

HOUSE OF REPRESENTATIVES—Tuesday, July 7, 1970

The House met at 12 o'clock noon.

Rev. William A. Van Croft, rector, St. Luke's Episcopal Church, Washington, D.C., offered the following prayer:

O Lord, who has commanded us to make prayers and intercession for all men, we implore Thy blessing more especially upon this, our country, its Government, and upon its people. May Thy Holy Spirit look with favor upon Thy servants, the President, the Vice President, the Congress, and all others in authority. Grant that they may govern in Thy faith and fear, striving to put down all evil, and to encourage and support all that is good. Give Thy spirit of wisdom to those whose business it is to make laws for us. Grant that they may understand and feel how great a work Thou hast given them to do, that they may not do it lightly or foolishly, but gravely, soberly, and with a godly spirit, enacting always things just, things wise, and things merciful to the advancement of the true welfare of Thy people. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 1076) entitled "An act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. BIBLE, Mr. MOSS, Mr. ALLOTT, and Mr. STEVENS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1519) entitled "An act to establish a National Commission on Libraries and Information Science, and for other purposes."

SOL KAMINSKY ELECTED STATE COMMANDER, NEW YORK DAV

(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, I would like to bring to the attention of my colleagues the recent election of Mr. Sol Kaminsky as commander, New York State Department, Disabled American Veterans. It has been my privilege to know Sol Kaminsky for a number of years and I have always enjoyed a fine working relationship with him.

Sol has served as senior vice president of the Department of New York, DAV, and in prior years as department adjutant and junior vice commander. He is

a member of the National Amputation Chapter, No. 76, having served as commander and most recently as chapter adjutant. He is also past president and currently secretary of the National Amputation Foundation, an organization founded for the purpose of distributing funds for the rehabilitation and welfare of amputee disabled veterans.

Sol is a recipient of the "Amputee of the Year" award from his chapter and has also been named outstanding Disabled American Veteran for 2 consecutive years by the New York State Department. Sol is a double amputee and has given hope to thousands of disabled veterans through his outstanding achievements in the area of rehabilitation and veteran activities.

I want to take this opportunity to extend my congratulations to Sol, his wife, and three children, on his election as State commander for the 1970-71 term. I am sure he will be a fine commander and I look forward to working with him in connection with his new responsibilities.

SUPPLEMENTAL VIEWS ON SOUTHEAST ASIA INVESTIGATION

Mr. HAWKINS. Mr. Speaker, I have two unanimous-consent requests to make. One is that my supplemental views on the investigation in Southeast Asia by the select committee be included in that report as a supplemental report; and, second, that my supplemental views be included in the RECORD as of today so that the readers may have those views available to them.

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

There was no objection.

GAO REPORT SUBSTANTIATES TRUCK DAMAGE TO HIGHWAYS

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

Mr. SCHWENGEL. Mr. Speaker, the General Accounting Office released yesterday a report which substantiates charges which I and others have made with respect to the damage done to our highways by big trucks. This important report further emphasizes the need for a study of all factors involved in proposals to increase the size and weight of the trucks which use our Nation's highways. My bill, H.R. 15051, would deal with the problem presented by the GAO report.

The report indicates that—

The cost of overlays for the entire Interstate System would vastly exceed the 1968 cost estimate.

The study commission proposed by my bill would determine not only the actual costs of these overlays, but would make recommendations as to who should pay for them.

I urge every Member to obtain and read a copy of this very important report.

A summary of the report, together with a story from today's Washington Post, and the text of my bill will appear in today's Extensions of Remarks.

POLL OF PHOENIX, ARIZ., BUSINESSMEN ON IMPORTANT QUESTIONS WHICH CONFRONT FEDERAL, STATE, AND LOCAL GOVERNMENTS

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

Mr. RHODES. Mr. Speaker, I received a telegram from Mr. Thomas N. Fannin, president of the Phoenix Chamber of Commerce, informing me that the chamber recently polled its membership consisting of 3,074 Phoenix businessmen representing 2,250 member firms concerning important questions which confront our Federal, State, and local governments. The response to the questionnaire was 38 percent. There were three Federal issues covered, with the following results:

The first question was, "Do you approve of the Nixon administration's approach toward disengagement from Southeast Asia, including the destruction of North Vietnamese sanctuaries in Cambodia?" The response to that question was "Yes," 89 percent; "No," 11 percent.

The second question was, "Do you believe that the Nixon administration should furnish additional military hardware to Israel in connection with the crisis in the Middle East?" The response was "Yes," 65 percent; "No," 35 percent.

The third question was, "Do you believe that the Nixon administration should impose wage and price controls as a method of combating inflation?" The response was "Yes," 41 percent; "No," 59 percent.

Mr. Speaker, it was a real service to me as a Representative in Congress to have this information and I congratulate the Phoenix Chamber of Commerce upon making the results of this poll available to me.

SOVIET CONTROL OVER SAM-3 MISSILES IN EGYPT SAME AS IN CUBA

(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, anyone who still doubts Soviet military advisers are firing SAM-3 missiles at Israel planes over the Suez Canal need only look at similar installations in Cuba where no Cuban personnel at all are permitted near Soviet-maintained missile sites.

American intelligence information has long ago established that the Soviet Union has a policy of not permitting anyone but Soviet personnel to operate Soviet-installed missile bases.

SAM-3 installations in Cuba are in

compounds run and operated exclusively by Soviet personnel and no Cuban soldiers, not even Castro himself, can get close to the installation. Because of this longstanding Soviet policy, there should be no further doubt that the Soviet Union is now fully involved and fully in charge of operations against Israel in the Middle East.

President Nixon can delay no longer the assignment to Israel of an additional 125 jet fighters which Israel desperately needs if the balance of power is to be preserved in the Middle East, and a full scale military conflict is to be avoided.

The SAM-3 missile operations in Cuba are defensive and differ substantially from long-range offensive missiles which became the subject of an American-Soviet confrontation in 1962.

TRAVELING PUBLIC MUST BE PROTECTED

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

Mr. TIERNAN. Mr. Speaker, this morning's Washington Post had in it an article with regard to a Cincinnati firm that has filed a petition in bankruptcy. The name of the firm is the World Academy Schools for Foreign Study, Inc. They have estimated that there are now in Europe and other parts of the world 3,000 American students who, as a result of this action, will find themselves without accommodations or meals to eat.

Right now at the present time there are over 200 students in New York stranded as a result of this firm's action.

Last February 26 I introduced a bill, H.R. 7786, which would have provided for the regulation of travel agencies and travel bureaus.

I believe this action, which I surely hope will not be allowed to continue, fully dramatizes the need for the Federal Government to step in and make sure that these companies that hold themselves out as travel agencies for students or others who wish to travel abroad will be required to protect the traveling public, and to protect the money that these citizens put down.

In this instance this firm has debts of over \$4 million and assets of only \$800,000.

I think that some action should be taken by the Congress concerning this situation as soon as possible.

ADDITION TO LEGISLATIVE PROGRAM

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

Mr. ALBERT. Mr. Speaker, I take this time to advise Members that the distinguished gentleman from New York (Mr. DULSKI) has advised me that on Thursday he will ask the House to agree to the conference requested by the Senate on H.R. 17070, the Postal Reorganization and Salary Adjustment Act of 1970.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

JOSE LUIS CALLEJA-PEREZ

The Clerk called the bill (H.R. 1747) for the relief of Jose Luis Calleja-Perez.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

DR. ANTHONY S. MASTRIAN

The Clerk called the bill (H.R. 15760) for the relief of Dr. Anthony S. Mastrian.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ATKINSON, HASERICK & CO., INC.

The Clerk called the bill (H.R. 10534) for the relief of Atkinson, Haserick & Co., Inc.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CLAUDE G. HANSEN

The Clerk called the bill (H.R. 13807) for the relief of Claude G. Hansen.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

JOHN R. GOSNELL

The Clerk called the bill (H.R. 13469) for the relief of John R. Gosnell.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CAL C. DAVIS AND LYNDON A. DEAN

The Clerk called the bill (S. 2427) for the relief of Cal C. Davis and Lyndon A. Dean.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to

the request of the gentleman from Michigan?

There was no objection.

CERTAIN INDIVIDUALS EMPLOYED BY THE DEPARTMENT OF THE AIR FORCE AT KELLY AIR FORCE BASE, TEX.

The Clerk called the bill (H.R. 10150) for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

SAMUEL R. STEPHENSON

The Clerk called the bill (H.R. 10704) for the relief of Samuel R. Stephenson.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

DAVID L. KENNISON

The Clerk called the bill (H.R. 15272) for the relief of David L. Kennison.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

GEORGE F. MILLS

The Clerk called the bill (H.R. 15415) for the relief of George F. Mills.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MRS. FERNANDE M. ALLEN

The Clerk called the bill (H.R. 15478) for the relief of Mrs. Fernande M. Allen.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

SHERMAN WEBB AND OTHERS

The Clerk called the bill (H.R. 17734) for the relief of Sherman Webb and others.

There being no objection, the Clerk read the bill, as follows:

H.R. 17734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in accordance with the findings of fact and conclusions of the review panel of commissioners of the United States Court of Claims contained in Congressional Reference Case No. 1-68, filed May 1, 1970, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the individuals named in subsection (b) of this section the amount set forth opposite his name in full settlement of all claims of each such individual against the United States for damages arising in connection with the flooding of certain lands as the result of the unnecessary release of excessive amounts of water from the Wappapello Dam and Reservoir (Wayne County, Missouri) in September 1965, at which time it was in operation under the control of the United States Army Corps of Engineers.

(b) The individuals referred to in subsection (a) of this section and the amount of money due each of them, are as follows:

Name	Amount
Sherman Webb of Quilin, Missouri	\$3,587.50
Hershel O. Vernon of Fisk, Missouri	2,104.00
Taylor Underwood of Fisk, Missouri	1,052.00
T. D. Bureson of Dexter, Missouri	3,261.34
Louise Bombolaski of Dudley, Missouri	13,294.85
Leroy Cato of Dudley, Missouri	3,306.67
E. B. Bowle of Dudley, Missouri	64,728.63
Milburn Taylor of Dudley, Missouri	2,200.00
Loyd Thompson of St. Francis, Arkansas	1,366.67
Marlin Tinsley of Granite City, Illinois	683.33
Pete Sandlin of Dudley, Missouri	3,876.00
Arvil Bowle of Dudley, Missouri	5,197.34
Ben W. White of Campbell, Missouri	4,100.00
H. L. Underwood of Campbell, Missouri	492.00
Joe Vanderfeltz of Campbell, Missouri	252.00
Clem Bader of Campbell, Missouri	1,414.00
W. H. Bowling of Dudley, Missouri	7,462.67
Virgil T. Low of Piggott, Arkansas	4,760.00
Lawrence Sherfius of Dudley, Missouri	5,835.50
Robert Felser of Campbell, Missouri	2,456.66
John Felser of Campbell, Missouri	376.66
Armstrong Cork Company of Campbell, Missouri	443.34
L. F. Felser of Campbell, Missouri	\$163.34
John F. Stenger of Campbell, Missouri	602.80
Marvin F Adler of Bernie	16,565.51
Joe Osborn & Jack Osborn (Partners) of Kennett, Missouri	14,649.02
J. D. Flagg of Piggott, Arkansas	1,608.73
Robert White of Bernie, Missouri	15,950.00
Jerrell Stone of Bernie, Missouri	2,930.34
Billie J. Barker of Bernie, Missouri	1,465.16
Rex Young of Bernie, Missouri	7,757.87
Jack Bowle of Dudley, Missouri	3,878.93
Cranston C. Smith of Bernie, Missouri	\$3,787.50
Omas Shipman of Bernie, Missouri	1,355.47

Name	Amount
Elmo Moore of Piggott, Arkansas	677.73
Kenneth Minton of Dexter, Missouri	11,790.00
E. A. Hawkins & H. A. Hawkins of Kennett, Missouri	17,766.67
Amos Linville of Campbell, Missouri	2,003.00
Jess Creecy of Dudley, Missouri	4,503.01
John L. Bowle of Fisk, Missouri	18,918.67
Hauzie Wingfield of Campbell, Missouri	3,587.50
Lofton Linderman of Fisk, Missouri	1,182.00
Mike Felser of Campbell, Missouri	848.70
H. B. Talkington of Dexter, Missouri	5,491.20
B. N. Maxwell of Campbell, Missouri	1,687.50
John Clodfelter of Bernie, Missouri	4,312.00
Dud C. Lewis of Piggott, Arkansas	2,938.46
Fred Templemire of Bernie, Missouri	519.85
Lee Lipsey of Campbell, Missouri	1,080.00
O. G. Branch of Dudley, Missouri	2,017.34
Robert Stoner of Dudley, Missouri	11,781.34
Elmer Battles of Dudley, Missouri	1,669.34

Sec. 2. No part of the amount appropriated in this Act in excess of 25 per centum thereof shall be paid or delivered or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 3, line 1: Strike "the" and insert "each".

Page 3, line 2: Strike "25" and insert "15".

The committee amendments were agreed to.

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

REFERENCE OF H.R. 1390 TO THE CHIEF COMMISSIONER OF THE COURT OF CLAIMS

The Clerk called House Resolution 108, referring H.R. 1390 to the Chief Commissioner of the Court of Claims.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

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

There was no objection.

THOMAS J. BECK

The Clerk called the bill (H.R. 4982) for the relief of Thomas J. Beck.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

KEUM JO KIM

The Clerk called the bill (H.R. 2043) for the relief of Keum Jo Kim.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

OK YON (MRS. CHARLES G.) KIRSCH

The Clerk called the bill (H.R. 4670) for the relief of Ok Yon (Mrs. Charles G.) Kirsch.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

LOW YIN (ALSO KNOWN AS LOW YING)

The Clerk called the bill (H.R. 5655) for the relief of Low Yin (also known as Low Ying).

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

TAE PUNG HILLS

The Clerk called the bill (H.R. 12400) for the relief of Tae Pung Hills.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON JOSE GUADALUPE ESPARZA-MONTOYA

The Clerk called the bill (H.R. 12446) to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya.

There being no objection, the Clerk read the bill as follows:

H.R. 12446

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Guadalupe Esparza Montoya, formerly a national of Mexico, who was serving with the United States Army in Vietnam when he was killed in action on May 20, 1969, shall be held and considered to have been a citizen of the United States at the time of his death.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: That Jose Guadalupe Esparza-Montoya, a native of Mexico, who served honorably in the United States Army from August 21, 1968, until his death on May 20, 1969, shall be held and considered to have been a citizen of the United States at the time of his death.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read:

To confer United States citizenship posthumously upon Jose Guadalupe Esparza-Montoya.

A motion to reconsider was laid on the table.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON L. CPL. FRANK J. KREC

The Clerk called the bill (H.R. 13265) to confer U.S. citizenship posthumously upon L. Cpl. Frank J. Krec.

There being no objection, the Clerk read the bill as follows:

H.R. 13265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lance Corporal Frank J. Krec, a native of Italy, who served honorably in the United States Marine Corps from September 6, 1966, until his death on March 2, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

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

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON S. SGT. RYUZO SOMMA

The Clerk called the bill (H.R. 13997) to confer citizenship to S. Sgt. Ryuzo Somma, deceased.

There being no objection, the Clerk read the bill as follows:

H.R. 13997

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Staff Sergeant Ryuzo Somma (51622652), a native of Japan, who served honorably in the United States Army from September 19, 1966, until his death on March 4, 1969, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To confer U.S. citizenship posthumously upon S. Sgt. Ryuzo Somma."

A motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ROGELIO TABHAN

Mr. RODINO. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5106) for the relief of Rogelio Tabhan, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That, for the purposes of sections 203(a) (2) and 204 of the Immigration and Nationality Act, the minor child, Rogelio Tabhan, shall be held and considered to be the natural-born alien child of Mrs. Araceli T. Pixler, a lawful permanent resident of the United States: *Provided*, That the natural mother, brothers, or sisters of the said Rogelio Tabhan shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 16327, PEACE CORPS ACT AMENDMENTS OF 1970

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1119 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1119

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16327) to amend the Peace Corps Act to authorize additional appropriations, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 16327, the Committee on Foreign Affairs shall be discharged from the further consideration of the bill S. 3430, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 16327 as passed by the House.

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

Mr. Speaker, House Resolution 1119 provides an open rule with 1 hour of general debate for consideration of H.R. 16327 to amend the Peace Corps Act to authorize additional appropriations, and for other purposes. After passage of the House bill, the Committee on Foreign Affairs shall be discharged from the further consideration of S. 3430 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

The purpose of H.R. 16327 is to authorize an appropriation of \$98,800,000 to finance the operation of the Peace Corps

during fiscal year 1971. The appropriation for fiscal year 1970 was \$98,450,000.

The bill includes a number of amendments to the Peace Corps Act in order to facilitate the implementation of a new policy to make greater use of volunteers who are experienced in farming, industry and other fields, the services of which are required by the less developed countries.

An important element in such implementation is to make it possible for married couples with dependent children to serve as volunteers where the skill of the husband is unusually important and not available from single volunteers.

Technical amendments are made to the Peace Corps Act to reflect codification of title 5 of the United States Code into positive law by Public Law 89-554.

The size of the Peace Corps has declined from an average overseas strength of 10,229 in fiscal year 1969 to 8,425 estimated for fiscal year 1970 and 7,703 projected for fiscal year 1971. The total Peace Corps administrative personnel for fiscal year 1971 is estimated at 993 compared to 996 in fiscal year 1970 and 1,088 in fiscal year 1969.

The Peace Corps is redirecting its program to give greater emphasis to volunteers with practical experience and technical skills and sufficient funds should be provided to permit the Peace Corps to continue its operations at the current level and to implement its new policies.

Mr. Speaker, I urge the adoption of House Resolution 1119.

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

Mr. Speaker, House Resolution 1119 makes in order for consideration of H.R. 16327 under an open rule with 1 hour of debate.

The purpose of the bill is to provide authorizations for the Peace Corps during fiscal 1971.

The authorization contained in the bill is for \$98,800,000. This sum will finance the operations of the administrative structure as well as approximately 7,703 volunteers serving in foreign countries.

Technical amendments to the organic statute are included in the bill which: First, will insure that volunteers who are skilled in farming, industry, and related fields will be utilized more fully, as these are the skills particularly needed in most developing countries; and second, to make it possible for married couples with minor children to serve as volunteers where the father has a necessary skill not available from single volunteers.

Finally, the bill provides clear authority for the Director of the Peace Corps to issue regulations applicable to volunteers to assure that no individual shall engage in any activity determined by the Director to be detrimental to the best interest of the United States. The amendment will not require issuance of any regulations, but it will make it clear that final responsibility rests with the Director.

No departmental views are contained in the report.

Supplemental views are filed by a bipartisan group of 10 committee members. They oppose the amendment providing for regulations to insure that no Peace Corps member will engage in any ac-

tivity detrimental to the best interests of the United States. They believe the Director already has ample authority and that the language can be viewed as a slap at our youth.

I am opposed to the Peace Corps and it is my hope that the bill will be defeated.

I have no further request for time but I reserve the balance of my time.

Mr. YOUNG. 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.

PROVIDING FOR CONSIDERATION OF H.R. 8673, GOLD AND SILVER ARTICLES—CONSUMER PROTECTION

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1092 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1092

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8673) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 8673, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 1046, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 8673 as passed by the House.

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

Mr. Speaker, House Resolution 1092 provides an open rule with 1 hour of general debate for consideration of H.R. 8673 to amend the National Gold and Silver Stamping Act. The resolution also provides that, after passage of the House bill, the Committee on Interstate and Foreign Commerce shall be discharged from further consideration of S. 1046 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

The National Gold and Silver Stamping Act provides that any gold or silver article shipped in interstate commerce must be properly marked as to content and the act contains criminal sanctions for violations. Despite indications of re-

peated and substantial violations of the act, however, the Department of Justice has never enforced the statute.

H.R. 8673 would amend the act to provide relief through civil action. Any customer, competitor, or subsequent purchaser of an article which has been marked in violation of the act may obtain injunctive relief, restraining that person from future violations. The plaintiff could recover damages, the costs of the suit, and a reasonable attorney's fee.

A duly organized and existing jewelry trade association would also be entitled to injunctive relief and could recover costs of the suit, including a reasonable attorney's fee, but would not be eligible to recover any damages. If the court should find that action was sought "frivolously," the court may award punitive damages to the defendant.

