section II outlines what has been done nationally and statewide to meet the pollution problem. Section III indicates why these steps to control automotive air pollution have been woefully inadequate. Section IV outlines our six specific recommendations.

SECTION I. THE COMPONENTS OF AUTOMOTIVE AIR POLLUTION

The five primary *components* of vehicular air pollution are carbon monoxide, hydrocarbons, oxides of nitrogen, lead and oxidents.[1] Of less concern because of their relative percentages, are sulfur oxides and tiny liquid or solid particles called "particular matter."

While sulfur oxides are extremely toxic[2] and particulate matter becomes dangerous as it interacts with other pollutants,[3] vehicular exhaust accounts for only 3.8% of the total sulfur dioxide input to the atmosphere[4] and approximately 8% of the particular matter.[5] By far the major source of oxides of sulfur and particulates is the burning of solid and liquid fossil fuel, of which the two major uses are industrial use for power and domestic use for heating.[6]

Although most of the pollution comes from the exhaust pipe, pollutants are discharged from three different *sources:* the vehicle exhaust, the crank case, and the fuel system (carburetor and fuel tank evaporative losses).

The chart below shows the approximate percentages of the major pollutants which come from each source.[7]

| Pollutant | Percent from each source | | |
|---|---|---|---|
| | Exhaust | Crank case | Fuel system |
| Hydrocarbons | 65 | 20 | 15 |
| Carbon monoxide | 99 | 1 | 0 |
| Oxides of nitrogen | 99 | 1 | 0 |

*1. Carbon monoxide*

In New York City the automobile is responsible for 96% of the carbon monoxide in the atmosphere.[8]

The production of carbon monoxide is directly related to the richness of the fuel mixture—the less air that is mixed with the gas, the more carbon monoxide is formed. As a result, the concentration of carbon monoxide is at a maximum during *idle* and deceleration.[9]

The two million cars which operate in New York City spend 34 per cent of their time idling and travel at an average rate of 13 m.p.h.[10]

Carbon monoxide combines with hemoglobin in the blood in much the same way as oxygen does and thus hinders the blood in bringing oxygen to the tissues.[11]

This can cause an impairment of vision and can deaden a driver's responses. While carbon monoxide concentrations above 30 p.p.m. (parts per million) are not advisable for even short periods of time certain areas have reached levels as high as 65 p.p.m. for extended periods, and 100 p.p.m. during peak traffic hours.[12]

Furthermore, recent studies report that extended exposure to small amounts of carbon monoxide can damage the arteries and heart tissue and hinder the development of the unborn child.[13]

*2. Hydrocarbons*

In New York City the automobile is responsible for 52.5% of the hydrocarbons in the atmosphere.[14]

Hydrocarbons represent a complex mixture of different compounds, the majority of which are produced by the incomplete burning of fuels in the internal combustion engine.[15]

They are emitted from all three vehicular sources, but the highest percentage is found in the exhaust.

While it is possible that some hydrocarbons may have a carcinogenic (i.e. cancer causing) effect, the exact health hazards presented by hydrocarbons are not yet well understood.

Some hydrocarbons interact with nitrous oxides in the presence of sunlight-producing smog, and cause eye irritation and damage to vegetable life.[16]

*3. Oxides of nitrogen*

In New York City the automobile is responsible for 17.3 per cent of the oxides of nitrogen in the atmosphere.[17]

The higher the combustion temperatures

Footnotes at end of article.

and the less rich the fuel mixtures, the more oxides of nitrogen are produced.[18] This is almost the exact opposite of the pattern for the production of carbon monoxide and hydrocarbons. Thus, the present required pollution control devices, which are aimed at abating carbon monoxide and hydrocarbons, have actually *increased* the amounts of nitrous oxides produced by controlled automobiles.[19]

Oxides of nitrogen are insoluble and when breathed deeply can cause bronchial and pulmonary damage. Prolonged exposure in mines and silos has resulted in death. Intermittent exposur- to higher levels appears to cause worse damage than continuous exposure at lesser levels.[20]

*4. Lead*

The great majority of all lead found in the atmosphere is emitted by automobiles.[21] In fact, "of the lead used in chemicals, virtually all is consumed in the production of gasoline anti-knock additives, i.e. tetraethyl and tetramethyl lead." [22]

"On the average, each gallon of gasoline contains about 2.5 cubic centimeters of tetraethyl lead. Most of this amount is exhausted in the form of particles, the majority of which remain *suspended* in the atmosphere for a long time." [23]

Ingested lead attacks the central nervous system, peripheral nerves, smooth muscle, and reproductive organs.[24] It has been known both to cause brain damage in children who have eaten paint from peeling walls or toys, and to shorten life spans of test animals which have been fed lead in amounts equivalent to the present human intake.[25]

The connection between lead poisoning and airborn lead originating from automotive exhausts has been the subject of considerable recent study. See Section IV–B for an analysis of these studies.

*5. Oxidants*

Oxidants and ozone result mainly from the photochemical reaction of hydrocarbons and oxides of nitrogen.

They cause irritation to the eyes and, in high enough quantities, have been known to impair the athletic performance of school children and hinder breathing of those affected with lung conditions such as emphysema.[26]

SECTION II. PRESENT REGULATION

*A. Federal statute*

The 1965 amendments [1] to the Clean Air Act of 1963 [2] gave the Secretary of H.E.W. the authority to establish national standards for the control of automotive air pollution.

The Air Quality Act of 1967 [3] specifically pre-empted states from adopting automotive emission control standards for new motor vehicles [4] (with the provision for a waiver for states which had adopted emission standards prior to March 30, 1966.[5] California was the only state which qualified for the exception). Section 210 of the 1967 legislation required fuel manufacturers to *register* data on fuel additives with the Secretary of H.E.W. and section 209 authorized the Secretary to make *grants* to state air pollution control agencies to develop uniform inspection and emission testing programs.

*Regulations*

Under the authority of the 1965 legislation, the Secretary of H.E.W. has promulgated two series of emission control standards:

1. In 1966, regulations were issued for crankcase and exhaust emissions for gasoline-powered motor vehicles and motor vehicles under one-half ton beginning with model year 1968.[6] The crankcase standards simply prohibited crankcase emissions from being "discharged into the ambient atmosphere from any new motor vehicle.[7] The exhaust standards [8] limited hydrocarbon and carbon monoxide emissions according to the size of the engine.

| Engine displacement (cubic inches) | Hydrocarbons (p.p.m.) | Carbon monoxide (percent by volume) |
|---|---|---|
| 50 to 100 | 410 | 2.3 |
| 100 to 140 | 350 | 2.0 |
| Greater than 140 | 275 | 1.5 |

2. In 1968, regulations covering automobiles beginning with model year 1970,[9] provided two standards according to the size of the engine—those for light-duty engines (defined as 6,000 pounds g.v.w. or less)[10] and those for heavy-duty engines (defined as more than 6,000 pounds g.v.w.).[11]

The standards of light-duty engines are as follows:

Hydrocarbons—2.2 grams per vehicle mile.

Carbon monoxide—23 grams per vehicle mile.[12]

These are somewhat more stringent than the 1968 model year regulations and convert to maximums of approximately 180 p.p.m. for hydrocarbons and 1 per cent by volume for carbon monoxide.[13]

The new regulations also require that emissions from heavy-duty engines not exceed the following maximums:

Hydrocarbons—275 p.p.m.

Carbon monoxide—1.5 percent by volume.[14]

In addition, standards were issued for diesel engines based on the capacity of smoke emissions [15] and a limit of 6 grams per test for hydrocarbons was placed on evaporation of hydrocarbons from the gas tank.[16]

New York State

Article 12–A of the Public Health law enacted in 1957 created a state air-pollution control board and vested it with authority to promulgate regulations for the control of air pollution; [17] and authorized the Commissioner of Health to enforce these regulations.[18] To date, these regulations have:

1. Required devices which return stipulated percentages of the *crankcase* blowby to the induction system.[19] This standard has been in effect since 1963 and has been made stricter for cars beginning with model year 1968.

2. Re-enacted federal *exhaust* emission standards for model years beginning with 1968.[20] (While the federal standards regulate the new automobile industry in Detroit, the state standards apply to cars once they are registered within the state.)

New York City

New York City has, under its Air Pollution Control Code, two regulations which deal with automotive pollution: The first makes it illegal to operate a motor vehicle at *idle* for more than three consecutive minutes under certain specified conditions.[21] The second requires that a motor vehicle cannot be operated which emits *visible smoke* or fumes while stationary for longer than ten consecutive seconds or while moving for a distance of over 90 yards upon the city streets, roads, or highways.[22]

SECTION III. WHY THE PRESENT REGULATION DOES ALMOST NOTHING TO RELIEVE THE PROBLEM

The recent federal and state efforts to curb automotive air pollution have been *insignificant*. A U.S. Senate Commerce Committee Staff reported that the present standards "will not stabilize, much less reduce, vehicular air pollution." [1] That same report concluded that with the present controls, automotive air pollution will double in the next 30 years.[2] There are at least five reasons for this:

1. *Smoke* emission controls bear little relation to the pollution danger.

Statutory controls, such as the New York City ordinance, which focus on smoke emission miss the point. Most of the really dangerous emissions from automobiles are in the form of gas, vapor and microscopic particulate matter which are *not* normally *visible*.[3] Therefore, those vehicles which are the most dangerous polluters do not necessarily fall within the scope of such an ordinance.

Furthermore a prohibition against smoke emissions is difficult to enforce on a scale large enough to effect a significant reduction in the tons of pollutants which pour into the city's atmosphere every day.

The most effective way to police automotive pollutants is to attack them at their source—the production of automobiles—but this area has been pre-empted by the federal government and has as of yet only led to standards inadequate even to stabilize the rise of automotive air pollution.

2. Even with the new Federal standards the amount of pollutants in the air attributable to automotive sources will *increase*, because the *number of cars* in the United States is expected to increase greatly.

Under existing controls, automobile air pollution in the United States will *double* in the next *thirty years* because of the projected increase in the number of vehicles and the miles driven by each vehicle.[4] In 1966, when the first federal standards were issued, there were approximately 95 million motor vehicles in the United States.[5] Well before the end of the last year that figure had passed 100 million [6] and the total number of cars in the country has been projected to reach as high as 150 million by 1980.[7]

Of the total of 100 million cars registered in the U.S. in 1969, some two million operated in New York City, with more than half of them in Manhattan: [8] *one million cars in Manhattan*. In 1960 it was estimated that 589,700 cars entered the Manhattan Central Business District daily.[9] Recently, the New York City Traffic Department estimated that the numbers had grown to 665,000 cars per day.[10] The most recent estimate by the Tri-State Transportation Commissions estimates that the figure may now be 684,000 vehicles per day.[11]

Tests performed in California indicate that under existing emission control standards, because of the continued growth in the automobile population, the total emissions of carbon monoxide and hydrocarbons are expected to double. (See charts on page 14) [12]

3. Even if the standards prescribe realistic emission levels on new cars, there is a very significant *time lag* before the entire automobile population is affected.

Federal standards only affect new cars. New vehicles introduced in any one year make up only *10* percent of the total stock.[13] It has been estimated that even if extremely low emission vehicles were required by federal statute, it would still take six years before 50 percent of the total car population was within these standards and nine years before it would represent 75 percent of the total.[14]

4. Present emission controls do not reduce nitrous oxide levels—they increase them significantly.

The federal and state regulations cited in Section II provide no standards for nitrous oxides, the major factor in photochemical smog production.[15] This unfortunate situation results because the best way to reduce carbon monoxide and hydrocarbons is to raise the combustion temperature. This, however, increases the production of nitrous oxides.[16] But it is not as if nitrous oxides are left unaffected; the federal emission control standards actually result in signficantly *higher* levels of nitrous oxide emissions.[17]

California has enacted standards for the control of nitrous oxides.[18] These do not go into effect until 1971, however, and some doubt has been expressed whether conventional cars can be produced which will meet

Footnotes at end of article.

both their standards and the standards for other emissions.[19]

The chart [20] (omitted) shows the resultant increase in such $NO_x$ emissions under the current controls.

5. There is no assurance that the control devices presently required by law meet even the present minimal standards.

No one knows how the present control devices work over any extended period of use.[21]

Since the control system impedes the efficiency of the engine, some drivers may be prone to disconnect the device.[22]

The tests for federal and state certification of new vehicles under the statutes cited above are done on prototype models, with no check on whether actual production models operate as effectively once on the road.

(California tests on actual production models, have demonstrated that in three test years, 1966–68, "average emission levels for hydrocarbons exceeded the standards used to certify new vehicles for all *three* years," and carbon monoxide emissions exceeded the standards for *two* of the three years.)[23]

The federal test cycle is totally inappropriate to New York City traffic conditions because: a) The Federal compliance procedure is based on the "California Cycle" test which is designed to "simulate an average trip in a metropolitan area of twenty minutes from a cold start," [24] which is not representative of current vehicular patterns outside the Los Angeles area where the Test Cycle was first developed.[25] b) A recent study [26] specifically reported that "the federal cycle gave average hydrocarbon and carbon monoxide values for the test fleet which were 52% and 84% respectively of those shown by the N.Y.C. comprehensive procedure"; [27] because unlike Los Angeles, in New York City, vehicles spend *34%* of their time *idling*, and travel at an average weighted speed of 13 miles per hour.[28]

New York City is faced with the following facts: it is being strangled by pollution; the automobile is by far the greatest contributor of air pollution in the city; and the automobile is not being effectively controlled by either the federal or state governments.

These facts lead to the conclusion that the city itself must act. The following sections present several suggested forms of action.

SECTION IV—RECOMMENDATIONS

A. Recommendations with regard to the vehicle:

New York City should lead the way in the development of a true low emission vehicle. The city should, (1) commence testing *experimental* engine forms in urban conditions; (2) set up its own city fleet and the city's taxi fleet as a guaranteed market for low-emission vehicles.

*Feasibility of low-emission vehicles*

The solution to the automotive air pollution problem is the development of an automobile that does not pollute. Either the internal combusion engine (I.C.E.) must be controlled or some *new power plant* must be developed for the automobile. It is not clear whether it will ever be possible to bring I.C.E. emission levels down to something approaching pollution-free exhaust.[1] Even reports which foresee possible control concede that such control could not be achieved before the 1980's, and even then emission levels are foreseen as high as 25 p.p.m. for hydrocarbons; .25 percent for carbon monoxide and 100 p.p.m. for nitrous oxides.[2]

While there has been much talk about the possibility of developing alternatives to the internal combustion engine, the assumption has always been that such an approach is unrealistic. That assumption is *incorrect.*

A recent staff report by the Senate Commerce Committee concluded that one such alternative engine form—the Rankine Cycle Propulsion System—"Is a *satisfactory* alternative to the present internal combustion engine in terms of performance and a *far superior* engine in terms of emissions." [3] Other experimental cars are in actual use today.[4]

Considerable experimentation has been done on still others which hold out the promise of providing 100% pollution-free performance.[5]

While the number of low-emission vehicles now being developed is quite large, several types hold out truly significant promise.

1. The Rankine Steam Engine:

The Rankine engine is an external combustion engine. A working fluid is heated to a vapor which drives either pistons or a turbine. It is heated externally by a burner using low-grade gasoline or kerosene. Because the fuel is burned rather than exploded, the *combustion* is more *complete* than the I.C.E. Thus, there are fewer emissions.[6]

Such an engine is now being produced for installation in conventional auto chassis by companies such as the Williams Engine Company. One eight-year old Williams car produced the following results (which are compared with the performance of an uncontrolled engine: [7]

| | 8-year-old Williams steam car | Uncontrolled internal combustion engine |
|---|---|---|
| Hydrocarbons (p.p.m.) | 20 | 900 |
| Carbon monoxide (%) | .05 | 3.5 |
| Nitrogen oxides (p.p.m.) | 40 | 1,500 |
| Lead | None | (1) |

[1] Depending on type of gasoline used.

Some of the excitement over the steam car was undercut last November when it was reported that William Lear, the entrepreneur who had been the chief exponent of steam cars, had "thrown in the sponge on steam." [8] Lear claims this was incorrect,[9] however, and he is proceeding with development of his own piston steam motor project, as well as several other systems.[10]

According to the Senate report which concluded that the Rankine engine was a preferable alternative to the I.C.E., "The Rankine vehicle is more economical to operate because it gets better gasoline mileage using less expensive fuels, and because it has better maintenance and reliability potential. Its acceleration, auxiliary operation, and braking characteristics are superior to those of the I.C.E. Alleged "problems" on applying Rankine cycle systems to automotive use have been or are being solved. The Rankine cycle engine is as safe as the I.C.E.; it consumes no more water; freezeup can be avoided; and startup time is satisfactory. In terms of the all important exhaust emission characteristics, the Rankine cycle system is far superior to the I.C.E. and if the I.C.E. becomes more competitive in this area, it will become less competitive in terms of gas mileage, maintenance and reliability." [11]

2. Gas Turbine Engines:

Gas turbine engines for automotive use have been produced by Chrysler Corporation since 1952.[12] Chrysler has now produced a "fifth generation car" which they estimate will cost the same as present piston engines in large quantities.[13] In addition, Lear Motors is now focusing on gas turbine electric drive systems as a refinement of that system.[14]

Data on emissions from gas turbines indicates that they too offer significant promise in reducing automotive air pollution: [15]

| | Manufacturer | | |
|---|---|---|---|
| | A | B | C |
| Hydrocarbons (p.p.m.) | 40 | 100 | 55 |
| Carbon monoxide (percent) | 0.14 | 0.3 | (1) |
| Nitrous oxides (p.p.m.) | [2] 1,400 | 350 | 200 |

[1] Not reported.
[2] Later information indicated that a considerable improvement in this level of nitrous oxides was effected by minor design changes.

3. Electric Battery Power:

The battery driven electric automobile offers the promise of a totally pollution-free vehicle. Such cars have been produced, and in fact, demonstrated this past year in Central Park.[16]

Senate hearings disclosed that because of a lack of research and development the electric vehicle had not yet developed the speed or range necessary to make them a feasible alternative to the present I.C.E. engine.[17] While it is believed that new battery concepts will be developed in the near future, none of these could be brought to a commercial production scale in less than 5 to 10 years "unless accelerated development and engineering programs were initiated." [18]

This is a theme that is repeated throughout this area. Many new systems hold out the promise of dramatic results, but development is painfully slow because of the lack of industry initiative or funds in sufficient amounts to spur independent research on a truly large scale.

4. Others:

A wealth of other systems are in various stages of development. These include refinements of the I.C.E. system such as the use of catalytic converters to reduce the pollutants in the exhaust to less harmful compounds and the use of different fuels such as liquified petroleum gas and liquified or compressed natural gas.

In addition other new power plants such as fuel cells, rotary engines and gas cycle (Stirling) Engines have been developed. A General Motors Stirling electric car recently was found to yield as little as 0.006 gram per mile of hydrocarbons, 0.3 gram per mile of carbon monoxide and 1.0 grams of nitrogen oxide per mile.[19]

Why have these new cars not been developed to a greater extent? The Commerce Committee report on low-emission vehicles [20] pointed to three major obstacles to the development of the Rankine steam engine: inertia of the automobile industry; the petroleum industry; and the costs of introducing the Rangine propulsion system in the face of industry inertia.[21]

It is extremely difficult to produce a competitive low-emission vehicle independent of the major auto manufacturers. It has been estimated that the start-up costs for entering the passenger vehicle market are about $300 to $400 million.[22] This includes the money necessary to sustain a fairly high rate of production in order to reduce the unit cost of each vehicle as well as the money necessary to establish dealerships, service facilities, etc.

If the auto industry is not pursuing the development of a low-emission vehicle vigorously and if it is so extremely difficult for an independent to produce these cars competitively, what can be done? Two forms of immediate action are suggested:

(1) Set up the city's fleet and the city taxi fleet as guaranteed markets for low-emission vehicles; and

(2) Grant funds for a demonstration project designed by the Air Resources Department to demonstrate the feasibility of low or non-polluting motor vehicles for urban service.

Footnotes at end of article.

1. *Guaranteed Market.*

A. *Purpose:* The purpose of setting up the city's fleet and the taxi fleet as a guaranteed market is to provide faster development of low-emission vehicles by enabling innovative developers to market these cars before they become completely cost competitive.

The developer would know that he would be able to sell these vehicles in a specialized market until his production reached a level at which he could sell these vehicles competitively.

Moreover, if the developer is an independent, such fleet sales would eliminate the need for dealerships, as well as the need for service centers, since both fleets mentioned here have their own service systems.

B. *Precedent:* New York would not be the only government body offering such a subsidy were the City Council to enact legislation to this effect.

The State of California under its Low-Emission Vehicle Act [23] has set aside up to 25% of its fleet as a market for vehicles that meet rigid performance, maintenance and emission standards. Cars which meet these standards would be purchased if the average servicing and maintenance costs do not exceed the same costs of all other state passenger cars by more than 50% and if the cost of the vehicle itself does not exceed by more than 100 percent the average cost of state passenger vehicles purchased in the preceding year.[24]

Legislation to much the same effect has been introduced into the U.S. Senate by Senator Magnuson.[25] This bill would set aside the entire federal fleet—some 46,430 buses, trucks and ambulances, and 15,706 passenger cars [26] as a guaranteed market with a "bonus" of 25 percent of present procurement costs, as opposed to the 100 percent bonus offered by California. (Just recently President Nixon indicated he might favor a 100% bonus for such a program.) [27]

Such action on both the federal, state and local level has been recommended by the Senate Commerce Committee.[28]

C. *How the Program Would Operate:* The Department of Air Resources would be responsible for certifying low-emission vehicles. To be certified a vehicle would have to meet three criteria.

First of all, the vehicle would have to meet the three California low-emission vehicle standards which are:[29]

Hydrocarbons: not more than 0.5 grams per mile.

Carbon monoxide: not more than 11 grams per mile.

Nitrous oxides: not more than 0.75 grams per mile.

Second, the vehicle would have to be determined by the Commissioner to be a suitable substitute for a class or model of vehicle presently in use by the various New York City agencies or taxi fleets. In making this determination, the Commissioner would, in cooperation with the City Purchase Department (in the case of the city's fleet) or with the Hack Bureau (in the case of the taxi fleet), consider the following criteria:

(1) The safety of the vehicle.

(2) Its performance characteristics.

(3) Its reliability potential.

(4) Its serviceability; and

(5) Its fuel availability.[30]

Third, the vehicle would have to meet established cost criteria. It is felt that the California legislation and the proposed federal legislation offer two useful models for establishing these cost criteria. The California statute would make low-emission vehicles eligible if their maintenance costs were no more than 150 percent of present maintenance costs and their procurements costs were no more than 200 percent of present procurement costs. The proposed federal legislation would establish eligibility if both maintenance and procurement costs are no more than 125 percent of present costs.

It is felt that it would be wise to follow one of these two formulae so as to avoid a proliferation of subsidy arrangements and fragmentation of the market we are trying to create.

Important considerations to be weighed in choosing the appropriate cost formula include the following:

(1) The 100 per cent bonus is likely to produce significant results much quicker.

(2) The cost of the 100 per cent bonus can be minimized by setting aside only a portion of the fleet as was done in California.

(3) The 100 per cent bonus may be much too high for such expensive vehicles as buses and trucks. Note that the California legislation covers only passenger vehicles, while the proposed federal legislation covers all vehicles.

(4) It may be preferable to follow the lead of the federal government since the market there will be very sizeable, although as indicated above, the federal government might set their subsidy at 100 per cent.