In the event that an action is terminated without a finding of a violation by the defendant, the defendant will be entitled to recover costs, plus a reasonable attorney's fee.

Enactment of the legislation would not involve additional costs to the Government.

Mr. Speaker, I urge the adoption of the rule, House Resolution 1092.

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

Mr. Speaker, the gentleman from New York (Mr. DELANEY) has ably explained the measure.

The purpose of the bill is to provide a way to enforce the National Gold and Silver Stamping Act of 1906 to insure that persons buying articles made in whole or in part of gold or silver may rely upon representations made concerning the quality of such articles.

Present law requires proper marking of all such articles shipped in interstate commerce. Recent test purchases have disclosed that many articles are mislabeled or misrepresented as to their quality and precious metal content. No suit to enforce compliance with the present labeling law has ever been instituted by the Department of Justice.

The bill provides a remedy. It permits a businessman-competitor, customer, or a jewelry trade association to file suit to enjoin such actions. A successful plaintiff could recover his costs, including attorney's fees, plus an injunction. An unsuccessful plaintiff would be liable to the defendant for his costs, including attorney's fees. In any frivolous suit, brought to harass a businessman, punitive damages could be awarded.

There are no minority views. The administration opposes the bill through the Department of Justice. The Department fears that permitting competitors and associations to bring suits could lead to harassment of some businesses. They, instead, support the administration's bill (H.R. 14931) which gives the Attorney General and the customer the right to sue in appropriate cases.

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

Mr. DELANEY. Mr. Speaker, I have 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.

CALL OF THE HOUSE

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

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Mr. MONAGAN. 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. 200]

Abbt	Gallagher	Passman
Anderson, Ill.	Garmatz	Pettis
Aspinall	Gilbert	Poage
Baring	Gray	Pollock
Bell, Calif.	Green, Pa.	Powell
Berry	Gubser	Price, Tex.
Blatnik	Hansen, Wash.	Pryor, Ark.
Brock	Hastings	Purcell
Brooks	Hathaway	Rarick
Broomfield	Hébert	Rees
Brown, Calif.	Hosmer	Rivers
Brown, Mich.	Hungate	Roberts
Burleson, Tex.	Ichord	Rogers, Colo.
Burton, Utah	Jarman	Ruppe
Cabell	Jones, Tenn.	Saylor
Carey	Kee	Scheuer
Clay	Kirwan	Shipley
Colmer	Landrum	Sisk
Conyers	Long, La.	Skubitz
Coughlin	McDonald,	Sullivan
Cramer	Mich.	Taft
Dawson	McFall	Talcott
Diggs	Meskill	Welcker
Edwards, La.	Minshall	Whitten
Findley	Montgomery	Wilson,
Foreman	Morton	Charles H.
Frey	Nichols	Wright
Fuqua	Ottinger	Wyatt

The SPEAKER. On this rollcall 349 Members have answered to their names, a quorum.

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

STATEMENT OF POSITION ON VOTES DURING ABSENCE ON ACCOUNT OF ILLNESS

(Mr. FULTON of Pennsylvania asked and was given permission to address the House for 1 minute and to include extraneous material.)

Mr. FULTON of Pennsylvania. Mr. Speaker, if I were present I would have voted: On April 7, 1970, I would have voted "yea" to rollcall No. 66, on H.R. 514, elementary and secondary education the adoption of the conference report on the bill extending ESEA for 3 years providing authorization of \$24.6 billion.

On rollcall No. 67, I would have voted "yea" on the passage of H.R. 15733, temporarily increasing by 15 percent benefits paid to retired workers under the Railroad Retirement Act of 1937.

On April 9, 1970, on rollcall No. 70, on H.R. 16844, Federal Employees Salary Act, the motion to recommit, I would have voted "nay."

On rollcall No. 71, on passage of the Postal Employees Salary Act, H.R. 16844, I would have voted "yea."

On April 13, 1970, on H.R. 16900, passage of the fiscal year 1971 appropriations for the Treasury, Post Office, and Executive Office of the President and re-

lated agencies, rollcall No. 73, I would have voted "yea."

On rollcall No. 75 on April 14, 1970, I would have voted "yea" to House Resolution 909, to concur in Senate amendments to Federal Employees Salary Act.

On April 15, 1970, on rollcall No. 77, I would have voted "yea" to House Resolution 916, on rule to consider H.R. 16311, the Family Assistance Act of 1970, and I would have voted "nay" to rollcall No. 80, to adjourn the House.

On April 16, 1970, I would have voted "nay" to recommit the Family Assistance Act, H.R. 16311, and on rollcall No. 83 I would have voted "yea" on the passage of the Family Assistance Act, H.R. 16311.

On April 20, 1970, on H.R. 10666, I would have voted "yea" for passage to establish a National Commission on Libraries and Information Sciences, and on rollcall No. 86, I would have voted "yea" on passage of H.R. 780, authorizing \$28.5 million for construction of dam and flood control and irrigation facilities at Merlin division, Rogue River Basin project.

PEACE CORPS ACT AMENDMENTS OF 1970

Mr. MORGAN. 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. 16327) to amend the Peace Corps Act to authorize additional appropriations, and for other purposes.

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

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. 16327, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes, and the gentleman from Indiana (Mr. ADAIR) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Chairman, I rise in support of H.R. 16327. As far as my personal observation goes, every report that has appeared in the newspapers in recent months about the Peace Corps has been unfavorable.

We are all aware that a group of demonstrators occupied a number of offices in the Peace Corps building for 2 days during the antiwar demonstrations in early May.

In passing, let me point out that although some of them were former Peace Corps volunteers who had returned to the United States, no one was involved who is currently either a volunteer or an employee of the Peace Corps.

All of us have also seen accounts of

volunteers who are serving overseas who have demonstrated against U.S. policy toward Vietnam and reports of people being sent back to the United States because of their participation in such activities.

There have also been stories about the Peace Corps being asked to leave countries in which it has been operating.

Now, Mr. Chairman, H.R. 16327 authorizes \$98,800,000 to finance the operations of the Peace Corps during the fiscal year 1971.

This is a lot of money. It is too much money to spend on the Peace Corps if it is turning sour.

Before anyone makes up his mind that the Peace Corps has outlived its usefulness, or that it may be stirring up trouble in the less-developed countries rather than helping these countries with their problems, I urge you to consider some basic facts that apparently do not find their way into the newspapers.

In the first place, everyone should recognize that the Peace Corps is a large operation. There were last year over 10,000 volunteers and trainees in service, and the funds for which authorization is requested will maintain the number at a little below that level.

Bear this in mind when considering the statement appearing in the papers last March that 12 volunteers were being sent home for improper political activities. Three of these were in Turkey, two were in Thailand, two in Ethiopia, and five in Ecuador.

Instead of deciding that because 12 volunteers were sent home, the Peace Corps is made up of troublemakers, give credit to the 10,000 men and women, most of them young but some of them retired nurses, teachers, and farmers who are rendering important services, living under unfavorable conditions, for which they receive \$75 a month after they return home.

Keep in mind the fact that the Peace Corps is serving in 61 foreign countries and that more are requesting that volunteers be sent to help them. The authorization in this bill provides funds to add three new countries to the list.

There are none of these countries that wants to import troublemakers. All of them grow enough troublemakers at home. The Peace Corps volunteers go to a country because the country wants them, because each government is convinced that the volunteers can render services for which it cannot find enough of its own people who are qualified.

Now I do not mean to argue that the Peace Corps is perfect, or that it does not have problems.

It is a fact that since the Peace Corps got started in 1961, it has withdrawn from 10 countries. In two cases, it has gone back again.

In none of these cases was the withdrawal caused by any misbehavior on the part of the volunteers.

The most common reason for terminating Peace Corps operations in a country has been a change in government, where the new government wanted to show that it was free from foreign influence.

In Mauritania, a Moslem country in

North Africa, the Peace Corps and all other Americans was ordered out on 48 hours' notice at the time of the 1967 war with Israel.

The Peace Corps was ordered out of Ceylon when the lady who has just been elected Prime Minister was first elected to that office. The government that succeeded her asked the Peace Corps to come back. I have seen reports in the papers that she plans to throw the Peace Corps out again. I do not believe that this sort of thing reflects any discredit on the Peace Corps.

One of the major problems confronting the Peace Corps at present is the fact that many of the less developed countries where the Peace Corps is operating want more skilled mechanics, farmers, and other technicians to work with and help train their own people. At the same time, they do not want as many Peace Corps volunteers to serve as teachers as in previous years.

Many young college graduates are qualified to serve as teachers, and they are relatively easy to recruit. There have always been many more applicants than vacancies to be filled.

It is hard to find skilled technicians, such as bricklayers, auto mechanics, and farmers, who are in a position to serve as volunteers. There are many qualified people who have the idealism and the desire to help the people in the less developed countries, but they are already earning a living and many of them have families.

In order to make it possible for people with the technical skills desired by the less developed countries to become Peace Corps volunteers, the bill before us includes a number of provisions to authorize the Peace Corps to pay for the transportation, training, health care, and storage of furniture in the United States for families of volunteers so that these people can serve overseas for 2 years.

The program for volunteer families is being set up for an estimated 200 families with a total cost for dependents of \$955,000.

Both the man and wife will be volunteers, and the bill authorizes a readjustment allowance of \$125 a month for one member of the family; the other will receive \$75 a month, the same as all other volunteers.

It should be remembered that all volunteers get a subsistence allowance to take care of their living costs while in service, and then a so-called readjustment allowance of \$75 a month for each month of service, which is paid to them after they get home. The bill authorizes an increase in this allowance to \$125 a month for one member of a volunteer family.

The bill authorizes \$98,800,000 for fiscal year 1971. This is \$350,000 more than was appropriated for fiscal year 1970. This does not reflect any expansion of the Peace Corps. The number of volunteers is to be reduced from 10,500 to 10,000, and the number of employees has been cut from 1,088 in fiscal year 1969 to 996 in fiscal year 1970; and a further cut to 993 in fiscal year 1971 is planned.

This small increase in cost for fiscal

year 1971 is due primarily to the need to train 500 more volunteers than were trained in fiscal year 1970. During the last few years, there have been more volunteers coming home than have been entering training. As a result, it is necessary to train more people in order to hold the level at 10,000.

The cost of training per volunteer has been going down. In 1970, it was \$2,905, and the estimate for fiscal year 1971 is \$2,887.

Mr. Chairman, the Peace Corps means a lot to the United States. Over 40,000 of our people have returned from overseas service as volunteers. Our young people regard Peace Corps service as an opportunity to consider in planning their careers. They come from every State in the Union, and almost every community has people in service or who have returned from service in the Peace Corps.

The more than 60 countries in which volunteers are serving value their services and depend on their help.

It is in our national interest to continue to maintain 10,000 of our young college graduates and skilled, experienced technicians in service in countries that need and desire their help.

I urge the House to authorize the funds necessary to continue this important program.

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

Mr. MORGAN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

If I understand the gentleman correctly, the number of personnel is going to be substantially reduced, yet the cost is going up. Do I understand the gentleman correctly on that?

Mr. MORGAN. The personnel has been reduced. As the gentleman knows, because he is serving both on the Committee on Foreign Affairs and the great Committee on Post Office and Civil Service, there has been legislation from the latter committee which has resulted in pay raises.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. Mr. Chairman, I yield myself 2 additional minutes.

The pay raise alone represents an increase of \$1.6 million in administrative expenses. These built-in mandatory raises have contributed to the increase that the gentleman is speaking of.

Mr. GROSS. But the fact is that there has been a rather substantial cut of more than 700. Down goes the number of personnel and up goes the cost; 700 is no inconsequential cut in the number of those on the payroll. If I remember correctly, the administrative costs are high in this organization. This is not a bare bones operation as far as administrative personnel is concerned. I wonder if that accounts for some of the increase.

Mr. MORGAN. I agree with the gentleman that the administrative cost is quite high. It runs about 31 percent of the budget, but it includes both the employees in this country and overseas.

Mr. GROSS. Would the gentleman from Pennsylvania have any idea where we are going to get the money to keep

paying bills of this kind, in this case \$98.8 million? I notice in the morning paper that the administration is already apparently committed to another \$100 million in Vietnam for some kind of economic purposes and \$50 million more, apparently, is to be agreed upon for new housing in Vietnam. I thought we needed housing in this country, but away goes more millions upon millions of dollars overseas for this purpose. Where is the money going to come from to float this enterprise?

Mr. MORGAN. The gentleman knows and I know that it will come from the taxes we all pay, where all the money comes from.

Mr. GROSS. Taxes were reduced on July 1, and we are still far from balancing our budget.

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

Mr. Chairman, I rise today in strong support of H.R. 16327, which would authorize funds for the Peace Corps for fiscal year 1971.

The Peace Corps is making great strides under the leadership of Joseph H. Blatchford, who has reduced administrative expenditures while sharpening the impact of the Peace Corps abroad by making it more relevant to the needs of the host countries.

Since June 30, 1969, the Peace Corps has cut administrative staff by 22 percent to produce savings of almost \$1 million.

The Peace Corps has taken steps to increase its effectiveness overseas. Without losing sight of its role as a vehicle through which young people can demonstrate their concern for their world neighbors, it has opened its doors to those of more experience, more specific practical skills that serve the needs of developing nations. These countries have said to the Peace Corps: give us farmers, give us mechanics, give us more people with practical skills as well as dedication and enthusiasm. This, the Peace Corps has begun to do.

Recently the Peace Corps Director made a speech in Pittsburgh, and I am told that as a result, there were 200 walk-in applications from farmers, architects, experienced teachers, and engineers.

A mailing to farmers brought a response of 6,000 letters from farmers who wanted to apply for service overseas as Peace Corps volunteers.

The labor unions are cooperating with the Peace Corps in recruiting volunteers and in advising on new projects overseas that are relevant to the Peace Corps' new directions.

Since its inception, the Peace Corps has sent over 42,000 volunteers abroad. While we, from time to time, learn from the press of certain volunteers who have served their country poorly, these individuals are only a minute proportion of those who have served as volunteers.

Seldom reported are the stories of those dedicated Americans who serve their country well. We tend not to hear about the efforts of volunteers such as those in Bolivia who are helping the campesinos of that country upgrade their sheep production. Nor do we hear about the volunteer in Peru who extended his

service, and worked for more than 2 years with a group of small rice farmers to form a cooperative and construct a much-needed rice mill.

I am convinced that the Peace Corps is moving in the right direction and urge your support of the authorization bill we are considering today.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Chairman, I rise in strong support of the pending legislation.

I think, by and large, over the years those of us who have worked in the field of foreign affairs and have seen this program operate recognize the fact that it has done an outstanding job.

I think the changes which are suggested in the program to change its direction are excellent. After all, we have to remember that when representatives of the United States go into a country at the request of that country, we must necessarily leave at the request of that country, and I find nothing unusual about either of those events. I think that is the way the program ought to work regardless of whether there may be political motives behind either request. I think that the fact that in a few countries we have left at the request of the country is not particularly important.

Mr. Chairman, what I think is important is that we continue to encourage in this country the efforts on the part of the people of all ages who are willing to help people of underdeveloped countries, when these people want that help. The fact that our help may be interrupted from time to time because of changes in the country, I do not feel should detract one iota from our recognition of the good work done by the people of the Peace Corps. The change in direction which has been discussed by the Peace Corps is a change which will improve the program and, as I say, is an excellent one. In my judgment, I do not think there is any need as great as the need today in the underdeveloped countries for the transfer to and assimilation of technical know-how. Until now, this need has been largely frustrated despite the best efforts on the part of the underdeveloped countries because they lack both capital and human resources.

Mr. Chairman, what this program would seek to do now would be, in that highly critical area of skills, to encourage people in the underdeveloped countries to take over some of the jobs the Peace Corps has been doing so the Peace Corps can get away from the educational sector primarily and go primarily into the transfer of technical skills when the local skills are insufficient. In other words, we would be supplying a resource that does not exist in the country, so that the people in the country themselves would develop a program which would eventually fulfill their own needs.

Mr. Chairman, this is an ambitious program and I do not know that it can ever be fulfilled. Certainly, we could not put the responsibility on the Peace Corps of fulfilling all the requirements in the underdeveloped countries.

But it can make a substantial contribution.

After all, that problem has not been solved by all of the multilateral programs, financial institutions, and bilateral programs of technical assistance that are now sponsored by the developed countries for the benefit of the underdeveloped countries. The need is too great, Mr. Chairman. There is a fantastic need for the transfer of technical skills to the underdeveloped countries to help them do the things that they must eventually be able to do for themselves.

Therefore the change of emphasis in the Peace Corps program toward that objective is a very important one, and ought to be strongly supported.

Another significant change will be in ages of volunteers. The average age today of the Peace Corps volunteer is 24.1 years. In the effort to get the necessary technical skills we are going to people of an older age, and this includes people who have families. I believe that the proposed pilot program in this regard will prove to be an excellent solution. In any event, we ought to try it. I think we ought to encourage that effort on the part of the Peace Corps.

With reference to the funding of the program, I think the funding changes are minimal. The major cost increase of course is for the additional training of some 500 volunteers, although, even with this increase in the number trained, there is a reduction in the number of people in that level. As the gentleman from Iowa has pointed out, the fact is that, while the number of volunteers is being decreased to 10,000, there will be a new group of some 500 trainees which will be an input into the program costing an additional \$1.7 million. This is offset, however, by the total effort made by the Peace Corps in cutting their administrative cost. They have come in with administrative cost decreases of about \$700,000. When you apply that administrative cut which they have made against the total administrative cost we must agree that there is a very significant reduction.

The other changes are minor. The increase over last year's appropriation seems to be minimal.

Mr. Chairman, for all of these reasons, and the reasons which are fully set out in the report, I would hope that we could get a very substantial, if not unanimous, vote on this legislation.

Mr. ADAIR. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. MAILLIARD).

Mr. MAILLIARD. Mr. Chairman, I rise today in support of H.R. 16327 to amend the Peace Corps Act of 1961, to authorize the additional appropriations required to continue the worthy efforts of the Peace Corps volunteers.

Historically, American assistance to foreign countries has taken the form of Government-to-Government programs patterned after the highly successful Marshall plan. After war-torn Europe was reconstructed, our aid programs were primarily directed to the needs of the less-developed nations. Although billions of dollars were earmarked for development purposes, the basic needs of those at the local level often went un-

noticed. In 1961, the Peace Corps was established in an effort to bridge this gap in our aid programs to the less developed countries.

From its inception, the Peace Corps has done a great deal to dispel the "ugly American" image too often projected by U.S. representatives abroad. Operating on a person-to-person basis, the volunteers have demonstrated to Asians, Africans, and Latin Americans that the overwhelming majority of Americans are peace-loving people who are dedicated to improving the human condition.

But the Peace Corps has not been just a boon to our image abroad. It has also served as a vehicle for bringing many of our young people into public service while giving them a better perspective of the United States vis-a-vis the "third world" nations. While the Corps, as is the case of any other internationally oriented organization, has had some unfortunate problems with a few host countries, these isolated incidents ought not diminish the little-reported but substantial contributions made by American men and women who have volunteered their services.

When compared to our other development assistance programs, the success of Peace Corps operations has been one of the best returns on American tax dollars devoted to foreign aid. Moreover, the Peace Corps has not become, as have so many internationally oriented governmental agencies, overloaded at the administrative level in Washington. Rather than succumbing to the siren call of bureaucratic redtape, the Peace Corps, in fact, has reduced its Washington-based staff.

While the Peace Corps is not trying to expand, it is redirecting its program to give greater emphasis to volunteers with practical experience and technical skills. Such specialists are required if the Corps is to be effective in helping the people of the poorer nations to help themselves in the basic areas of agriculture, public health, education, and community development.

Under the able direction of Mr. Joseph Blatchford, who brings to government a distinguished record of achievement with Acción—a private organization similar to the Peace Corps—I am convinced that the Peace Corps will continue to play a useful role in projecting the United States image abroad.

Mr. Chairman, I therefore urge that sufficient funds be authorized to permit the Peace Corps to continue its good work and to implement its new policies.

(Mr. ANDERSON of Illinois, at the request of Mr. ADAIR, was granted permission to extend his remarks at this point in the RECORD.)

Mr. ANDERSON of Illinois. Mr. Chairman, I want to express my enthusiastic support for H.R. 16327, the Peace Corps authorization for fiscal 1971. I especially want to commend the House Committee on Foreign Affairs for recommending the full \$98.8 million which was requested by the administration. It seems to me this is a fair measure of the trust and support the Peace Corps continues to enjoy from this body and from the people of this Nation.

I particularly wanted to make that ob-

servations because there have appeared, in recent times, several articles critical of the Peace Corps and its new directions under the Nixon administration. It struck me as rather ironic while reading these pieces that here were liberal columnists and reporters assuming a totally reactionary position with regard to the Peace Corps. I say "reactionary" because their only substantive criticism was that the Peace Corps of today is not like the Peace Corps of old, and would it not be nice if we could somehow turn back the clock to the early sixties and Camelot when these young, idealistic knights in shining armor—hairshirts—sallied forth on foreign shores to tilt with those ancient enemies: ignorance, poverty, and disease.

As one who has consistently supported the Peace Corps from its very inception, I am not saying all this in criticism of its earlier efforts. I think the Peace Corps has served this country and the world well over the last decade, and I am confident, given its new directions and new leadership, that it will continue to make a valuable contribution. But what its contemporary critics fail to recognize or admit is: First, that their Camelot Peace Corps was more myth than reality; and second, that the world—and our role in it—has changed considerably over the last 10 years and that if the Peace Corps was to remain relevant and viable, it too must change.

When Joseph Blatchford took over the helm of the Peace Corps last year, he had no illusions about restoring Camelot because he realized that Camelot itself was an illusion. Moreover, the developing countries had learned that it takes more than dreams and idealism to build nations, as valuable as those qualities are. Almost without exception, these countries were asking for more technical assistance and more skilled expatriate volunteers. The new policy of the Peace Corps takes full cognizance of these changing conditions and changing needs. It also recognizes that the United States is moving from an era of paternalism to partnership in world affairs, and if any U.S. overseas operation can make partnership a reality in our relations with other countries, it is the Peace Corps with its people-to-people approach.

To meet the growing needs for more skilled volunteers, the Peace Corps has been recruiting more volunteers with special skills including craftsmen, teachers, farmers, and mechanics. You will notice that the bill before us contains provisions which would permit the recruitment, training, and assignment of volunteers having minor dependent children. By so doing, we will be able to attract volunteers having special skills and experience.

To encourage greater partnership, the Peace Corps has included host country nationals in all aspects of its operation including planning, selection, recruitment, training, placement, and evaluation. They have taken Peace Corps staff positions and are becoming increasingly involved in various Peace Corps projects. This is the essence of partnership.

A great number of other reforms have been undertaken by the Peace Corps to improve its effectiveness and impact. The

size of the staff has been reduced by 20 percent; much of the paternalistic red-tape has been removed, allowing volunteers to assume greater responsibility for themselves; American minority groups are being recruited in greater numbers than ever before; programs have been refashioned to better fit the needs and priorities set by the host countries; and Peace Corps trainees are receiving better training and support in the field.

In summary, the agency is undergoing a necessary transformation to better equip it to meet the third world needs of the seventies. This may not go down with liberal reactionary critics who are still living in the sixties, but I can assure you that it is being well received by those for whom the assistance is intended, and that should be, after all, our primary criteria.

And so, Mr. Chairman, I urge the passage of this legislation so that the Peace Corps may continue to function as one of the most successful and popular overseas assistance programs ever conceived and implemented by this Nation.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of the legislation before us today, and express enthusiasm for the change in direction, or at least the change in emphasis which I see in the Peace Corps over the past several months.

I believe the House should be aware that there has been a move toward increasing the professional abilities of those serving as volunteers in the Peace Corps. While applications from those of all ages able to teach commercial subjects in business colleges are up 121 percent, other rather specialized areas of business knowledge and teaching skill show significant increases that would be beneficial to our training effort abroad through Peace Corps activities.

For instance, applications to the Peace Corps from those with degrees in industrial arts and vocational education have increased 41 percent in the last year. Applications from Americans with degrees in agriculture have increased 47 percent. Perhaps agriculture is one of the most significant American talents which needs dissemination through the Peace Corps effort. Applications from members of unions who can teach vocational subjects such as electronics and mechanics and masonry are up 37 percent.

The number of applications from Americans over 30 years of age has also increased by about 45 percent in the past year. There has been an increase in active volunteers over 30 in the total Peace Corps membership from 5 percent last year to an estimated 12 percent this year. To cut this statistic into smaller pieces, applications for teachers with graduate degrees in education in the over 30 category are up 110 percent. One of the things the Philippines, for instance, is asking of the Peace Corps is experienced teachers. Last year the Peace Corps was able to come up with only 35 to 40 people in this category. This year they will be able to send to the Philippines 140 people who have experience in teaching. Experienced

primary teachers, in this total, incidentally, have increased 130 percent.

Applications from farmers with practical experience have increased 40 percent. The increase in those with business administration degrees and working experience after receiving the degree increased 120 percent.

This year for the first time full families will be moving into the Peace Corps. An estimated 200 will be included in the program before this year is out.

So, Mr. Chairman, I feel, with the change in emphasis in the Peace Corps, we would be ill advised to discourage these new directions by cutting back on the amount of money funded for this program. The budget request of \$98.8 million would provide for trainee input of 7,000 trainees this year. If that is cut substantially, the reduction in trainees will be cut even more sharply. So I would hope we will see renewed confidence expressed in the Peace Corps this year, particularly in light of the new directions this organization is taking.

Mr. COHELAN. Mr. Chairman, I rise in strong support for the Peace Corps authorization bill for fiscal year 1971.

The Peace Corps has been and continues to be a beneficial extension of our foreign policy. The Corps employs the idealism of our Nation's citizens in helping our less fortunate brethren overseas. It must be admitted that all the activities of the Peace Corps have not been unqualified successes, but in my capacity as a member of the Foreign Operations Appropriations Subcommittee, I have made it a point to check on these activities in many nations. I have been impressed with the dedication and work of the volunteers. This people-to-people approach has proven itself in numerous instances to be a most efficacious way to translate the ideals of the United States to other nations.

Mr. Chairman, I feel that the Foreign Affairs Committee has, on balance, reported a good bill. I know that the \$98.8 million authorization will be an adequate figure to keep the Corps operating at an efficient level. The committee's amendment allowing volunteers with minor children is another constructive amendment. I feel that the Peace Corps should be broadened to allow more skills, but I do not feel that this commendable goal should be elevated over the idealism that has permeated and motivated the Corps since its inception.

It is for this reason I am opposed to the committee amendment authorizing the Director to issue regulations to prohibit Corpsmen from any activity determined by him to be detrimental to the "best interests of the United States." Mr. Chairman, the Director already has this authority, but by putting it into the bill, I am concerned that many present and future volunteers will see it as a congressional attempt to limit their freedom of speech.

Mr. Chairman, I have always been impressed with the idealism, dedication and work of the Peace Corps in many nations. Peace Corps volunteers are truly an asset to this Nation overseas. They bear witness to all that our Nation stands for—its ideals, its humanity, its compas-

sion. I urge my colleagues to support this authorization.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong support of H.R. 16327. This bill was discussed thoroughly in our committee, and I trust it will be approved overwhelmingly.

In the years since the Peace Corps was first established much has happened and much has been accomplished. In my opinion the objectives and operations of the Peace Corps have developed in a constructive way. It has received broad support in this body in previous years and it should receive such support now.

Others have pointed out that Mr. Blatchford, currently Director of the Peace Corps, has taken the initiative in emphasizing the importance of skilled volunteers. There is new emphasis now also on the usefulness of older persons, and of individuals who are married and who have children.

The funds authorized in this bill do not provide for a major expansion of the Peace Corps, but will make possible a further redirection in its objectives. Finding individuals with graphic and appropriate skills is not an easy task but it is already bearing fruit. In the coming year, we hope to see the Peace Corps a practical and an increasingly useful instrument by which this country provides assistance to others.

Mr. RODINO. Mr. Chairman, I am pleased to rise in support of the legislation before us to authorize appropriations for continuance of the work of our U.S. Peace Corps.

We are all vitally concerned about peace. I cannot conceive in this day and age of anything that is more important to any American citizen than the goal of securing peace throughout the world.

It is tragic that mankind—so successful in developing the most intricate technological devices, in discovering the most obscure and complex secrets of nature and in conquering vast new worlds through space exploration—has failed so miserably at the task of living peacefully with his fellow man. We have reached the moon—and has the time not come to achieve the adventure of a peaceful earth?

To me, the Peace Corps represents a small but crucial way in which we are working toward world peace. At a time when young people throughout the country are often expressing their discontent with our imperfect society in violence and disruption and a revolt against law and order, it is truly inspiring to know of the young Peace Corps volunteers whose discontent has led them to join in this unselfish and dedicated effort to help others and in small ways to improve the lot of people throughout the world.

Someone has said that "I am for the future. I expect to live the rest of my life there."

So, Mr. Chairman, all of us here are going to live the rest of our lives in the future, which will be a better one because of the Peace Corps. I most strongly urge my colleagues to give support to this legislation to assure its continuance.

Mr. DERWINSKI. Mr. Chairman, I support H.R. 16327, since I recognize that the Peace Corps is now a permanent op-

eration. We must, however, modify the program to adjust to changing conditions and to the needs of the countries which welcome the volunteers.

Obviously the administrators of the program must have the practical flexibility required for efficient management. This must include the authority to discipline individuals or groups of volunteers whose behavior causes problems in the nations to which they are assigned or who pursue a course of action contrary to the best interest of the United States.

I concur with the reemphasis of practical rather than theoretical training, and believe that individuals recruited as Peace Corps personnel should, whenever possible, have practical experience and knowledge related to the subjects to which they are assigned.

I believe the bill presented by our committee is a realistic measure in tune with current problems facing the Peace Corps.

Mr. PRICE of Texas. Mr. Chairman, the legislation before the House today would amend the Peace Corps Act to authorize, among other things, an additional appropriation for fiscal year 1971 in the amount of \$350,000. In my judgment I do not think this additional expenditure to be a wise one.

I base my conclusion on two basic reasons. Inasmuch as our economy is gripped with spiraling inflation which the Nixon administration is trying to turn around without causing a recession, I do not think this year to be an appropriate time for making any but the most-needed Federal expenditures. I do not put this additional Peace Corps appropriation in the category of vitally needed or strictly essential expenditures. Second, it appears that every time an American dignitary such as the Secretary of State or a Presidential representative on a factfinding tour goes abroad, he has been subjected to bitter and violent demonstrations, many of which have been organized and promoted by Peace Corps volunteers. These reprehensible activities have reached such epidemic proportions that Peace Corps purposes and programs have been undermined in the eyes of this Nation and the world.

I realize a provision is made in the proposed amendments to give the Peace Corps Director discretionary authority to set forth regulations which would have the effect of prohibiting Peace Corps volunteers from engaging in anti-American activities while serving abroad. In my judgment, however, this does not go far enough. I believe these odious activities have such grave foreign policy implications that Congress has a great responsibility to make this authority mandatory rather than discretionary.

In summary then, Mr. Chairman, I do not believe that either current economic conditions or the current state of Peace Corps operations are such that the Congress can justify spending additional funds on the program at this time.

Mr. ROTH. Mr. Chairman, since it came into being in 1961, the Peace Corps has challenged and inspired the young people of our Nation to involve themselves in the battle against illiteracy, disease, hunger, and despair around the

world. More than any other program of the Federal Government, it has given the youth of America a chance to show how their idealism and energy can be put to work to help our less fortunate neighbors. Indeed, the Peace Corps has come to be a symbol of American interest and compassion.

I strongly urge all my colleagues on the Foreign Affairs Committee and in the House to give their support to this year's Peace Corps Act. In it there are a number of important amendments which reflect changing needs and conditions in the host countries. Under the dynamic leadership of its director, Joseph Blatchford, the Peace Corps has become increasingly flexible and responsive in designing programs to meet these changing needs.

Perhaps the most promising and significant changes of H.R. 16327 are those that would facilitate the implementation of a new policy to make greater use of volunteers who are experienced in farming, industry, and other fields, whose services are required by the less developed countries. With the cooperation of labor and industry the Peace Corps hopes to attract 200 volunteers this year in fields as varied as industrial and management consulting, educational television, city services, and agriculture and engineering research. Eventually, it is hoped that from 25 to 30 percent of all volunteers will come from such highly specialized occupations.

Mr. Chairman, I believe the Peace Corps is entitled to the support and encouragement of Congress. At a time when the tides of suspicion and hatred among the nations and peoples of the world seem to run higher than ever before, our Peace Corps volunteers can help spread the precious message of good will, brotherhood, and hope wherever they go.

Finally, and perhaps most important of all, the Peace Corps is vitally important to the youth of our country. Through the Peace Corps, young Americans have had and will continue to have the opportunity to show that Americans, despite the blessings of our material prosperity, will never complacently accept the sufferings of those who have been less fortunate. I urge my colleagues to support this vitally important program which means so much, both to our youth and to the nations of the developing world who have such an urgent need for their talents and contributions.

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

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

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

The Clerk read as follows:

H.R. 16327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act (22 U.S.C. 2502 (b)), which authorizes appropriations to carry out the purposes of that Act, is amended—

(1) by striking out "1970" and "\$98,450,000" and inserting in lieu thereof "1971" and "\$98,800,000", respectively; and

(2) by striking out the last sentence thereof.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment:

On page 1, strike out all of lines 3 through 9 and insert:

"That section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), which authorizes appropriations to carry out the purposes of that Act, is amended by striking out '1970' and '\$98,450,000' and inserting in lieu thereof '1971' and '\$98,800,000', respectively."

AMENDMENT OFFERED BY MR. GROSS TO THE COMMITTEE AMENDMENT

Mr. GROSS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS to the committee amendment: On page 2, line 5, strike out "\$98,800,000" and insert in lieu thereof "\$70,000,000".

Mr. GROSS. Mr. Chairman, somewhere, somehow, someday Congress is going to have to make a downpayment on the debt of this country. I cannot think of a better place to begin than right here. If I had my way, if I had my "druthers," I would abolish this so-called Peace Corps program here and now. Let no one labor under any illusions as to where I stand. I offer this amendment in an effort to save some money and make a payment on some of the other pressing demands in this country.

As I said a few moments ago, in a short colloquy with the distinguished chairman of the House Foreign Affairs Committee, I read in the newspaper this morning that we are about to turn over another \$100 million for some kind of economic aid to Vietnam. I do not know where that \$100 million is going to come from.

The same story says that we are committed or about to become committed to another \$50 million to build houses in Vietnam. That is just two examples of spending these days. It is so easy to spend the taxpayers' money without any regard to where the money is coming from. Borrow and spend, borrow and spend.

Someone spoke of the great accomplishments of this organization. I have not heard anybody deal in specifics. We have no peace but we do have more enemies around the world today than we ever had, despite all of the millions that have been spent on the Peace Corps.

I was around here when this program got into motion, and I remember the start—\$10,000 for a feasibility study of the Peace Corps. Do you know where that originated? In the 1960 political campaign there was the suggestion for a Peace Corps. And faster than you say "New Frontier" or "2 o'clock in the morning," it took off in 1961. Without even permanent legislation \$17,500,000 was spent to get this Peace Corps show on the road. That is the way this boondoggle has been going. And I say again, we have more enemies around the world today than ever, despite all the millions that have been pumped into this organization.

Remember Mauritius, which the British turned loose not too long ago? Well, we imported 10 natives from that coun-

try to Washington to teach 27 members of the Peace Corps to speak the language of that little island, although it had been under British control for years and most of the population spoke English. Moreover, why should we take over a responsibility that belonged to the British?

In Guinea, the Peace Corps provided \$32,500 for 17 automobile mechanics to maintain a bus line for that country's dictator.

Things got so bad in the Peace Corps that they had to hire an advertising agency not too long ago to paint a glowing picture of its alleged achievements, achievements that nobody here today is prepared to support with specifics.

Someone spoke about the administrative costs. The submission by the Peace Corps, by Mr. Blatchford himself, shows that the biggest item of the expenditure proposed for fiscal 1971, the bill here today, is for administrative costs.

The Senate hearings show that 193 of the Peace Corps staff, out of a total of 1,100 employees, make \$20,000 or more—and this is the "bare-bones" organization we heard so much about.

The biggest spending, the biggest cut out of this pie of \$98,800,000 is for administrative costs. That is the submission. Blatchford says he is going to put the Peace Corps on a "diet," he is going to cut it back. He cuts the personnel and then increases the amount. What a "diet."

All I am trying to do with my amendment is to salvage a little bit out of this program to apply somewhere else.

When—when is the House of Representatives, when is this Congress going to do something but smile when some of us mention \$385 billion of Federal debt and not one dime being paid on that debt? Instead, it was increased \$18 billion the other day, with a ceiling of \$395 billion. When is there going to be some concern for fiscal sanity in this country? When are we going to talk about a payment on the Federal debt? How do we reduce the annual \$20 billion of interest on the Federal debt unless we pay something on the debt itself? Or do we want to see this country dissolved in the throes of bankruptcy?

I have not heard of any cutback of technical assistance in the foreign hand-out program. This Peace Corps program was supposed to replace the so-called technicians in the foreign aid program. It never did any such thing.

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

(By unanimous consent, Mr. GROSS was allowed to proceed for 5 additional minutes.)

Mr. GROSS. I know just one thing: That we cannot go on policing and financing the world. We, who are 6 percent of the world's population, cannot go on underwriting this kind of responsibility. We are bogged down in a war with no real end in sight. It is about time we cut back and cut to the bone—and I mean cut to the bone—expenditures for this and every other wet-nursing program we now have going around the world.

Mr. Chairman, I urge the adoption of my amendment in the interest of just a little bit of fiscal sanity.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the gentleman's amendment. I listened to the gentleman's discussion about saving money on our programs around the world and reducing the budget. I expected the gentleman to make that kind of speech the other day when the veto message of the President was before the House, but he did not make such a speech that day. He voted for spending money.

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

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

Mr. GROSS. Mr. Chairman, at least that money may yet be spent in behalf of the people of this country and not on some ingrate standing on the street-corner with a tin cup somewhere else in the world.

Mr. MORGAN. Mr. Chairman, I still think the Peace Corps money is being spent for the interest of the people of this country.

The gentleman, of course, covered the waterfront including Vietnam. I do not think the Peace Corps has a single thing to do with Vietnam. We do not have Peace Corps volunteers in Vietnam. The headlines in the paper say an additional \$100 million in economic aid, is going to be allocated to Vietnam and I am sure no one is going to object to \$100 million in economic aid if it will help us get out of Vietnam.

But, Mr. Chairman, the gentleman's cut of \$20 million is a deep and serious cut to this program. Many people are already in training because the Peace Corps year does not coincide with the fiscal year. We have invested money in these trainees who will be ready to go overseas this fall, and, a cut of this kind is going to cripple this program.

It would be a serious blow to the Peace Corps.

I want to emphasize what the gentleman from Indiana, Mr. ADAIR, said about the new Director of the Peace Corps. I believe he is trying to cut the program back. He has cut the number of volunteers back, from 10,500 to 10,000. He has reduced the overall number of employees by 22 percent. This is a saving of over a million dollars in actual money.

I believe this man has done an impressive job in trying to turn the Peace Corps in a new direction, by recruiting skilled laborers and technicians.

The amendment offered by my friend the gentleman from Iowa of course will put one third of the Peace Corps out of business. If we do that perhaps we might as well put it all out of business. There are 2,500 new volunteers who will be ready to leave in September. This will cripple the whole program.

I ask the Members to stand with the committee. The same type of amendment was offered in the committee and was defeated.

The bill came out of the Committee on Foreign Affairs by a vote of 30 to 2. The gentleman from Iowa was successful in getting an amendment in the bill, which was adopted after it was amended. The bill went through the committee with the endorsement of an overwhelming majority of the committee.

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

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

Mr. FASCELL. I asked the gentleman to yield only to set the record straight on one matter.

The charge has been made that the administrative costs exceed all other parts of the expenditures for this program. As a matter of fact, is it not true that the fiscal year 1971 program costs are \$67.4 million and administrative costs are only \$31.4 million?

Mr. MORGAN. That is correct. The gentleman from Iowa indicated that a major part of the money was for administrative costs. Of course, most of it is for program costs.