D. *Cost to the City:* As of December 11, 1969, the city fleet totaled *12,299 vehicles.*[31]

The breakdown was as follows:

| | |
|---|---|
| Automobiles: | |
| Police (plus 582 scooters) | 2,143 |
| Others | 1,438 |
| Total | 3,581 |
| Trucks: | |
| Sanitation | 4,600 |
| Others (police 278) | 4,118 |
| Total | 8,718 |

In addition, 4,400 buses are owned by the Transit Authority for the two bus lines it operates.

Last year, the average purchase price of a police car was $2,600. The average price of other passenger vehicles was $1,800. Thus, the total cost for police vehicles was $5,571,800 and for other passenger vehicles $2,588,400. Thus, with a 25% bonus, the extra cost of purchasing low-emission passenger vehicles, based on present cost figures would be:

| | |
|---|---|
| Police | $1,392,950 |
| Others | 647,100 |
| Total | 2,040,050 |

The cost figures for such a program relating to trucks is a bit more difficult to compute, given the wide range of sizes and uses of the vehicles that make up the city's fleet of trucks. The total truck fleet costs about $40 million, however, so that a 25% bonus here would occur it would involve an extra cost of about $10 million. Thus, the cost of refitting the entire fleet, all at the same time (which is quite unlikely) would be approximately $12 million.

Using the California formula of 100% on up to 25% of the passenger vehicles, the cost would be twice as much as the figure for passenger vehicles in the above formula—$4,080,100.

It must be kept in mind that none of these costs would be incurred immediately. Nor is it likely that the entire cost would become due in any one year. It is only as low-emission vehicles are developed and then certified for city service that they would then be purchased as substitutes for certain classes of vehicles in the fleet.

As for the cost to the taxi fleet, no exact figures for cost of cabs was obtained, but the total number of registered taxicabs in the city totals 11,799 with 6,900 of those being fleet owned and 4,700 privately owned.[32]

The Council not only has authority to require the purchase of such low-emission vehicles by the taxi fleet, but also the power to raise rates, if necessary, to cover the increased costs to the taxi industry when such purchase is required.

Authority to regulate the New York City taxi industry rests with the City Council and the mayor.[33] They "retain immediate jurisdiction over rates of fare but delegate administrative authority to the Police Department Hack Bureau, which licenses owners and drivers, promulgates and enforces operating rules to govern their conduct, establishes physical specifications for taxi vehicles, and determines within limits how many taxis shall be licensed" [34]

E. *Direct Benefit to the City:* The major purpose of this suggested legislation is to spur the development of new low-emission vehicles—a result which would be of benefit to the entire country as well as to the inhabitants of the city.

The air-pollution problem, however, is most extreme in our large urban centers. New York is one of the most burdened cities in this regard, and it is for this reason that it is strongly recommended that the city assume part of the leadership in fostering truly effective long-range solutions to the problem. This is not to say, however, that very siginificant direct benefits would not accrue to the city. Quite the contrary.

A changeover to low-emission vehicles in the taxi fleet alone could reduce the concentration of certain pollutants in the atmosphere as much as 50%. Taxis account for about half the vehicle mileage in Manhattan's Central Business district.[35] This area—which extends from the tip of Manhattan up to 60th Street—is the most polluted area in the entire city.[36]

By almost completely reducing exhaust emissions from taxicabs, automotive air pollution in the area could be reduced by almost 50 per cent. Since the automobile is responsible for nearly all the carbon monoxide in the atmosphere, the concentrations of this particular pollutant could be cut nearly in half.

By de-polluting the city's fleet, New York would gain increased credibility in its fight against pollution. In 1966, it was pointed out in a task force report [37] that the city could not hope to be taken seriously in its efforts to combat pollution if it did not "put its own house in order". The report found that:

"The city is a gross violator of its own laws against air pollution. Its public transportation system, its incinerators, its heating furnaces, its hospitals and schools spew out vast quantities of filth and poisons. There is as a result an air of hypocrisy in the city's actions against citizen violators of clean air".[38]

2. *Demonstration project:* The Department of Air Resources has submitted a budget request [39] to test and evaluate urban vehicles with power sources other than the I.C.E. The total cost of the project would be $344,675, but only $43,085 of that would be city funding—the rest to come from state and federal sources.

In the study five automotive systems would be tested:

1. Liquefied petroleum gas fueled internal combustion engines (I.C.E.)
2. Liquefied natural gas fueled I.C.E.
3. Compressed natural gas fueled I.C.E.
4. Steam
5. Electric Power

This project would generate needed information on the performance of low-emission vehicles in the urban conditions of New York. Furthermore, the testing which would be done is a necessary first step before the city can engage in a purchase program.

Such testing programs are not unusual on the part of city and state governments. The State of California has undertaken an experiment in which four steambuses are to be tested on regular mass transit schedules,[40] Dallas, Texas has announced a freon vapor bus experiment.[41]

Footnotes at end of article.

PROPOSED LEGISLATION

A Local Law to amend the administrative code of the city of New York, in relation to the purchase of low-emission vehicles.

Be it enacted by the Council as follows:

Sec. 1. The Council finds and declares that emission of pollutants from motor vehicles is a major contributor to air pollution within the city of New York and, therefore, declares its policy to encourage the development and testing of various types of low-emission motor vehicles, which would contribute substantially to achieving a pure and healthy atmosphere for the people of this city.

Sec. 2. As used in this chapter "low-emission motor vehicle" shall mean a self-propelling vehicle which does not have exhaust emissions of more than 0.5 gram per mile of hydrocarbons, 11 grams per mile of carbon monoxide, and 0.75 gram per mile of oxides of nitrogen.

Sec. 3. Low-emission motor vehicles shall be submitted to the city Department of Air Resources for testing to determine if such vehicle meets the standards set forth in Section 2.

Sec. 4. After determining that the low-emission vehicle meets the standards prescribed by Section 2, the Department of Air Resources in consultation with the City Purchase Department (with regard to purchases for the city's fleet) and with the Hack Bureau of the Police Department (with regard to purchases of taxicabs) shall determine if such low-emission motor vehicle is a suitable substitute for a class or model of (passenger) vehicles presently in use by the city of New York or by the licensed taxicabs in the city of New York. In making the determination under this section the Department of Air Resources shall consider the following criteria:

(1) The safety of the vehicle;
(2) Its performance characteristics;
(3) Its reliability potential;
(4) Its serviceability; and
(5) Its fuel availability.

Sec. 5. Low-emission motor vehicles which meet the standards prescribed by Section 2 and which have been determined under Section 4 to be suitable for use as a substitute for a class or model of (passenger) vehicles presently in use by the city of New York shall be acquired by purchase by the city for use by the city government in lieu of other vehicles if the city Purchase Department determines that such certified vehicles have procurement and maintenance costs which are no more than per centum of the procurement and maintenance costs of the class or model motor vehicles for which they are to be substituted.

Sec. 6. Low-emission motor vehicles which meet the standards prescribed by Section 2 and which have been determined under Section 4 to be suitable for use as a substitute for a class or model of vehicles presently in use as a licensed taxicab in the city of New York shall be designated by the Hack Bureau of the city Police Department as the only approved vehicle qualified for licensing as a public taxicab within that model or class of vehicles if the Hack Bureau determines that such certified vehicles have procurement and maintenance costs which are no more than ——— per centum of the procurement and maintenance costs of the class or model motor vehicles for which they are to be substituted.

SECTION IV

*B. Recommendations with regard to gasoline*

The city should limit or ban the sale of leaded gasoline.

Most of the lead (tetraethyl) in gasoline is spewed from the exhaust pipe and becomes an air pollutant which poses a possible health hazard. The remaining lead is deposited in the engine where it causes increased emission of other air pollutants and destroys anti-pollution equipment.

(1) Health effects of exposure to atmospheric lead:

Because the particles of lead compounds in motor vehicle exhaust are extremely small, they are readily absorbed by the human respiratory system.[1] Lead absorbed by the human body will increase the body *burden* of lead unless it is excreted as fast as it is absorbed: thus, the total body burden of lead is in part a function of respiratory exposure.[2]

Levels of blood lead in excess of the level found in the average urban dweller to have a serious effect on health: lead poisoning (Lead poisoning is associated with blood levels of lead in excess of 80 micrograms per 100 grams of blood.[3]) arises from exposure of industrial workers to lead and from the eating of leaded paint by children; large doses of lead salts have induced lymphatic leukemia [4] in mice and have produced chromosome breaks [5] and malformations [6] in mice and hamsters; brain damage in an adult was recently diagnosed as the result of sniffing leaded gasoline.[7]

Recent evidence demonstrates that a normal urban exposure to lead leads to blood levels which inhibit a specific enzyme activity in the blood.[8] While a physiological effect need not entail a direct effect on health, it may exacerbate a pre-existing condition among sensitive individuals. Thus, lead exposure may reveal latent genetic defects or contribute to producing ill health.[9]

Lead in the atmosphere will increase the chance that children who have eaten leaded paint will suffer from lead poisoning.

While it has been suggested that a safe long-term level of atmospheric lead is 2 micrograms of lead per cubic meter of air,[10] a recent study (Conducted by the New York City Department of Air Resources) indicated an average of 7.5 over a ten-week period at East 45th Street (15 measurements were higher than 20 micrograms).[11] Other studies have indicated an average of 3.82 for the Bronx and 2.99 for Manhattan.[12] And, of course, traffic volume will increase. To reduce New York City's atmosphere to a lead level of 2, the City will have to reduce drastically either the level of traffic or the amount of lead in gasoline.

Because the urban environment is so full of pollutants, it is difficult to isolate one factor as the independent cause of damage to health. Numerous experts, however, have concluded that there is a *substantial chance* that continuous exposure to urban levels of atmospheric lead does affect human health.[13] Sweden, Switzerland, the Soviet Union, and Japan have either banned lead additives or instituted controls on their use,[14] and California is now considering such legislation.[15]

(2) Leaded gasoline: an indirect cause of air pollution:

In a car not equipped with anti-pollution devices, an increase of nearly 50% (The mean level of hydrocarbon emission over the first 18,000 miles of operation is 150 parts per million greater for an automobile using gasoline with 3.2 grams of lead per gallon as compared with an automobile using unleaded gasoline [16]) in the level of *hydrocarbon* emissions when using leaded gasoline is thought to result from deposits of lead on the cylinder heads which increase the surface area of the cylinder.[17]

Lead in gasoline *inhibits* the development and operation of antipollution devices for automobiles. All of the methods used by the major automobile manufacturers to meet Federal emission standards for 1968 and later model years are undercut by the presence of lead in gasoline.[18]

The most promising device for the future is the so-called catalytic converter (one catalyst containing a precious metal removed 69% of the hydrocarbons and 70% of the carbon monoxide after 50,000 miles of operation on unleaded fuel [19]), a device which oxidizes hydrocarbon and carbon monoxide emissions. Recent tests employing a commercially available converter indicated that the converter would last four times as long on unleaded gasoline as compared with leaded. Leaded gasoline causes severe deterioration of the ability of the catalyst to oxidize hydrocarbons. The tests indicate an estimated half-life of 33,000 miles on unleaded gasoline as compared with 7,500 miles on gasoline containing 3.2 grams per gallon.[20]

(2) Proposed action:

New York City should pass an ordinance *reducing* by stages the permitted *lead content* of gasoline sold in the City. (Alternatively, New York City could request that New York State establish *differential taxes* on leaded and unleaded gasoline, either for sales within the City or for all sales in the State. Lower taxes for unleaded gasoline could be designed to compensate (or perhaps more than compensate) for the increased cost of refining unleaded gasoline. However, this approach is less useful because its effectiveness depends upon State action and a prediction of the cost differential between leaded and unleaded gasoline.) The ordinance should be similar to a bill recently introduced in California providing for a reduction in lead content from the present 2–3 grams per gallon to zero over the next four years. (Assembly Bill No. 79 provides: The content of lead in any form in each gallon of gasoline sold in this state shall not exceed: (a) On and after July 1, 1971, 2.0 grams; (b) On and after January 1, 1972, 1.0 gram; (c) On and after January 1, 1973, 0.5 gram; (d) On and after January 1, 1974, 0.0 gram. Every person who violates any provision of this chapter is guilty of a misdemeanor.) (Any ordinance should provide for an eventual zero level, since intermediate levels of lead still cause serious damage to anti-pollution devices.) [21]

The "big three" automobile manufacturers have all shown enthusiasm for the production of slightly modified internal combustion *engines* designed to operate on lower octane unleaded gasoline. Chrysler has stated that it is "ready at any time" to provide engines which will operate on lower octane unleaded gasoline.[22] Henry Ford II stated that "just as soon as we are assured that an adequate supply of (lead-free fuel) will be available, we will build our new cars with modified power systems so that they can operate efficiently with the new fuel." [23] General Motors "is prepared to move promptly. . . ." [24]

Standard Oil of Indiana currently markets an unleaded premium gasoline under its Amoco trademark. Atlantic Richfield has announced plans to supply the California market with unleaded gasoline by late 1971.[25] Passage by New York City of a direct ban on the sale of unleaded gasoline would increase the size of the guaranteed market for unleaded gasoline and might induce the production of unleaded gasoline for the national market. (4) Cost consequences of banning leaded gasoline.

The process unleaded gasoline of present octane ratings, petroleum refiners would face investment in new refining equipment and an increase in refining expenses. According to studies conducted under the auspices of members of the oil and lead industries, the increased cost has been variously estimated as 2.6¢ per gallon (Ethyl Corporation),[26] 1.1¢ to 1.5¢ per gallon (Universal Oil Products),[27] and 2.2¢ per gallon (American Petroleum Institute.) [28]

Increased costs of refining would probably be passed on to the consumer. An American passenger car uses an average of 686 gallons of gasoline each year,[29] the incremental cost to the average car owner would be only $10.29 per year if the price were increased by 1.5¢ per gallon and $17.15 per year if the price were increased by 2.5¢ per gallon.

Footnotes at end of article.

The above cost figures relate to production of unleaded gasoline of the same high octane rating as present leaded gasoline. If the automobile industry began to produce engines requiring gasoline of lower octane rating, the costs of refining would be less than those outlined above.

The oil industry might well develop improved technology in the face of a market for unleaded gasoline and thereby reduce costs.

PROPOSED LEGISLATION

A Local Law to amend the administrative code of the city of New York, in relation to the sale of gasoline.

Be it enacted by the Council as follows:

The content of lead in any form in each gallon of gasoline sold in this city shall not exceed:

(a) On and after July 1, 1971, 2.0 grams.

(b) On and after January 1, 1972, 1.0 grams.

(c) On and after January 1, 1973, 0.5 grams.

(d) On and after January 1, 1974, 0.0 grams.

Any person who violates any provision of this chapter shall be guilty of a misdemeanor.

IV–C INTERIM RECOMMENDATIONS

The city should: one, require its own fleet and the taxi fleet to operate on unleaded gasolines; two, require its own fleet and the taxi fleet to install catalytic converters as pollution control devices as soon as is practicable; and three, direct the Hack Bureau to reconsider the size limitations for city taxis.

1. Unleaded gasolines:

See Section IV–B above for outline of adverse effects on health and air pollution control caused by the use of leaded gasoline.

By the changeover to unleaded gasoline in the taxi fleet alone, N.Y.C. would reduce by 148,000 pounds the yearly airborne lead in the atmosphere.[1]

The use of catalytic converters (discussed below) as a pollution control device is impossible as long as leaded gasoline is used by the city.

2. Catalytic converters:

Catalytic converters, investigated as anti-pollution devices for more than a decade,[2] contain a chemical catalyst over which exhaust fumes are directed. The carbon monoxide and hydrocarbons in the exhaust are oxidized and converted to less harmful compounds.[3]

Properly maintained converters have reduced emission levels to as low as 50 p.p.m. hydrocarbons and 0.5 per cent carbon monoxide.[4] (Emissions of nitrous oxides may also be able to be reduced through the use of catalysts but no workable system has yet been developed.)[5]

Although catalytic converters offer a major answer to the problem of automotive air pollution, they do not appear on cars today because the lead alkyls contained in almost all gasolines coat the catalyst and inhibit its reaction. (In tests conducted in California, catalytic converters which, after 12,000 miles of operation on unleaded gasoline, were still able to reduce hydrocarbon emissions to under 100 p.p.m., could not meet the 1966 California standards of 275 p.p.m. hydrocarbons after 6,000–12,000 miles of operation on leaded gasoline.[6]) Catalysts tested by General Motors have completed as much as 50,000 test miles while still operating at 70 percent conversion efficiency for both hydrocarbons and carbon monoxide—when operated on unleaded gasolines.[7]

Together with the change to unleaded gasoline, a changeover to catalytic converters on all passenger cars in the city fleet and the city taxi fleet could reduce the amount of hydrocarbons and carbon monoxide emissions attributable to these two fleets by as much as 550 percent and 300 percent respectively.[8]

The extra *cost* of unleaded gasoline used by the *city fleet* would be approximately $600,000 a year ($.02 per gallon times 30 million gallons used per year by the city fleet.)[9] The cost of outfitting the entire city fleet of 3,581 passenger automobiles with catalytic converters would be somewhere between $350,000 and $530,000. (3581 cars times $100 to $150 cost per converter).[10] Since 2143 of those cars would be police vehicles, it is quite significant that, unlike the present exhaust control packages, the catalytic converter causes little or no performance loss.[11]

The extra cost of unleaded gasoline to the *taxi* industry would be about $1 million. (2c per gallon times 50 million gallons consumed each year.)[12] The added costs to the taxi industry of placing catalytic converters on 11,800 taxicabs would range somewhere between $1.18 million and $1.75 million. (11,800 cabs times $100–$150 per cab).

When spread out over the entire industry, these costs are not great. A fare increase would not only take care of the cost but pass the cost on to the proper person—the person who chooses taxi service rather than other mass transit service.

Furthermore, it is very possible that the actual costs would be less than those estimated above because:

(a) After the introduction to the city's taxi fleet of the clean air package on all 1968 and later model cars, the taxicab industry has experienced a 10 percent increase in fuel consumption.[13] While this increased gasoline consumption may partly be attributable to increased congestion in the city as well, it is also a fact that the national average gasoline mileage figures for taxicabs also shows a reduction in gas mileage, although somewhat slighter than that experienced in New York City.[14]

(b) The catalytic converter on the other hand, does not reduce gas mileage.[15]

(c) By substituting the catalytic converter for the clean air package now required on all new automobiles, the taxi fleet may, in fact, enjoy a considerable savings in terms of gasoline consumption.

The changeover to catalytic converters would not violate the federal requirements. The regulations set up emission standards rather than require specific devices. Cars equipped with catalytic converters alone could easily be certified to quality under both the federal and state standards.

3. Hack bureau size specifications:

Smaller engines pollute much less than larger engines.

The Hack Bureau sets minimum interior size specifications for licensed taxis in the city,[16] which make it impractical for the industry to employ smaller engines.

Compact cars are used as taxis in many cities in Europe. The Yellow Cab Company in *San Diego*, California introduced 286 four-cylinder automobiles into their taxi fleet in 1967.[17] Not only were these cabs an improvement from a pollution standpoint, but they also passed on considerable savings to the taxi fleet in reduced gas, oil, and overhaul costs. Gasoline mileage with the four cylinder car was 17.1 miles per gallon as opposed to 15.5 miles per gallon with the 6 cylinder cars that had been used previously. Furthermore, the compacts used less oil, and their overhaul and tune-up costs were considerably lower.

These cars are now being phased out of service by the Yellow Cab Company, but for two reasons which could conceivably be overcome here:

(1) Passenger convenience: the Chevrolet Nova that was being used was somewhat difficult to get out of. This factor could be overcome by presenting Detroit with specifications for a specially-constructed vehicle for taxi use that avoided these problems.

(2) The clean air package required by California in 1968 resulted in significant power reduction in engines as small as those being used. This problem may very well be met by the use of catalytic converters rather than the standard clean air package. As noted above, the converters have been shown to have little effect on automotive power, and a combination of reduction in vehicle size and utilization of an alternative pollution device may work very well.

PROPOSED LEGISLATION

Resolution directing the city Department of Purchase henceforth to purchase only unleaded gasolines for use in motor vehicles owned and operated by the city government.

Whereas, the use of gasolines containing lead additives is found to present a serious threat to the health of the city's inhabitants; and

Whereas, the use of gasolines containing lead additives seriously impairs other efforts to curb air pollution attributable to automotives sources, be it

Resolved, that the Council of the City of New York directs the city Purchase Department henceforth to purchase only gasolines which contain no lead in any form for use in the motor vehicles owned and operated by the New York City government.

PROPOSED LEGISLATION

Resolution directing the Hack Bureau of the Police Department to require the use of unleaded gasoline in motor vehicles licensed to operate as public taxicabs within the city of New York.

Whereas, the use of gasolines containing lead additives is found to present a serious threat to the health of the city's inhabitants; and

Whereas, the use of gasolines containing lead additives seriously impairs other efforts to curb air pollution attribtuable to automotive sources; and

Whereas, public taxicabs have been found to be responsible for upwards of 50 per cent of the automotive air pollution in the most seriously polluted areas of the city, be it

Resolved, that the Council of the City of New York directs the Hack Bureau of the Police Department to require gasoline which contains no lead in any form for use in motor vehicles licensed to operate as public taxicabs within the city of New York.

PROPOSED LEGISLATION

Resolution directing all city agencies to attach a pollution control device known as a catalytic converter to all passenger vehicles owned and operated by such agencies as soon as is practicable.

Whereas, automotive air pollution has been found to present a serious threat to the health of the city's inhabitants; and

Whereas, the use of a catalytic converter as an anti-pollution device has been found to reduce significantly the amount of pollutants emitted by a motor vehicle, be it

Resolved, that the Council of the City of New York directs all city agencies to attach a pollution control device known as a catalytic converter to all passenger vehicles owned and operated by such agencies as soon as is practicable.

PROPOSED LEGISLATION

Resolution directing the Hack Bureau of the Police Department to require the use of a pollution device known as a catalytic converter on all motor vehicles licensed to operate as public taxicabs within the city of New York.

Whereas, automotive air pollution has been found to present a serious threat to the health of the city's inhabitants; and

Whereas, the use of catalytic converters as an anti-pollution device has been found to reduce significantly the amount of pollutants emitted by a motor vehicle; and

Whereas, public taxicabs have been found to be responsible for upwards of 50 percent of the automotive air pollution in the most seriously polluted areas of the city, be it

Footnotes at end of article.

Resolved, that the Council of the City of New York directs the Hack Bureau of the Police Department to require the use of a pollution device known as a catalytic converter on all motor vehicles licensed to operate as public taxicabs within the city of New York.

PROPOSED LEGISLATION

Resolution calling upon the Hack Bureau of the Police Department to reconsider its size limitations for motor vehicles licensed to operate as public taxicabs within the city of New York.

Whereas, it has been found that motor vehicles with smaller engines pollute less than motor vehicles with larger engines; and

Whereas, taxicab companies in other cities have experimented with the use of motor vehicles using smaller engines; and

Whereas, the present Hack Bureau specifications for minimum chassis and interior size make the use of motor vehicles with smaller engines impractical, be it

Resolved, that the Council of the city of New York calls upon the Hack Bureau of the Police Department to reconsider its size limitations for motor vehicles licensed to operate as public taxicabs within the city of New York.

*D. Recommendations at the State level*

The city should, through the home rule measure, request the New York state legislature to institute a "pollution fee" system for the state, or in the alternative, to institute such a fee system for New York City.

A person who drives an automobile imposes upon the entire community a cost—the pollution of the air—which the driver does not directly bear. The individual driver does not take these costs into account as part of the cost of operating his vehicle.