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

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

Mr. FRELINGHUYSEN. Is it not also true that the proposed spending for administrative cost is something like \$700,000 less than was spent in fiscal year 1970? In other words, there is a very tight control on the administrative cost. There are fewer employees, and a lesser amount to be spent, in spite of the higher wage scales.

I believe the amendment offered by the gentleman from Iowa should be opposed. This kind of cut would be far too drastic. It would be not only a cutting to the bone but a serious crippling of a worthwhile program.

Mr. MORGAN. The gentleman is correct.

Mr. Chairman, I ask for defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. Gross) to the committee amendment.

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 14, noes 38.

So the amendment to the committee amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS TO THE COMMITTEE AMENDMENT

Mr. GROSS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS to the committee amendment: On page 2, line 5, strike "98,800,000" and insert "\$90,000,000".

Mr. GROSS. Mr. Chairman, I shall not take 5 minutes. It is not necessary to do so to explain the amendment.

This would reduce the the authorization in the bill to \$90 million, which is the figure already approved by the other body. It is just that simple. The other body has already approved \$90 million, and I should dislike very much to think that the House had suddenly become the big spending body in the Congress. If you want to save a few million dollars and not saddle that much more debt upon your children and grandchildren, you can make a start, a very slight start, right here.

Mr. ADAIR. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa.

Mr. Chairman, in addition to the points already made during the debate on the previous proposal of the gentleman from Iowa, I would simply add this: We were

informed during the hearings that most of any cut at this time would be reflected in a lesser input of volunteers into the program. So a cut of this size, \$8.8 million, would have an effect for 2 or possibly 3 years in that the number of volunteers in training and in service would be reduced. Therefore, if we are to continue this program at the somewhat reduced level which is proposed here, it would be desirable to defeat the amendment offered by the gentleman from Iowa.

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

Mr. Chairman, I am not going to repeat what I said before on the gentleman's previous amendment to cut \$28 million. He now proposes a cut of \$8.8 million and has based it on what was done in the other body. In our hearings on this bill we looked at the program carefully. I want to say this: If you are going to have a change in emphasis in this program where you will try to move away from the young college graduate to the skilled technician, you will need these additional funds. It is very important that the amendment offered by the gentleman from Iowa be defeated. If you are interested in seeing a new emphasis in a new Peace Corps moving forward without the older type of volunteer, I ask for the defeat of the amendment.

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

Mr. Chairman, I rise today to strongly oppose this ill-advised attempt to cut the authorization for the Peace Corps by \$8.8 million.

This bill authorizes a 1-year expenditure of only \$98.8 million—not an overwhelming amount when compared to the tens of billions this body annually approves for a multitude of other programs, including more than \$70 billion for defense.

Yet, dollar for dollar, few, if any, programs can offer the rewards in good works and good will that the Peace Corps has reaped for this Nation in the relatively few years of its existence.

At a time, Mr. Chairman, when so many Members of this body and people across our land are talking peace, can we not afford \$98.8 million for peace?

At a time when so many Members of this body are urging the youth of America to stay within the system, work within the system, help to improve the system, can we afford to start shutting one of the few doors that are open to them to follow this course?

And, at a time when the Peace Corps itself is moving in new directions long advocated by many in this body, can we afford to slap down this effort to gear this program for the 1970's.

The Peace Corps, Mr. Chairman, is broadening its appeal to include Americans of all ages and of greater competence. It now admits families and draws from the professions, farming, and labor.

As I stated in this Chamber last month, this new recruitment effort is in full swing. It already has succeeded in doubling the number of applicants over 30 years of age; in doubling the

number of farmers available for service; in increasing by 50 percent the number of applicants with craft skills such as mechanics, carpentry and welding; and in increasing by 40 percent the number of experienced teachers who have applied.

In the interests of economy and efficiency, the Corps has reduced the size of its Washington staff by 22 percent. This is not an inflated budget geared to providing comfortable jobs for a huge Washington headquarters. The great bulk of this budget is needed to support existing programs.

So if there is a cutback, it will result in direct reductions of the number of new trainees who can be accommodated. This is a point I urge my colleagues to remember—a reduction in this modest request will not simply slice away some fat, it will carve a vital portion from the heart of this worthwhile and noble program.

Let me give you just one example: A 20-percent reduction in this authorization would result in a 50-percent cut in new trainees. If this body concurs with such an action, it had better be prepared to admit that, in effect, it voted to end the Peace Corps, for I believe that this would be the result of such a reduction.

And, finally, I would remind my colleagues that this will be our only chance to act on this measure this year. Since the entire Peace Corps appropriations for fiscal year 1971 was dropped from the foreign aid appropriations bill last month, this is the time to make our wishes known on this matter.

On April 10 of this year, Senator BARRY GOLDWATER spoke on the Senate floor in favor of full funding for the Peace Corps. Senator GOLDWATER said at that time:

To me the Peace Corps is the best thing we have going in the field of foreign relations. It is the type thing that I think we must do more of—the person-to-person approach in foreign countries where the young people and the older people are able to show the people of other lands how we accomplish things with our hands.

Mr. Chairman, this is what this bill before us today will do. It will allow us to continue to give to others around the world the skills and the knowledge we have acquired through the years.

And, in the simple act of giving this help, we will be strengthening our ties with those people and also our national spirit. And we will be exhibiting the type of selflessness that has made this country great. I strongly urge the defeat of this amendment which would damage that noble effort.

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to commend the gentleman from Massachusetts on a very eloquent statement. He has provided us with ample evidence as to why this amendment should be rejected. Certainly it is no argument at all that we should accept what the other body has done and, in effect, be a rubberstamp. If we think a program is good and needs adequate funding, we should vote for the

full amount recommended by the committee.

Mr. CONTE. I thank the gentleman.

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

Mr. Chairman, I did not intend to get into this debate, but I cannot help being amused by the speech which Mr. Blatchford sent up and which was just delivered, a speech singing his own praises.

I do not care whether you people in the minority listen or not, but I want to talk to the majority. I want to tell you about Mr. Blatchford that they have been praising. He is a Republican hatchetman. He has been going around the country making speeches, until I pulled him up short as chairman of the subcommittee which has legislative oversight, demanding and asking that they knock Democrats out of Congress. I am not surprised that he sends glowing speeches up here about the great job which he is doing. He is adept at blowing his own horn. He is also adept at being a political hatchetman.

Mr. Chairman, I shall not argue about the relative merits as to the results which he has been obtaining for himself in traveling all over the world and indoctrinating any and all who would listen with his own particular type of propaganda. I do not think we need to get too much really worried about it. He was a candidate for Congress and he could not get elected in one congressional district. So, I do not think he is going to change the whole complexion of the House of Representatives.

However, Mr. Chairman, I am not going to sit around here and have everyone tell us what a great genius he is and how he has taken this great organization and made it so good, because it just is not so.

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

Mr. HAYS. Yes; I yield to the gentleman from Iowa.

Mr. GROSS. Blatchford might better have spent his time dislodging that bunch of Peace Corps demonstrators who took over and held the headquarters in Washington for 36 or 37 hours in the course of which they hung the Vietcong flag out the window. He might better have spent his time correcting that situation.

Mr. HAYS. I do not know why he did not do that or anything about it. But I want to tell you one thing. He has motivated me in just the opposite direction by the speeches which he has sent up here. I am going to send him a letter tomorrow and ask him how much money they spent in travel last year. You know, I did that in the AID agency but I have not had a chance to go over it in detail.

But I thought you might like to know, while we are talking about the administration which is saving so much money, that last year the AID agency from their Washington headquarters alone spent 21,000 days in travel, 21,000 accumulated days. Now, the people upstairs like to talk about the junketeering Congressmen, that is probably more days than all the Congresses in the history of the

United States have spent in travel. That is one agency in 1 year from their Washington headquarters.

So as a result of the eloquent speech which you just delivered, let me say I will find out how much money they spent in travel.

Mr. CONTE. Mr. Chairman, will the gentleman yield at that point?

Mr. HAYS. I will yield to the gentleman from Massachusetts, at his own risk. I will yield to you.

Mr. CONTE. First of all I want you to know that that speech I gave and delivered, that I read and did my own research on my own subject.

Mr. HAYS. Let me tell you something—Mr. Chairman, I do not yield any further to the gentleman from Massachusetts.

Mr. CONTE. You have probably beaten everybody out as far as travel goes.

Mr. HAYS. Mr. Chairman, I decline to yield further.

The CHAIRMAN. The gentleman from Ohio declines to yield further to the gentleman from Massachusetts.

Mr. HAYS. That is the same speech that Mr. Blatchford sent up—

Mr. CONTE. Mr. Chairman—

Mr. HAYS. To the Democratic side, but nobody wanted to read it.

The CHAIRMAN. The gentleman declines to yield further.

Mr. HAYS. It is just barely possible, that by some coincidence you thought the same things they thought and said them the same way, and I accept your statement. If you say it was your speech, it was your speech.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:
Committee amendment: Page 2, line 6, insert:

"Sec. 2. Section 4(c) of such Act (22 U.S.C. 2503(c)) is amended by adding at the end thereof the following new paragraph:

"(4) The Director of the Peace Corps may prescribe such regulations as may be necessary to assure that no individual performing service for the Peace Corps under any authority contained in this Act shall engage in any activity determined by the Director to be detrimental to the best interests of the United States."

The committee amendment was agreed to.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The remainder of the bill is as follows:

Sec. 2. (a) Section 5(c) of such Act (22 U.S.C. 2504(c)), which relates to a readjustment allowance for volunteers, is amended—

(1) by inserting immediately before the period at the end of the first sentence thereof the following: "except that, in the cases of volunteers who have one or more minor children at the time of their entering a period of pre-enrollment training, one parent shall be entitled to receive a readjustment allowance at a rate not to exceed \$125 for each month of satisfactory service as determined by the President"; and

(2) by striking out "the Act of August 3, 1950, chapter 518, section 1 (5 U.S.C. 61f)" and inserting in lieu thereof "section 5582(b) of title 5, United States Code".

(b) Section 5 of such Act (5 U.S.C. 2504), which relates to Peace Corps volunteers, is amended by adding at the end thereof the following new subsections:

"(m) The minor children of a volunteer living with the volunteer may receive—

"(1) such living, travel, education, and leave allowances, such housing, transportation, subsistence, and essential special items of clothing as the President may determine;

"(2) such health care, including health care following the volunteer's service for illness or injury incurred during such service, and health and accident insurance, as the President may determine and upon such terms as he may determine, including health care in any facility referred to in subsection (e) of this section, subject to such conditions as the President may prescribe and subject to reimbursement of appropriations as provided in such subsection (e);

"(3) such orientation, language, and other training necessary to accomplish the purposes of this Act as the President may determine; and

"(4) the benefits of subsection (1) of this section on the same basis as volunteers.

"(n) The costs of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of a volunteer who has one or more minor children at the time of his entering a period of pre-enrollment training may be paid from the date of his departure from his place of residence to enter training until no later than three months after termination of his service."

Sec. 3. Clause (3) of section 6 of such Act (22 U.S.C. 2505), which relates to Peace Corps volunteer leaders, is amended by striking out "and a married volunteer's child if born during the volunteer's service".

Sec. 4. Paragraph (3) of section 7(a) of such Act (22 U.S.C. 2506(a)), which relates to Peace Corps employees, is amended to read as follows:

"(3) The President may specify what additional allowance authorized by section 5941 of title 5, United States Code, and which of the allowances and differentials authorized by sections 5923 through 5925 of such title 5, may be granted to any person employed, appointed, or assigned under this subsection and may determine the rates thereof not to exceed the rates otherwise granted to employees under the sections of title 5, United States Code, referred to in this paragraph."

Sec. 5. (a) Subsection (a) of section 13 of such Act (22 U.S.C. 2512), which relates to experts and consultants, is amended—

(1) by striking out "section 15 of the Act of August 12, 1946, as amended (5 U.S.C. 55a)" and inserting in lieu thereof "section 3109 of title 5, United States Code"; and

(2) by striking out "\$75 per diem" and inserting in lieu thereof "the per diem equivalent of the highest rate payable under section 5332 of title 5, United States Code".

(b) Subsection (b) of such section 13 is amended by striking out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and "section 201 of the Dual Compensation Act" and inserting in lieu thereof "sections 3323(b) and 8344 of title 5, United States Code" and "section 5532 of title 5, United States Code", respectively.

Sec. 6. Subsection (b) of section 14 of such Act (22 U.S.C. 2513), which relates to detailing personnel to foreign governments and international organizations, is amended by striking out "section 1765 of the Revised Statutes (5 U.S.C. 70)" and inserting in lieu thereof "section 5536 of title 5, United States Code".

Sec. 7. (a) Clause (3) of subsection (a) of section 301 of such Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by striking out all that follows "and participation in," and inserting in lieu thereof "international voluntary service programs and activities."

(b) Paragraph (2) of subsection (b) of such section 301 is amended to read as follows:

"(2) Not more than \$300,000 may be used in fiscal year 1971 to carry out the provisions of clause (3) of subsection (a) of this section. Such funds may be contributed to educational institutions, private voluntary organizations, international organizations, and foreign governments or agencies thereof, to pay a fair and proportionate share of the costs of encouraging the development of, and participation in, international voluntary programs and activities."

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 15, strike out "Sec. 2." and insert in lieu thereof "Sec. 3."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 7, strike out "preenrollment" and insert in lieu thereof "pre-enrollment."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 11, strike out "Sec. 5." and insert in lieu thereof "Sec. 4."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 15, strike out "Sec. 4." and insert in lieu thereof "Sec. 5."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 3, strike out "Sec. 5." and insert in lieu thereof "Sec. 6."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 7, strike out "12," and insert in lieu thereof "2."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 21, strike out "Sec. 6." and insert in lieu thereof "Sec. 7."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 6, immediately after line 2, insert the following:

"Sec. 8. Subsection (g) of section 25 of such Act (22 U.S.C. 2522) is amended by striking out 'and 6(2)' and inserting in lieu thereof ', 5(m), and 6(2)'."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 6, line 6, strike out "Sec. 7." and insert in lieu thereof "Sec. 9."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of Union, reported that that Committee having had under consideration the bill (H.R. 16327) to amend the Peace Corps Act to authorize additional appropriations, and for other purposes, pursuant to House Resolution 1119, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GROSS

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. GROSS moves to recommit the bill H.R. 16327, to the Committee on Foreign Affairs with instructions to report the bill back forthwith with the following amendment: Page 2, line 5, strike out "\$98,800,000" and insert in lieu thereof "\$70,000,000."

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is

not present and make a 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 118, nays 245, not voting 68, as follows:

[Roll No. 201]

YEAS—118

Abernethy
Andrews, Ala.
Ashbrook
Ayres
Belcher
Betts
Bevill
Blackburn
Bray
Brinkley
Broyhill, Va.
Burke, Fla.
Burlison, Mo.
Caffery
Camp
Carter
Chappell
Clancy
Clawson, Del.
Collins
Cowger
Crane
Daniel, Va.
Davis, Wis.
de la Garza
Delaney
Denney
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Eshleman
Evins, Tenn.
Fisher
Flowers
Flynt
Fountain
Fuqua

Gallifanakis
Gettys
Gialmo
Goldwater
Goodling
Green, Oreg.
Griffin
Gross
Hagan
Haley
Hall
Hammer-
schmidt
Harsha
Hébert
Henderson
Hogan
Hull
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
King
Kleppe
Kuykendall
Kyl
Landgrebe
Langen
Latta
Lennon
Loweinstein
Lujan
Lukens
McEwen
McMillan
Mann
Marsh

Martin
Mayne
Miller, Ohio
Mills
Mizell
Nelsen
O'Konski
O'Neal, Ga.
Price, Tex.
Quillen
Rivers
Rogers, Fla.
Roudebush
Rousslet
Ruth
Satterfield
Schadeberg
Scherle
Schmitz
Scott
Sebelius
Sikes
Smith, Calif.
Smith, Iowa
Snyder
Steiger, Ariz.
Taylor
Thompson, Ga.
Waggonner
Watkins
Watson
Whitehurst
Wiggins
Williams
Winn
Wold
Wylie
Wyman
Zion

NAYS—245

Adair
Adams
Addabbo
Alberr
Alexander
Anderson,
Calif.
Andrews,
N. Dak.
Annunzio
Arends
Ashley
Barrett
Beall, Md.
Bennett
Biaggi
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Casey
Cederberg
Celler
Chamberlain
Chisholm
Clark
Clausen,
Don H.

Clay
Cleveland
Cohelan
Collier
Conable
Conte
Corbett
Corman
Culver
Cunningham
Daddario
Daniels, N.J.
Davis, Ga.
Dellenback
Dent
Derwinski
Dingell
Donohue
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fish
Flood
Foley
Ford, Gerald R.
Ford,
William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.

Gaydos
Gibbons
Gilbert
Gonzalez
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Harrington
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hollfield
Horton
Howard
Jacobs
Johnson, Calif.
Kastenmeier
Kazen
Keith
Kluczynski
Koch
Kyros
Leggett
Lloyd
Long, Md.
McCarthy
McClary
McClory
McCloskey
McClure
McCulloch
McDade
McKneally

Macdonald,
Mass.
MacGregor
Madden
Mahon
Mailliard
Mathias
Matsunaga
May
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Minish
Mink
Mize
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Philbin

Pickle
Pike
Pirnie
Podell
Poff
Preyer, N.C.
Price, Ill.
Pucinski
Quie
Rallsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegler
Robison
Rodino
Roe
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Ruppe
Ryan
St Germain
Sandman
Schneebell
Schwengel
Shriver
Sisk
Skubitz
Slack
Smith, N.Y.
Springer
Stafford

Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Symington
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Derlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watts
Whalen
Whalley
White
Widnall
Wilson, Bob
Wolf
Wyatt
Wylder
Yates
Yatron
Young
Zablocki
Zwack

NOT VOTING—68

Abbt
Anderson, Ill.
Anderson,
Tenn.
Aspinall
Baring
Bell, Calif.
Berry
Blatnik
Brock
Brooks
Broomfield
Brown, Calif.
Burlison, Tex.
Burton, Utah
Cabell
Carey
Colmer
Conyers
Coughlin
Cramer
Dawson
Diggs
Edwards, La.

Findley
Foreman
Frey
Gallagher
Garmatz
Gray
Hansen, Wash.
Hastings
Hosmer
Hungate
Ichord
Jones, Tenn.
Karth
Kee
Kirwan
Landrum
Long, La.
McDonald,
Mich.
McFall
Meskill
Minshall
Montgomery
Morton

Nichols
Ottinger
Passman
Pettis
Poage
Pollock
Powell
Pryor, Ark.
Purcell
Rarick
Roberts
Rogers, Colo.
Saylor
Scheuer
Shibley
Sullivan
Taft
Talcott
Weicker
Whitten
Wilson,
Charles H.
Wright

So the motion to recommit was rejected.

The Clerk announced the following pairs.

On this vote:

Mr. Long of Louisiana for, with Mr. Garmatz against.

Mr. Baring for, with Mr. Shibley against.

Mr. Nichols for, with Mr. Roberts against.

Mr. Passman for, with Mr. Gallagher against.

Mr. Rarick for, with Mr. Gray against.

Mr. Whitten for, with Mr. Rogers of Colorado against.

Mr. Colmer for, with Mr. Aspinall against.

Mr. Frey for, with Mr. Hosmer against.

Mr. Cramer for, with Mr. Saylor against.

Mr. Foreman for, with Mr. Anderson of Illinois, against.

Mr. Berry for, with Mr. Pettis against.

Mr. Abbt for, with Mr. Kee against.

Until further notice:

Mr. Hungate with Mr. Coughlin.

Mr. Brooks with Mr. Findley.

Mr. Ichord with Mr. Bell of California.

Mr. Carey with Mr. Hastings.

Mr. McFall with Mr. McDonald of Michigan.

Mr. Burlison of Texas with Mr. Brock.

Mr. Cabell with Mr. Minshall.

Mr. Edwards of Louisiana with Mr. Burton of Utah.
Mrs. Hansen of Washington with Mr. Mor-ton.
Mrs. Sullivan with Mr. Meskill.
Mr. Wright with Mr. Pollock.
Mr. Jones of Tennessee with Mr. Talcott.
Mr. Pryor of Arkansas with Mr. Purcell.
Mr. Karth with Mr. Weicker.
Mr. Anderson of Tennessee with Mr. Taft.
Mr. Brown of California with Mr. Diggs.
Mr. Kirwan with Mr. Conyers.
Mr. Ottinger with Mr. Powell.
Mr. Scheuer with Mr. Dawson.
Mr. Charles H. Wilson with Mr. Landrum.

Messrs. BARRETT, WILLIAM D. FORD, VIGORITO, ARENDS, REIFEL, MIZE, and GUBSER, and Mrs. REID of Illinois changed their votes from "yea" to "nay."

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 316, nays 46, not voting 69, as follows:

[Roll No. 202]

YEAS—316

Adair	Corbett	Green, Oreg.
Adams	Corman	Green, Pa.
Addabbo	Cowger	Griffiths
Albert	Crane	Grover
Anderson,	Culver	Gubser
Calif.	Cunningham	Gude
Andrews,	Daddario	Halpern
N. Dak.	Daniels, N.J.	Hamilton
Annunzio	Davis, Ga.	Hammer-
Arenas	Davis, Wis.	schmidt
Ashley	de la Garza	Hanley
Ayres	Delaney	Hanna
Barrett	Dellenback	Hansen, Idaho
Beall, Md.	Denney	Harrington
Belcher	Dennis	Harsha
Bennett	Dent	Harvey
Betts	Derwinski	Hathaway
Biaggi	Dingell	Hawkins
Blester	Donohue	Hays
Bingham	Downing	Hébert
Blackburn	Dulski	Hechler, W. Va.
Blanton	Duncan	Heckler, Mass.
Boggs	Dwyer	Helstoski
Boland	Eckhardt	Henderson
Bolling	Edmondson	Hicks
Bow	Edwards, Ala.	Hogan
Brademas	Edwards, Calif.	Holfield
Brasco	Ellberg	Horton
Bray	Erlenborn	Hosmer
Brinkley	Esch	Howard
Brotzman	Eshleman	Hull
Brown, Mich.	Evans, Colo.	Hunt
Brown, Ohio	Evins, Tenn.	Hutchinson
Broyhill, N.C.	Fallon	Jacobs
Broyhill, Va.	Farbstein	Jarman
Buchanan	Fascell	Johnson, Calif.
Burke, Mass.	Felghan	Jonas
Burlison, Mo.	Fish	Jones, Ala.
Burton, Calif.	Flood	Jones, N.C.
Bush	Flowers	Karth
Button	Foley	Kastenmeier
Byrne, Pa.	Ford, Gerald R.	Kazen
Byrnes, Wis.	Ford,	Keith
Casey	William D.	King
Cederberg	Fountain	Kleppe
Chamberlain	Fraser	Koch
Chappell	Frelinghuysen	Kuykendall
Chisholm	Friedel	Kyl
Clancy	Fulton, Pa.	Kyros
Clark	Fulton, Tenn.	Langen
Clausen,	Fuqua	Latta
Don H.	Galifianakis	Leggett
Clawson, Del	Gaydos	Lennon
Clay	Gattys	Lloyd
Cleveland	Glafimo	Long, Md.
Cohelan	Gibbons	Lowenstein
Collier	Gilbert	McCarthy
Collins	Goldwater	McClory
Conable	Gonzalez	McCloskey
Conte	Gray	McClure

McCulloch	Philbin
McDade	Pickle
McEwen	Pike
McKneally	Pirnie
Macdonald,	Podell
Mass.	Poff
MacGregor	Preyer, N.C.
Madden	Price, Ill.
Mahon	Pucinski
Mailliard	Quie
Marsh	Railsback
Mathias	Randall
Matsunaga	Rees
May	Reid, Ill.
Mayne	Reid, N.Y.
Meeds	Reifel
Melcher	Reuss
Michel	Rhodes
Mikva	Riegle
Miller, Calif.	Robison
Minish	Rodino
Mink	Roe
Mize	Rogers, Fla.
Mizell	Rooney, N.Y.
Mollohan	Rooney, Pa.
Monagan	Rosenthal
Moorhead	Rostenkowski
Morgan	Roth
Morse	Roudebush
Mosher	Royal
Moss	Ruppe
Murphy, Ill.	Ruth
Murphy, N.Y.	Ryan
Myers	St Germain
Natcher	Sandman
Nedzi	Schadeberg
Nelsen	Schneebell
Nix	Schwengel
Obey	Sebellus
O'Hara	Shriver
O'Konski	Sisk
Olsen	Skubitz
O'Neill, Mass.	Slack
Patman	Smith, Calif.
Patten	Smith, Iowa
Pelly	Smith, N.Y.
Pepper	Springer
Perkins	Stafford

NAYS—46

Abbutt	Goodling
Abernethy	Griffin
Anderson, Ala.	Gross
Ashbrook	Hagan
Bevill	Haley
Burke, Fla.	Hall
Caffery	Johnson, Pa.
Camp	Landgrebe
Carter	Lujan
Daniel, Va.	Lukens
Devine	McMillan
Dickinson	Martin
Dorn	Miller, Ohio
Dowdy	Mills
Fisher	O'Neal, Ga.
Flynt	Price, Tex.

NOT VOTING—69

Alexander	Edwards, La.	Nichols
Anderson, Ill.	Findley	Ottinger
Anderson,	Foreman	Passman
Tenn.	Frey	Pettis
Aspinall	Gallagher	Poage
Baring	Garmatz	Pollock
Bell, Calif.	Hansen, Wash.	Powell
Berry	Hastings	Pryor, Ark.
Blatnik	Hungate	Purcell
Brook	Ichord	Rarick
Brooks	Jones, Tenn.	Roberts
Broomfield	Kee	Rogers, Colo.
Brown, Calif.	Kirwan	Saylor
Burleson, Tex.	Kluczynski	Scheuer
Burton, Utah	Landrum	Shpley
Cabell	Long, La.	Sullivan
Carey	McDonald,	Talcott
Celler	Mich.	Udall
Colmer	McFall	Weicker
Conyers	Mann	Whitten
Coughlin	Meskill	Wilson,
Cramer	Minshall	Charles H.
Dawson	Montgomery	Wright
Diggs	Morton	Zablocki

So the bill was passed.

The Clerk announced the following pairs:

Mr. Garmatz with Mr. Morton.
Mr. Kluczynski with Mr. Anderson of Illinois.
Mr. Blatnik with Mr. Broomfield.
Mrs. Sullivan with Mr. Coughlin.
Mr. McFall with Mr. Pettis.
Mr. Montgomery with Mr. Berry.

Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Symington
Taft
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolf
Wyatt
Wydler
Wyman
Yates
Yatron
Young
Zion
Zwach

Mr. Nichols with Mr. Brock.
Mr. Roberts with Mr. Cramer.
Mr. Shipley with Mr. Findley.
Mr. Rogers of Colorado with Mr. McDonald of Michigan.
Mr. Aspinall with Mr. Meskill.
Mr. Zablocki with Mr. Burton of Utah.
Mr. Long of Louisiana with Mr. Foreman.
Mr. Cabell with Mr. Frey.
Mr. Carey with Mr. Hastings.
Mr. Edwards of Louisiana with Mr. Pollock.
Mr. Celler with Mr. Saylor.
Mr. Brooks with Mr. Minshall.
Mr. Ichord with Mr. Talcott.
Mr. Charles H. Wilson with Mr. Bell of California.
Mr. Passman with Mr. Hungate.
Mr. Gallagher with Mr. Weicker.
Mr. Pryor of Arkansas with Mr. Alexander.
Mr. Whitten with Mr. Wright.
Mr. Anderson of Tennessee with Mr. Landrum.
Mr. Baring with Mr. Rarick.
Mr. Brown of California with Mr. Conyers.
Mr. Burleson of Texas with Mr. Udall.
Mr. Mann with Mr. Purcell.
Mr. Colmer with Mr. Jones of Tennessee.
Mr. Scheuer with Mr. Powell.
Mr. Ottinger with Mr. Diggs.
Mr. Dawson with Mr. Kirwan.
Mrs. Hansen of Washington with Mr. Kee.

The result of the vote was announced as above recorded.

The SPEAKER. Pursuant to the provisions of House Resolution 1119, the Committee on Foreign Affairs is discharged from further consideration of the bill S. 3430.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. MORGAN

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

The Clerk read as follows:

Motion offered by Mr. MORGAN: Strike out all after the enacting clause of S. 3430 and insert in lieu thereof the provisions of H.R. 16327, as passed, as follows:

The section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1970" and "\$98,450,000" and inserting in lieu thereof "1971" and "\$98,800,000", respectively.

Sec. 2. Section 4(c) of such Act (22 U.S.C. 2503(c)) is amended by adding at the end thereof the following new paragraph:

"(4) The Director of the Peace Corps may prescribe such regulations as may be necessary to assure that no individual performing service for the Peace Corps under any authority contained in this Act shall engage in any activity determined by the Director to be detrimental to the best interests of the United States."

Sec. 3. (a) Section 5(c) of such Act (22 U.S.C. 2504(c)), which relates to a readjustment allowance for volunteers, is amended—

(1) by inserting immediately before the period at the end of the first sentence thereof the following: "; except that, in the cases of volunteers who have one or more minor children at the time of their entering a period of pre-enrollment training, one parent shall be entitled to receive a readjustment allowance at a rate not to exceed \$125 for each month of satisfactory service as determined by the President"; and

(2) by striking out "the Act of August 3, 1950, chapter 518, section 1 (5 U.S.C. 61f)" and inserting in lieu thereof "section 5582(b) of title 5, United States Code".

(b) Section 5 of such Act (5 U.S.C. 2504), which relates to Peace Corps volunteers, is amended by adding at the end thereof the following new subsections:

"(m) The minor children of a volunteer living with the volunteer may receive—

"(1) such living, travel, education, and leave allowances, such housing, transportation, subsistence, and essential special items of clothing as the President may determine;

"(2) such health care, including health care following the volunteer's service for illness or injury occurred during such service, and health and accident insurance, as the President may determine and upon such terms as he may determine, including health care in any facility referred to in subsection (e) of this section, subject to such conditions as the President may prescribe and subject to reimbursement of appropriations as provided in such subsection (e);

"(3) such orientation, language, and other training necessary to accomplish the purposes of this Act as the President may determine; and

"(4) the benefits of subsection (1) of this section on the same basis as volunteers.

"(n) The costs of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of a volunteer who has one or more minor children at the time of his entering a period of pre-enrollment training may be paid from the date of his departure from his place of residence to enter training until no later than three months after termination of his service."

SEC. 4. Clause (3) of section 6 of such Act (22 U.S.C. 2505), which relates to Peace Corps volunteer leaders, is amended by striking out "and a married volunteer's child if born during the volunteer's service."

SEC. 5. Paragraph (3) of section 7(a) of such Act (22 U.S.C. 2506(a)), which relates to Peace Corps employees, is amended to read as follows:

"(3) The President may specify what additional allowance authorized by section 5941 of title 5, United States Code, and which of the allowances and differentials authorized by sections 5923 through 5925 of such title 5, may be granted to any person employed, appointed, or assigned under this subsection and may determine the rates thereof not to exceed the rates otherwise granted to employees under the sections of title 5, United States Code, referred to in this paragraph."

SEC. 6. (a) Subsection (a) of section 13 of such Act (22 U.S.C. 2512), which relates to experts and consultants, is amended—

(1) by striking out "section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and inserting in lieu thereof "section 3109 of title 5, United States Code"; and

(2) by striking out "\$75 per diem" and inserting in lieu thereof "the per diem equivalent of the highest rate payable under section 5332 of title 5, United States Code".

(b) Subsection (b) of such section 13 is amended by striking out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and "section 201 of the Dual Compensation Act" and inserting in lieu thereof "sections 3323 (b) and 8344 of title 5, United States Code" and "section 5532 of title 5, United States Code", respectively.

SEC. 7. Subsection (b) of section 14 of such Act (22 U.S.C. 2513), which relates to detailing personnel to foreign governments and international organizations, is amended by striking out "section 1765 of the Revised Statutes (5 U.S.C. 70)" and inserting in lieu thereof "section 5536 of title 5, United States Code".

SEC. 8. Subsection (g) of section 25 of such Act (22 U.S.C. 2522) is amended by striking out "and 6(2)" and inserting in lieu thereof "5(m), and 6(2)".

SEC. 9. (a) Clause (3) of subsection (a) of section 301 of such Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by striking out all that follows "and participation in," and inserting in lieu thereof "international voluntary service programs and activities."

(b) Paragraph (2) of subsection (b) of such section 301 is amended to read as follows:

"(2) Not more than \$300,000 may be used in fiscal year 1971 to carry out the provisions of clause (3) of subsection (a) of this section. Such funds may be contributed to educational institutions, private voluntary organizations, international organizations, and foreign governments or agencies thereof, to pay a fair and proportionate share of the costs of encouraging the development of, and participation in, international voluntary programs and activities."

The motion was agreed to.

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

A similar House bill (H.R. 16327) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. ZABLOCKI. Mr. Speaker, on this last rollcall, No. 202, I was unavoidably detained. Had I been here I would have voted "yea."

GOLD AND SILVER ARTICLES— CONSUMER PROTECTION

Mr. STAGGERS. 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. 8673) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS).

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. 8673, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Illinois, (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

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

Mr. Chairman, the purposes of this legislation is to amend the National Gold and Silver Stamping Act of 1906 to pro-

vide a civil remedy for misrepresentation of the quality of articles made from gold and silver. The persons who would be entitled to seek civil relief would be any competitor, customer, or competitor of a customer of any person in violation of the requirements of the act, as well as a jewelry trade association.

At present the act contains only criminal sanctions for any violations of its provisions. However, despite indications of repeated and substantial violations of the act, the Department of Justice has never brought a suit to enforce this statute. In the course of hearings held by the Subcommittee on Commerce and Finance, representatives of the Jewelers Vigilance Committee testified concerning recent instances of repeated and extensive violations of the act.

Under the provisions of this legislation a successful plaintiff would be able to obtain an injunction and could recover his court costs and a reasonable attorney's fee. In addition, persons and firms, other than trade associations, could recover for any damages which they may have suffered as a result of the false marking. Conversely, an unsuccessful plaintiff would be liable to the defendant for the defendant's cost of defending the suit, including a reasonable attorney's fee, and if the action was brought by a trade association "frivolously, for purposes of harassment, or an implementation of any scheme in restraint of trade," the defendant could also recover punitive damages.

A substantially similar bill, S. 1046, has already been passed by the other body, and I trust that this body will support this legislation. I want to be candid in stating to the House that the Department of Justice has submitted an adverse report on this legislation based on the Department's apprehension that a trade association might use the enforcement authority conferred by this legislation to exert pressures upon individual companies to secure results which are inconsistent with the spirit of the anti-trust laws. The committee has carefully considered this objection, but believes that there are adequate safeguards in this bill, including punitive damages, to prevent such a result. The fact cannot be overlooked that the Department of Justice has never brought a suit to enforce the Gold and Silver Stamping Act. This makes it necessary, in the opinion of the committee, to look to private attorneys general—and in this case particularly to interested trade associations—to enforce the provisions of the act and thus protect consumers who have no way of protecting themselves.

There are two reasons why it is not practicable for consumers to bring individual damage suits in case they have been defrauded by providing jewelry which does not contain gold or silver of the fineness indicated by the stamp: First, the value of the articles is usually too small to justify individual suits; and, second, the correct gold or silver content may be determined only by melting the article down.

Consequently, the legislation before the House offers the only practical re-

course and I hope the House will vote for it.

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

Mr. Chairman, 64 years ago Congress was concerned that gold and silver articles could be sold without an indication of the content of such metals and the value that such content would impart. Consequently the National Gold and Silver Stamping Act of 1906 required that any article of merchandise which was made in whole or in part of gold and silver and which was shipped in interstate commerce be properly marked as to such content.

As consumers we have been relying upon these markings over the years. I am sure that most of us when buying jewelry or similar articles will look to see whether it claims to be 14 karat gold or whatever. The buying public has trusted these markings assuming that the requirement for them was also followed up by some agency of the government to make sure that they were accurate and honest.

As a matter of fact this has not been so. The markings cannot be relied upon and the buying public has been victimized for many years. Having a criminal law on the books or promulgating a rule or regulation does not in itself afford any protection. Only vigorous enforcement can do that. It can hardly be said that the Federal Government has seen fit to enforce the Stamping Act with vigor. There have been no prosecutions as yet.

Since this state of affairs has existed since just after the turn of the century it would hardly be encouraging or satisfying to now receive assurances that enforcement would start.

The bill before us today would not change the Stamping Act in any way. If enforcement did begin, it would be a good thing. The bill before us adds a remedy on the civil side. It says to a buyer, a competitor or an interested trade association that they need not wait for criminal action but can proceed through ordinary legal channels to obtain self help.

I think it would be interesting to the Members of the House to note the extent to which violations have become routine in the trade. The Jewelers Vigilance Committee, made up of reputable dealers in the field anxious to insure compliance with the statute, bought 15 quality articles of jewelry from nine different stores. Two-thirds of the items were falsely marked. Recently 26 items selling for less than \$5 were purchased. All of them were in violation. Some did accurately cite the gold or silver content, but in such cases the required trademark was omitted.

I have mentioned that the bill would allow customers, competitors, and trade associations to proceed against violators for injunctive relief and in the case of individuals, damages. There is some concern in the Department of Justice about allowing trade associations to be plaintiffs in such suits. They point to the possibility of the use of such suits to control prices, restrain trade, and force membership in the organizations. The

committee did not find these arguments to be convincing under all the circumstances. First of all the bill is designed to discourage any such activities. If frivolous suits are brought punitive damages can be awarded against such a plaintiff. The bill includes recovery of suit costs and attorney fees by either party and this should discourage lawsuits which are not based on sound evidence.

The nature of the jewelry trade is such that many different trade associations exist representing various elements of the industry. None of these associations is predominate and many of them are made up of members who participate in other associations. There seems to be adequate balance of power in this area to avoid the dangers which both the Justice Department. In addition, the bill makes such that associations who qualify as parties to lawsuits under this bill are those that are actually directed toward the improvement of business conditions.

Another factor of these lawsuits I think is significant. The proof of compliance or noncompliance is very simple. A quick and very accurate test can be used to tell whether or not a piece of jewelry actually meets the quality of the marking thereon. This feature works in two directions. Because it is a simple matter there is very little excuse for a manufacturer to produce articles which do not live up to their billing. At the same time it is a very straight-forward and simple issue to be presented in a lawsuit.

This is not the first time that this committee and this Congress have extended the remedy of self help where Government action has historically been inadequate. You will recall that enforcement of safety regulations for trucks in interstate commerce were merely orders on paper because of the lack of manpower in the proper agency to enforce them. In 1966 we passed what was referred to as the Gray Area bill to allow among other things customers and competitors of trucks which were in patent violation of the rules to proceed directly against them.

This is a similar situation. The reputable dealers in gold and silver articles want the markings to be reliable to make such that the customer gets what he is paying for. This is commendable. As long as there are reputable and interested people in the marketplace they should be encouraged and helped in their effort to protect their customers.

I recommend that the House pass H.R. 8673.

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

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's statement, but what is wrong with the existing laws to prevent this sort of occurrence from happening? It is not quite clear to me why we need this additional consumer protection.

Mr. SPRINGER. Simply because there has not been any enforcement of that statute. We are now adding enforcement by people who are either aggrieved or offended by what they have been sold or

what any other person puts on the market and which is mismarked or unmarked.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, what he is saying, then, is that this bill, which first appeared before the whole House on the Consent Calendar as No. 145 on April 7 of this year, and has been put over because of departmental objection to it—and I think that is the principal reason, plus the fact that there were those who felt that a bill of this magnitude should not be handled by unanimous consent of all Members present—

Mr. SPRINGER. I think that is a fair statement the gentleman makes.

Mr. HALL. But it also follows, does it not, that the very department that was in objection to it was a department of a Cabinet branch of Government that has not enforced the existing law. I wonder if maybe the way to correct it is to change the department rather than to pass additional punitive legislation and put it in the hands of the aggrieved, because I can envisage a situation wherein this might get to be picayunish and there might be a host of people who would claim false marking, and there would be great court costs, costs of defense, and so forth, under this new bill.