This problem could be solved by instituting a "Pollution Fee" which charged drivers an amount proportional to the pollution produced by their individual cars.

This fee could be effected by "amending" the recent Kheel proposal [1] for a rise in the State automobile registration fee—the funds of which would go to subsidize mass transit—by changing the increase in the fee from a constant amount to a sliding scale amount. Such action could be requested of the State legislature through the home rule measure.

Such a system would:

(a) Place the external costs caused by automotive air pollution on the automobile driver; and

(b) Provide incentives for automobile owners to attain the minimum possible emission level for their cars.

The system would operate as follows:

Each vehicle would be inspected under the state vehicle inspection law. Numerical readings would be obtained for both carbon monoxide and hydrocarbon levels. (When control of nitrous oxide becomes possible, reading would be obtained for this pollutant as well). These numerical readings would be forwarded to the State Motor Vehicle Bureau where they would then be multiplied by some constant monetary amount to determine the actual fee paid by the motorists. In this way motorists with high-polluting vehicles would pay a greater fee than motorists with low-polluting vehicles.

A motorist with a high pollution reading would be given time to have his car repaired so as to reduce the fee he would ultimately pay. In his way the existence of the fee system would encourage each motorist to operate his vehicle in as pollution-free a condition as possible.

Genuine low-emission vehicles are not yet available and pollution reducing devices such as the catalytic converter will remain impractical as long as lead additives remain in gasoline. Nevertheless, there are specific steps which can be taken to reduce the emission levels of existing cars, such as careful *maintenance*.

With cars equipped with the 1968 or 1970 "clean air package", *careful maintenance* of the pollution control system is necessary to insure continued efficiency. Even with "uncontrolled" cars produced before 1968, proper tuning can reduce hydrocarbon emissions by 25.5 percent and carbon monoxide by 26.7 percent at an average cost of $20.36 per tune-up.[2] (These figures are average reductions for the whole sample. Some of the cars were classified as high emitters. For these cars, the reduction in the hydrocarbon level averaged 49.0 percent and for the carbon monoxide level the average reduction was 29.7%.)

For controlled cars, 1968 and after, a tune-up can cause an average reduction of 12.5 percent in emissions of hydrocarbons and an average reduction of 30.0 percent in emissions of carbon monoxide at an average cost of tune-up of $13.08.[3]

The "Air Pollution Fee" must be sufficiently high to provide a definite *incentive* to utilize currently available pollution control equipment and to have periodic maintenance performed. A rule of thumb might be to set the fee so that the average saving on the fee would be two or three times the cost of properly maintaining standard clean air equipment. Thus, the fee could range from around $0 for tuned cars to about $40 to $60 for the worst controlled cars.

The fee must be administered so that it can be made responsive to changes in control equipment and maintenance costs.

One problem with the fee, of course, is that people would be penalized for keeping old cars that polluted at a high rate. A fee structured in this manner would fall most heavily on the poor who are the most likely to own the older vehicles. This can be overcome, however, by requiring only that the motorist make his present car as low a polluter as possible. A motorist, therefore, whose car had the lowest level of pollution output possible for its year and model would only have to pay the minimum. (If the minimum acceptable levels are too high, however, the plan would lose effectiveness. This is because the larger the group of people who pay no fee, the more likely it is that they represent a range of pollution levels going well below our exemption level, and many of these people who could be encouraged to make even further corrections on their car will not do so because they are exempted from the fee.)

A fast, reliable inspection scheme is, of course, crucial to such a pollution-fee system. Several quick-cycle tests have been developed, one of which seems particularly well suited for the system being proposed. That is the "Clayton Key Mode Cycle" [4] developed by the Clayton Manufacturing Company. This scheme gives emission level readout for three "key modes" (idle, low cruise, and high cruise), which can then be used to yield total emission figures for each pollutant. The test takes about 60 seconds and is easily standardized.[5] One feature of this test makes it particularly well suited to our proposal. The key mode cycle scheme has been developed with emission reducing maintenance in mind and is designed to diagnose the cause of the high emission.[6]

There are basically two alternatives on who could administer this inspection: (1) set up separate state inspection centers which do only such air pollution inspection; or (2) make the test part of the regular state inspection system which is now conducted by local gasoline and repair stations.

Arguments in favor of establishing a *separate* air pollution inspection system include:

It would be inadvisable to place such an essential part of this fee mechanism in the hands of local garage mechanics. The potential for *abuse* would be to great.

Present test equipment necessary to set up such an inspection center is quite *expensive* and this might place too heavy a *burden* on each local inspection station.

Testing can be done most efficiently in this way. A separate station would probably require two operators. In an 8-hour per day operation each station should be able to handle roughly 250 vehicles, each undergoing a 60-second test. The typical station would be able to handle about 65,000 vehicles each year. About 25 stations could thus test 1.5 million cars (New York City's car population) [7] annually.

If we assume that labor cost is $5 per hour and that two operators are required at each station, then each vehicle could be inspected for about $0.32.

Arguments in favor of placing the inspection scheme within the *present* system would include:

We could thereby *avoid* the necessity of foisting *two* separate yearly *inspections* (this one and the regular inspection) on motorists.

A check on honesty might be built into the system since it would not be to the local station attendant's advantage to falsify readings as being lower than they actually are because that would mean that he would be bypassing a sure tune-up fee.

The cost of purchasing such inspection equipment may be met through the increased income that would be generated by the increased tune-up and maintenance that will be done by the local station.

Even with a relatively successful pollution reducing operation, a not inconsiderable amount of *revenue* would be produced. It is recommended that the first claim on this revenue be the cost of administering the fee. The successful operation of the program requires an effective public information campaign, particularly with regard to the importance of proper maintenance. After such administrative expenses are met, the revenues should then go toward the subsidization of mass transit systems as was recommended in the Kheel proposals.

The proposed system would be *best instituted* on a *state-wide* basis. Pollution is a problem throughout the state and much of the contribution to New York City pollution is from vehicles registered to owners who are not city residents. The City Council should request the plan in this form. As an alternative, however, the city should request the state to institute such a pollution-fee system for the city alone with the revenues going to the city's mass transit after administration expenses are met.

PROPOSED LEGISLATION

Resolution Requesting the New York State Legislature to Pass Bills

An Act to amend the vehicle and traffic law in relation to the control of air pollution from motor vehicles

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision (c) of section three hundred one of the vehicle and traffic law, as last amended by chapter eight hundred fifty-six of the laws of nineteen hundred sixty-six, is hereby amended to read as follows:

(c) [(1)] Such inspection shall be made . . . (the wording of this section remains unchanged) . . . for proper and safe operations.

[(2) With respect to any motor vehicles . . . (this entire section is to be deleted) . . . in the periodic inspection of motor vehicles.]

Section 2. Such law is hereby amended by inserting therein a new section, to be section three hundred one-a, to read as follows:

*§ 301-a The Commissioner shall establish separate vehicle inspection facilities under his supervision for inspection with respect to vehicle exhaust emissions; and shall require that every motor vehicle registered in this State be inspected once each year under such separate facilities for the purpose of determining the amount of vehicle exhaust pollut-*

Footnotes at end of article.

*ants being produced by that motor vehicle; and further shall cause to be recorded, for each motor vehicle inspected, 1.) the maximum allowable amount of exhaust pollutants that may be produced by a motor vehicle of the same model year; and 2.) the amount of exhaust pollutants that are actually being produced by the inspected vehicle. Such recording shall be known as the "motor vehicle pollution reading" and shall be administered in conformity to the following provisions:*

*(1) Definitions: As used in this section all terms not defined herein shall have the meaning given them in this title:*

*(a) "Model year" means the annual production period of new motor vehicles or new motor vehicle engines designed by the calendar year in which such period ends: provided, that if the manufacturer does not so designate vehicles and engines manufactured by him, then the model year with respect to such vehicles and engines shall mean the twelve month production period beginning January first of the year specified herein.*

*(b) "Light duty vehicle" means a motor vehicle designed for transportation of persons or property on a street or highway and weighing six thousand pounds GVW or less.*

*(c) "Heavy duty vehicle" means a motor vehicle designed for transportation of persons or property on a street or highway and weighing more than six thousand pounds GVW.*

*(d) "Gross vehicle weight" means the manufacturer's gross weight rating.*

*(e) "Exhaust emission" means substances emitted to the atmosphere from any opening downstream from the exhaust port of a motor vehicle engine.*

*(2) For model years 1968 and 1969:*

*(a) Exhaust emissions from vehicles with an engine displacement of fifty cubic inches or more but not in excess of one hundred cubic inches shall not exceed:*

*(i) Hydrocarbons—410 parts per million by volume.*

*(ii) Carbon monoxide—2.3 per cent by volume.*

*(b) Exhaust emissions from vehicles with an engine displacement in excess of one hundred cubic inches but not more than one hundred forty cubic inches shall not exceed:*

*(i) Hydrocarbons—350 parts per million by volume.*

*(ii) Carbon monoxide—2.0 per cent by volume.*

*(c) Exhaust emission from vehicles with an engine displacement in excess of one hundred forty cubic inches shall not exceed:*

*(i) Hydrocarbons—275 parts per million by volume.*

*(ii) Carbon monoxide—1.5 per cent by volume.*

*(3) For model year 1970 and thereafter:*

*(a) Exhaust emissions for light duty engines shall not exceed:*

*(i) Hydrocarbons—2.2 grams per vehicle mile.*

*(ii) Carbon monoxide—23 grams per vehicle mile.*

*(b) Exhaust emissions for heavy duty engines shall not exceed:*

*(i) Hydrocarbons—275 parts per million.*

*(ii) Carbon monoxide—1.5 percent by volume.*

*(c) The standards set forth in paragraphs (a) and (b) of this paragraph refer to standards which shall be no less strict than the standards of the United States Department of Health, Education and Welfare applicable to the vehicle or engine when it was manufactured.*

*(d) For all motor vehicles of model year 1967 and older, the commissioner shall, in consultation with the commissioner of health, determine the maximum allowable exhaust emissions for each model year and make of car by taking into account the reduction in exhaust emissions that may be effected by proper maintenance or other means of control of exhaust emissions.*

Section 3. Subdivision (a) of section three hundred three of the vehicle and traffic law, is hereby amended to read as follows:

(a) The commissioner is authorized to license official inspection stations for the purpose of making the inspection prescribed by this article, *except for those inspections prescribed by section 301-a of this article,* and for the purpose of . . . (the rest of the section remains unchanged.)

Section 4. Subdivision (b) of part (1) of section four hundred one of the vehicle and traffic law, is hereby amended to read as follows:

(b) Every owner of a motor . . . (portion not included here remains unchanged) . . . furnished by the commissioner for that purpose, containing: (a) a brief . . . (subsection (a) remains unchanged) . . . shall require; (b) the weight of the vehicle unladen; (c) the name, residence, including county and business address of the owner of such motor vehicle; *(d) a "motor vehicle pollution reading" as defined in section 301-a of the vehicle and traffic law;* [(d)] *(e)* provided that . . . (only the lettering of this section has been changed) . . . to the commissioner; [(e)] *(f)* in the case . . . (only the lettering of this section has been changed) . . . to the commissioner as he shall direct for filing.

Section 5. Part (6) of section four hundred one of the vehicle and traffic law is amended by adding a new subsection, to be subsection (c), to read as follows:

*(c) In addition to the registration fee paid under paragraph (a), there shall be paid to the commissioner, or agent, upon registration or reregistration of a motor vehicle, a "pollution fee" in accordance with this article: The commissioner shall set the rate to be charged for automotive exhaust emissions in excess of the maximum allowable emissions set forth under section 301-a of the vehicle and traffic law, such rate to be set high enough to encourage owners of motor vehicles to maintain their vehicles within the maximum allowable emission standards. The commissioner shall then apply such rate to the motor vehicle pollution reading required under subsection (1)(d) of this section to determine the pollution fee to be paid by the owner of each motor vehicle."*

Whereas, The enactment of the above State legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

*Resolved,* That Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid bill.

*E. Recommendation for ordinances to prevent disconnection of anti-pollution devices*

Because there is some evidence that currently-employed methods for reducing pollution also reduce gasoline mileage and engine power,[1] there is danger that the devices may be disconnected or rendered inoperative.[2] Annual inspections would not guarantee proper maintenance of the devices, for in many cases the devices might be connected for inspection and then disconnected.

Since members of the general public would be unlikely to perform the mechanical connection and disconnection, the most effective focus for legislation designed to insure proper operation would be the repair shops.

New York City is now contemplating the passage of an ordinance requiring that automobile repair shops be licensed by the City. We recommend that the ordinance include a provision that the license of any repair shop found to have disconnected an anti-pollution device or to have modified an engine in such a way as to make ineffective its anti-pollution characteristics shall be *revoked.*

To supplement this ordinance, New York City should recommend that the State of New York amend its air pollution legislation to provide penalties for any person who deliberately impairs the efficiency of any automobile's air pollution package.[3] Such an amendment would extend the margin of protection against abuse of air pollution devices beyond the City limits.

*F. Recommendation on the issue of congestion*

Two million cars operate daily in New York City, more than half of them in Manhattan, which is more than twice as many as the area was meant to accommodate.[4] The Grand Central area of Manhattan has become more congested than the densest sections of Calcutta, Tokyo, or Bangkok.[5] The number of cars entering the city continues to increase every year.[6] Truck traffic is also on the rise [7] with some reports indicating that trucks may now be responsible for 40 percent of the automotive air pollution in the Central Business District.[8]

Traffic congestion and automotive air pollution are intimately related. (See charts on succeeding pages (omitted).) [9] Any increase in the number of cars is bound to cause an increase in automotive air pollution.

Moreover, as a result of congestion, cars travel more slowly. In New York City it has been estimated that motor vehicles spend 34 percent of their time idling and travel at an average weighted speed of only 13 miles per hour.[7] Because cars are travelling at a much slower pace, they are on the road polluting for that much more time. Even worse, the production of exhaust pollutants by the internal combustion engine is greatest when a car is traveling at slower speeds or is idling.[8]

Central to any effort to abate automotive air pollution then must be some attempt to decrease congestion, especially in Manhattan.

There is a study committee in the city headed by Robert Morse which is now studying exactly this problem in the garment district. In addition, it has been learned that a Highways Department study proposal has been drawn up which may offer a real solution to the congestion problem in the garment district. We were, however, unable to obtain a copy of that report.

It is our recommendation that the Council meet with members of the Morse Committee and the Highway Department to see what supplementary study may be necessary. If it is found that such additional study is necessary, then it is recommended that the Council request the Mayor to appoint a task force to study this problem. It is suggested that such a task force be mandated to study the following possible solutions:

1. Banning passenger cars from the Central Business District of Manhattan.

2. Establishing night delivery hours for trucks.

3. Computerizing traffic light patterns.[9]

FOOTNOTES

*Introduction*

[1] The Search For a Low-Emission Vehicle, Staff Report, Senate Commerce Committee, 91st Cong., 1st Sess., 1969, at 1. (Hereinafter cited as "The Search.")

[2] *Id.*, at 1.

[3] Air Pollution: Where the Problems are Worst. 157 *Science* 785, Aug. 18, 1967 (citing Aug. 4, 1967 U.S. Public Health Service for Air Pollution Control report)

[4] R. S. Morse, The Automobile and Air Pollution: A Program for Progress, Part II; Subpanel Reports to the Panel on Electrically Powered Vehicles, U.S. Department of Commerce, Dec., 1967, at 1. (Hereinafter cited as Morse)

[5] "The Search" at 2.

[6] N.Y.C. Dept. of Air Resources Application for Air Pollution Control Program Project Grant, Jan. 1, 1970, at 12. (Hereinafter cited as Project Grant Proposal)

[7] N.Y.C. Dept. of Air Pollution Control, Vehicle Exhausts as a Source of Air Pollutants in New York City, July, 1967, at 1.

[8] N. Cousins, Supplement to *Freedom to Breathe*, Oct. 28, 1969, at 1–4. (Hereinafter cited as Cousins Supplement)

[9] *Id.*, at 6.

[10] The Federal Air Quality Act of 1967 (Public Law 90–148) specifically pre-empts states from passing vehicle emission standards for new cars. In addition, the power of the City to enact laws "inconsistent" with State laws has always been severely restricted. See for example, *Wholesale Laundry Board of Trade, Inc.* v. *City of New York*, 17 App. Div. 2d 327 (1st Dept., 1962), aff'd 12 N.Y. 2d 998 (1963). The "consistency doctrine" has been the principal means of affecting preemption in New York State. See 66 Col. L. R. 1145.

*Section I*

[1] "The Search" at 2.

[2] "Toxological and Epidemiologic Bases for Air Quality Criteria," 19 Journal of the Air Pollution Control Association 632–656, September 1969. (Hereinafter cited as J.A.P.C.A.) p. 632.

[3] Morse at 4.

[4] *Id.*, at 31.

[5] *Id.*, at 1,2.

[6] J.A.P.C.A. at 648.

[7] California Air Resources Board Annual Report, "Air Pollution Control in California," Jan. 1969, at 16.

[8] N.Y.C. Dept. of Air Resources Emission Inventory Summary, Oct. 22, 1969. (Hereinafter cited as Emission Inventory)

[9] Morse at 31.

[10] New York State Dept. of Health "New York City Traffic, Driver Habit, and Vehicle Emissions Study," prepared by Scott Laboratories, June 1, 1969, p. ii.

[11] *Id.*, at 2.

[12] "The Search" at 3.

[13] Brody, "Studies Find Low Doses of Carbon Monoxide May Be Perilous," New York Times, Jan. 15, 1970.

[14] Emission Inventory.

[15] Morse at 31.

[16] *Id.*, at 2.

[17] Emission Inventory.

[18] Morse at 31.

[19] California Air Resources Board, Report by Technical Advisory Committee, "Control of Vehicle Emission After 1974," Nov. 19, 1969, at 10. (Hereinafter cited as Emission Control After 1974)

[20] Morse at 2–3.

[21] "Carbon Monoxide and Lead—An Environmental Appraisal," 19 Journal of the Air Pollution Control Association 684, Sept. 1969.

[22] *Id.*, at 684.

[23] Morse at 3.

[24] "The Search" at 3.

[25] Lederberg, "Leaded Gasoline Presents Hazards to Health," Washington Post, Feb. 22, 1969.

[26] Morse at 4.

*Section II*

[1] P.L. 89–272.

[2] P.L. 88–206.

[3] P.L. 90–148.

[4] § 208(a).

[5] § 208(b).

[6] 45 C.F.R. §§ 85.20 and 85.10.

[7] 45 C.F.R. § 85.10.

[8] 45 C.F.R. § 85.20.

[9] 45 C.F.R. § 85.20.

[10] 45 C.F.R. § 85.20.

[11] 45 C.F.R. § 85.30.

[12] 45 C.F.R. § 85.21.

[13] Conversation with Brian Ketcham, P. E. Head, Division f Motor Vehicles, Department of Air Resources, N.Y.C.

[14] 45 C.F.R. § 85.31.

[15] 45 C.F.R. § 85.41.

[16] 45 C.F.R. § 85.22.

[17] New York State Public Health Law §§ 1268–1276.

[18] *Id.*, § 1277.

[19] 10 N.Y.C.R.R. 192.4.

[20] 10 N.Y.C.R.R. 192.5.

[21] N.Y.C. Air Pollution Control Code § 1109.

[22] *Id.*, § 905 (b) and (c).

*Section III*

[1] "The Search" at 4.

[2] *Id.*, at 4.

[3] Morse at 30.

[4] "The Search" at 4.

[5] Morse at 121.

[6] Cousins Supplement at 6.

[7] Morse at 121.

[8] Cousins Supplement at 6.

[9] Regional Plan Association, "Hub-Bound Traffic in the Tri-State New York Metropolitan Region," Bulletin No. 99, Dec. 1961, Table 3.

[10] Project Grant Proposal (See footnote 6 to Introduction) at 12.

[11] Letter of Jan. 26, 1970 from George Haikalis, Tri-State Transportation Commission.

[12] "The Search" at 5.

[13] Morse at 121.

[14] *Id.*, at 121.

[15] "The Search" at 6.

[16] *Id.*, at 4, 6.

[17] *Id.*, at 7.

[18] *Id.*, at 6.

[19] California State Legislature, Assembly Bill 357, 1968, "Pure Air Act of 1968."

[20] "The Search" at 6, 7.

[21] Conversation with Brian Ketcham, P.E., Head, Division of Motor Vehicles, Department of Air Resources.

[22] "The Search" at 8.

[23] California Air Resources Board Annual Report, "Air Pollution Control in California," Jan. 1969 at 20.

[24] Morse at 36.

[25] *Id.*, at 36.

[26] New York State Dept. of Health, "New York City Traffic, Driver Habit and Vehicle Emissions Study," Prepared by Scott Research Laboratories June 1, 1969.

[27] *Id.*, at ii.

[28] *Id.*, at ii.

*Section IV—A*

[1] "The Search" at 7.

[2] Morse at 42.

[3] "The Search" at 18.

[4] See, for example, Jan. 27, 1970 New Haven Register P. 6, article on U.S. Government use of natural gas autos.

[5] See, for example, "Three Developmental Electric Cars Show Major Differences," S.A.E. Journal, N. 11, Vol. 76, Nov., 1968. (Electric cars driven by battery cells produce no carbon monoxide, hydrocarbons or nitrous oxides.)

[6] "Tempest Over a Teapot," Environment, Vol. II, No. 8, at 24.

[7] Id. at 25.

[8] Iron Age, Nov. 20, 1969.

[9] Speech by William Lear to Detroit Chapter of Automotive Engineers, Nov. 10, 1969 (Hereinafter cited as Lear Speech) p. 1.

[10] Id.

[11] "The Search" at 18.

[12] "The Chrysler Regenerative Turbine-Powered Passenger Car," S.A.E. Report 777A, p. 4.

[13] Lear Speech, p. 13.

[14] Id. p. 13.

[15] "Emission Control After 1974" at 29 (See Section I—footnote 18).

[16] New York Times, Dec. 5, 1969.

[17] "Electric Vehicles," hearings before the Committee on Commerce and the Subcommittee on Air and Water Pollution of the Public Works Committee of the U.S. Senate, 90th Congress 1st Session (1967).

[18] Morse at 67.

[19] "Emission Control After 1974" at 31.

[20] "The Search."

[21] Id. at 20–23.

[22] Id. at 23.

[23] California Health and Safety Code §§ 39200 et seq.

[24] Id. Sec. 39203.

[25] S. 3072.

[26] Speech on Senate floor by Sen. Magnuson, Oct. 27, 1969.

[27] New York Times, Feb. 11, 1970, at 32.

[28] "The Search" at 26.

[29] California Health & Safety Code § 39201.

[30] Criteria suggested by Sen. Magnuson in S. 3072.

[31] This and all other information as to the city fleet was obtained in a telephone conversation with Mr. Richard Kahn of the Bureau of the Budget.

[32] Arthur Gere of Taxi News.

[33] Mayor's Taxi Study Panel Report, Dec. 1966 at 1.

[34] Id. at 1; N.Y.C. Administration Code §§ 434a–7.0, 436–2.0.

[35] "The Fouled Environment: Can It Be Corrected?" speech by Austin Heller, former N.Y.C. Commissioner of Air Resources, at the Cooper Union—cited in 1 CCH Clean Air & Water News No. 5, Dec. 9, 1969 at 4,5.

[36] N.Y.C. Dept. of Air Pollution Control, "Vehicle Exhausts as a Source of Air Pollutants in New York City," July, 1967, figures 2–4.

[37] N. Cousins, "Freedom to Breath," Report of the Mayor's Task Force on Air Pollution in the City of New York, 1966.

[38] Id. at 22.

[39] Dept. of Air Pollution Control, APC–12—Special Studies for Control of Automotive Exhausts.

[40] "Green Light for the Smogless Car," Saturday Review, Dec. 6, 1969 at 84.

[41] Id. at 86.

*Section IV—B*

[1] Goldsmith, *Epidemiological Bases for Possible Air Quality Criteria for Lead*, 19 J. AIR POLLUTION CONTROL ASS'N. 714 (1969).

[2] Goldsmith and Hexter, *Respiratory Exposure to Lead: Epidemiological and Experimental Dose-Response Relationships*, 158 SCIENCE 132–34 (1967), 159 Science 1000 (1968) (concluding in part that blood lead levels are related to estimated respiratory exposure in areas with high levels of motor vehicle pollution).

[3] Kehoe, *Under What Circumstances is Ingestion of Lead Dangerous?*, in SYMPOSIUM ON ENVIRONMENTAL LEAD CONTAMINATION (Pub. Health Ser. Pub. No. 1440) 51, 55 (1966).

[4] Epstein, 24 EXPERIMENTIA 580 (1968).

[5] Muro and Goyer, *Chromosome Damage in Experimental Lead Poisoning*, 87 ARCH PATH 660 (1969) (suggesting that chromosomal damage may provide an explanation for fetal loss and malformed infants which has been observed in humans and animals following lead intoxication).

[6] Ferm, *The Synteratogenic Effect of Lead and Cadmium*, 25 EXPERIENTIA 56 (1969) (malformation of the tail).

[7] Law and Nelson, *Gasoline-Sniffing by an Adult*, 204 J. A. Med. Ass'n. 1002 (1968) (patient also exhibited psychosis including fluctuating levels of consciousness and hallucinations).

[8] Nerberg and Nikkanen, *Enzyme Inhibition by Lead under Normal Urban Conditions*, THE LANCET, No. 7637, at 63 (1970) (strong negative correlation between the concentration of lead in the blood and the logarithm of ALA dehydrogenase activity.)

[9] Hardy, *Discussion*, 19 J. AIR POLLUTION CONTROL ASS'N. 701, 02 (1969).

[10] Goldsmith, *supra* note 1, at 718. This level would not "significantly increase storage in the body of potentially toxic" lead.

[11] Bove and Siedenberg, "Relationships Between Airborne Lead and Carbon Monoxide at 45th Street New York City," Department of Air Resources, 1969. The Department is currently monitoring atmospheric levels of lead and other metals at 38 sampling sites in New York City. *See also*

Colucci, Begeman, and Kumler, "Lead Concentrations in Detroit, New York, and Los

Angeles Air," presented at the 61st Annual Meeting of Air Pollution Control Association, St. Paul, Minnesota, June 24–28, 1968, indicating an average lead level of 7.9 on Broadway between 34th and 35th).

[13] Kneip, Eisenbud, Strehlow, and Freudenthal, "Airborne Particulates in New York City," presented at the 62nd Annual Meeting of the Air Pollution Control Association, New York City, June 22–26, 1969.

[13] *See, e.g.*, Dr. J. Lederberg (of the University of California at Berkeley), *Get the Lead Out*, Washington Post, January 17, 1970.

[14] Hardy, *supra* note 9, at 703.

[15] See "Proposed Action", *infra*.

[16] Gagliardi, J., and Ghannam, F., Effects of Tetraethyl Lead Concentration on Exhaust Emissions in Customer Type Vehicle Operation (Soc'y of Auto. Eng. paper No. 690015), January, 1969, at 5 (Table III) (Paper also makes clear at page 11 that intermediate quantities of TEL have as damaging an effect on hydrocarbon emissions after 18,000 miles as does 3.2 grams per gallon).

[17] Gagliardi and Ghannam, *supra* note 16, at 8.

[18] Telephone interview with Mr. Brian Ketcham, N.Y.C. Department of Air Resources.

[19] Schwochert, H., Performance of a Catalytic Converter on Non-leaded Fuel (Soc'y. of Auto. Eng. Paper No. 690503), January, 1969, at 8.

[20] Weaver, E. Effects of Tetraethyl Lead on Catalyst Life and Efficiency in Customer Type Vehicle Operation (Soc'y. of Auto. Eng. Paper No. 690016), January, 1969, at 13 (results dependent upon solution to problem of catalyst attrition).

[21] Benson, J., Reduction of Nitrogen Oxides in Automobile Exhaust (Soc'y. of Auto. Eng. Paper No. 690019), January, 1969.

[22] Wall Street Journal, Feb. 9, 1970, at 18, col. 4.

[23] Wall Street Journal, Feb. 6, 1970, at 26, col. 2.

[24] Wall Street Journal, Feb. 9, 1970, at 18, col. 4.

[25] Wall Street Journal, Feb. 6, 1970, at 26, col. 2.

[26] Sabin and Scales, *Evaluation of use* v. *Non-use of Tetra-Ethyl Lead in Gasoline*, in SYMPOSIUM ON ENVIRONMENTAL LEAD CONTAMINATION (Pub. Health Ser. Pub. No. 1440) 95, 99 (1966). Note that the cost figures in this and other studies reflect costs as of the dates of the studies.

[27] Sterba, *Refining to Produce Gasolines of Reduced Lead Content*, in SYMPOSIUM ON ENVIRONMENTAL LEAD CONTAMINATION (Pub. Health Ser. Pub. No. 1440) 113, 123 (1966) primary reason for price rise is need to make $1.15 to $2 billion capital investment). *See also* J. Logan (President, Union Oil Products), Testimony before Assembly Committee on Transportation of the California Legislature, Los Angeles, California, Dec. 4, 1969, at 15 (cost would be less than 1¢ per gallon in California).

[28] U.S. MOTOR GASOLINE ECONOMICS, Vol. 1 (Manufacture of Unleaded Gasoline), prepared by Bonner and Moore Assocs. for the American Petroleum Institute (1967). This study indicated that the cost would range from 1.8 to 4.7¢ per gallon depending upon the location and size of the refinery. The figure of 4.7¢ per gallon was for a simulated refinery producing 4,000 barrels per day. Refineries producing fewer than 10,000 barrels of crude oil per day represent less than 4% of U.S. Crude capacity.

[29] 1969 AUTOMOBILE FACTS AND FIGURES 50.

*Section IV—C*

[1] N.Y.C. Dept. of Air Resources Memorandum, Nov. 3, 1969.

[2] "Performance of a Catalytic Converter on Nonleaded Fuel," S.A.E. Report No. 690503, at ii. (Hereinafter cited as S.A.E. Report No. 690503)

[3] Id.

[4] Morse at 40

[5] Id. at 41

[6] Id. at 45

[7] S.A.E. Report No. 690503 at 8.

[8] Based on assumption that the cars in these fleets now meet the maximum Federal standards and could, through the use of catalysts, reduce emissions to as low as 50 p.p.m. hydrocarbons and 0.5 percent carbon monoxide (See footnote 4).

[9] Conversation with Brian Ketcham, P.E., Head, Division of Motor Vehicles, Department of Air Resources.

[10] $100 estimate comes from Dept. of Air Resources Memorandum, Oct. 29, 1969; $150 estimate was made by Brian Ketcham (see footnote above).

[11] S.A.E. Report No. 690503 at ii.

[12] N.Y.C. Dept. of Air Resources Memorandum, Nov. 3, 1969.

[13] Id.

[14] Id.

[15] S.A.E. Report No. 690503 at ii.

[16] N.Y.C. Police Dept. Specifications for Public Taxicabs, sections 3, 46–58.

[17] This and all subsequent information relating to Yellow Cab Company was obtained in a telephone conversation with Bill Hilton, Manager, Yellow Cab Company, San Diego, California.

*Section IV–D*

[1] T. Kheel, "A Balanced System of Transportation is a Must," Report to Mayor, Dec. 12, 1969.

[2] State of New Jersey Dept. of Health, Motor Vehicle and Air Pollution Control Project. Data cited in M. F. Chew, "Auto Smog Inspection at Idle Only," S.A.E. Report #690505.

[3] Id., Table 8.

[4] E. Cline & L. Tinkhan, "A Realistic Vehicle Emission Inspection System," enclosed as appendix to "The Search," at 30–41.

[5] Id. at 35.

[6] Id. at 36–39.

[7] "Passenger Car Registrations for New York City and Nassau County as of July 1, 1968," Table I.

*Section IV–E*

[1] Taxicabs in N.Y.C., for example, experienced a 10 percent increase gas consumption after installation of the federally required clean air package. N.Y.C. Dept. of Air Resources Memorandum, Nov. 3, 1969. Cf "The Search," at 8.

[2] This concern was expressed in "The Search" at p. 8. Specific data on disconnection is difficult to come by. New York State does not keep data on the repairs done or problems noted in the yearly inspections of automobiles in the state. Discussions with attendants at some inspection stations indicated that disconnected devices were found fairly frequently, but this survey was obviously unscientific. Also, New York State's inspection probably has no way of determining whether the tuning of the car has been altered since the inspection relative to emissions is entirely a sight check. California's Air Resources Department has no recent data and older data which is of dubious value. At the time the date was gathered nearly 10 percent of the cars tested in spot checks were found to have improperly functioning pollution control packages.

[3] It was learned in a telephone conversation with Harry Hovey, Associate Director of the Division of Air Resources of the State of New York that there is at present no enforcement against the disabling of the anti-pollution packages, although arguably such enforcement might be instituted under § 1286 of the New York State Public Health Code. Mr. Hovey suggested that the city request legislation to this effect.

*Section IV—F*

[1] Cousins Supplement (See Section I, footnote 8) at 6.

[2] Id at 5.

[3] See footnotes 9, 10, 11 in Section III.

[4] Cousins Supplement at 11.

[5] N.Y.C. Dept. of Air Resources Memorandum, Oct. 29, 1969.

[6] Charts (omitted) come from N.Y.C. Dept. of Air Pollution Control, "Vehicle Exhausts as a Source of Air Pollutants in New York City," July, 1967. (Hereinafter cited as "Vehicle Exhausts in N.Y.C.").

[7] New York State Dept. of Health, "New York City Traffic, Driver Habit and Vehicle Emissions Study," Prepared by Scott Research Laboratories, June 1, 1969.

[8] Vehicle Exhausts in N.Y.C. at 1.

[9] This latter proposal was recommended in the Cousins Supplement.

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## REMARKS OF HON. CHET HOLIFIELD ON REORGANIZATION PLAN NO. 2 OF 1970

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

Mr. HOLIFIELD. Mr. Speaker, this morning the Committee on Government Operations ordered reported to the House, House Resolution 960, a resolution to disapprove reorganization plan No. 2 of 1970. The plan was submitted to Congress by President Nixon on March 12—House Docket 91–275. The House will be called upon to act on the resolution next week. The committee made an intensive inquiry into this matter and has decided to recommend to the House that the plan be rejected.

MAJOR FEATURES

The major features of the plan are: First, the redesignation of the Bureau of the Budget as the Office of Management and Budget with additional high-level positions and other personnel, and second, the creation of a Cabinet-level Domestic Council—presumably a counterpart to the National Security Council. The Domestic Council will have a staff to be directed by a White House assistant. The plan was recommended to the President by the Advisory Council on Executive Organization, headed by Roy L. Ash of the Litton Corp.

Under the Reorganization Act the Congress has until May 16 to act, although the plan itself will not go into effect until July 1.

IN-DEPTH HEARINGS

The Subcommittee on Executive and Legislative Reorganization conducted in-depth hearings on the plan at which time officials of the Ash council and the Bureau of the Budget were interrogated and other witnesses were heard. As is our custom, we also invited the comments of other affected committees of the House. In this instance, we heard from the chairman of the Appropriations Committee and the ranking member of the Post Office and Civil Service Committee. Under the circumstances, I believe the subcommittee has gone into the substance and details of the plan and the reasoning behind it as carefully as was possible.

SUBCOMMITTEE OPPOSITION TO PLAN

After hearing the testimony and considering the views of all concerned, the subcommittee decided that the defects of the plan were so serious that it should not receive our support. As you know, a reorganization plan cannot be amended.

BILL INTRODUCED AS ALTERNATIVE

I think most of us agree that the President should be allowed considerable latitude in the way his immediate office is organized and, therefore, Congressman BLATNIK and I have introduced H.R. 17376 which contains most of the features of the plan and will enable the President to achieve many of the objectives of the plan while preserving to the Congress prerogatives which we consider vital. If the reorganization plan is rejected by the House, we will hold hearings on the bill at an early date.

VAGUENESS OF THE PLAN

One of our problems in dealing with the plan was its vagueness. It created new structures but did not specify the functions and duties those structures would carry out, stating only that they should "perform such functions as the President may from time to time direct." The President's message transmitting the plan gave some indication of his intentions but technically it is not a part of the plan itself and, of course, does not become statutory law as does the plan. Nevertheless, the message represents an important part of legislative history and we considered it along with the plan.

THREAT TO CIVIL SERVICE

A disturbing part of the message was the President's intention to have the Office of Management and Budget involved in "new programs to recruit, train, motivate, deploy and evaluate the men and women who make up the top ranks of the civil service." During the hearings, representatives of important organizations of Federal employees and former high officials of the Government—including former Congressman Robert Ramspeck who was at one time Chairman of the Civil Service Commission—strongly opposed this feature of the plan, fearing that this could be a threat to the merit system and could raise the possibility of an extension of political patronage into the civil service. They also believed it would downgrade the Civil Service Commission. Naturally, the administration witnesses denied that this would result, but the subcommittee felt that we would be hard pressed to counteract these fears of a plan whose implementation was so poorly defined.

STATUTORY POWERS OF BOB TO PRESIDENT

A major concern raised by the plan is the transfer of the statutory functions of the Bureau of the Budget to the President. Some of these may be considered trivial but others are very important. When these 58 functions were put in the Bureau by the proper congressional committees of jurisdiction they undoubtedly had good reasons for doing so. The President said he would redelegate them to the Bureau of the Budget—but he would have the power at some future time to transfer them elsewhere in the Government without any action or review by the Congress. In my judgment, it is not necessary to transfer these functions to the President in order to obtain good management in the executive branch. Congress would lose a measure of the power we still retain, if we did so.

DOMESTIC COUNCIL

The Domestic Council will have no statutory functions of its own but will exercise those delegated to it by the President. A staff will be created with a White House assistant as Executive Director. The position of Executive Director will neither be in the classified service nor appointed with the advice and consent of the Senate. The Reorganization Act, however, requires that officers authorized by reorganization plan be either confirmed by the Senate or be in the competitive service. The plan, therefore, is not in accord with the act.

By making the Executive Director an assistant to the President, the plan would render that officer and his staff not accountable to Congress and beyond the power of Congress to question. To me, this would be most unfortunate considering the large and important issues that will concern the Domestic Council.

CONCLUSION

For these and other reasons which will be set forth in the committee report, we recommend the adoption of the resolution and the rejection of the plan.

I include the following items at this point:

MAJOR DIFFERENCES BETWEEN H.R. 17376 AND REORGANIZATION PLAN NO. 2 OF 1970

1. H.R. 17376 redesignates the Bureau of the Budget as the Office of Management and Budget and provides the same officers and the six additional officers as provided by the Plan. Under the bill the President is *not* required to appoint the six additional officers in the classified civil service.

2. The bill *does not* transfer functions from the Bureau of the Budget or the Director thereof to the President as does the Plan.

3. The bill contains no reference to the development of career executive talent and, therefore, does not expressly or by inference authorize such a program in the Office of Management and Budget as was set forth in the President's Message.

4. The bill adds to the Domestic Council the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, the Director of the Office of Economic Opportunity and the Chairman of the Council on Environmental Quality. All other designations to the Council remain the same as in the Plan, including the President's authority to appoint other officers of the Executive Branch.

5. The bill spells out functions for the Domestic Council that were contained in the President's Message but leaves to the President the power to assign to it such other functions as he may wish as is contained in the Plan.

6. The bill authorizes the appointment of an Executive Director of the Council but, unlike the Plan, requires that he be confirmed by the Senate.

7. The bill requires the Executive Director to make an annual report to the Congress and provide the Congress with such other information as may be requested. This is not in the Plan.

8. The bill authorizes the Domestic Council only until June 30, 1973. No such limitation is contained in the Plan.

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FACT SHEET ON REORGANIZATION PLAN NO. 2 OF 1970 (BUDGET BUREAU—DOMESTIC COUNCIL)

Reorganization Plan No. 2 of 1970 was submitted to the Congress by President Nixon on March 12. Under the 60-day provision of the Reorganization Act (allowing for the recesses already held) Congress has until May 16 to act, although the effective date of the Plan will not be until July 1. No disapproval resolution has yet been filed. The Plan was recommended to the President by his Advisory Council on Executive Organization.

SUMMARY OF MAJOR FEATURES

The Plan has two major features: (1) the redesignation of the Bureau of the Budget as the Office of Management and Budget with additional high-level positions and other personnel and (2) the creation of a Cabinet-level Domestic Council which will have a staff and be directed by a White House Assistant.

*Office of Management and Budget*

The Plan puts into the hands of the President all of the functions now vested by Congress in the Bureau of the Budget. This follows a pattern that has been frequently adopted for heads of departments and agencies. The President intends to delegate these functions to the new Office of Management and Budget, but may in the future shift any of these to other units in the Executive Office.

Six new positions are created at Executive Level 5 ($36,000 per year) to be appointed from the classified civil service. Also, an additional 70 fulltime positions will be needed in Fiscal 1971 which, with 30 new positions requested for Fiscal 1970, will bring an increase in staff of 106 over that of the existing Budget Bureau.

The Plan itself does not specify any new activities and states only that "The Office of Management and Budget and the Director shall perform such functions as the President may from time to time delegate or assign thereto." The Message, however, speaks of new functions in management with "much greater emphasis on the evaluation of program performance." It also speaks of the development of executive talent—a duty now being carried out by the U.S. Civil Service Commission—and the improvement of interagency cooperation in the field.

*Domestic Council*

The Plan establishes a Domestic Council to be chaired by the President and composed of the Vice President and certain Cabinet officials and such other officers as the President may select.

No duties of the Council are specified in the Plan except that "The Council shall perform such functions as the President may from time to time delegate or assign thereto." The Message, however, specifies a range of interagency policy functions which the Council will perform.

The Plan proposes an Executive Director who will head the staff of the Council and shall also be an assistant to the President. The staff for Fiscal 1971 will be "a maximum of 90 personnel" and will be selected "on the basis of career experience and philosophical consistency with the purpose of the Presidency."

*Savings*

The President's Message states: "While this plan will result in a modest increase in direct expenditures, its strengthening of the Executive Office of the President will bring significant indirect savings, and at the same time will help ensure that people actually receive the return they deserve from every dollar the Government spends. The savings will result from the improved efficiency these changes will provide throughout the Executive Branch—and also from curtailing the waste that results when programs simply fail to achieve their objectives. It is not practical, however, to itemize or aggregate these indirect expenditure reductions which will result from the reorganization."

H. RES. 960

*Resolved,* That the House of Representatives does not favor the Reorganization Plan Numbered 2 of 1970 transmitted to the Congress by the President on March 12, 1970.

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H.R. 17376

A bill to enact certain provisions of Reorganization Plan Numbered 2 of 1970, and for other purposes

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

TITLE I—OFFICE OF MANAGEMENT AND BUDGET

SEC. 101. Section 207 of the Budget and Accounting Act, 1921, is amended to read as follows:

"SEC. 207. (a) There is created in the Executive Office of the President an office to be known as the Office of Management and Budget. There shall be in the Office of Director and Deputy Director, who shall be appointed by the President. The Deputy Director shall perform such duties as the Director may designate, and during the absence or incapacity of the Director or during a vacancy in the Office of Director he shall act as Director. The Office, under such rules and regulations as the President may prescribe, shall prepare the budget, and any proposed supplemental or deficiency appropriations, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the requests for appropriations of the several departments or establishments.

"(b) There shall be within the Office of Management and Budget not more than six additional officers, as determined from time to time by the Director of the Office of Management and Budget (hereinafter referred to as the 'Director'). Each such officer shall be appointed by the Director, subject to the approval of the President, shall have such title as the Director shall from time to time determine, and shall receive compensation at the rate now or hereafter prescribed for offices and positions at level V of the Executive Schedule (5 U.S.C. 5316).

"(c) The Office of Management and Budget and the Director shall perform such further functions as the President may from time to time delegate or assign thereto. The Director, under the direction of the President, shall supervise and direct the administration of the Office of Management and Budget.

"(d) The Deputy Director of the Office of Management and Budget, the Assistant Directors of the Office of Management and Budget, and the officers provided for in subsection (b) of this section shall perform such functions as the Director may from time to time direct.

"(e) The records, property, personnel, and unexpended balances, available or to be made available, of appropriations, allocations, and other funds of the Bureau of the Budget shall, upon the taking effect of the provisions of this Act, become records, property, personnel, and unexpended balances of the Office of Management and Budget."

TITLE II—DOMESTIC COUNCIL

SEC. 201. (a) There is hereby established in the Executive Office of the President a Domestic Council (hereinafter referred to as the "Council").

(b) The Council shall be composed of the following:

(1) The President of the United States,

(2) The Vice President of the United States,

(3) The Attorney General,

(4) Secretary of Agriculture,

(5) Secretary of Commerce,

(6) Secretary of Health, Education, and Welfare,

(7) Secretary of Housing and Urban Development,

(8) Secretary of the Interior,

(9) Secretary of Labor,

(10) Secretary of Transportation,

(11) Secretary of the Treasury,

(12) Director of the Office of Management and Budget,

(13) Chairman of the Council of Economic Advisers,

(14) Director of the Office of Economic Opportunity,

(15) Chairman of the Council on Environmental Quality,

and such other officers of the executive branch as the President may from time to time direct.

(c) The President of the United States shall preside over meetings of the Council. In the event of his absence, he may designate a member of the Council to preside.

SEC. 202. The Council shall perform such functions as the President may from time to time delegate or assign thereto. The Council shall take the lead in the following policy functions:

(1) Assessing national needs, collecting information, and developing forecasts for the purpose of defining national goals and objectives.

(2) Identifying alternative ways of achieving these objectives, and recommending consistent, integrated sets of policy choices.

(3) Providing rapid response to presidential needs for policy advice on pressing domestic issues.

(4) Coordinating the establishment of national priorities for the allocation of available resources.

(5) Maintaining a continuous review of the conduct on ongoing programs from a policy standpoint, and proposing reforms as needed.

SEC. 203. The Council shall have an Executive Director to be appointed by the President, with the advice and consent of the Senate, who shall perform such functions as the President may from time to time direct. There shall be a staff to be headed by the Executive Director which shall perform such duties as he may assign.

SEC. 204. The Executive Director of the Council shall make an annual report to the Congress on the activities of the Council and shall provide the Congress with such other information as may be requested.

SEC. 205. The records and papers of the Council shall be maintained and preserved as official documents of the United States.

SEC. 206. The provisions of title II of this Act shall be effective until June 30, 1973.

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REORGANIZATION PLAN NO. 2 OF 1970

(Message from the President of the United States)

*To the Congress of the United States:*

We in government often are quick to call for reform in other institutions, but slow to reform ourselves. Yet nowhere today is modern management more needed than in government itself.

In 1939, President Franklin D. Roosevelt proposed and the Congress accepted a reorganization plan that laid the groundwork for providing managerial assistance for a modern Presidency.

The plan placed the Bureau of the Budget within the Executive Office of the President. It made available to the President direct access to important new management instruments. The purpose of the plan was to improve the administration of the Government—to ensure that the Government could perform "promptly, effectively, without waste or lost motion."