I think insofar as that part is concerned, the Department of Justice had some objection to the unanimous-consent bill, but, of course, I can never see why they did not pursue the existing law. We do have bills against false marking and collusion and against restraint of trade. I just wonder why the paradox situation, of a department objecting and still not agreeing to enforce the older existing law.

Mr. SPRINGER. I did not think they gave us any really valid reason why to date we should not add this provision to the law in view of their own action.

Mr. HALL. Does the gentleman not feel, Mr. Chairman, that if there are frivolous suits brought by the alleged plaintiff, that this could also result in harassment or restraint of trade?

Mr. SPRINGER. We also provide punitive damages for harassment by an association.

Mr. HALL. I understand the new legislation provides penalties in both directions.

Mr. SPRINGER. That is correct. We have tried to deal with this in an even-handed way so that there could not be harassment, by giving the person who is harassed the punitive damage rights against the association harasser.

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

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

Mr. GROSS. Mr. Chairman, what reason is there to think if the present laws dealing with misrepresentation and fraud have not been enforced, that this one will be?

Mr. SPRINGER. Because we have testimony before the committee which indicated that there would be suits brought by those who are in association with and who are in a position of having a valid interest in the industry. This is an industry where there has been terrible dis-

crimination against people who were necessarily ignorant of the requirements of the law.

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

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Chairman, it occurs to me that possibly one of the reasons there have been no prosecutions might be because we do not have a serious problem. If we do not have a serious problem, I wonder if we need legislation? And if we do have a serious problem, I wonder whether it would not be a good idea, instead of putting new legislation on the books, to just make the Department of Justice do what it should do?

Mr. SPRINGER. If I may answer the first question first, the gentleman makes an assumption that the problem is inconsequential. There was evidence that this was widespread, existing coast to coast and in all States. That is not inconsequential.

On the second question, if the gentleman will refresh me, I will answer it.

Mr. DENNIS. My second question is, in fact there is a serious problem, why should we not encourage the department to do what it is supposed to do instead of worrying about new legislation?

Mr. SPRINGER. These people have asked the Department for enforcement and have not got it. I do not know why the attorneys over the years since 1907, under the administrations, both Democrat and Republican, have not enforced this law.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I think I might offer a worthwhile contribution on that particular question. The Subcommittee on Legal and Monetary Affairs of the Committee on Government Operations held extensive hearings as a matter of fact, with testimony by the Department of Justice and the Veterans' Administration, on the defaults on mortgages.

In the course of these hearings we found that the U.S. attorneys' offices, which are the offices in the field that do the work for the Department of Justice, simply are in each and every instance and in each and every region of the country understaffed and overworked. As a result thereof, they concentrate in areas of criminal infractions where they feel it is most important, where the infractions are of a type that are hurting people physically and causing monetary damage to a great degree, and they ignore the type of criminal penalty involved here, because while perhaps an individual may have paid 50 percent or 75 percent more than he should have paid for an item that was mislabeled, in the other areas the Department of Justice has had cases where much more harm is done.

It is a question of the U.S. attorney's office having to choose the more important cases and prosecuting those. Unfortunately this is a fact in the country today. The Department of Justice and the local U.S. attorneys' offices in the various regions and districts in many in-

stances are ignoring infractions of the law because they have to pick out those which they think are more important.

As I say, getting back to the VA cases, it was the feeling of some of us on that subcommittee that they should have allowed the Veterans' Administration to continue handling the cases for defaults on mortgages and to go after the debtors. As a matter of fact, that is still a big problem remaining with us. The Federal Government is owed billions and billions of dollars, and this is not being collected because we do not have sufficient manpower and personnel in the Department of Justice to do that work. If they cannot do that work to make money for the Government, certainly they also could be expected to ignore this type of thing.

I thank the gentleman for yielding.

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

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. DENNIS. It seems to me, if I may remark in passing, I am not particularly against this legislation; I am just against passing something unnecessary, if we are. We do too much of that.

It seems to me it is an odd reason to pass legislation at this time, to give us the reason that the Department of Justice is failing and refusing to discharge its functions.

If that is a fact—I do not know, but I assume it is from what has been said—it seems to me perhaps the way to do this is to get them to go to work, instead of loading down the books with legislation. Surely we are not going to pass legislation of this kind every time they do not do their job.

Mr. SPRINGER. My only reply to the gentleman would be that if he can get them down at the Department of Justice to take on the project, and get them to do it, perhaps no one will have to enforce this law when we have it on the books.

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

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

Mr. JONAS. In reading the letter to the committee chairman from the Attorney General, I find that general legislation has been proposed to accomplish the same purpose sought under this bill. It would provide the Attorney General, and therefore ultimately the consumers themselves, the authority to prevent unlawful acts affecting consumers, including the acts against which this bill is directed.

It strikes me we are going pretty far in legislation when, for the first time in history, we authorize a trade association, which is composed of a selected number of competitors who combine themselves into an association, to bring suits as parties in interest against small operators who are at a disadvantage in contesting with these powerful trade organizations.

It strikes me that this presents a very serious problem, and we should be careful before embarking on that course. If we incorporate this kind of authority for gold and silver articles in the law, what is to prevent us next week from expanding this and abolishing the functions of the Federal Trade Commission, which

was created to accomplish this very same objective.

Mr. SPRINGER. The gentleman, I believe, has spoken the truth; but the Federal Trade Commission has not enforced the law.

Mr. JONAS. We already have legislation on the books dealing with deceptive practices, false advertising and mislabeling. Why legislation granting special privileges to trade associations involving gold and silver?

Mr. SPRINGER. Yes. Those are all acts, just as this is.

Mr. JONAS. They are not covered by this.

Mr. SPRINGER. They are not covered by this.

Mr. JONAS. What is the purpose of picking out these products and enacting a separate piece of legislation to deal with them, when we have the Federal Trade Commission dealing with all sorts?

Mr. SPRINGER. That may be true, but the Federal Trade Commission has not enforced the law. The gentleman is asking me why. They claim to have no jurisdiction.

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

Mr. SPRINGER. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. Under the original act the Justice Department has been designated as the party to enforce the provisions of the act. That is why the Federal Trade Commission has always said, "We do not have jurisdiction over it. It is up to the Justice Department to enforce the provisions of the act, because that is what the act says."

Mr. JONAS. May I respond to that, please?

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

Mr. JONAS. I believe the reason for that is that the law on the books now covering this subject deals with penal provisions.

Mr. TIERNAN. That is correct. Mr. JONAS. It makes it a crime. That obviously is a function of the Department of Justice.

Another problem arising here is that you are going to confer on Federal district courts the jurisdiction to entertain suits without any limit on the amount involved. This is contrary to the Federal general statutes which fix a maximum as the amount involved before Federal courts are available in suits between individuals. If this is followed as a precedent, then all other complaints of consumers in this field could follow. The Federal courts are going to be loaded down with a multiplicity of suits that the Federal Trade Commission, in my opinion, has a responsibility of supervising now.

Mr. SPRINGER. I do not know of any effort to bring anybody else into it.

Mr. JONAS. You establish a precedent if the Congress does it in this instance. Is it not reasonable to assume that then other groups next week will want the same privilege?

Mr. SPRINGER. It is reasonable to assume that, I suppose, and you may be faced with it in the next few weeks.

Mr. JONAS. How can we justify pick-

ing out one group of products just because they have gold or silver in them?

Mr. SPRINGER. It seemed to me that the evidence indicated there was a necessity for it. The gentleman will have to make up his mind as to whether it is necessary in these other instances.

Mr. JONAS. What about other legislation in this general field?

Mr. SPRINGER. There is a great deal of division in the committee as to what kind of a bill shall come forth. Nobody has agreed yet as to what kind of a bill we will bring out to the floor.

Mr. JONAS. At least the Attorney General says it is without precedent in the history of the country. Never before has the Congress authorized a trade association to become a party in interest. This is a form of class action to be instituted by a trade association which could be a representative of the entire industry or only a part of the industry or a small group of people engaged in this business who combine into an association. The Attorney General fears that it opens up a Pandora's box and that the courts will be flooded with a multiplicity of harassing suits. The provision in the bill in which you undertake to deal with protection against harassment means that first he has to be able to satisfy a judge that this is not a frivolous suit. He may have difficulty in doing that. The economic power of a trade association far outweighs that of an individual against whom a complaint might be made. I thought that the comments of the Attorney General were strong and deserve consideration. Like the gentleman from Indiana, I do not know how I will vote on this bill, but I thought in the course of the debate that we ought to pay some attention to, and more than just casual attention to, the arguments advanced by the Attorney General that this is not the way to approach this problem.

Mr. SPRINGER. May I say to the distinguished gentleman in reply that this is one instance in which I thought this kind of action was necessary. I am not saying that every action is valid. So there is no misunderstanding about that, I want to make that clear. But I am saying in this instance I think it is, and I will certainly want to be very discriminating.

Mr. JONAS. If the gentleman will yield further, may I say I concur in that view.

Mr. SPRINGER. No; I do not think anyone at this point is certain as to whether they are for or against it; that is, until we see the bill. If it comes out in one form, I shall not support it but if it comes out in another form I shall support it. May I say it was a very carefully drawn piece of legislation when it came before the committee.

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

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

Mr. HUTCHINSON. In looking over the bill, as set forth on page 9, of the report, under the Ramseyer rule, I notice that the provision with regard to protection against frivolous and harassing suits, that that provision apparently is applicable only as to suits in which a

trade association is made a party. It does not appear to apply to a suit brought by an individual customer under subsection (b).

It seems to me, if that is a correct interpretation, that we have not cut off the likelihood of harassing and frivolous suits brought by individuals wholly independent of a trade association but some customer might feel himself aggrieved and there might be a tremendous number of such suits started individually without any threat of punitive damages because punitive damages apparently apply only under subsection (c) instead of subsection (b).

Would the gentleman from Illinois care to respond to that?

Mr. SPRINGER. No; I think the gentleman has interpreted it correctly.

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

Mr. SPRINGER. Yes; I yield to the gentleman from Idaho.

Mr. McCLURE. I have a little different interpretation of the language as contained in the bill than the gentleman who just spoke and the gentleman who spoke before him, the gentleman from North Carolina (Mr. JONAS), with reference to the recovery of the cost of defense together with reasonable attorney fees. I do not see that the language of the bill restricts that to trade association suits and I do not see it requires a finding that the suits be frivolous.

Under subsection (d) which appears at the bottom of page 9 of the report and the top of page 10 of the committee report on this bill there is this language:

Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

This language as contained in this portion of the bill does not confine it simply to association suits. It does not require a finding that the action is frivolous but simply requires that the plaintiff fail in his suit.

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

Mr. SPRINGER. Yes; I yield to the gentleman.

Mr. TIERNAN. That is with respect to the defendant in a suit. If the plaintiff does not prove his case, then the defendant is awarded his cost and a reasonable attorney fee. The other gentleman was speaking of the plaintiff recovering attorney's fees and cost of court if he prevails in his action.

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

Mr. SPRINGER. Yes.

Mr. JONAS. I think the language in the bill is very clear—

Mr. SPRINGER. May I put it this way. I think I have the answer, and that is simply this: that punitive damages can only go to trade associations.

Mr. JONAS. Right.

Mr. SPRINGER. Attorney's fees and costs would apply otherwise.

Mr. McCLURE. Mr. Chairman, would the gentleman yield further?

Mr. SPRINGER. I yield further to the gentleman from Idaho.

Mr. McCLURE. Is it not correct that the provision in the bill requiring a finding that it be a frivolous suit refers to the section on frivolous suits? This does not refer to the section having to do with court costs and reasonable attorney's fees?

Mr. SPRINGER. The gentleman is correct.

Mr. McCLURE. I thank the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to my distinguished colleague, the gentlewoman from Massachusetts (Mrs. HECKLER).

Mrs. HECKLER of Massachusetts. Mr. Chairman, I want to voice my strong support of this bill to protect the public from buying fraudulent gold and silver merchandise. This, I feel, is necessary legislation.

In an era in which consumer protection is becoming more significant this is perhaps just a first step, and will lead to further legislation in the broad area of consumer protection.

When the average person, or the retail dealer, buys an article marked "sterling silver" or "14 karat gold" he relies on the trade stamp to assure the quality of the product. But if the article is incorrectly or fraudulently stamped the consumer is defrauded. Under existing law this person can only complain to the Justice Department, which has never, since the enactment of the National Gold and Silver Stamping Act of 1906, brought a suit to enforce this law.

This bill provides a means of relief which is long overdue.

It seems to me that the committee deserves special commendation for its wisdom in providing the safeguards involved in the bill which permit the court to determine and punish illegal actions such as frivolous suits and harassments.

I am familiar with these various problems since my district, the 10th Congressional District of Massachusetts, is a major center of the jewelry industry. The city of Attleboro and the town of North Attleboro have numerous jewelry manufacturers as well as firms producing jewelers' machinery, molds, castings, findings, metal, and other components of the industry. The Attleboros are the home of numerous reputable dealers. This is a fine and respected industry, which contributes to the employment and economic well-being of many of my constituents. I think the leadership of the jewelry industry in the Attleboros is deeply concerned with the need to protect the consumer from either error or fraudulent practices in the marketing of jewelry, and has in fact been vigilant in the self-policing of its members.

Literally thousands of upright, hard-working Americans are employed by this industry who want to see its high standards maintained. They are working in companies living up to the highest standards, and yet not all Americans are receiving the benefits of high standards and practices. The ethical are at a disadvantage against those who defraud, which is why these employees and their

employers are supporting enhanced consumer protection and effective means to eradicate fraud and deceit in the industry.

The fraudulent marking of gold or silver jewelry or other merchandise is a serious problem today, and the enforcement of the law against mismarking is essential to protect the individual consumer and the industry as a whole. I believe that this particular piece of legislation is a vital step in the long path toward consumer protection, which is a means of self-protection for all of us. We have had no protection in this field for 64 years since the original act was passed, due to this lack of enforcement, and I think we have tolerated this ineffectiveness for far too long. It is time to protect the public by passing this legislation.

Again I commend the committee, and especially the gentleman from Rhode Island (Mr. TIERNAN), for his efforts in this direction.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas, a member of the committee (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, first I want to compliment the gentlewoman from Massachusetts (Mrs. HECKLER) for her statement which I think is exactly accurate as to the purposes of the bill. I also want to add that this bill is extremely carefully and extremely narrowly drawn.

The right to bring an action on the part of the defendant against a plaintiff rests on action brought by a competitor or a customer or a trade organization, but we have distinguished between two proceedings. The Senate did not make this distinction. We did, and I think it is a proper one.

We provide that where a competitor or customer brings a suit, and the suit is ultimately found to be without validity, the defendant may bring an action against him for damages and for attorneys' fees. This is in section (d) of the act. Such would also be true where a trade association brings the suit. But in addition in the case of a trade association, if the suit is brought frivolously, the defendant may not only recover damages and attorneys' fees, but also punitive damages.

Now, the reason for that was that we wanted to make it quite certain that a trade association would not use this bill to violate the antitrust act or to harass competition.

But in both instances if the act is used improperly as an action just for the purpose of harassment, whether it be by a customer or a competitor, or a trade association, damages may be recovered, including attorneys' fees, by the defendant, but in the case of the trade association also punitive damages may be recovered.

I just wanted to make sure that the House knew that this act covers suits under both (b) and (c).

Now, I submit that it may be true that governmental agencies should protect customers, but I think one of the most dependable agencies to protect persons whose interests have been injured by others are the courts of the United States,

and this self-help in this area, particularly as narrowly drawn as it is in this bill, is the most dependable way to enforce the provisions of the National Gold and Silver Stamping Act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. ST GERMAIN).

Mr. ST GERMAIN. Mr. Chairman, it is my sincere pleasure to register my support of H.R. 8673, providing consumer protection for gold and silver articles.

In particular, I want to commend my colleague from Rhode Island for his initiative in introducing this legislation, and for his efforts in having it brought out of committee and to the floor of the House.

The need for this legislation is clear. By requiring simple marking of content, the National Gold and Silver Stamping Act of 1906 was designed to protect the consumer who has no way of knowing the true fineness of gold or silver articles he purchases. Yet continuous violations have flouted the protections of the act while the Justice Department has brought no enforcement action.

Not a single suit has been brought by the Justice Department, in whose jurisdiction the act falls, against a manufacturer for misrepresenting the content of his jewelry. The 1906 act specifies criminal suit against violators, and the Justice Department may be reluctant to bring action when criminal penalties often seem far too severe for the particular infraction involved. And as I stated earlier in the debate, the Justice Department and the U.S. attorneys offices which are a part of the Department are simply overloaded with work. Mismarking of jewelry items may be considered minor and relegated to the bottom of the pile.

The provisions of H.R. 8673 would remedy these circumstances by providing for civil suits by customers and competitors, as well as jewelry trade associations. By the same token, this bill is also very important to the consumer—for instance, the young couple buying articles for their home, or the man wishing to buy a wedding ring. At the price which precious metal is selling for today, everyone has a right to be certain of the quality of an article he is buying.

We can note that the benefits realized through this bill will bring no additional costs to the Government. And avoidance of a suit by compliance with the law is very easy within the broad tolerances established by the 1906 act.

For all of the aforementioned reasons, I am happy to urge passage of this legislation.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. McCLURE).

Mr. McCLURE. Mr. Chairman, I thank the gentleman from Texas for bringing out the distinction I was trying to make a moment ago with respect to the distinction between subsection (c) and subsection (d) actions and the penalties that might be involved and the cost recoveries that might prevail or be attendant in such action.

I want to point out, as has been pointed out before, that there is no protection really for the small consumer under existing law because it depends on enforcement by Federal agencies, and unless you provide some means by which they can act collectively through an association, they will not have the protection of the courts at the behest of the Federal Trade Commission or of the Department of Justice.

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

Mr. McCLURE. I yield to the gentleman.

Mr. ECKHARDT. Mr. Chairman, I think one thing else should be added, and that is with respect to the ordinary trade organization, they can only bring an injunctive action, they may not bring a damage suit—so in that area no aspect of class-action suit is involved.

Mr. McCLURE. I think the problem, the general problem of class actions, is a very difficult one and has been referred to in connection with other pending legislation.

I think this bill, very carefully drawn as it is, does avoid the problems in the broader context, and I support this bill in its entirety.

I am concerned about the fact that criminal penalties alone will not protect the consumer where small amounts of money are involved, and neither will civil enforcement, because Federal agencies just will not bring such action.

I think a good example, and parallel to this, is the theft of goods in interstate commerce. This theft of goods of shippers in interstate commerce amounts to millions of dollars per year and, yet, no agency of the Government will bring action attempting to deal with any one of the many individual small thefts although in the aggregate such losses from interstate shipments are a large and growing problem. This is much the same kind of thing we are dealing with here. I hope the committee will take some action in this field stimulating some protection for shippers and consumers from losses in interstate shipment.

I had originally intended, or thought it might be possible for me to include in this bill some protection that I have sought in two other bills that I introduced earlier dealing with the fraudulent production and dissemination of what are supposed to be coins for collectors. I introduced two such bills, H.R. 9448 and H.R. 9449, dealing with that problem of the authenticity of coins, some of which are silver and some of which are gold, but not all of which are composed of such substances.

But I am convinced, after reading this bill, that my bills deal in a slightly different area. They deal only with criminal penalties and this bill that is now pending deals with the expansion of civil remedies. I, therefore, concluded that I should attempt to get passage of my bills, H.R. 9448 and H.R. 9449, or other similar legislation without appending them to this.

But I think, as the gentleman from North Carolina has pointed out, that this does not deal with anything except one area—and we have many such areas. But,

nevertheless, I support this bill as being a very helpful step forward in an area that has been troublesome to consumers. I commend the committee.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he may require to the author of the bill, the gentleman from Rhode Island (Mr. TIERNAN).

Mr. TIERNAN. Mr. Chairman, I rise today to speak on behalf of H.R. 8673 which I introduced over a year ago.

This legislation would amend the National Gold and Silver Stamping Act of 1906 to provide a civil remedy, by means of a court injunction, for the misrepresentation of the quality of articles composed, in whole or in part, of gold and silver.

The 1906 Stamping Act was the first attempt by our Government to actually regulate commerce itself. Its original intent was to protect the public and the jewelry industry from fraudulent misrepresentation.

When Congressman Edward Vreeland of New York first proposed his legislation in 1905, he recommended that all quality markings be accompanied by a registered trademark of the party responsible for the quality mark. Unfortunately this feature was eliminated from the original proposal. However, in 1961, 55 years after enactment of this law, the Congress amended the act to include this provision. This represents the only change in the law since its enactment.