Fulfilling that purpose today is far more difficult—and more important—than it was 30 years ago.

Last April, I created a President's Advisory Council on Executive Organization and named to it a distinguished group of outstanding experts headed by Roy L. Ash. I gave the Council a broad charter to examine ways in which the Executive Branch could be better organized. I asked it to recommend specific organizational changes that would make the Executive Branch a more vigorous and more effective instrument for creating and carrying out the programs that are needed today. The Council quickly concluded that the place to begin was in the Executive Office of the President itself. I agree.

The past 30 years have seen enormous changes in the size, structure and functions of the Federal Government. The budget has grown from less than $10 billion to $200 billion. The number of civilian employees has risen from one million to more than two and a half million. Four new Cabinet departments have been created, along with more than a score of independent agencies. Domestic policy issues have become increasingly complex. The interrelationships among Government programs have become more intricate. Yet the organization of the President's policy and management arms has not kept pace.

Over three decades, the Executive Office of the President has mushroomed but not by conscious design. In many areas it does not provide the kind of staff assistance and support the President needs in order to deal with the problems of government in the 1970s. We confront the 1970s with a staff organization geared in large measure to the tasks of the 1940s and 1950s.

One result, over the years, has been a tendency to enlarge the immediate White House staff—that is, the President's personal staff, as distinct from the institutional structure—to assist with management functions for which the President is responsible. This has blurred the distinction between personal staff and management institutions; it has left key management functions to be performed only intermittently and some not at all. It has perpetuated outdated structures.

Another result has been, paradoxically, to inhibit the delegation of authority to Departments and agencies.

A President whose programs are carefully coordinated, whose information system keeps him adequately informed, and whose organizational assignments are plainly set out, can delegate authority with security and confidence. A President whose office is deficient in these respects will be inclined, instead, to retain close control of operating responsibilities which he cannot and should not handle.

Improving the management processes of the President's own office, therefore, is a key element in improving the management of the entire Executive Branch, and in strentghening the authority of its Departments and agencies. By providing the tools that are needed to reduce duplication, to monitor performance and to promote greater efficiency throughout the Executive Branch, this also will enable us to give the country not only more effective but also more economical government—which it deserves.

To provide the management tools and policy mechanisms needed for the 1970s, I am today transmitting to the Congress Reorganization Plan No. 2 of 1970, prepared in accordance with Chapter 9 of Title 5 of the United States Code.

This plan draws not only on the work of the Ash Council itself, but also on the work of others that preceded—including the pioneering Brownlow Committee of 1936, the two Hoover Commissions, the Rockefeller Committee, and other Presidential task forces.

Essentially, the plan recognizes that two closely connected but basically separate functions both center in the President's office:

policy determination and executive management. This involves (1) what government should do, and (2) how it goes about doing it.

My proposed reorganization creates a new entity to deal with each of these functions:

It establishes a Domestic Council, to coordinate policy formulation in the domestic area. This Cabinet group would be provided with an institutional staff, and to a considerable degree would be a domestic counterpart to the National Security Council.

It establishes an Office of Management and Budget, which would be the President's principal arm for the exercise of his managerial functions.

The Domestic Council will be primarily concerned with *what* we do; the Office of Management and Budget will be primarily concerned with *how* we do it, and *how well* we do it.

DOMESTIC COUNCIL

The past year's experience with the Council for Urban Affairs has shown how immensely valuable a Cabinet-level council can be as a forum for both discussion and action on policy matters that cut across departmental jursdictions.

The Domestic Council will be chaired by the President. Under the plan, its membership will include the Vice President, and the Secretaries of the Treasury, Interior, Agriculture, Commerce, Labor, Health, Education and Welfare, Housing and Urban Development, and Transportation, and the Attorney General. I also intend to designate as members the Director of the Office of Economic Opportunity and, while he remains a member of the Cabinet, the Postmaster General. (Although I continue to hope that the Congress will adopt my proposal to create, in place of the Post Office Department, a self-sufficient postal authority.) The President could add other Executive Branch officials at his discretion.

The Council will be supported by a staff under an Executive Director who will also be one of the President's assistants. Like the National Security Council staff, this staff will work in close coordination with the President's personal staff but will have its own institutional identity. By being established on a permanent, institutional basis, it will be designed to develop and employ the "institutional memory" so essential if continuity is to be maintained, and if experience is to play its proper role in the policy-making process.

There does not now exist an organized, institutionally-staffed group charged with advising the President on the total range of domestic policy. The Domestic Council will fill that need. Under the President's direction, it will also be charged with integrating the various aspects of domestic policy into a consistent whole.

Among the specific policy functions in which I intend the Domestic Council to take the lead are these:

Assessing national needs, collecting information and developing forecasts, for the purpose of defining national goals and objectives.

Identifying alternative ways of achieving these objectives, and recommending consistent, integrated sets of policy choices.

Providing rapid response to Presidential needs for policy advice on pressing domestic issues.

Coordinating the establishment of national priorities for the allocation of available resources.

Maintaining a continuous review of the conduct of ongoing programs from a policy standpoint, and proposing reforms as needed.

Much of the Council's work will be accomplished by temporary, ad hoc project committees. These might take a variety of forms, such as task forces, planning groups or advisory bodies. They can be established with varying degrees of formality, and can be set up to deal either with broad program areas or with specific problems. The committees will draw for staff support on Department and agency experts, supplemented by the Council's own staff and that of the Office of Management and Budget.

Establishment of the Domestic Council draws on the experience gained during the past year with the Council for Urban Affairs, the Cabinet Committee on the Environment and the Council for Rural Affairs. The principal key to the operation of these Councils has been the effective functioning of their various subcommittees. The Councils themselves will be consolidated into the Domestic Council; Urban, Rural and Environment subcommittees of the Domestic Council will be strengthened, using access to the Domestic Council staff.

Overall, the Domestic Council will provide the President with a streamlined, consolidated domestic policy arm, adequately staffed, and highly flexible in its operation. It also will provide a structure through which departmental initiatives can be more fully considered, and expert advice from the Departments and agencies more fully utilized.

OFFICE OF MANAGEMENT AND BUDGET

Under the reorganization plan, the technical and formal means by which the Office of Management and Budget is created is by re-designating the Bureau of the Budget as the Office of Management and Budget. The functions currently vested by law in the Bureau, or in its director, are transferred to the President, with the provision that he can then re-delegate them.

As soon as the reorganization plan takes effect, I intend to delegate those statutory functions to the Director of the new Office of Management and Budget, including those under section 212 of the Budget and Accounting Act, 1921.

However, creation of the Office of Management and Budget represents far more than a mere change of name for the Bureau of the Budget. It represents a basic change in concept and emphasis, reflecting the broader management needs of the Office of the President.

The new Office will still perform the key function of assisting the President in the preparation of the annual Federal budget and overseeing its execution. It will draw upon the skills and experience of the extraordinarily able and dedicated career staff developed by the Bureau of the Budget. But preparation of the budget as such will no longer be its dominant, overriding concern.

While the budget function remains a vital tool of management, it will be strengthened by the greater emphasis the new office will place on fiscal analysis. The budget function is only one of several important management tools that the President must now have. He must also have a substantially enhanced institutional staff capability in other areas of executive management—particularly in program evaluation and coordination, improvement of Executive Branch organization, information and management systems, and development of executive talent. Under this plan, strengthened capability in these areas will be provided partly through internal reorganization, and it will also require additional staff resources.

The new Office of Management and Budget will place much greater emphasis on the evaluation of program performance: on assessing the extent to which programs are actually achieving their intended results, and delivering the intended services to the intended recipients. This is needed on a continuing basis, not as a one-time effort. Program evaluation will remain a function of the individual agencies as it is today. However, a single agency cannot fairly be expected to judge overall effectiveness in programs that cross agency lines—and the difference between agency and Presidential perspectives requires a capacity in the Executive Office to evaluate program performance whenever appropriate.

The new Office will expand efforts to improve interagency cooperation in the field. Washington-based coordinators will help work out interagency problems at the operating level, and assist in developing efficient coordinating mechanisms throughout the country. The success of these efforts depends on the experience, persuasion, and understanding of an Office which will be an expediter and catalyst. The Office will also respond to requests from State and local governments for assistance on intergovernmental programs. It will work closely with the Vice President and the Office of Intergovernmental Relations.

Improvement of Government organization, information and management systems will be a major function of the Office of Management and Budget. It will maintain a continuous review of the organizational structures and management processes of the Executive Branch, and recommend needed changes. It will take the lead in developing new information systems to provide the President with the performance and other data that he needs but does not now get. When new programs are launched, it will seek to ensure that they are not simply forced into or grafted onto existing organizational structures that may not be appropriate. Resistance to organizational change is one of the chief obstacles to effective government; the new Office will seek to ensure that organization keeps abreast of program needs.

The new Office will also take the lead in devising programs for the development of career executive talents throughout the Government. Not the least of the President's needs as Chief Executive is direct capability in the Executive Office for insuring that talented executives are used to the full extent of their abilities. Effective, coordinated efforts for executive manpower development have been hampered by the lack of a system for forecasting the needs for executive talent and appraising leadership potential. Both are crucial to the success of an enterprise—whether private or public.

The Office of Management and Budget will be charged with advising the President on the development of new programs to recruit, train, motivate, deploy, and evaluate the men and women who make up the top ranks of the civil service, in the broadest sense of that term. It will not deal with individuals, but will rely on the talented professionals of the Civil Service Commission and the Departments and agencies themselves to administer these programs. Under the leadership of the Office of Management and Budget there will be joint efforts to see to it that all executive talent is well utilized wherever it may be needed throughout the Executive Branch, and to assure that executive training and motivation meet not only today's needs but those of the years ahead.

Finally, the new Office will continue the Legislative Reference functions now performed by the Bureau of the Budget, drawing together agency reactions on all proposed legislation, and helping develop legislation to carry out the President's program. It also will continue the Bureau's work of improving and coordinating Federal statistical services.

SIGNIFICANCE OF THE CHANGES

The people deserve a more responsive and more effective Government. The times require it. These changes will help provide it.

Each reorganization included in the plan which accompanies this message is necessary to accomplish one or more of the purposes set forth in Section 901(a) of Title 5 of the United States Code. In particular, the plan is responsive to Section 901(a)(1), "to promote the better execution of the laws, the

more effective management of the Executive Branch and of its agencies and functions, and the expeditious administration of the public business;" and Section 901(a)(3), "to increase the efficiency of the operations of the Government to the fullest extent practicable."

The reorganizations provided for in this plan make necessary the appointment and compensation of new officers, as specified in Section 102(c) of the plan. The rates of compensation fixed for these officers are comparable to those fixed for other officers in the Executive Branch who have similar responsibilities.

While this plan will result in a modest increase in direct expenditures, its strengthening of the Executive Office of the President will bring significant indirect savings, and at the same time will help ensure that people actually receive the return they deserve for every dollar the Government spends. The savings will result from the improved efficiency these changes will provide throughout the Executive Branch—and also from curtailing the waste that results when programs simply fail to achieve their objectives. It is not practical, however, to itemize or aggregate these indirect expenditure reductions which will result from the reorganization.

I expect to follow with other reorganization plans, quite possibly including ones that will affect other activities of the Executive Office of the President. Our studies are continuing. But this by itself is a reorganization of major significance, and a key to the more effective functioning of the entire Executive Branch.

These changes would provide an improved system of policy making and coordination, a strengthening capacity to perform those functions that are now the central concerns of the Bureau of the Budget, and a more effective set of management tools for the performance of other functions that have been rapidly increasing in importance.

The reorganization will not only improve the staff resources available to the President, but will also strengthen the advisory roles of those members of the Cabinet principally concerned with domestic affairs. By providing a means of formulating integrated and systematic recommendations on major domestic policy issues, the plan serves not only the needs of the President, but also the interests of the Congress.

This reorganization plan is of major importance to the functioning of modern government. The national interest requires it. I urge that the Congress allow it to become effective.

RICHARD NIXON.

THE WHITE HOUSE, *March 12, 1970.*

REORGANIZATION PLAN NO. 2 OF 1970

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 12, 1970, pursuant to the provisions of chapter 9 of title 5 of the United States Code.

*Part I. Office of Management and Budget*

SECTION 101. *Transfer of functions to the President.*—There are hereby transferred to the President of the United States all functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget.

SEC. 102. *Office of Management and Budget.*—(a) The Bureau of the Budget in the Executive Office of the President is hereby designated as the Office of Management and Budget.

(b) The offices of Director of the Bureau of the Budget and Deputy Director of the Bureau of the Budget, and the offices of Assistant Directors of the Bureau of the Budget which are established by statute (31 U.S.C. 16a and 16c), are hereby designated Director of the Office of Management and Budget, Deputy Director of the Office of Management and Budget, and Assistant Directors of the Office of Management and Budget, respectively.

(c) There shall be within the office of Management and Budget not more than six additional officers, as determined from time to time by the Director of the Office of Management and Budget (hereinafter referred to as the Director). Each such officer shall be appointed by the Director, subject to the approval of the President, under the classified civil service, shall have such title as the Director shall from time to time determine, and shall receive compensation at the rate now or hereafter prescribed for offices and positions at Level V of the Executive Schedule (5 U.S.C. 5316).

(d) The Office of Management and Budget and the Director shall perform such functions as the President may from time to time delegate or assign thereto. The Director, under the direction of the President, shall supervise and direct the administration of the Office of Management and Budget.

(e) The Deputy Director of the Office of Management and Budget, the Assistant Directors of the Office of Management and Budget designated by this reorganization plan, and the officers provided for in subsection (c) of this section shall perform such functions as the Director may from time to time direct.

(f) The Deputy Director (or during the absence or disability of the Deputy Director or in the event of a vacancy in the office of Deputy Director, such other officials of the Office of Management and Budget in such order as the President may from time to time designate) shall act as Director during the absence or disability of the Director or in the event of a vacancy in the office of Director.

SEC. 103. *Records, property, personnel, and funds.*—The records, property, personnel, and unexpended balances, available or to be made available, of appropriations, allocations, and other funds of the Bureau of the Budget shall, upon the taking effect of the provisions of this reorganization plan, become records, property, personnel, and unexpended balances of the Office of Management and Budget.

*Part II. Domestic Council*

SEC. 201. *Establishment of the Council.*—(a) There is hereby established in the Executive Office of the President a Domestic Council, hereinafter referred to as the Council.

(b) The Council shall be composed of the following:

The President of the United States
The Vice President of the United States
The Attorney General
Secretary of Agriculture
Secretary of Commerce
Secretary of Health, Education, and Welfare
Secretary of Housing and Urban Development
Secretary of the Interior
Secretary of Labor
Secretary of Transportation
Secretary of the Treasury

and such other officers of the Executive Branch as the President may from time to time direct.

(c) The President of the United States shall preside over meetings of the Council: *Provided,* That, in the event of his absence, he may designate a member of the Council to preside.

SEC. 202. *Functions of the Council.*—The Council shall perform such functions as the President may from time to time delegate or assign thereto.

SEC. 203. *Executive Director.*—The staff of the Council shall be headed by an Executive Director who shall be an assistant to the President designated by the President. The Executive Director shall perform such functions as the President may from time to time direct.

*Part III. Taking effect*

SEC. 301. *Effective date.*—The provisions of this reorganization plan shall take effect as provided by section 906(a) of title 5 of the United States Code, or on July 1, 1970, whichever is later.

## SOUTH BEND AND THE QUALITY OF LIFE

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

Mr. BRADEMAS. Mr. Speaker, there has been much discussion in recent months on the question of raising the quality of life in the United States.

It was, therefore, with great interest that I learned recently of a study recently completed by several educators affiliated with Indiana University, entitled "South Bend and the Quality of Life."

The authors of this study, Dr. George A. Wing, Dr. Gerald E. Harriman, and Walton R. Collins, suggest several quantitative methods of analyzing the essentially qualitative issue of community life.

Mr. Speaker, I believe that citizens in other communities may find this unique study of South Bend to be of interest and value.

I include the study at this point in the RECORD:

SOUTH BEND AND THE QUALITY OF LIFE

THE UNIVERSITY AND THE COMMUNITY

It is an old idea, currently somewhat neglected, that universities, beyond serving the intellectual, cultural and technical needs of their communities, should somehow lead those communities toward the better life. It is in this latter role that the authors, all representatives of Indiana University at South Bend, offer this paper to the St. Joseph County community.

The authors feel that they are well placed to offer such a paper since they have nothing to gain, financially or professionally, from the implementation of its proposals. What they do have to gain is what all citizens of the area desire—a better place in which to live, to work, and to fulfill their responsibilities as members of an urban community.

The University, for its part, pledges its resources toward the implementation of these proposals, if they find community acceptance.

A new phrase has entered the American lexicon: "The Quality of Life." Often, in the swelling public debate over such issues as air and water pollution, crime rates, traffic congestion in metropolitan areas, and the lack of urban recreational areas, the phrase is cited as the golden grail the American city dweller should be seeking. But the phrase itself is seldom discussed and less often defined.

The theses of this paper are these: That the South Bend-Mishawaka area possesses many of the attributes that people think of when they use this phrase; that these attributes can be demonstrated by means of hard data; and that unless our community becomes more aware of these attributes and strives to preserve and foster them, they may well be squandered and lost. A corollary is that our community has managed to maintain these attributes through a historical accident which caused a basic shift in its economic structure. It is that shift which has enabled St. Joseph County to remain a good place in which to live, and which should be capitalized on in the future development of the area.

THE QUALITY OF LIFE

What really is meant by "The Quality of Life"? The phrase has almost as many definitions as there are people willing to define it, and it most certainly is a compendium of many factors. Perhaps the best way to isolate

them is to ask what factors, in communities where the quality of life is commonly agreed to be declining, are causing the decline. Having established these, we might then reason that any area in which the detrimental factors are absent, or relatively insignificant, is an area where at least the potential for a good quality of life is high.

By broad consensus, the major metropolitan areas of the United States are in the throes of crisis: Inhabitants of New York, Chicago, Detroit and other large cities are vocal in denouncing the urban environments in which they must work and live. They complain of polluted air, of water which, though chemically pure, is almost unfit to drink. The public media in these cities carry on an almost constant crusade against streets that are choked with traffic, against cancerous growth in substandard housing, and against inefficient municipal services. Conservation groups within metropolitan areas decry the absence of "living room," of green areas where people can relax and perhaps even stroll in the sun. Virtually everyone in the large cities complains of the overwhelming masses of people which press in upon them constantly; yet, ironically, they simultaneously complain of the coldness, impersonality and loneliness of the "megalopolis."

URBAN GROWTH AND THE URBAN ENVIRONMENT

Each of the detrimental factors mentioned above, and there are many more, appears to be a result of one basic cause: Sheer size. All these factors—air and water pollution, inadequate streets, inadequate housing, substandard municipal services, the absence of living room and recreational areas, and the coldness and impersonality—are common to America's very large cities. And yet, in what appears to be an absolutely contradictory philosophy, civic groups in these same cities, committees of 100, chambers of commerce, and even municipal governments themselves pursue uncritically the goal of growth.

Economic growth at any cost seems to be accepted as the answer to all urban ills; this despite the fact that the logical outcome of economic growth is the exacerbation of urban ills. Even smaller cities, where the quality of life, at least potentially, is still high, compete vigorously in the "economic growth derby."

The very high correlation between the immensity of urban problems which detract from the quality of life and the sheer size of cities ought to be sufficient cause for reflection on the part of the groups which are forever engaged in the search for more factories, more workers, and more taxpayers.

THE QUALITY OF LIFE IN SOUTH BEND

The authors of this paper assert that the potential for a good quality of life is relatively high in St. Joseph County and its environs, by reason of the absence of many of the detrimental factors mentioned above. The air in South Bend is clean when measured against that in Chicago or Cleveland, and the water is not unpleasant to drink. Traffic jams are a rarity. A recent report to the Area Plan Commission makes the highly unusual statement that South Bend has stayed almost even with the need for public housing; it goes on to observe that while there has been some deterioration in the quality of housing, by and large such deterioration is minor and can be corrected in the near future. Our recreational areas are not unduly crowded and there are many "green areas" for people to enjoy.

Such advantages as these are the stuff of the quality of life. Many other elements can be cited to substantiate our contention that the South Bend-Mishawaka area is still "a good place in which to live" in comparison to the sprawling metropolitan areas.

We must emphasize at this point that we do not suggest that our community is a utopia. There are many problems still to be dealt with in the South Bend area. Housing needs, while better met than in larger metropolitan areas, still are not adequately served in the South Bend area. Hospital facilities need enlargement. Racial tensions still exist in South Bend, and these tensions must be moderated if indeed we are to deserve the name community. The largely white, affluent, and developed areas surrounding South Bend and Mishawaka should be made to bear their fair share of the city facilities and benefits which they enjoy.

But none of these problems is insoluble—largely because our area is still small enough for a feeling of community to be cultivated.

The authors of this paper strongly believe that it is only by individuals acting rationally, in community, to shape their own destinies, that the quality of life can be preserved and enhanced for all citizens of the St. Joseph County area. Our people must be made aware of the value of preserving this potential for the quality of life, and of adopting rational courses of action for achieving that preservation.

THE QUALITY OF LIFE INDEX

We assert that hard data and statistics can be cited to substantiate our contention that this area is a good place in which to live. We propose to construct a "Quality of Life Index" in support of this assertion, and we further propose that this Index be used as an instrument for keeping our community livable.

Presented below are 11 measures of factors which would seem to have a bearing on the quality of life. The measures are given for South Bend and four other Midwestern metropolitan areas. Note that each of the other cities is much larger than South Bend.

MEASURES BEARING ON THE QUALITY OF LIFE

| Item | South Bend | Cleveland | Chicago | Detroit | Indianapolis |
|---|---|---|---|---|---|
| 1. Population (in thousands) [1] | 272 | 2,056 | 6,780 | 4,111 | 1,046 |
| 2. Population per square mile [2] | 299 | 1,349 | 1,804 | 2,087 | 334 |
| 3. Population growth (percent), 1960–66. | 0.5 | 7.3 | 7.9 | 8.3 | 9.0 |
| 4. Estimated population, 1980 (in thousands) | 276 | 2,370 | 7,917 | 4,863 | 1,253 |
| 5. Housing units rated sound with all plumbing facilities [3] (percent) | 85.4 | 79.3 | 78.4 | 84.0 | 76.4 |
| 6. Percent of total housing units occupied by owners [4] | 75.3 | 44.9 | 34.3 | 58.2 | 55.4 |
| 7. Number of library volumes per 1,000 population [4] | 4,621 | 3,332 | 2,289 | 1,293 | 2,760 |
| 8. Violent crimes per 100,000 population [4] | 197.4 | 295.9 | 546.8 | 616.0 | 333.6 |
| 9. Property crimes per 100,000 population [4] | 1,573.0 | 1,955.1 | 1,892.7 | 2,995.8 | 2,319.4 |
| 10. Motor vehicles per mile of roadway [4] | [4] 72.0 | [5] 244.0 | [5] 203.0 | [6] 248.0 | [4] 133.4 |

11. AIR POLLUTION [3]

SUSPENDED PARTICULATES, MICROGRAMS PER CUBIC METER OF AIR [2]

| | Minimum | Maximum | Arithmetic mean |
|---|---|---|---|
| South Bend | 51 | 213 | 120 |
| Cleveland | 43 | 227 | 116 |
| Chicago | 56 | 273 | 124 |
| Detroit | 45 | 323 | 161 |
| Indianapolis | 82 | 283 | 154 |

BENZENE SOLUBLE ORGANICS, MICROGRAMS PER CUBIC METER OF AIR [2]

[Quarterly and yearly averages]

| | 1st quarter | 2d quarter | 3d quarter | 4th quarter | Yearly average |
|---|---|---|---|---|---|
| South Bend | 5.4 | 5.7 | 8.3 | 5.1 | 6.1 |
| Cleveland | 8.0 | 5.8 | 7.5 | 5.9 | 6.8 |
| Chicago | 10.2 | 4.6 | 7.8 | 6.7 | 7.3 |
| Detroit | 9.2 | 3.7 | 8.5 | 8.2 | 7.4 |
| Indianapolis | 13.4 | 11.6 | 10.7 | 15.7 | 12.7 |

[1] July 1, 1967.
[2] 1966.
[3] 1960 census.
[4] 1967.
[5] 1968.
[6] 1969.

A few of the statistical figures cited above as bearing on the quality of life are self evident in their meaning. Some, however, need explanation. Accordingly, we shall refer to each item by number in the discussion which follows:

1. Estimated population as of July 1, 1967 is cited as evidence of the size of each city.

2. This measure is at least an approximation of the "living room" in each city.

3. This is a measure of the position of each of the cities in the "Economic Growth Derby" of the 1960's. Since some sort of economic activity must be available to support swelling populations, it is evident that Indianapolis is the "winner" of the Derby, but only by a nose.

4. This is a projection of population to the year 1980 assuming the same annual rate of growth for each city that it experienced between 1960 and 1966.

5. & 6. There is a fairly close relationship between these two measures, since it is safe to assume that the owner of a home will be somewhat more conscientious in its maintenance than a renter.

7. This is at least an approximation of the cultural level of a city.

8. & 9. The meaning of these measures is self evident.

10. This is a measure of the traffic density within a metropolitan area. It also relates to the degree of man-made air pollution.

11. Air pollution is defined as the presence in the air of substances put there by the activity of man, in concentrations sufficient to interfere with comfort, safety, or health, or with the use and enjoyment of property. Suspended particulate matter is made up of smoke, dust, fumes, and droplets of viscous liquids remaining in the air. Benzene soluble organic compounds are believed to include most of the man-made organic pollutants. Natural organics such as pollen and molds are not soluble in benzene.

THE INDEX APPLIED TO SOUTH BEND

It is evident from an examination of the above statistical evidence that South Bend, on virtually every count, rates very well in comparison to other cities. We have tried to provide hard evidence bearing on many facets of the quality of life. The sheer press of people, the quality of housing, the level of culture, the incidence of crime, the freedom or ease of movement within the metropolitan area by car, and the purity of the atmosphere have all been compared for the five cities. By every measure, South Bend appears to be the better place to live. Undoubtedly, other measures bearing on this question of the quality of life can be cited, and based on the above evidence we are convinced that South Bend will still appear as the better place to live.

Probably the most heartening piece of evidence we have cited is the very low rate of population growth for South Bend. One need only examine the estimated population levels for the other four metropolitan areas to have some idea of the sorts of problems they will face in just ten years.

We feel that the statistics cited above can be combined into a single "Quality of Life Index" for the various metropolitan areas. This we have done and the resulting Quality of Life Index numbers are as follows:

| Metropolitan area: | *Index No.* |
|---|---|
| South Bend | 100 |
| Cleveland | 69 |
| Chicago | 59 |
| Detroit | 56 |
| Indianapolis | 63 |

Care must be taken in interpreting these index numbers. In constructing the general index number for each metropolitan area, we have made South Bend the standard, and compared each of our various measures, for each area, against the figure for South Bend. In addition, we have prepared a graphical appendix so that each of the measures can be visually compared to South Bend. The general index numbers presented above should be read: the potential for a good quality of life is only 69% as high in Cleveland as it is in South Bend, or 59% as high in Chicago, or 56% as high in Detroit, etc. For an interpretation of the graphical presentation in the Appendix, please read the introduction to the Appendix.

The authors willingly admit that there are weaknesses in these general index numbers. We are unwilling to assert that any one of the various measures is any more influential than any other as they affect the quality of life and thus all are given equal weight. Also, the various measures are for different points in time and many do not measure the current situation. More research work needs to be done, but we are convinced that more current data would show South Bend in an even better light.

It is apparent from the index numbers presented above that the case for preserving the good qualities of South Bend is striking. It should also be apparent that the promotional potential of such numbers is high provided they are exploited in a proper manner. In their promotion, however, care must be taken in attracting enterprises that do not contribute to the lowering of the South Bend Index number. But, more of this in the next section.

THE PROPOSAL

We propose that the St. Joseph County area adopt a totally new philosophy towards its future development. If our arguments above about the quality of life and the factors working against it are valid, then the South Bend area should, from this point on, disavow completely the goal of economic growth at any cost.

In its place, the area should adopt a philosophy of "selective development," or qualitative growth.

By these terms, we mean a conscious effort to develop and enhance a trend which has been apparent in the South Bend area's economy for some time. Over the past 20 years or more, the area has been shifting from overemphasis on manufacturing industry to a much more balanced and stable economic structure. The closing of Studebaker's automotive operations accelerated this structural shift in the economy.

The effects of this shift are still being felt. The population of the area has been unusually stable. Although this fact has been viewed with alarm in many quarters, from our point of view it has been a fortunate, if unappreciated, dividend of the shift.

NEW INDUSTRY AND THE QUALITY OF LIFE

We urge that in the future development efforts of our area, prime emphasis be placed on securing those types of industries which will enhance the quality of life rather than detract from it. Manufacturing firms, firms requiring masses of unskilled and semi-skilled workers, firms that by their nature tend to pollute the atmosphere or the area's rivers and streams—these should be actively discouraged from locating in our area.

The comparative instability of manufacturing firms must be recognized. The "boom or bust" characteristics of such firms impart a temporary, transient nature to the marginal portion of the labor force. Such persons are usually unskilled or semi-skilled. In an impermanent world, the unskilled workman earning relatively low weekly wages constitutes the prime market which keeps slums or slum-like areas alive.

A labor force enjoying the security of stable employment will seek living conditions which reflect this status. Short-term, high-turnover rental housing will go begging. Neighborhoods will not be glutted with rusting automobiles lining each side of the street. The school population will not swell, subside, and swell again as "boom or bust" affects manufacturing industry. We cannot live by such industries' balance sheets and income statements, which may well remain quite healthy throughout the disruption precipitated in the city.

It should be emphasized that we are not attempting by these comments to demean the unskilled or semi-skilled worker. If our educational system functions as it should members of these groups should diminish in numbers, and the remainder is likely to become gainfully employed in the more stable economy generated by selective growth. The removal of insecurity certainly will enhance the quality of life for families.

We recommend that this area should bend its efforts toward securing warehousing and distribution centers for which, by reason of location, it is admirably suited. Such service-oriented industries as finance, insurance, and real estate should be sought after. The area should seek to attain its full potential as a regional retail distribution center for the eight-county region it dominates.

RESEARCH AND DEVELOPMENT

A metropolitan area where life can be good ought to capitalize on that fact by attracting the many corporate research and development centers, and their highly-skilled personnel, which have evolved over the past decade. Located as it is in the middle of one of the greatest university complexes in the world (the Big Ten), our area should have significant appeal to the professional scientist and technician. Such people are concerned with the quality of life, and they are the sort of people who will fight to keep such quality once they have found an area that offers it.

The authors feel that our Quality of Life Index can be refined, and that it can be used as a promotional device for attracting the right kinds of firms to the area. We frankly are not concerned that the area "grow" in the classic sense of that term. To repeat once more—only now are our major metropolitan areas, those "winners" of the economic growth derby, beginning to realize some of the consequences of unlimited and non-selective growth. We are concerned that this area "develop" in the sense that people can live here as human beings, with outlets and satisfactions for their individual potentials.

We fully realize that we have not exhausted all the questions that will arise from this proposal. We also realize that our proposal, to be implemented, must have the approval of a significant portion of the population.

QUALITY OF LIFE COMMISSION

Accordingly, we propose that a broadly-based Commission be established, representing all segments of the community, to discuss our proposals and to attempt to secure community approval for them.

We further realize that for our proposals to have any chance of acceptance and implementation, we must win the approval of community leadership. To that end, you have been sent a copy of this paper for your study and comment.

Sooner or later, the South Bend-Mishawaka area will have to face the influx of people who are gradually spreading out from Chicago along the Gary-Michigan City axis. We must be ready to face this tide with a philosophy of orderly, selective development, or we will be engulfed. We hope that this paper has documented the consequences of the latter alternative.

GRAPHICAL APPENDIX

[Charts cannot be duplicated for the RECORD]

*Introduction*

In preparing the Quality of Life Index, it became apparent that certain of the measures we have employed relate directly to the potential quality of life, whereas other items relate inversely. For example, the measure of population per square mile displays an inverse relationship. The lower the population density, the higher the potential for a good quality of life. Thus, the graphical presentation should be read that South Bend's population density is only 22% of that of Cleveland, 16½% of Chicago's, 14% of that in Detroit, etc. This same type of reading should be applied to Graphs numbered 3, 8, 9, 10, and all the graphs pictured under the general heading Air Pollution.

By contrast, certain of the measures display a direct relationship. Thus, the graph depicting the percentage of sound housing units should be read that in Cleveland only 93% as many housing units are rated sound as in South Bend, in Chicago 92%, in Detroit 98% and in Indianapolis 89%. This same sort of reading should be applied to Graphs numbered 6, 7.

Thus, in every graph, by properly inverting the ratios, we have made the *height of each bar a relative measure of the potential for a good quality life.*

The actual calculation of the various ratios for each measure is too voluminous to be included in this paper, but the calculations are available from the authors should you wish to examine them.

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## FATHER HESBURGH CALLS FOR AMERICAN WITHDRAWAL FROM CAMBODIA

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

Mr. BRADEMAS. Mr. Speaker, this

week the Rev. Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame, called for the withdrawal of American forces from Cambodia.

In an address to students and members of the faculty, Father Hesburgh criticized what he described as "the recurrent military logic that the war must be widened to be narrowed." He also invited students to join him in a declaration to President Nixon protesting the U.S. action in Cambodia.

I ask unanimous consent that the press account of Father Hesburgh's speech as well as his statement to the President, both of which appeared in the May 5, 1970, edition of the South Bend, Ind., Tribune, be printed at this point in the RECORD:

NOTRE DAME AND ST. MARY'S STUDENTS PROTEST

(By Dolores Liebeler)

University of Notre Dame and St. Mary's College students have joined many college students throughout the country in protesting the extension of the war in Cambodia by boycotting classes.

Despite the plea made by Notre Dame President Rev. Theodore M. Hesburgh, C.S.C., to stay in the classrooms, students at both campuses went on strike today.

Classes at Notre Dame were reported anywhere from "normal" to "lightly attended." In most cases, faculty members sympathetic to the cause have dismissed classes.

St. Mary's classes were reported "slightly over half-filled."

Student leaders called the boycott Monday afternoon, shortly after Father Hesburgh had denounced Nixon's Cambodian action and urged the students to join him in asking the President for withdrawal of troops from Cambodia.

The Notre Dame President, who also heads the U.S. Civil Rights Commission, told approximately 1,500 students that striking classes is the worst thing they can do at this time.

"Your education and growth in competence are what the world needs most," he emphasized.

STUDENTS MOBILIZED

However, immediately following the rally, students began to mobilize for today's boycott of classes. They asked others to join various work groups to make signs, to organize picket lines, to set up "teach-ins" and to make plans to enter the classrooms today to turn the discussions to Cambodia.

The Notre Dame strike was called by Dave Krashna, student body president. "The undergraduate Student Government of the University of Notre Dame calls upon the student body to boycott all classes for an indefinite period of time."

Students reacted to Krashna's request with cheers, and many produced "Stop the War" and "Impeach Nixon" signs.

Carol Cusick, student body president at St. Mary's College, asked that the St. Mary's community join in a united strike force with Notre Dame "to present a solid front." St. Mary's students organized their campus strike plans at a meeting last night.

HESBURGH APPLAUDED

Thunderous applause greeted the Notre Dame president when he told the students that he does not agree with President Nixon's decision concerning Cambodia, and he was cheered when he said, "I have tried to understand the recurrent military logic that the war must be widened to be narrowed."

"But," he continued, "I fail to follow a logic that has grown more barren, more illogical, more contradictory, and more self-defeating in promising victory through defeat.

"In fact, the very terms of victory and defeat have become a triumph of unreason. Military logic reached its high point when we were told of Vietnamese villages and villagers: 'We had to destroy them to free them.'"

CALLS COUNTRY DIVIDED

The Civil Rights chairman pointed out that there has been no moment in history when our country has been more divided regarding its priorities and policy than at the present.

"I am reasonably sure that I speak for most in judging that our original involvement there (Vietnam) was a mistake. Now, more than 40,000 ended American lives later, and after 250,000 wounded Americans, and about 120 billion dollars of expenditure on death and destruction, most of us are willing to concede that what we won . . . is not worth the expenditure of so many lives and resources that might have been more humanly and more fruitfully expended elsewhere at home and abroad."

Father Hesburgh said he cheered when President Nixon announced the withdrawal of our soldiers and hoped that this was the beginning of the end of this fruitless war.

"STEP INTO QUICKSAND"

"Then came last week's decision to take yet another step into quicksand," he added.

Father Hesburgh does not agree with Nixon's policy because:

It is a fact of life that most young people do not see America's future identified with this military adventure.

Our great need of this nation today is for unity of purpose, clear priority of values.

It has drained young life in death and mutilation, wasted resources desperately needed for more serious problems in the world.

It has cast us as a nation in the character of a pariah, supported in our aims by almost no one of importance in the world's opinion.

SYMPATHIZES WITH FAMILIES

He sympathized with the families of those who had sacrificed their lives, noting that "their full sacrifice of life has demonstrated to us that never again must we engage in such a senseless endeavor.

"Regarding our war prisoners, we can only commit ourselves at whatever cost to their safe return," he said.

As "one lonely American citizen speaking for himself" he assessed that we would rather be honest in admitting that this whole endeavor has been a nightmare and a travesty of what we stand for as a nation . . ."

He emphasized that the real power and strength of the nation are spiritual values, justice and honor. "If our national conscience bothers us, we must stop, look and ponder our future."

Father Hesburgh said he knows that none of those attending the rally wants to be a coward, a traitor or an ungenerous American.

WARNS AGAINST VIOLENCE

"But if I read your conscience aright, neither do any of you want to be a partner to what you honestly conceive to be evil unjust or just plain wrong or idiotic," he continued.

He warned the students that violence here at home is the worst possible reaction to the violence they abhor in Southeast Asia.

Instead, he offered, prepare yourselves morally, intellectually and spiritually to make the world better.

"Striking classes as some universites are doing, in the sense of cutting off your education, is the worst thing you could do at this time," Father Hesburgh emphasized.

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HESBURGH STATEMENT ASKS INDO-CHINA WITHDRAWAL

Rev. Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame, has urged students to join him in asking President Nixon for withdrawal of troops from Cambodia.

The following is the declaration which he intends to send to the President:

As Americans, proud of our national traditions and committed to the best ideals of our country, we declare that we see these traditions and ideals best realized by not continuing our military operations in Vietnam, Cambodia, and Laos.

1. We favor the withdrawal of our military forces at the earliest moment and the designation by the Congress of an ultimate date for complete withdrawal.

REPATRIATE PRISONERS

2. We favor the most serious efforts to repatriate our American prisoners of war at whatever cost. The nation should recognize its deep debt to them and their families for their continued suffering.

3. We favor the use of our persons and our financial resources to rebuild a new and hopeful society in Vietnam and all of Indo-China that has known nothing but wars for so many years.

4. We suggest that the people of this whole area must ultimately make their own effort to achieve the kind of society that they want; that whatever the good will of our past and future efforts, it is the Vietnamese, Cambodians, and Laotians themselves who will create the conditions for peace and a better society, something that no force of arms or military imperialism from North or South, East or West, has yet created.

5. Most fundamentally, may we state our deep convictions that our national priorities today are not military, but human. Our nation is unnecessarily and bitterly divided on issues at home and abroad. If the war abroad can be quickly and effectively defused, then we can be united at home in our dedication to justice, to equality of opportunity, and to renewing the quality of American life—a task that will require our best personal efforts and even more of our financial resources than those squandered by us in recent years on a largely frustrating and fruitless venture.

6. Lastly, we realize that the above points would sound like empty rhetoric if we did not stand ready—as we do—to commit our persons, our talents, our honor, and our futures to help work for a better America and a better world in a peaceful and non-violent manner.

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## FATHER'S DAY RESOLUTION

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

Mr. BRADEMAS. Mr. Speaker, yesterday I was pleased to introduce House Joint Resolution 1217 which will authorize the President to designate the third Sunday in June of each year as Father's Day.

I introduced this resolution at the suggestion of Mr. Paul D. Gilbert who is the national chairman of the Father's Day Council, past president of Menswear Retailers of America, and one of the outstanding civic leaders of the Third Congressional District.

As Mr. Gilbert recently wrote in a letter to me:

Once each year this nation, in a small way, attempts to pay appropriate tribute to the Fathers of America by celebrating the third Sunday of June as Father's Day. However, unlike Mother's Day, this event has not been given appropriate recognition by the Congress and the President on a continuing year to year basis.

Mr. Speaker, I hope this resolution will receive prompt attention and the House will see fit to honor all fathers in our country by permanently designating 1 day of each year as Father's Day.

I include in the RECORD the text of House Joint Resolution 1217 at the conclusion of my remarks:

H.J. RES. 1217

Joint resolution to authorize the President to designate the third Sunday in June of each year as Father's Day

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third Sunday in June of each year is hereby designated as "Father's Day". The President is authorized and requested to issue a proclamation inviting the governments of the States and communities and the people of the United States to observe such day with appropriate ceremonies, and urging our people to offer public and private expressions of such day to the abiding love and gratitude which they bear for their fathers.

## THOUGHTS ON SERVING IN VIETNAM

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

Mr. STRATTON. Mr. Speaker with all our debate over the issues underlying our commitment in Vietnam, I fear that too often we may forget about the young men who actually bear the burden of the fighting out there.

Recently I read an engaging personal account by one young man in my new district who has just returned from Vietnam. His frank recital of his feelings and impressions is one that I believe many Members will find of interest.

Therefore, under leave to extend my remarks, I include this article by Charles E. Wolfe entitled "Thoughts on Serving in Vietnam," which appeared in the Spotlight of Delmar, N.Y., in the issue for April 23, 1970:

THOUGHTS ON SERVING IN VIETNAM

(By Charles E. Wolfe)

When you hear that you are going to Vietnam, you feel a bit strange, a bit frightened, a bit anxious. You leave the states, whether by ship or by air, and feel that you are on a great roller coaster and there is no getting off from this ride until you are at the end of the line. The great adventure has begun.

You get there at last. You are afraid, but you try not to admit it. You hear the old top sergeant shout out "Cheer up, men; you're home!" You try to grin, but you are waiting for sniper fire and the crashing of mortars. On the other hand, the war is de-escalating at such a rate that there probably won't be much fighting during your tour. On the other hand you also hear that Vung Tau got hit, after having gone three years without a shot having been fired in anger there. So you never know. The fear perhaps melts into an uncertainty which becomes a primary emotion. This produces a constant tension. You will forget about it and go about your business. But it will always be there, even if subliminally.

You become aware of the heat, of course, even before you are in-country. It is always there, and varies from hot to hotter. At first you are probably curious about the temperature and like to know how hot it really is. Later on, when you are a bit wiser, you'd just as soon not know how it actually is.

It is pill time every Monday morning, and with your tray in the mess hall you receive the huge orange pill which is supposed to protect you from malaria. It will give you, most likely, a case of the "runs" for part of that day, and many is the time you are tempted to forget to take your pill. On the other hand, you notice that in bad malaria country almost no one from your outfit gets malaria and so you continue your Monday "trots" and you don't get malaria either.

Toilet facilities will become more important to you than they were in the states. Very few of the men had great experience with outhouses before. Once in a while you may find a flush toilet in your travels around the country. Happiness can often be defined as finding dry toilet paper in the critical hour of your need.

Water is another luxurious commodity that you cannot take quite for granted as you could in the States. You learn to look for the signs which give you the clue as to whether or not this water is potable. Which water can you drink and which water can you only shave in?

You will most likely be working longer hours than you are used to. Our men got one half day off every other week, and the days themselves were half again as long as what the average civilian worker expects to work. This leads to fatigue which becomes all pervading. The dominant feeling to describe the tour, as I look back upon it, is that I was never so completely bone tired in my life. The fatigue becomes even more important than the fear. Even under an attack, the fear is not always as strong as the fatigue. It also leads to boredom in many of the assignments.

You are also discovering an alien culture which is very difficult to assimilate for a young man who has not had extensive contacts with alien cultures in his past experience. We call it a "culture shock" as you begin to take in a culture which is very backward by American standards. The smell is so all-pervasive that at first you think you will gag and you wonder if Vietnam is one great cesspool. After a few days, however, you become used to it and then forget it until new replacements comment upon the smell as they first enter the country. You are most likely to meet the Vietnamese who are camp followers, and they are not the ones calculated to impress you. Camp followers are camp followers the world over, whether they be Americans or Vietnamese. You find they are as willing to pander to your vices as were Americans next door to your post back in the states. They offer you a girl, or dope, or alcohol. They offer to buy your greenbacks at an exorbitant profit. You see your PX goods on the black market. Maybe you can't get jungle fatigues through your normal supply channels, but you can get them downtown in the black market. You hear that the Vietnamese troops won't fight well. You hear about corruption in their government. You hear them referred to as "slopes" or "slant eyes." Why should you fight for them if they don't fight for themselves?

Can you respect people who act so differently from you? You see the men holding hands as they walk down the street and you wonder if every soldier in the Vietnamese Army is a homosexual, or a queer. It is a while before you begin to realize that it does not mean the same thing it would mean if you held hands with one of your buddies. You are having trouble communicating with a Vietnamese, because of the language barrier, and he or she giggles at a time when it is very insulting to you and you become angry. It is some time before you realize that a giggle for a Vietnamese is often a way of covering embarrassment and is not really the insult it would be if an American girl giggled at you under the same circumstances. You pull a joint guard mount with Vietnamese Popular Forces in the Mekong Delta and are nervous when they bring their families and have a picnic on the perimeter line and it is a while before you begin to realize that their fighting style is different from yours, but may not be any worse.

In short, in a hundred ways you are trying to learn that what is different may not be bad. It is a hard lesson to learn. They are different, but they may be as well. You are supposed to learn this under very difficult conditions at the age of 18 of 19. Your parents have probably still not learned this basic lesson in human relations, but you are supposed to learn it and surpass your people back home in the maturity of your judgment.

You find that your mission is very difficult to define. You are not fighting the recognizable enemy that your fathers fought in World War II. You do not have the stable battle lines that your older brothers had in Korea. You are fighting a hit and run guerilla and it is most difficult to tell your enemies from your friends.

You are supposed to be a soldier, yes. But more than this, you are supposed to be a diplomat. You are supposed to be an apostle for American democracy, "winning the hearts and minds of the people." You are supposed to use such mature judgment in combat, at the age of 19, that you win the war in the field. At the same time you are supposed to be a missionary to the people of the good life as we know it in America. And if you fail in your judgment in either of these ways, you will be court martialed. Your fathers and mothers, with their experience, could not win the hearts and minds of Canadians or Mexicans for our culture, and yet you are expected to do this for Vietnamese.