Regrettably the act has never been enforced. The Justice Department has failed to act on any one complaint since Congressman Vreeland's bill became law. Obviously the Department has been forced to give enforcement of this act with its present criminal provisions a rather low priority. This is understandable.

But it is no reason why he should allow the act to remain a dead letter. We have a responsibility to make this law enforceable and meaningful.

Consumers of jewelry and silverware buy largely on faith and as a consequence must rely on the markings provided by the manufacturer. The industry has attempted to keep faith with the public by its creation in 1917 of a jewelers vigilance committee.

I now seek the enactment of this bill to insure better protection against misuse of quality markings and to put a halt to fraudulent manufacturers and merchandisers.

Mr. Chairman, the cost of false markings both to the consumer and the jewelry industry has been high and damaging as well.

In my view, the National Gold and Silver Stamping Act need not remain a failure. That it was a high original and innovative piece of legislation in 1906 and that it needs new life are evident conclusions.

My bill provides an effective and appropriate solution and I respectfully ask that it be given favorable consideration.

Also, Mr. Chairman, I think the points covered by both you and the ranking minority Member (Mr. SPRINGER), have

certainly helped to clear up some of the questions on the bill.

One of the points I would like to make reference to is on page 3 of the report which clearly answers some of the objections of the Attorney General or the Department of Justice where there are set forth seven answers to those objections.

One of the main things which the subcommittee that considered the bill did was to adopt the amendment offered by the gentleman from Texas (Mr. ECKHARDT) with regard to punitive damages in a case in which a trade association would bring an action. That, we feel, would be a safeguard to protect anyone from that type of abuse of this act.

The key thing here is that there have been many examples of articles that have been sold as sterling silver and 12- and 14-carat gold that in fact were not. In 1963 the case was presented to the Department of Justice in which one man was actually selling silver-plated articles as sterling silver and gold-plated articles as 12- and 14-carat filled gold. That case was never prosecuted.

Therefore, this act would provide for self-help, as has been indicated by the previous speaker.

Another example that was brought to my attention is that of the young woman with pierced ears who purchases earrings. In that case the earrings that she purchased for her pierced ears would be required to be gold earrings rather than goldplated, because the copper under the plating would cause blood poisoning. As it turned out, the earrings that she purchased were not in fact gold but were goldplated, and they caused irritation, necessitating treatment by a doctor for a long period of time.

Mr. Chairman, the bill is a good bill and I support it.

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

Mr. TIERNAN. I am happy to yield to the gentleman from Indiana.

Mr. DENNIS. Am I correct that, in the case of the defendant in a suit against him, brought by an individual, in which the defendant prevails, in order to recover his attorney's fees and costs, the defendant must turn around and bring a separate action against the plaintiff?

Mr. TIERNAN. No; in the case of an individual, competitor, or customer, in a suit in which he did not prevail, the act specifically provides that the defendant will be awarded attorney's fees and costs under section (d) of the act.

Mr. DENNIS. That is what I am asking, because, I believe it is clear under section (c), where a trade association is involved; the bill provides in that case, where there is a harassing suit, that, if the court determines that the action has been brought "frivolously" it may award punitive damages. But when you come to section (d), where the suit is brought by an individual plaintiff, it states that any defendant who prevails is entitled to recover attorney's fees and costs, and I was not sure whether that indicated he would have to bring a separate action or whether the attorney's fees and costs

would be awarded to him in the original case.

Mr. TIERNAN. It is my understanding that if the plaintiff did not prevail, the defendant would then be entitled to his attorney's fees and court costs.

Mr. DENNIS. Certainly there would be much more effective protection that way, but there seems to be a difference in language between the two sections.

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

Mr. TIERNAN. I yield to the gentleman from Texas.

Mr. ECKHARDT. The reason I understand this section was added at the end of section (c) was to provide an especially tough recovery against a trade association, but in both instances, as I understand it, the recovery by the defendant could be in the same suit in a cross action.

Mr. TIERNAN. That is correct.

Mr. DENNIS. Is that the understanding also of the chairman and the gentleman from Illinois, Mr. Chairman?

Mr. SPRINGER. That is my understanding.

Mr. STAGGERS. That is my understanding.

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

Mr. TIERNAN. I yield to the gentleman from Indiana.

Mr. JACOBS. From hearing the debate, I am not quite sure I understand. Does the gentleman mean that if an unsuccessful plaintiff was not proved to have abused the process he nevertheless would be liable to attorney's fees to a successful defendant?

Mr. TIERNAN. If he brought an action under this act, yes. The court could award the defendant attorney's fees and costs of his suit.

Mr. JACOBS. That should discourage a lot of poor people from bringing suits. If they are meritorious suits, and there is not proved to be an abuse of process, it seems to me you would effectively scare off any consumer who might want to file suit.

Mr. TIERNAN. I would suggest to the gentleman I do not think anyone would bring suit unless he were pretty sure of recovery.

Mr. JACOBS. But being pretty sure of recovery means good faith. As I understand, in normal jurisprudence a man must prove abuse of process in order to recover; for example, if the case is brought maliciously or not in good faith.

Mr. SPRINGER. The reason that provision was put in there was so there could be no misunderstanding, but the evidence before our committee was conclusive that the elements of such a case are easy to prove. That is the reason.

That is the reason. There is not any question when an expert opinion on it immediately reveals it is either 14-karat gold or it is not. It is not a question open to a great deal of evidence as to whether the article is or is not.

Mr. STAGGERS. Mr. Chairman, I yield 1 minute to the gentleman from Texas.

Mr. KAZEN. Mr. Chairman, I just want to get into the thing a little. It is the same judge who would find the ac-

tion frivolous and he is the one who would have heard the evidence in the case.

Mr. TIERNAN. If the gentleman will yield, that is only with regard to the action under section (c) where there is a trade association bringing a suit. That part of it would be where the court would award punitive damages.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. JACOBS).

Mr. JACOBS. Mr. Chairman, the gentleman from Texas has referred to a finding of frivolous action. If I understand the provision of the law, no such finding would be required. The mere failure to prevail by the plaintiff would establish the right to require the attorney's fees to be paid.

Mr. TIERNAN. That is correct.

Mr. JACOBS. There would not have to be any finding of frivolous action.

Mr. STAGGERS. Mr. Chairman, I might explain that in the case of getting punitive damages, it would require a finding that they brought a frivolous suit, that there was harassment, but in any case in which the plaintiff cannot prevail in his suit then he is charged with defendant's attorneys fees and court costs.

Mr. HALPERN. Mr. Chairman, I am grateful for this opportunity to express my support of the bill, H.R. 8673, which is one more expression of congressional concern in the important field of consumer protection. In this case, we are dealing with a field in which it is almost impossible for the average consumer to know whether or not he is getting full value for the money he is spending unless both manufacturer and dealer exercise complete integrity and honesty. I am referring to those consumers purchasing articles made in whole or part of gold and silver. Hearings held by the Subcommittee on Commerce and Finance of the House Committee on Interstate and Foreign Commerce on this bill last December made abundantly clear that far too often consumers shopping for jewelry are receiving substantially less than they think they are buying. Day in and day out gold and silver articles are sold in violation of the National Gold and Silver Stamping Act. Items are either falsely marked as to gold or silver content, or fail to carry the identifying trademark required under the law.

Clearly, further legislative action is called for. Legislation is needed both to help consumers receive full value for their dollar expenditures, and to protect ethical members of the jewelry industry from unfair competition of those who are mismarking the quality of their merchandise or failing to indicate the quality. This bill is designed to fulfill these objects by means of authorizing civil injunctive relief, thereby creating an enforcement mechanism to deter the unscrupulous from misrepresenting their goods.

Specifically, H.R. 8673, as reported by the Committee on Interstate and Foreign Commerce, would amend the National Gold and Silver Stamping Act of 1906 to provide a civil remedy for mis-

representation of the quality of articles made from gold and silver. It will enable any competitor, customer, or competitor of a customer, as well as jewelry trade association, to seek civil relief. A successful plaintiff would be able to obtain an injunction and could recover his court costs and a reasonable attorney's fee. Further, persons and firms, other than trade associations, could recover for any damages which they may have suffered as a result of the false marking of a gold or silver article.

Conversely, an unsuccessful plaintiff would be liable to the defendant for the defendant's cost of defending the suit, and if the action was brought by a trade association frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, the defendant could also recover punitive damage.

I will not go so far as to say that this measure ranks in importance to the consumer with the Food and Drug Act. It is however a measure which should be enacted as an integral element in the legislative armor against the corrosive and insidious attempts to deceive and defraud the American consumer. I, therefore, urge its prompt adoption.

Mr. KEITH. Mr. Chairman, this bill posed one of the most clear-cut issues facing the Commerce Committee in this Congress. Should Congress provide consumers and manufacturers of gold and silver articles a civil remedy in the courts or should the criminal statute prohibiting mislabeling remain unenforced by the Justice Department?

After receiving testimony which indicated a serious problem, unmet by law enforcement authorities, our committee unanimously reported out H.R. 8673.

This bill will enable consumers to go into court, obtain injunctions against mismarking and recover damages. Once this measure is enacted, I am sure that the threat of civil lawsuit will deter most illegal mismarking activities by unscrupulous jewelry manufacturers.

The Justice Department, apparently unwilling to surrender part of its unused enforcement powers to consumers, has opposed enactment of this legislation. This agency maintains that the civil remedy given consumers and manufacturers will result in coercion by associations of manufacturers who may be vigorous competitors or unwilling to join the trade associations. As amended by the committee, however, H.R. 8673 eliminates this objection.

The proof involved in this type of case is not complex. A simple and inexpensive assay will determine whether the jewelry is mismarked. Should an association or rival manufacturer proceed in court without this readily obtainable proof, he would be liable for court costs and reasonable attorneys' fees. Further, if the court finds that the suit were brought for purposes of harassment or restraint of trade, it could award punitive damages to the defendant. Finally, the lack of a dominant industry or trade association in this business indicates that no preponderant force exists which could use this bill to coerce less powerful segments of the industry.

Mr. Chairman, this bill is overdue and

entirely in line with the national effort for greater consumer protection. I urge all my colleagues to vote for its passage.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 8673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "an Act forbidding the importation, exportation, or carriage in interstate commerce of falsely stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260), as amended October 4, 1961 (75 Stat. 776; 15 U.S.C. 294 et seq.), is amended by—

(a) Inserting immediately after the section number "Sec. 5." the subsection designation "(a)",

(b) Adding at the end of the newly designated subsection "Sec. 5. (a)" the following new subsections:

"(b) Any competitor, customer, or competitor of a customer of any person in violation of section 1, 2, 3, or 4 of this Act, or any subsequent purchaser of an article of merchandise which has been the subject of a violation of section 1, 2, 3, or 4 of this Act, shall be entitled to injunctive relief restraining further violation of this Act and may sue therefor in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and shall recover damages and the cost of suit, including a reasonable attorney fee.

"(c) Any duly organized and existing jewelry trade association shall be entitled to injunctive relief restraining any person in violation of section 1, 2, 3, or 4 of this Act from further violation of this Act and may sue therefor as the real party in interest in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and if successful shall recover the cost of suit, including a reasonable attorney's fee.

"(d) Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

"(e) The district courts shall have exclusive original jurisdiction of any civil action arising under the provisions of this Act."

(c) Inserting immediately after the section number "Sec. 6." the subsection designation "(a)",

(d) Adding at the end of the newly designated subsection "Sec. 6. (a)" the following new subsections:

"(b) The term 'person' means an individual, partnership, corporation, or any other form of business enterprise, capable of being in violation of this Act.

"(c) The term 'jewelry trade association' means an organization, consisting primarily of persons actively engaged in the jewelry or a related business, the purposes and activities of which are primarily directed to the improvement of business conditions in the jewelry or related businesses."

(e) Changing paragraph (A), subsection (b), of section 4 to read as follows:

"(A) Apply or cause to be applied to that article a trademark of such person, which has been duly registered or applied for registration under the laws of the United States within thirty days after an article bearing the trademark is placed in commerce or imported into the United States, or the name of such person; and"

Sec. 2. If any provision of this Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or amendment to any person shall not be affected thereby.

Sec. 3. The provisions of this Act and amendments made thereby shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States.

Sec. 4. This Act shall take effect three months after enactment.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment:

On page 2, line 23, after the period insert: If the court determines that the action has been brought frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, it may award punitive damages to the defendant.

The committee amendment was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I am intrigued by this sudden interest in gold and silver. I can remember not so long ago when the House and the Congress with the greatest of ease and even gleefully foreswore the use of gold as a backing for our currency. Only a few months ago gold was an anachronism. It was a barbaric metal. Remember? That is how the then Chairman of the Federal Reserve Board described it. Get rid of it. It is evil. And silver got about the same treatment around here. Congress gleefully substituted scrap metal for the silver in our coins. That is what we have in our pockets today—scrap metal.

So why the sudden interest today in gold and silver. Suddenly it has become an object of class legislation, special legislation. What is this all about? On one hand, Congress foreswears the use of gold, and then we get a bill to protect the purchasers of gold. When will we get a bill to protect the purchasers of diamonds? There is a great deal of fraud in the sale of diamonds. Are we about to get a bill dealing with diamonds and platinum and other metals and stones?

I happen to own an automobile. Are we going to get a bill to provide that the metal must be of a certain quality and a certain gage; that the vital parts of that vehicle must be of a certain standard or suit may be brought against the manufacturer? How much of this legislation are we going to get?

But the thing that really intrigues me is the fact that, with the greatest of ease and the greatest of abandon, we say, "Take our gold and sell or give it to the

foreigners. Sell the silver to the foreigners."

Members of the House will remember that the Government sold 44 million ounces of silver to foreign countries in the same year that Congress approved taking all the silver out of our coins. Now we are stuck with a bunch of scrap metal in our pockets, currency without the slightest intrinsic value.

All this intrigues me. It is a part of this wonderful world of make-believe that is Washington, D.C., and the Congress of the United States is the center of the world of make-believe.

We talk about economy, yet a few minutes ago the House approved almost \$100 million for one of the biggest frauds, the Peace Corps, that has ever perpetrated on this country. There is no peace and we have more enemies than ever around the world.

Balancing the budget and fiscal responsibility is a lost art.

You take it from there in this world of make-believe.

Yes; I am for consumer protection but I am not for preferential, special class legislation of this type.

There is in this Government what is known as the Federal Trade Commission on which we expend millions of dollars a year. Either that agency of Government ought to be made to function in behalf of the people of this country or it ought to be abolished.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, 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. 8673) to protect consumer by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes, pursuant to House Resolution 1092, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

Mr. TEAGUE of California. 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 351, nays 9, not voting 71, as follows:

[Roll No. 203]

YEAS—351

Abbutt	Evans, Colo.	Madden
Abernethy	Fallon	Mahon
Adair	Farbstain	Maillard
Adams	Fascell	Mann
Addabbo	Felghan	Marsh
Albert	Fish	Martin
Alexander	Fisher	Mathias
Anderson,	Flood	Matsunaga
Calif.	Flowers	May
Andrews, Ala.	Foley	Mayne
Andrews,	Ford, Gerald R.	Meeds
N. Dak.	Ford,	Melcher
Annunzio	William D.	Michel
Arends	Fountain	Mikva
Ashley	Fraser	Miller, Calif.
Ayres	Frelinghuysen	Miller, Ohio
Barrett	Friedel	Mills
Beall, Md.	Fulton, Pa.	Minish
Belcher	Fulton, Tenn.	Mink
Bennett	Fuqua	Mize
Berry	Galifianakis	Mizell
Betts	Gaydos	Mollohan
Bevill	Gettys	Monagan
Biaggi	Giaino	Moorhead
Blester	Gibbons	Morgan
Bingham	Goldwater	Morse
Blackburn	Gonzalez	Mosher
Blanton	Goodling	Moss
Blatnik	Gray	Murphy, Ill.
Boggs	Green, Oreg.	Murphy, N.Y.
Boland	Green, Pa.	Myers
Bolling	Griffin	Natcher
Bow	Griffiths	Nedzi
Brademas	Grover	Nelsen
Brasco	Gubser	Nix
Bray	Gude	Obey
Brinkley	Hagan	O'Hara
Brotzman	Haley	O'Konski
Brown, Ohio	Halpern	Olsen
Broyhill, N.C.	Hamilton	O'Neal, Ga.
Broyhill, Va.	Hammer-	O'Neill, Mass.
Buchanan	schmidt	Patman
Burke, Fla.	Hanley	Patten
Burke, Mass.	Hanna	Pelly
Burlison, Mo.	Hansen, Idaho	Pepper
Burton, Calif.	Harrington	Perkins
Bush	Harsha	Philbin
Button	Harvey	Pickle
Byrne, Pa.	Hathaway	Pike
Byrnes, Wis.	Hawkins	Pirnie
Caffery	Hays	Podell
Camp	Hébert	Poff
Carter	Hechler, W. Va.	Preyer, N.C.
Casey	Heckler, Mass.	Price, Ill.
Cederberg	Helstoski	Price, Tex.
Chamberlain	Henderson	Pucinski
Chappell	Hicks	Quile
Clark	Hogan	Quillen
Clausen,	Hollifield	Railsback
Don H.	Horton	Randall
Clawson, Del	Hosmer	Rees
Clay	Howard	Reid, Ill.
Cleveland	Hull	Reid, N.Y.
Cohelan	Hunt	Reifel
Collier	Hutchinson	Reuss
Collins	Jacobs	Rhodes
Conable	Jarman	Riegle
Conte	Johnson, Calif.	Rivers
Corbett	Johnson, Pa.	Robison
Corman	Jonas	Rodino
Cowger	Jones, Ala.	Roe
Culver	Karth	Rogers, Fla.
Daddario	Kastenmeier	Rooney, N.Y.
Daniel, Va.	Kazen	Rooney, Pa.
Daniels, N.J.	Keith	Rosenthal
Davis, Ga.	Kleppe	Rostenkowski
Davis, Wis.	Kluczynski	Roth
de la Garza	Koch	Roudebush
Delaney	Kuykendall	Rousselot
Denny	Kyl	Roybal
Dennis	Kyros	Ruppe
Dent	Langen	Ruth
Derwinski	Latta	Ryan
Devine	Leggett	St Germain
Diggs	Lennon	Sandman
Dingell	Lloyd	Satterfield
Donohue	Long, Md.	Schadberg
Dorn	Lowenstein	Scherle
Dowdy	Lujan	Schneebeli
Downing	Lukens	Schwengel
Dulski	McCarthy	Scott
Duncan	McClory	Sebelius
Dwyer	McCloskey	Shriver
Eckhardt	McClure	Sikes
Edmondson	McCulloch	Sisk
Edwards, Ala.	McDade	Skubitz
Edwards, Calif.	McKneally	Slack
Ellberg	McMillan	Smith, Calif.
Erlenborn	Macdonald,	Smith, Iowa
Esch	Mass.	Smith, N.Y.
Eshleman	MacGregor	Snyder

Springer	Thomson, Wis.	Whitehurst
Stafford	Tiernan	Widnan
Staggers	Tunney	Wiggins
Stanton	Udall	Williams
Steed	Ullman	Wilson, Bob
Steiger, Ariz.	Van Deerlin	Winn
Steiger, Wis.	Vander Jagt	Wold
Stephens	Vanik	Wolf
Stokes	Vigorito	Wyatt
Stratton	Waggonner	Wylder
Stubblefield	Waldie	Wylie
Stuckey	Wampler	Wyman
Symington	Watkins	Yates
Taylor	Watson	Yatron
Teague, Calif.	Watts	Young
Teague, Tex.	Whalen	Zablocki
Thompson, Ga.	Whalley	Zion
Thompson, N.J.	White	Zwach

NAYS—9

Ashbrook	Evins, Tenn.	Hall
Brown, Mich.	Flynt	Landgrebe
Crane	Gross	Schmitz

NOT VOTING—71

Anderson, Ill.	Edwards, La.	Morton
Anderson, Tenn.	Findley	Nichols
Aspinall	Foreman	Ottinger
Baring	Frey	Passman
Bell, Calif.	Gallagher	Pettis
Brock	Garmatz	Poage
Brooks	Gilbert	Pollock
Broomfield	Hansen, Wash.	Powell
Brown, Calif.	Hastings	Pryor, Ark.
Burleson, Tex.	Hungate	Purcell
Burton, Utah	Ichord	Rarick
Cabell	Jones, N.C.	Roberts
Carey	Jones, Tenn.	Rogers, Colo.
Celler	Kee	Saylor
Chisholm	King	Scheuer
Clancy	Kirwan	Shibley
Colmer	Landrum	Sullivan
Conyers	Long, La.	Taft
Coughlin	McDonald,	Talcott
Cramer	Mich.	Weicker
Cunningham	McEwen	Whitten
Dawson	McFall	Wilson
Dellenback	Meskill	Charles H.
Dickinson	Minshall	Wright
	Montgomery	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Garmatz with Mr. Morton.
 Mr. Jones of North Carolina with Mr. Frey.
 Mr. Wright with Mr. Dellenback.
 Mrs. Sullivan with Mr. Anderson of Illinois.
 Mr. McFall with Mr. Bell of California.
 Mr. Montgomery with Mr. Foreman.
 Mr. Nichols with Mr. Brock.
 Mr. Roberts with Mr. McDonald of Michigan.
 Mr. Shipley with Mr. Findley.
 Mr. Rogers of Colorado with Mr. Burton of Utah.
 Mr. Aspinall with Mr. Broomfield.
 Mr. Landrum with Mr. Cunningham.
 Mr. Long of Louisiana with Mr. Dickinson.
 Mr. Cabell with Mr. Clancy.
 Mr. Carey with Mr. McEwen.
 Mr. Edwards of Louisiana with Mr. Talcott.
 Mr. Celler with Mr. Hastings.
 Mr. Brooks with Mr. Coughlin.
 Mr. Charles H. Wilson with Mr. Saylor.
 Mr. Passman with Mr. Cramer.
 Mr. Gallagher with Mr. Meskill.
 Mr. Pryor of Arkansas with Mr. Pollock.
 Mr. Whitten with Mr. King.
 Mr. Anderson of Tennessee with Mr. Minshall.
 Mr. Baring with Mr. Taft.
 Mr. Brown of California with Mr. Conyers.
 Mr. Burleson of Texas with Mr. Pettis.
 Mr. Colmer with Mr. Kee.
 Mr. Scheuer with Mr. Kirwan.
 Mr. Ottinger with Mr. Dawson.
 Mrs. Hansen of Washington with Mr. Weicker.
 Mr. Jones of Tennessee with Mr. Hungate.
 Mr. Ichord with Mr. Purcell.
 Mr. Gilbert with Mr. Rarick.
 Mrs. Chisholm with Mr. Powell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1092, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of S. 1046.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

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

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of S. 1046 and to insert in lieu thereof the provisions contained in H.R. 8673, as passed, as follows:

That the Act entitled "An Act forbidding the importation, exportation, or carriage in interstate commerce of falsely stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260), as amended October 4, 1961 (75 Stat. 776; 15 U.S.C. 294 et seq.), is amended by—

(a) Inserting immediately after the section number "Sec. 5." the subsection designation "(a)".