The American public does not cheer you or welcome you home as a hero from perhaps the dirtiest and most difficult war that Americans have been called on to fight. Instead you are considered by many as being a sucker, by others as being an imperialist killer, and by so many others as simply having wasted your time, your sweat, and your blood in a lost cause. This is the "support" that you receive from your country. This is a crucial difference between the Vietnam veterans and the veterans of any other war that we have with us today.

And so you are frustrated. More and more you feel alienated from the U.S. The reports of campus unrest especially embitters you. You are afraid. You are lonely. You are tired. Perhaps you are angry also. There is such difficulty in giving you clear-out goals for your combat mission that you are more and more frustrated. The crown to your feelings comes with the knowledge that the enemy does not even have to edit the speeches of the American doves in order to use them for propaganda against you in the very field. A sense of restlessness is added to your reservoir of feelings.

This it not a pretty picture. Perhaps it is not universal. But this is the feeling of the soldier in Vietnam, in the Mekong Delta especially, as I felt it and as I saw it as chaplain to engineers, to an airfield, and to American advisors in the field.

The Army is trying to do something about this. An attempt is being made at troop information about the mission and the war to try to clarify the goals in the field. Services are provided the soldier, such as the chaplain, the doctor, the lawyer, the Red Cross, the social worker, the psychiatrist, and the service clubs. Never before have troops in a combat zone been so well fed. Never before have they been so healthy. Never before have so few men died after being wounded. Through the R and R program, a major effort is made to give the soldier a break in his tour by sending him for a week to vacation in some city, such as

Hong Kong or Singapore. A major effort is made to provide first class mail service. Never before have I heard of an army in the field which provided virtually free long distance telephone service to call the family back in the states. These are all helpful.

We, as his family and friends, need to realize that mail to him is more important over there than it is to us back home. So we need to write more regularly. Good old mom can usually be depended to write to her son. But others are not as faithful. I think it is important not to bug him with your worries about his safety, or with detailed accounts of anti-war sentiment. He hears all of this sort of thing that he needs to hear. It is important not to worry him with your worries while he is over there. He has enough worries of his own. It is important to be open and accepting about his feelings as he expressed them, without worrying too much about bitterness or hostility or an excessive vehemence of feeling he may express now.

When he gets home he may be a bit moody or restless. He may even be a little bitter. He may want to tell his war stories. Or he may not want to. Let him give you the clue as to what he wants to talk about. Don't bug him about going back to school the day after his discharge, or going back to his job. Try to understand his feelings of alienation. Remember that he, as a Vietnam veteran, is a member of the least understood minority in the United States, bar none.

Don't worry about him. He's going to be all right. The war experience is not going to change him permanently any more than it changed his father or his uncle. It did not really hurt him down deep in the basic core of his personality. He is still your son or your husband or your nephew or your friend or the kid next door. Give him the time he needs to get over it. But know that in the long run he will get over it, and I think he'll be a better and more understanding man for the experience.

## ACTIONS OF DHEW AND FDA WARRANT FULL INVESTIGATION

(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, we should have an investigation into recent disclosures that Department of Health, Education, and Welfare officials have continually manipulated laboratory results on the safety of food additives and pesticides. Conclusions and recommendations were expunged from FDA's own scientific reports when they conflicted with Food and Drug Administration positions or directives from high-level DHEW officials.

On April 30, I wrote to the Secretary of Health, Education, and Welfare, and asked for comment on the accuracy of the news statements cited in my letter concerning the artificial sweetener, cyclamate.

Excerpts from that letter are:

News stories and the recent "Center for the Study of Responsive Law" Report on the Food and Drug Administration disclose that experiments involving the artificial sweetener, cyclamate, in 1948 through 1950 showed a suspiciously high incidence of cancer in test animals. Further, the cancer findings involving this product were omitted in the 1950 published report. The testing was admitted but the inference was that it was completely safe.

However, cancer findings relating to other artificial sweeteners, Dulcin (paraphenylurea) and P-4000, were published. The findings relating to Dulcin do not appear to be significantly different from the omitted cyclamate findings, yet the FDA drove Dulcin out of the marketplace and allowed cyclamate to remain.

The involved FDA pathologist is alleged to have stated that his superiors wrote the 1950 report and that he had only signed because he did not want to fight with his superiors. In turn, his superior is alleged to have stated that it was his function to carry out official positions and that the pathologist had to support such decisions. As a result, he had been reinterpreting data for 30 years.

I find these disclosures even more shocking when it was brought to my attention that one of the individuals on the 1950 report, an FDA official, acting on behalf of the FDA and sworn under oath to tell the whole truth, testified on November 28, 1950 before Chairman James J. Delaney (N.Y.) of the House Select Committee to Investigate the Use of Chemicals in Food Products, that "It (Sucaryl) came out with flying colors, yes sir . . . Abbott Laboratories did a fairly complete study of it. We also did. Our results came out exactly alike. We have no apprehensions about the safety of Sucaryl."

Yet the same official, writing in FDA-NDA 7258 memorandum dated September 2, 1950, disclosed that he had reviewed the Abbott Laboratories' test data and dismissed it as useless. He stated the tests were "an illustration of how an experiment should not be conducted." He made the following points: The numbers of test analyses were too small, control groups were discontinued too early in the experiments, and no autopsies were performed. The pathological studies were so poor that there was really nothing to express an opinion on and the report was vague. This official's memorandum concluded, "If we had not studied this compound, I would be quite reluctant to permit its use even for drug use, not to mention as an artificial sweetener for foods. It should be pointed out to Abbott that the evidence to support their case is not contained in this NDS; and that it is on the basis of our own work that recommendations are being made to permit this application to become effective." The FDA data referred to also revealed a highly suspicious frequency of tumors, which was omitted from the published reports.

These statements and actions cast doubts on the integrity of all FDA scientific, administrative and legal positions taken over the past 30 years. Would you comment on the accuracy of the allegations made in the news stories.

These facts, together with past disclosures, such as congressional revelations, indicate a deplorable lack of ethics and a public be damned attitude on the part of the FDA. The actions of DHEW and FDA warrant full investigation.

I also wish to add the attached editorial from the New York Times dated May 4, 1970:

FDA PROBE NEEDED

It has often been observed in Washington that after an initial period of enormous activity, Federal regulatory agencies tend to become captives of the industries they regulate, and to be more concerned with the industry's interests than with those of the public at large. But even cynics sharing this widely held view must have been shocked by the latest charges against the Food and Drug Administration, charges leveled by Dr. Howard L. Richardson, chief pathologist in the agency's Bureau of Science.

Dr. Richardson maintains that middle-level F.D.A. bureaucrats have for years been manipulating and censoring laboratory data to make them fit the agency's policies rather than altering those policies in the light of the data. His most serious example is the claim that experiments carried out in 1951 revealed a suspiciously high incidence of cancer in test animals used in studies of the cyclamate artificial sweeteners, but that evidence was ignored then and cyclamates were permitted to be sold on the market until new adverse evidence became available last year. Dr. Richardson cites other cases in which, he charges, lower-level bureaucrats rewrote scientific reports and engaged in other activities tending to downplay or conceal evidence that various foodstuffs might be harmful to health.

Dr. Richardson's charges strike at the fundamental integrity of the F.D.A., whose responsibilities for the safety of this nation's foods and medicines are enormously important. The charges are so serious that the suspicions they arouse in the public mind are unlikely to be allayed purely by an internal investigation carried out by present F.D.A. officials. A thoroughgoing Congressional investigation could determine whether, as Dr. Richardson implies, the interests of the American people have been systematically betrayed over the years in favor of the interests of politically powerful elements in the food industry. Whether the F.D.A. is innocent or guilty, only such a Congressional examination can hope to establish the facts.

## HUGE HUNT ON FOR SDS SUSPECTS

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

Mr. GROSS. Mr. Speaker, the Scripps Howard newspapers today carried an article relating to the nationwide FBI hunt for certain leaders of the infamous Students for a Democratic Society.

With the hope that it may assist the search for these anarchists, I include the article for insertion in the RECORD at this point:

HUGE HUNT ON FOR SDS SUSPECTS

(By Richard Starnes)

One of the most intensive manhunts in FBI history is under way for nine leaders of the ultramilitant Weatherman faction of Students for a Democratic Society (SDA) who are wanted on charges of riot and conspiracy growing out of the "four days of rage" disorders in Chicago last October.

The Chicago riots, which took place soon after the Weatherman group had broken away from less militant elements of SDS, were an unprovoked rampage thru downtown Chicago. They were apparently an attempt by the founders of the Weathermen to establish the reputation as the most violent—and hence the most deserving of support—of the fragments of SDS.

One of the nine also is being sought in connection with an explosion of a suspected Weatherman bomb factory which took three lives in New York's Greenwich Village in March.

EFFORT INTENSIFIED

* * * * *

Several hundred thousand "wanted" flyers (called "information orders" or "I.OS" in police parlance) have been distributed to law enforcement agencies thruout North America.

But the FBI makes no secret of the fact it expects a long and difficult task in tracking down the nine.

"These are not 80 IQ stickup men," one official explained. "And they are not restricted to the ordinary hideouts of common criminals. They are literally hundreds of hippie

communes thruout the country where they could remain hidden for months. It's really a very special problem for us."

CONSIDERED RINGLEADERS

Other security officers acquainted with the fugitive Weathermen emphasized that the nine are considered the ruling philosophers of the campus rebellion, and are regarded as particularly dangerous in the ferment now sweeping U.S. universities.

The nine are:

Mark William Rudd, 22. Rudd was a founder of SDS and a leading figure in forming the hard-core Weatherman faction. He was an SDS leader at Columbia University and played a prominent role in organizing the disorders there two years ago. He is charged with violation of federal antiriot laws and conspiracy.

Bernardine Rae Dohrn, 28. She is an SDS national officer also known as Marion DelGado, Bernardine Rae Ohrnstein and H. T. Smith. She holds a master's degree in law from the University of Chicago and is considered one of the leading theoreticians of the student rebel Left. She is charged with unlawful flight to avoid prosecution for mob action, violation of federal antiriot law and conspiracy.

Kathie Boudin, 26. She is a one-time camp counselor and swimming instructor and wanted on the same charges. She is a magna cum laude graduate of Bryn Mawr College.

Cathlyn Platt Wilkerson, 25. A slender, brown-eyed beauty, she has worked as camp counselor and secretary and reportedly plays both harp and guitar. She is wanted on the same charges as Miss Dohrn, plus homicide charges stemming from the New York explosion.

Michael Louis Spiegel, 23. Spiegel, a slim six-footer, occasionally works as a laborer. He is wanted on riot and conspiracy charges in connection with the Chicago disorders.

John Gregory Jacobs, 22. Jacobs, who also goes by the names Barry P. Stein and "J. J." is ruddy, muscular and of medium height. Wanted on federal antiriot and conspiracy charges.

Howard Norton Machtinger, 23. Machtinger, slender and green-eyed, may have dyed his naturally brown hair blond. He is wanted on the same charges as Jacobs.

Lawrence Michael Weiss, 22. Weiss, called an "escape risk" in the FBI flyer, is wanted on the Chicago riot charges plus warrants for escape, mob action and aggravated battery.

William C. Ayers, 25. Like Bernardine Dohrn, Ayers is an SDS national officer and regarded as one of the articulate intellectuals of the Weatherman faction. He has been convicted of trespass and simple assault, and is now being sought on riot and conspiracy charges.

ALL HELD DANGEROUS

In each case the FBI poster carried the warning that the wanted individual "has been associated with persons who advocate the use of explosives and may have acquired firearms. Consider dangerous."

Three others have been indicted in connection with the Chicago affray. One, Linda Evans, 22, has already been arrested. The two others are Terry Robbins, 22, and Judy Clark, 21.

Robbins was one of a group of Weathermen who last year staged a noisy demonstration at Kent State University in Ohio, where earlier this week National Guardsmen fired into a group of rioting students, killing four of them.

## CONFLICT OF INTEREST

(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, we have heard a great deal about conflict of interest. A most significant illustration has come to light in the United Mine Workers of America, which I call attention to all Members, as summarized by John Herling's column in the Washington News of May 7:

CONFLICT OF INTEREST

Action was begun today in Federal court to disqualify Edward Bennett Williams, one of the nation's leading criminal lawyers, and his partner, John Connolly, from participating in the defense of United Mine Workers President Tony Boyle and his fellow officers, who are charged with dereliction of duty in connection with UMW affairs.

In addition, an injunction is sought against the UMW officers to bar them from using the union's funds to pay to Messrs Williams and Connolly counsel fees in connection with their defense.

This action was brought by Joseph L. Rauh, Jr. and his associates who represent the dissenting UMW group, which was headed by the murdered Joseph (Jock) Yablonski, head of the opposition ticket in the bitterly fought miners election of last December.

In his legal action, Mr. Rauh made two points:

The payment of fees to the Williams and Connolly firm with money from the UMW treasury is a violation of the federal law.

A conflict of interest exists between the UMW as an institution and Mr. Boyle and his associates who are charged with a variety of depredations against the union.

According to Mr. Rauh, such a combination of conflicting relationships bars the same counsel—Williams and Connolly—from representing "both the institution and the derelict officers."

Members of the United Mine Workers have charged the union's international officers in a series of cases with misappropriating and misusing union funds for their personal gain and self-aggrandizement by diverting money to increase their own power and to advance their re-election.

To use the UMW dues to pay Mr. Williams and his associates, Mr. Rauh informed the court, is not only prohibited by general common law but also by the Landrum-Griffin Law.

In support of his contention, Mr. Rauh cited as a governing precedent in this connection the 1962 ruling of the Court of Appeals in the case of Milone vs. English that "when union officers are charged in a suit with wrongdoing detrimental to the union and its members, union funds may not be used in their defense, nor may counsel for the union represent them."

By an interesting coincidence, Mr. Williams, as counsel for the Teamsters and Teamsters President Jimmy Hoffa, was directly involved in that 1962 case.

At that time, Judge Charles Fahy, speaking for the D.C. Court of Appeals, sternly warned the Teamsters lawyers against such a conflict of interest. He pointed to the incompatibility of counsel's loyalties when he represents both the union and those who are being charged with improper conduct against it.

"The treasury of a union," added Judge Fahy, "is not at the disposal of its officers to bear the cost of fraudulently depriving the members of their rights as members."

Mr. Williams, whose versatility enables him to be occupied with a wide range of interests and clients, may perhaps have only a dim recollection of the 1962 conflict of interest case in which he played a central part. He may, in effect, attempt to argue that the earlier case, even if it were one he had not overlooked, is not relevant to his current situation. Or he may withdraw.

## H.R. 14910—THE ETHNIC HERITAGE STUDIES CENTERS BILL

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

Mr. DERWINSKI. Mr. Speaker, it has been my privilege to cosponsor H.R. 14910, proposing the establishment of ethnic heritage studies centers in our country. The fundamental importance of the bill at this time cannot be too strongly emphasized. Considering the rich cultural diversity of our Nation, passage of this measure would intensify our cultural resourcefulness and contribute heavily toward higher levels of unity and national purpose and determination. It would provide opportunities for a maximization of the contributions that Americans of various ethnic backgrounds, such as Lithuanian, Polish, Ukrainian, Italian, Chinese, Hungarian, and numerous others, could make toward our evolving culture and national strength.

Furthermore, the leadership of our Nation in world affairs will necessarily expand in the years ahead, with impact not only in the free world but also in the red empire. This inevitable expansion of commitment and involvement will demand and require broadened knowledge of the culture, language, history, and politics of numerous peoples and nations which have bonds with Americans of respective backgrounds. For the indispensable growth of popular knowledge and understanding of these foreign nations, particularly in Eurasia, the proposed ethnic heritage studies centers would play a fundamental role of educational motivation in our secondary schools and communities throughout the country. Those who, directly or indirectly, know what it means to be deprived of freedom, are in the best intellectual and spiritual position to transmit the value and meaning of freedom to many of our countrymen who take it for granted, and some who seem to abuse it.

A recent statement submitted to the General Subcommittee on Education expresses these very ideas justifying the passage of H.R. 14910. Prepared by Dr. Lev E. Dobriansky of Georgetown University and in representation of the Ukrainian Congress Committee of America, of which he is president, it states in concise language the significance of America in the world at large and how, through this important measure, we can magnify and strengthen it. I recommend that the thoughts expressed in this statement be reflected upon as we consider the striking merits of this bill.

STATEMENT BY DR. LEV E. DOBRIANSKY IN SUPPORT OF H.R. 14910 ON ETHNIC HERITAGE STUDIES CENTERS

Mr. Chairman, in response to your written invitation of March 4, 1970, I am privileged to express the full support of the Ukranian Congress Committee of America in favor of the passage of H.R. 14910, which provides a program to improve the opportunity of students in elementary and secondary schools to study cultural heritages of the major ethnic groups in the Nation. Representing the thoughts and sentiments of over 2½

million Americans of Ukrainian ancestry, this national committee is authoritatively speaking for a major ethnic group in our Nation, which in numerous spheres of cultural and educational activity has made and continues to make its constructive imprints on our evolving democratic society.

In this concise statement I just want to stress and underscore four essential points concerning H.R. 14910 and its provision for the establishment of ethnic heritage studies centers. These are: (1) the instrumental significance of the bill and its contents for the nature and directions of our Nation; (2) the wisdom of concentrating on improvements in the elementary and secondary schools in our country; (3) the example of the Ukrainian Congress Committee of America (UCCA) as an organizational agency for the implementation of the programs envisioned in the measure; and (4) the factor of special knowledge as a determining asset insuring the fulfillment and success of the contemplated programs.

OUR UNIQUE NATION

The goals and objectives of this advanced legislation are thoroughly consistent with the historical bases and the significant nature of our national entity. Indeed, the provisions of the bill and their methodical realization would serve to constitute a formidable instrument designed to intensify the qualitative growth and cultural richness of our nation-state. As the measure's statement of policy emphasizes, a greater understanding of one's heritage and those of others cannot but contribute to our national cohesion and more harmonious and prosperous overall development. But what is oftentimes overlooked is the more fundamental uniqueness of our Nation in the history of the world and the basic need for preserving and cultivating this unprecedented character, which by intent, content, and portent this legislation would reinforce immeasurably.

Without striking any super-patriotic or romantic notes, it becomes philosophically evident on the basis of both historical and political evidence that no nation in the history of mankind has possessed or possesses the nature and character of our Nation. Historically, from the very start, drawn into the very body and soul of America have been people from every corner of the globe, from every race, and from all major religions. Human diversity in developmental unity has been and is the unique characteristics of America; multi-ethnicity at work in national union has been and is the ever-expanding reservoir of resourcefulness, innovation and challenge in this grand historical experiment called the United States of America. To parallel, as some do, the USSR with the US in this respect is to profess ignorance on more than one count.

The ramifications of thought flowing from this fundamental truth are numerous and engaging. This is scarcely the place to pursue and elaborate on them. The important point here is that the essence of the bill really goes beyond the passive attainment of understanding ourselves and each other to tap and regenerate the very springs of our national origin, growth and destiny. Clearly, in our world context today, it is not a species of putative reasoning to maintain that by its unique nature and all that this implies in terms of human progress and civilization, the presence and consummate power of America are integral parts of a providential design for the future of mankind. Whether by reason and will we shall accomplish the demands of this design is the titanic test and challenge we face. The directions paved by this measure undoubtedly will enable us to meet this challenge more adequately and more successfully.

THE PRIMACY OF EARLY EDUCATION

It is unnecessary to dwell on any psychology or philosophy of education in order to emphasize the primacy and crucial importance of one's early education in the formative years. The bill rightly and wisely concentrates on improving and assisting elementary and secondary education as concern the multiple heritages in our progressive society. Mistaken and erroneous preconceptions woven into young minds during these early years frequently remain with students on higher levels of education in later years. Of course, not only do they serve to perpetuate myths and early contrived misconceptions but also the millions who form our citizenry and conclude their formal education with high school.

Ironically enough, perhaps no subject has been mangled and distorted by perpetuated myths and misconceptions than that of the Soviet Union, its multinational composition and so forth. Children taught that this state is "Russia," continue to harbor this myth and all that flows from it for the rest of their lives. Even college students today evince an ignorance as to nations such as Estonia, Latvia and Lithuania, despite their independent existence between the two world wars.

The consequences of a general situation such as this need hardly be defined here. Suffice it to say that with the USSR being for years a chief threat to the security of our national being, a modicum of common sense would demand that our citizenry become expeditiously enlightened about the different nations and peoples in that state. Plainly, one effective way of overcoming this undoubted general deficiency in our Nation is provided by this bill. Large communities in our country consist of Americans whose heritage extends to one or another area of the USSR. With ethnic heritage studies centers dealing with Ukraine, Lithuania, Estonia, Latvia, Armenia and others, there can be no question that this grave deficiency would be rapidly eliminated, with all the positive benefits that this would entail.

AN EXAMPLE OF CONSTRUCTIVE IMPLEMENTATION

When it comes to the matter of an efficient and constructive implementation of the envisioned programs, it is utterly necessary to establish safeguards against uneconomical arrangements, waste of resources in being, and fly-by-night operators, such as have characterized other programs in the recent past. My chief point here is that to a large extent the anatomy for efficient and sound programming already exists in the case of several major ethnic groups. What is desperately required is a substantial improvement and beefing-up of the structures already in existence, such as the bill implicitly contemplates. This course of action would insure an economical use of resources, certainly as to productive results, and the necessary avoidance of waste.

To cite an example for efficient implementation, the structure of the Ukrainian heritage groups in this country lends itself to a rational allocation of resources. One of the few of its kind, the UCCA is a unified, rational organization to which, across the country, organizations, clubs, religious, cultural and academic groups belong in integrated membership, except for minor communist elements. The UCCA is an educational organization of organizations; it is tax-exempt; it supports schools and studies of the Ukrainian language, history, arts and culture in general. The impact of its cumulative work has been felt in Congressional investigations into communism, the Congressional Captive Nations Week Resolution, the erection of the Taras Shevchenko monument in our nation's capital, and in scores of other respects. In short, by structure and operation it could easily form regional and local Ukrainian heritage studies centers, serving and assisting our elementary and secondary schools.

THE ASSET OF SPECIAL KNOWLEDGE

Finally, a few words concerning the determining asset of special knowledge. Employing the example given above, the UCCA, through two of its organizational members, maintains a list of Ukrainian heritage academicians at universities and colleges across the country. For maximum effectiveness of the program in this major ethnic area, sources of special knowledge are a sine qua non. Moreover, resident in all of our major cities are similar sources of special Ukrainian knowledge which would be necessary to tap and for which the UCCA has records in being. Briefly, then, such special knowledge, utilized and dispensed within the framework of our American ideals and traditions, is both a fundamental asset and capital for insuring the success of these programs.

We look forward to participating heavily in the program for Ukrainian heritage studies, which for decades now this committee has sought to advance, albeit with relatively meager resources. You and your colleagues draw our highest admiration and esteem for the far-seeing features of H.R. 14910. And I thank you most gratefully for the opportunity of submitting this statement on a most vital endeavor.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCMILLAN (at the request of Mr. GARMATZ), for today and rest of week, on account of official business.

Mr. WIGGINS (at the request of Mr. ARENDS), for today and the balance of the week, on account of official business as U.S. delegate to the Mexico-United States Interparliamentary Conference.

Mr. STRATTON, for the period from May 11 to May 20, on account of official Armed Services Committee business.

Mr. BRADEMAS, for May 11 through May 18, on account of participation in the Anglo-American Conference in Africa.

Mr. GUBSER (at the request of Mr. HÉBERT), from May 11 to May 20, on account of official Armed Services Committee business.

Mr. DICKINSON (at the request of Mr. HÉBERT), from May 11 to May 20, on account of official Armed Services Committee business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. STEIGER of Wisconsin) and to revise and extend their remarks and include extraneous matter:)

Mr. HORTON, for 1 hour, on June 16.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. MICHEL, for 60 minutes, today.

(The following Members (at the request of Mr. PUCINSKI) and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. FARBSTEIN, for 20 minutes, today.

Mr. VANIK (at the request of Mr. PUCINSKI), today, for 20 minutes, to revise and extend his remarks and to include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GROSS in two instances and to include extraneous material.

Mr. MAHON and to include extraneous materials.

(The following Members (at the request of Mr. STEIGER of Wisconsin) and to include extraneous matter:)

Mr. BROWN of Ohio.
Mr. HALL.
Mr. MCCLOSKEY.
Mr. RAILSBACK.
Mr. HALPERN in two instances.
Mr. HOGAN.
Mr. SCHERLE in two instances.
Mr. THOMPSON of Georgia.
Mr. FOREMAN in two instances.
Mr. WYMAN in two instances.
Mr. WIGGINS in two instances.
Mr. KLEPPE.
Mr. BURKE of Florida.
Mr. FREY.
Mr. FRELINGHUYSEN.
Mr. WHALEN.
Mr. MARTIN.
Mr. WOLD.
Mr. HORTON in two instances.
Mr. KEITH.
Mr. MICHEL.
Mr. BROTZMAN.
Mr. BYRNES of Wisconsin in two instances.

(The following Members (at the request of Mr. PUCINSKI) and to include extraneous matter:)

Mr. BINGHAM in four instances.
Mr. HARRINGTON in two instances.
Mr. RODINO in two instances.
Mr. ADDABBO in two instances.
Mr. GONZALEZ in two instances.
Mr. ROONEY of New York.
Mr. FRASER in five instances.
Mr. O'NEAL of Georgia in two instances.
Mr. DANIELS of New Jersey.
Mr. RYAN in three instances.
Mr. ANDERSON of California in two instances.
Mr. LONG of Louisiana.
Mr. ICHORD in two instances.
Mr. BYRNE of Pennsylvania in two instances.
Mr. FARBSTEIN in six instances.
Mr. WOLFF in two instances.
Mr. FRIEDEL in three instances.
Mr. STEPHENS in two instances.
Mr. THOMPSON of New Jersey.
Mr. HELSTOSKI in two instances.
Mr. JONES of North Carolina in two instances.
Mr. SMITH of Iowa.
Mr. MIKVA.
Mr. HUNGATE in two instances.
Mr. FOUNTAIN in two instances.
Mr. KLUCZYNSKI in two instances.
Mr. PUCINSKI in six instances.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3706. An act to provide financial assistance for and establishment of a national rail passenger system, to provide for the modernization of railroad passenger equipment, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

## CONTRACTUAL ACTIONS, CALENDAR YEAR 1969, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following report for printing in the CONGRESSIONAL RECORD pursuant to section 4(b) of Public Law 85–804:

ASSISTANT SECRETARY OF DEFENSE,
*Washington, D.C., May 4, 1970.*

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

DEAR MR. SPEAKER: In compliance with Section 4(a) of Public Law 85–804, the calendar year 1969 report on extraordinary contractual actions to facilitate the national defense is transmitted herewith.

Table I shows that 334 contractual actions were approved with a cost to the Government of $2,420,000, and that 91 actions were disapproved. Included in the number of actions approved are 108 actions for which a potential Government liability cannot be estimated.

Reported also in Table I are 36 actions for the Department of the Army using the authority of Public Law 85–804 to require a standard employee compensation clause in all contracts for construction work at the Cape Kennedy complex. The clause specified various items of compensation based on a Project Stabilization Agreement negotiated by and between the Patrick Air Force Base Contractors Association, the Brevard (Fla.) Building and Construction Trades Council and the Building and Construction Trades Department, AFL–CIO. Adoption of this clause resulted from a determination that adherence to the money provisions of the Project Stabilization Agreement by all contractors and subcontractors performing work at the Patrick Air Force Base and Cape Kennedy complex is desirable in the interest of prompt and orderly performance of construction contracts at these sites.

Table II lists the actions which have an actual or potential cost to the Government of $50,000 or more. Included in this list are the above mentioned contingent liabilities for which a potential dollar cost cannot be estimated.

Sincerely,

BARRY J. SHILLITO,
*Assistant Secretary of Defense (Installations and Logistics).*

TABLE I —SUMMARY REPORT OF CONTRACTUAL ACTIONS TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE, JANUARY–DECEMBER 1969

[Dollar amounts in thousands]

| Department and type of action | Actions approved | | | Actions denied | |
|---|---|---|---|---|---|
| | Number | Amount requested | Amount approved | Number | Amount |
| Department of defense, total | 334 | $9,261 | $2,420 | 91 | $10,241 |
| Amendments without consideration | 12 | 7,746 | 1,451 | 18 | 8,779 |
| Correction of mistakes | 140 | 1,175 | 652 | 58 | 1,328 |
| Formalization of informal commitments | 33 | 340 | 317 | 11 | 134 |
| Contingent liabilities | 108 | | | | |
| Disposition of property | 2 | | | 2 | |
| Other | 39 | | | 2 | |
| Army, total | 85 | 498 | 451 | 30 | 3,375 |
| Amendments without consideration | 3 | 147 | 122 | 9 | 2,888 |
| Correction of mistakes | 20 | 137 | 123 | 10 | 355 |
| Formalization of informal commitments | 22 | 214 | 206 | 9 | 132 |
| Contingent liabilities | 2 | | | | |
| Disposition of property | 2 | | | 2 | |
| Other (employee compensation clauses ASPR 18-703.2) | 36 | | | | |
| Navy, total | 111 | 7,935 | 1,399 | 8 | 5,229 |
| Amendments without consideration | 4 | $7,336 | $1,200 | 3 | $4,959 |
| Correction of mistakes | 23 | 593 | 193 | 5 | 270 |
| Formalization of informal commitments | 2 | 6 | 6 | | |
| Contingent liabilities | 82 | | | | |
| Air Force, total | 52 | 483 | 279 | 36 | 1,073 |
| Amendments without consideration | 4 | 215 | 85 | 5 | 546 |
| Correction of mistakes | 18 | 249 | 175 | 29 | 527 |
| Formalization of informal commitments | 3 | 20 | 19 | | |
| Contingent liabilities | 24 | | | | |
| Other (contract modification or termination) | 3 | | | 2 | |
| Defense Supply Agency, total | 85 | 249 | 210 | 17 | 564 |
| Amendments without consideration | 1 | 48 | 44 | 1 | 386 |
| Correction of mistakes | 79 | 196 | 161 | 14 | 176 |
| Formalization of informal commitments | 5 | 5 | 5 | 2 | 2 |
| Defense Communications Agency, Formalization of informal commitments | 1 | 95 | 81 | | |

TABLE II.—LIST OF CONTRACTUAL ACTIONS WITH ACTUAL OR POTENTIAL COST OF $50,000 OR MORE TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE JANUARY TO DECEMBER 1969

| Name and location of contractor | Actual or estimated potential cost | Description of product or service | Justification |
|---|---|---|---|
| Amendments without consideration: | | | |
| Army: Deruss Machine Products Co., Inc., 9191 Torresdale Ave., Philadelphia, Pa. | $104,751 | Fuze lock cups | The contractor submitted his bid for the fuse lock cups on the basis that the specifications would be changed from steel plate ($1.02 per unit) to steel bar ($0.15 per unit) as they had successfully completed a contract for the Government using the cheaper steel bar. After preproduction samples were rejected the company produced the cups using steel plate in lieu of defaulting the contract. |
| Navy: Decitron Electronics Corp., Brooklyn, N.Y. | $1,200,000 | Various electronic instruments for installation on new ships under construction. | The Naval Electronics Systems Command has advised that the UHX-2 facsimile recorder is designated as critical and failure to receive that equipment would cause shipbuilding delays. That Command has also designated as critical the URM-47 radio interference measurement set and the CU-714 antenna coupler and estimates that reprocurement from other sources of all the equipment under their present contract with Decitron would entail delay of two and a half to 3 years. Should this company be forced to cease operations and default on these contracts the Navy stands to lose its advance payments of $715,000 plus unliquidated progress payments of approximately $2,028,373 In addition the estimated cost of reprocurement is $4,941,000. |
| Correction of mistakes: | | | |
| Navy: Jet Research Center, Inc., Arlington, Tex. | 97,309 | Loaded MR 279 Mod 0 igniters | The contractors bid price of $9.74 per unit included a price of $0.213 quoted by a subcontractor for the housing materials instead of $2.13. The error was so obvious it should have alerted the contracting officer because of the vast difference in price from the other bids received. |
| Air Force: Bendix Corp., Energy Controls Division 717 North Bendix Dr., South Bend, Ind. | 82,914 | Spare parts kit for C-130 engine amplifiers | The contractor submitted his bid on the kit configuration "E" ($32.67), which the contracting officer should have realized was far too low for the "F" configuration that was being purchased. The configuration "F" kit contains 244 parts as opposed to the 49 parts contained in configuration "E", 4 types of which have a direct cost of over $20. |
| Formalization of an informal commitment: | | | |
| Army: Bell Aerospace Co., 2221 Niagara Falls Blvd., Buffalo, N.Y. | 92,000 | Repair of visual airborne target locator system (VATLS). | On Nov. 22, 1963 a meeting was held between Bell and the U.S. Army Electronic Command (ECOM) to discuss repair of 2 systems that had been damaged in testing. ECOM shipped system No. 1 and Bell began work on Dec. 4, 1963 without contractual coverage. A contract was awarded on June 30, 1964, 6 months after the work had been started. |
| Defense Communications Agency: Stanford Research Institute, Stanford, Calif. | 80,810 | Special tests | Classified. |

CONTINGENT LIABILITIES

Provisions to indemnify contractors against liabilities on account of claims for death or injury or property damage arising out of nuclear radiation, use of high energy propellants, or other risks not covered by the contractor's insurance program were included in 108 contracts (the potential cost of these liabilities cannot be estimated inasmuch as the liability to the Government, if any, will depend upon the occurrence of an incident as described in the indemnification clause). Items procured are generally those associated with nuclear-powered vessels, nuclear armed guided missiles, experimental work with nuclear energy, handling of explosives or performance in hazardous areas.

TABLE 2A

| Name of contractor | Number of contracts | | |
|---|---|---|---|
| | Army | Navy | Air Force |
| Aerojet General Corp. | | | 6 |
| Air America, Inc. | | | 2 |
| Avco Corp. | | 2 | |
| Bendix Corp. | | 1 | |
| Boeing Co. | | | 5 |
| Chem-Nuclear Services, Inc. | | 1 | |
| Combination Engineering, Inc. | | 1 | |
| General Dynamics Corp. | | 17 | |
| General Electric Co. | | 14 | 1 |
| Hercules, Inc. | | 1 | 1 |
| Honeywell, Inc. | | 2 | |
| Ingalls Shipbuilding Division, Litton Systems, Inc. | | 2 | |
| Jump River Electric Cooperative, Inc. | | 1 | |
| Lockheed Aircraft Corp. | | 7 | |
| Martin Marietta Corp. | | | 4 |
| Newport News Shipbuilding & Drydock Co. | | 6 | |
| North American Rockwell Corp. | | 13 | 4 |
| Northrop Corp. | | 1 | |
| Nuclear Engineering Co., Inc. | | 1 | |
| Pan American World Airways, Inc. | | | 1 |
| Raytheon Co. | | 1 | |
| Schweber Electronics | | 1 | |
| Vitro Corp. of America | | 1 | |
| Westinghouse Electric Corp. | | 9 | |
| Proposed awards | 2 | | |
| Total | 2 | 82 | 24 |

In addition to the above, indemnification clauses will be inserted into all air transportation contracts entered into by the Military Airlift Command for transportation services to be performed by air carriers which own or control aircraft which have been allocated by the Department of Transportation to the Civil Reserve Air Fleet.

## ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, May 11, 1970, 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:

2035. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report that no funds appropriated in the Department of Defense and Military Construction Appropriations Acts, 1969, were used to make payments under contracts in foreign countries, except where the Treasury Department was holding no excess foreign currencies in the country involved, pursuant to the provisions of those acts; to the Committee on Appropriations.

2036. A letter from the Deputy Secretary of Defense, transmitting notification of approvals of the annual compensation of officers of Federal contract research centers in excess of $45,000 from Federal funds, pursuant to the provisions of section 407(b) of Public Law 91-121; to the Committee on Armed Services.

2037. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize further adjustments in the amount of silver certificates outstanding, and for other purposes; to the Committee on Banking and Currency.

2038. A letter from the Secretary of the Treasury, transmitting the semiannual report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1969, pursuant to the provisions of section 613(c) of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

2039. A letter from the Director, Bureau of Mines, Department of the Interior, transmitting a copy of a proposed grant agreement with the University of Missouri for research into the use of shaped explosive charges to increase the permeability of coal, pursuant to the provisions of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2040. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the 1969 report on extraordinary contractual actions to facilitate the national defense, pursuant to the provisions of section 4(a) of Public Law 85-804; to the Committee on the Judiciary.

RECEIVED FROM THE COMPTROLLER GENERAL

2041. A letter from the Comptroller General of the United States, transmitting a report on the potential for savings in aircraft maintenance, Departments of the Navy and the Air Force; to the Committee on Government Operations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. S. 1458. An act to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association (Rept. No. 91-1058). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 16476. A bill to make it lawful to set up or fly any kite in the District of Columbia; with an amendment (Rept. No. 91-1062). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 670. A bill to amend section 19(a) of the District of Columbia Public Assistance Act of 1962. (Rept. No.

91–1059). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Committee on Appropriations. H.R. 17548. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes (Rept. No. 91–1060). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 17138. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 and the District of Columbia Teachers' Salary Act of 1955 to increase salaries, and for other purposes; with amendments (Rept. No. 91–1061). 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. ALEXANDER:

H.R. 17515. A bill to postpone for 2 years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards; to the Committee on Merchant Marine and Fisheries.

By Mr. ANDERSON of California:

H.R. 17516. A bill to amend the Clean Air Act to ban pollution-causing internal combustion engines in motor vehicles after January 1, 1975; to the Committee on Interstate and Foreign Commerce.

By Mr. BEALL of Maryland:

H.R. 17517. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. FALLON (for himself, Mr. CRAMER, Mr. HARSHA, Mr. GROVER, Mr. CLEVELAND, Mr. DON H. CLAUSEN, Mr. MCEWEN, Mr. DUNCAN, Mr. SCHWENGEL, Mr. SCHADEBERG, Mr. SNYDER, Mr. DENNEY, Mr. ZION, Mr. MCDONALD of Michigan, Mr. HAMMERSCHMIDT, and Mr. MILLER of Ohio) (by request):

H.R. 17518. A bill to amend existing Federal disaster assistance legislation, and for other purposes; to the Committee on Public Works.

By Mr. MATSUNAGA:

H.R. 17519. A bill to exclude from gross income the first $750 of interest received on deposits in certain financial institutions; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 17520. A bill to provide for drug abuse and drug dependency prevention, treatment and rehabilitation; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAGAN:

H.R. 17521. A bill to increase the compensation of certain experts engaged in administering the laws relating to the purity and quality of tea and to increase the fee charged for the examination of tea; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 17522. A bill to authorize appropriations to carry out the Fire Research and Safety Act of 1968; to the Committee on Science and Astronautics.

By Mr. OTTINGER (for himself, Mr. ASHLEY, and Mr. DIGGS):

H.R. 17523. A bill to authorize the U.S. Commissioner of Education to make grants to or contracts with public educational and social service agencies for the conduct of special educational programs and activities concerning the use of drugs; to the Committee on Education and Labor.

By Mr. RANDALL:

H.R. 17524. A bill to protect American footwear, apparel, and textile industries from market disruptions arising from excessive imports; to the Committee on Ways and Means.

By Mr. ROTH:

H.R. 17525. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 17526. A bill to provide penalties for assaulting a member of the National Guard while he is engaged in carrying out official duties; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 17527. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H.R. 17528. A bill to create marine sanctuaries from leasing pursuant to the Outer Continental Shelf Lands Act in areas off the coast of California adjacent to State-owned submerged lands when such State suspends leasing of such submerged lands for mineral purposes; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI:

H.R. 17529. A bill to amend the Gun Control Act of 1968 to require certain records to be kept relating to the sale or delivery of explosives; to the Committee on the Judiciary.

H.R. 17530. A bill to amend section 837 of title 18, United States Code, to strengthen the laws concerning illegal use, transportation, or possession of explosives and the penalties with respect thereto, and for other purposes; to the Committee on the Judiciary.

By Mr. CULVER:

H.R. 17531. A bill to exempt from certain deep-draft safety statutes passenger vessels operating solely on the inland rivers and waterways; to the Committee on Merchant Marine and Fisheries.

H.R. 17532. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 17533. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 17534. A bill to amend title 5, United States Code, to require the heads of the respective executive agencies to provide the Congress with advance notice of certain planned organizational and other changes or actions which would affect Federal civilian employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HECHLER of West Virginia:

H.R. 17535. A bill to designate as wilderness the Cranberry, Otter Creek and Dolly Sods areas in the Monongahela National Forest in West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MCCLURE (for himself and Mr. HANSEN of Idaho):

H.R. 17536. A bill to amend title 5, United States Code, to provide for survivor annuities for all widowers of deceased female employees irrespective of dependency; to the Committee on Post Office and Civil Service.

By Mr. OLSEN:

H.R. 17537. A bill to provide for thorough health and sanitation inspection of all livestock products imported into the United States, and for other purposes; to the Committee on Agriculture.

By Mr. STAGGERS:

H.R. 17538. A bill to extend for 1 year the act of September 30, 1965, relating to high-speed ground transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 17539. A bill to extend the provisions of title XIII of the Federal Aviation Act of 1958 relating to war risk insurance; to the Committee on Interstate and Foreign Commerce.

By Mr. ULLMAN:

H.R. 17540. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. FREY:

H.R. 17541. A bill relating to the control of organized crime in the United States; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 17542. A bill to amend the Internal Revenue Code of 1954 to allow an unemployed individual a deduction from gross income for expenses paid or incurred in seeking employment; to the Committee on Ways and Means.

By Mr. VANDER JAGT:

H.R. 17543. A bill to amend section 402 of chapter 4 of part I of the Foreign Assistance Act of 1961 to provide additional authorization in supporting assistance for the national land reform program enacted March 26, 1970, by the Government of Vietnam; to the Committee on Foreign Affairs.

By Mr. EVINS of Tennessee:

H.R. 17548. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

By Mr. BOLAND:

H.J. Res. 1224. Joint resolution to establish a Joint Committee on Environment and Technology; to the Committee on Rules.

By Mr. MIKVA:

H.J. Res. 1225. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. MIKVA (for himself and Mr. CONYERS):

H.J. Res. 1226. Joint resolution to create a temporary joint congressional committee to investigate and report to Congress on the shooting of students at Kent State University, Kent, Ohio, by members of the Ohio National Guard; to the Committee on Rules.

By Mr. BROTZMAN:

H. Con. Res. 604. Concurrent resolution to reaffirm Congress' Constitutional responsibility of consultation with the President on matters affecting grave national issues of war and peace; to the Committee on Foreign Affairs.

By Mr. MONAGAN:

H. Con. Res. 605. Concurrent resolution to modify certain tariff concessions granted by the United States; to the Committee on Ways and Means.

By Mr. OTTINGER (for himself, Mr. SCHEUER, and Mr. CLAY):

H. Con. Res. 606. Concurrent resolution expressing the sense of the Congress with respect to the action of the President of the United States in connection with the involvement of U.S. Military Forces in Cambodia and censuring the President for such action; to the Committee on Foreign Affairs.

By Mr. HECHLER of West Virginia:

H. Res. 980. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Res. 981. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. OLSEN:

H. Res. 982. Resolution to stop funds for

war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H. Res. 983. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. PATTEN:

H. Res. 984. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. RIEGLE (for himself, Mr. McCLOSKEY, Mr. ADAMS, Mr. BUTTON, Mr. COHELAN, Mr. CONYERS, Mr. FRASER, Mr. GUDE, Mr. HALPERN, Mr. HARRINGTON, Mr. HATHAWAY, Mr. LOWENSTEIN, Mr. MIKVA, Mr. MORSE, Mr. MOSHER, Mr. REID of New York, Mr. THOMPSON of New Jersey, and Mr. WHALEN):

H. Res. 985. Resolution to set an expenditure limitation on the American military effort in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H. Res. 986. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. VANIK:

H. Res. 987. Resolution creating a select committee to investigate and study the violence at Kent State University; to the Committee on Rules.

By Mr. FRASER:

H. Res. 988. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. JONES of North Carolina:

H. Res. 989. Resolution to create a select committee to study U.S. military involvement in Southeast Asia; to the Committee on Rules.

By Mr. KOCH (for himself, Mr. LEGGETT, Mr. TUNNEY, Mr. OLSEN, Mr. MOORHEAD, Mr. POWELL, Mr. STOKES, Mr. BRASCO, Mr. REID of New York, Mr. HAWKINS, and Mr. CONYERS):

H. Res. 990. Resolution to designate May 8, 1970, as a Day of National Mourning, and so forth; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H. Res. 991. Resolution to stop funds for war in Cambodia, Laos, Thailand, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. O'NEILL of Massachusetts:

H. Res. 992. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. WOLFF:

H. Res. 993. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 17544. A bill for the relief of the Trabuco family; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 17545. A bill for the relief of Mr. Eung Sup Ham and Mrs. Do Seung Kang Han; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 17546. A bill for the relief of Col. John H. Sherman; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 17547. A bill for the relief of Alfredo Moraldo; to the Committee on the Judiciary.

# SENATE—*Thursday, May 7, 1970*

The Senate met at 11 o'clock a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Reverend John H. Tietjen, S.T.M., Th. D., president, Concordia Seminary, St. Louis, Mo., offered the following prayer:

God our Father, Lord of the nations, life-giving Spirit:

You have created all people with a common humanity for life together with You. We acknowledge Your rule and authority in our world and in our Nation.

We humbly confess our need for Your guidance if we are to do Your will. We confidently claim Your promise to hear our prayers.

We ask You to bless the United States of America, our President, and all who shape our destiny that, Your blessing resting on us, we may be a blessing to all the people of the world.

We pray this day especially for the U.S. Senate and for all its Members. Give them strength to bear the heavy burdens of office our fellow citizens have laid on them. Endow them with wisdom in the performance of their duties. Grant them courage to resist every evil, to oppose all wrong, and to champion what is good and right. Equip them to be instruments through which justice and brotherhood and peace may reign more fully in our Nation and in our world.

Bestow Your blessing, O Lord, that what is said and done in this Chamber may help us all to do justice, to love mercy, and to walk humbly with You our God. Amen.

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore of the Senate (Mr. RUSSELL).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D.C., May 7, 1970.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
*President pro tempore.*

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, in which it requested the concurrence of the Senate.

## ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2452) to amend section 211 of the Public Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services, and it was signed by the Acting President pro tempore (Mr. ALLEN).

## HOUSE BILL REFERRED

The bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, May 6, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At this time, the Chair recognizes the Senator from Colorado (Mr. ALLOTT) under the previous order, for not to exceed 1 hour and 15 minutes.

Mr. MANSFIELD. Mr. President, will the Senator from Colorado yield to me briefly, without losing any of his time?

Mr. ALLOTT. I am happy to yield to the Senator from Montana.

## 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.