(b) Adding at the end of the newly designated subsection "Sec. 5. (a)" the following new subsections:

"(b) Any competitor, customer, or competitor of a customer of any person in violation of section 1, 2, 3, or 4 of this Act, or any subsequent purchaser of an article of merchandise which has been the subject of a violation of section 1, 2, 3, or 4 of this Act, shall be entitled to injunctive relief restraining further violation of this Act and may sue therefor in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and shall recover damages and the cost of suit, including a reasonable attorney's fee.

"(c) Any duly organized and existing jewelry trade association shall be entitled to injunctive relief restraining any person in violation of section 1, 2, 3, or 4 of this Act from further violation of this Act and may sue therefor as the real party in interest in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and if successful shall recover the cost of suit, including a reasonable attorney's fee. If the court determines that the action has been brought frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, it may award punitive damages to the defendant.

"(d) Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

"(e) The district courts shall have exclusive original jurisdiction of any civil action arising under the provisions of this Act."

(c) Inserting immediately after the section number "Sec. 6." the subsection designation "(a)".

(d) Adding at the end of the newly designated subsection "Sec. 6. (a)" the following new subsections:

"(b) The term 'person' means an individual, partnership, corporation, or any other form of business enterprise, capable of being in violation of this Act.

"(c) The term 'jewelry trade association' means an organization, consisting primarily of persons actively engaged in the jewelry or a related business, the purposes and activities of which are primarily directed to the

improvement of business conditions in the jewelry or related businesses."

(e) Changing paragraph (A), subsection (b), of section 4 to read as follows:

"(A) Apply or cause to be applied to that article a trademark of such person, which has been duly registered or applied for registration under the laws of the United States within thirty days after an article bearing the trademark is placed in commerce or imported into the United States, or the name of such person; and"

Sec. 2. If any provision of this Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or amendment to any person shall not be affected thereby.

Sec. 3. The provisions of this Act and amendments made thereby shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States.

Sec. 4. This Act shall take effect three months after enactment.

The motion was agreed to.

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

A similar House bill (H.R. 8673) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

CAN YOU BELIEVE

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

Mr. UDALL. Mr. Speaker, just last week the President signed into law the Airport and Airway Development Act of 1970, an important step toward needed development of this Nation's air transportation facilities.

This is an ambitious program, and it is going to be expensive. Wisely, I think, it will derive its funding from the very people who enjoy the benefits of it—the users of the airways. While no one likes to pay higher taxes, I believe that the American people are willing to shoulder these increased taxes as long as their government uses the money wisely and is honest with them.

Unfortunately, Mr. Speaker, this Government is not being honest with the taxpayers of the country when it sets out to conceal from the traveling public the new taxes they are going to pay. Yet that is precisely what the Congress has done in passing this new law.

I am speaking specifically of section 7275 of that act, the section entitled

"Penalty for offenses relating to certain airline tickets and advertising."

This section of the new law is an outrage. It was not contained in the bill when it passed the House. It was not contained in the bill when it passed the Senate. But it somehow mysteriously found its way into the conference report and became law before most Members even knew of its existence.

Mr. Speaker, according to this section of the Airport and Airway Development Act it is a crime to inform travelers or would-be travelers what portion of their airline fares is going to Federal taxes. A ticket clerk found guilty of such a heinous act would be subject to a fine of \$100.

Similarly, this section of the new law prohibits such disclosure in airline advertising, even in the tiniest type at the bottom of the page. Any statement concerning the price of an airline ticket must show the overall price with tax included. The amount of the tax itself must be kept secret. Presumably it is not in the public interest for the public to know the true cost of our new airport program.

What an insult to the American people. What an embarrassment to the Congress.

Mr. Speaker, it is one thing for the Congress and the President to have allowed this "secret tax" provision to become law; it is another to allow it to remain on the books. To that end I have introduced today H.R. 18346, a bill to repeal section 7275 of the Airport and Airway Development Act of 1970. I hope and trust that many of my colleagues will join me in this effort and that the House will have an early opportunity to rectify its error.

Recently the Arizona Republic in Phoenix published an excellent article and a most persuasive editorial on this subject which I commend to my colleagues. Without objection I will insert them at this point in the RECORD:

[From the Arizona Republic, June 18, 1970]

**AIRLINE FARE TAX HIGHER; PASSENGERS
WON'T BE TOLD**

(By Jesus A. Barker)

Beginning July 1, domestic commercial airline passengers will be paying more taxes to fly, but they'll have to ask to find out how much.

On July 1, the 1970 Airports and Airways Act goes into effect and thanks to an amendment introduced by Sen. Russell Long, D-La., and accepted by both houses of Congress, any ticket agent who discloses the amount of federal taxes on an airline ticket, unless specifically asked will be subject to a misdemeanor criminal charge with a maximum \$100 fine.

As a result of the legislation, federal air transportation taxes and taxes on aircraft fuels will increase on July 1.

The federal transportation tax will increase from 5 per cent of the basic ticket price to 8 per cent. In addition, the new legislation imposes a federal tax hike of 3 cents per gallon on aviation gasoline and 7 cents per gallon on jet fuel used on non-commercial aircraft.

Although there was no congressional explanation for the action, it was apparently an attempt to prevent widespread public awareness of the increased tax.

The new law provides that fuel delivered into fuel supply tanks of commercial aircraft

may be taxfree, provided that the airline has filled out the proper forms.

Long's amendment to the bill, which made it mandatory that the ticket seller not list a breakdown of base price and federal taxes on the ticket, was approved in a conference committee.

So now ticket agents are faced with the problem of making a ticket for the customer listing only the total price, while on the copies of the same ticket for auditors and the airline there has to be a breakdown showing the base price, the tax and the total.

In a bulletin sent to all airline ticket agents by the Air Traffic Conference of America, the agents are reminded that if they disclose the amount of the tax and basic price without a specific request from a customer, they are liable to a misdemeanor criminal charge and maximum \$100 fine penalty.

A spokesman for the Air Traffic Conference in Washington said yesterday that the ATC was against the Long measure, "but it was approved by the House-Senate conference committee" and it was now too late to change it.

The regulation limiting the breakdown of basic price and taxes on a ticket does not apply on international flights.

But on commercial flights, it may only be listed on the carbon copies of each ticket that go to the airline and the auditor concerned.

[From the Arizona Republic, Phoenix, Ariz.,
June 22, 1970]

CAN YOU BELIEVE . . .

We hope you didn't miss the incredible story that appeared several days ago, by Republic reporter Jesus Barker.

Barker reported that beginning July 1, when the 1970 Airports and Airways Act goes into effect, domestic commercial airline passengers will be paying additional taxes to fly. But a ticket agent who discloses the amount of federal taxes on an airline ticket, unless specifically asked, will be subject to a misdemeanor criminal charge with a maximum \$100 fine.

Can you believe that?

Frankly, we had trouble believing that Congress—which has made such a big thing about truth-in-packaging, truth-in-lending, and truth-in-advertising—would resort to such a palpable subterfuge.

But there it is in black and white, in a bulletin sent to airline ticket agents by the Air Traffic Conference of America, reminding them that if they disclose the amount of the tax and basic price without a specific request from a customer, they are liable to misdemeanor criminal charge and maximum \$100 penalty.

Frankly, we can't remember when we last heard of a bill which shows such arrogance and contempt for the public.

ESTABLISHMENT OF CITIZENSHIP WITH NATIVE LANGUAGE

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

Mr. EDWARDS of California. Mr. Speaker, today my colleague from California (Mr. ROYBAL) and I introduced legislation that would enable applicants for citizenship to establish their ability to read and write, to understand the Constitution and the Government, in their native language or in the language in which they are most literate.

The statutory requirement from English literacy was enacted in September 1950, as part of the Internal Security Act.

Prior to that time, the only statutory language requirement for naturalization was the ability to speak English and to sign one's name, a proviso of the Naturalization Act of 1906. That requirement was carried over in subsequent acts until 1950.

Both the Naturalization Act of 1906 and the Internal Security Act of 1950 became law when antiforeign feelings were in ascendance in America. They were not the fruit of patriotism or any other generous impulse. They were the fruit of suspicion, fear, greed, and racism. They were the result of impulses that are the antithesis of the American ideal, the American dream of a free and open society.

The 1950 act exempted from the English-literacy requirement a group of older aliens who were otherwise qualified for naturalization. Those who had been legally residing in the United States for 20 years and were over 50 years of age were exempted. The date fixed for calculating residence and qualifying age was September 23, 1950, the date of enactment. That date was extended to December 24, 1952, in the Immigration and Nationality Act. A bill to eliminate the cutoff date and to extend the exception on a continuing basis passed this House in May 1969, some 14 years after the second cutoff date was established. Though the bill raised no new question of policy, and though there is no apparent reason why it should not be promptly enacted, the bill has been gathering dust in the other House of Congress for more than a year.

The Voting Rights Act of 1965 declared that English literacy was not necessary to be an informed, voting citizen. Under that act, Puerto Ricans of New York, who were citizens by virtue of their Commonwealth status, were given the vote through tests in the Spanish language. States such as Hawaii and Louisiana, having sizable numbers of non-English-speaking citizens, had earlier removed English literacy requirements for voting. In a recent landmark ruling, the California Supreme Court struck down the English literacy requirement for voting, thereby extending full voting rights to some 200,000 Spanish-speaking Californians.

Across the country, Spanish-speaking peoples have developed their communications networks, newspapers and other educational and informational materials which inform them about the history, government, and present activities of the Nation. Three daily Spanish-language newspapers have national circulation. In California and Texas there are some 40 Spanish-language newspapers and 25 radio and television stations. In New York City alone, there are three Spanish-language newspapers and a Spanish-language radio station. A similar proliferation of written and electronic media has been developed by other linguistic minorities. People of Chinese, Japanese, Portuguese, Italian, German, and Filipino descent all have their means of communication.

It has been estimated that in the West and Southwest alone, a half million American residents of Mexican descent have been deprived of citizenship by the

English literacy requirement. The number among other linguistic minorities must be in the tens of thousands.

There is much irony in this—bitter irony for those who are so deprived, Spaniards and Mexicans were the first colonizers of the Southwest. Spanish not English, is the lingua franca of the surviving American Indians of the region. In the California case, the irony was compounded by the fact that the author of that State's English literacy requirement was a member of the vigilante Committee of 15 which expelled every person of Chinese ancestry from Humboldt County in 1886. The thinking of this man, A. J. Bledsoe, deserves to be quoted at length for the light it sheds on the attitudes which then prevailed. Quoting from article V of the 1890 platform of one of the major political parties, Bledsoe declared the purpose of his proposed constitutional amendment:

We look with alarm upon the increased immigration of the illiterate and unassimilated elements of Europe, and believe that every agency should be invoked to preserve our public lands from alien grasp, to shield American labor from this destructive competition, and to protect the purity of the ballot-box from the corrupting influences of the disturbing elements . . . from abroad.

If we do not take some steps to prevent the ignorant classes, who are coming here from Europe, unloading the refuse of the world upon our shores, from exercising the right of suffrage . . . it will soon come to pass that this element will direct in our politics and our institutions will be overthrown.

We can look back on that period of our history with remorse and a terrible sense of loss. How much of cultural richness and diversity was lost to us by such folly? What opportunities there were then to nurture cultural diversity within a greater society. How many today feel cut off from their cultural roots because it was then unpopular, even perilous, to remain loyal to them? How many forfeited the gift of true biculturalism and bilingualism because they were made to feel ashamed of their foreign origins? Our past insecurity has taken a heavy toll, but it is not too late to correct the error.

In striking contrast to Bledsoe's view, closer both to reality and to our American ideal, is the statement of State Senator Joe Bernal of San Antonio, Tex., in his recent appearance before the executive committee of the Urban Coalition's Action Council:

Our country was formed on a pluralism of cultures and religious beliefs. We have continued to draw from this wealth of diversity. Congress, in passing the Immigration and Nationality Act of 1952, did make exceptions for older people . . . The basis then for older American residents to become citizens shifted meaningfully from language to a knowledge and understanding of the fundamentals of history and the principles and form of government in the United States. Why should this not be applied to anyone, regardless of age?

Why not, indeed. Abolition of the English literacy requirement would give hundreds of thousands of otherwise qualified residents access to citizenship and the opportunity for full participation in our democratic institutions. It would be a big step toward removing the stigma imposed on linguistic minorities in an

earlier era of selfishness and ethnocentricity. It would carry us a long way on the road to becoming the mature, confident and cosmopolitan society toward which we aspire.

A CENTURY OF COPYRIGHT IN THE LIBRARY OF CONGRESS

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

Mr. KASTENMEIER. Mr. Speaker, the Constitution states that the Congress shall have the power to "promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

This is the only place in our Constitution where the word progress is used. Thus it seems clear that the founders of the National Government had a special purpose in mind with respect to the writings of authors and the discoveries of inventors. Moreover, it is almost certain that they were as aware as we are today that progress in these areas depends upon the accumulation and dissemination of knowledge and culture.

We mark this year the 100th anniversary of a very significant date in the application of this idea of progress by the collection of the record of man's thoughts, for this year we celebrate a century of copyright in the Library of Congress.

It was on July 8, 1870, that the law was enacted centralizing in the Library of Congress both the registration of copyrights and the deposit of the books and other materials covered by these copyrights. Between 1790, the date of the first Federal copyright law, and 1870, registration had been in the U.S. district courts throughout the country, and the provisions regarding deposit and disposition of the works had varied in bewildering succession.

Therefore, 1870 was the year when the Library of Congress began to move most swiftly toward the first rank of the world's libraries, where its place today is unsurpassed. And so it is that on July 8, 1970, we observe a most meaningful date for one of America's most honored institutions, an institution of which the Congress should be particularly proud since it is in the legislative branch of the Government.

Our congratulations go to the Librarian of Congress and the Register of Copyrights on this occasion, together with an expression of the hope that circumstances in time to come will permit the further development and modernization of our copyright laws in what must be our continuing effort to adapt our great constitutional principle to a changing world.

ELEMENTARY AND SECONDARY EDUCATION ACT

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

Mr. GAYDOS. Mr. Speaker, on behalf

of myself and Congressman JOHN DENT I wish to commend to our colleagues the testimony of the Pennsylvania Department of Education, in support of title I of the Elementary and Secondary Education Act of 1965—Public Law 89-10—as presented to the Education and Labor Committee of the U.S. House of Representatives, on Tuesday, July 7, 1970, by Dr. B. Anton Hess, commissioner for basic education of the Pennsylvania Department of Education. I have also included the testimony of David A. Horowitz, deputy superintendent for instruction, city of Philadelphia. The combined testimony of these two outstanding Pennsylvania educators is particularly informative and timely.

The material referred to follows:

PENNSYLVANIA DEPARTMENT OF EDUCATION

Title I of the Elementary and Secondary Education Act Report to the Education and Labor Committee of the United States House of Representatives Hearing on Elementary and Secondary Education Act, Title I Program.

1.0 POSITIVE RESULTS

1.1 Reading Sampling: In an attempt to validate the effectiveness of Title I Programs the Division of Compensatory Programs selected 1968-1969 reading programs for third and sixth grade for its target sampling. A valid sample (about 60 of the 200 districts that involved elementary reading projects) was selected. Data was collected in the form of pre- and post-program test results. The information was requested in the form of grade equivalents. Only those results where the same test was used for both pre- and post-data is accepted. (See Chart I, Appendix A.) The results indicate that children involved gained up to 1½ years in reading level skills in a one year Title I program. There were some negative gains.

1.2 On-Site Evaluations: Fiscal 1970 saw the initial phase of the state on-site evaluations. These evaluations were conducted by specialists from the Pennsylvania Department of Education or other specialists approved by the Department in 276 districts. Follow-up summaries of recommendations were sent by letter to the evaluated local educational agencies. In many cases, these have resulted in immediate changes and improvements or consideration of changes for next year's projects. In addition, these evaluations certify that the local educational agencies are conducting their projects as had been proposed in their applications.

1.3 Needs: There is substantial evidence that the basic goals of Title I programs are being met. The long-range objective of breaking the cycle of poverty has not, by any means, been fully achieved; however, a significant beginning has been established. The vital aspect of Title I is that it has made funds available to local school districts (See Chart II, Appendix A), enabling them to develop educational programs specially designed to meet the individual needs of disadvantaged youth in their locale. (See Chart III, IV and V, Appendix A.) The many and varied problems being attacked by Title I programs are of such long-standing duration, complex origin, and dependent on so many extenuating cultural, social and economic factors, that even minimal progress toward realizing the objectives is encouraging.

1.4 Federal Programs Conference: The Pennsylvania Department of Education's Bureau of Curriculum Development and Evaluation, the Pennsylvania Association of Federal Program Coordinators and the Four-State Committee on Follow Through cooperatively sponsored a Federal Program Conference at Tamiment, Pennsylvania, April 27-30, 1970. The purpose of the conference was to

disseminate information to local educational agencies and other agencies regarding the status, function, planning and regulations of federal programs administered by the Commonwealth through the Department of Education. Approximately 1200 persons (school administrators, curriculum coordinators and school business administrators, follow-through conference participants, neglected and delinquent institution representatives, migrant program representatives, model/partner city representatives, non-public school representatives, project supervisors, project writers, teachers and Title III representatives) were in attendance. Although little time has elapsed since the Tamiment Conference, early positive results of the conference seem to indicate improvement in the quality of program projects submitted.

1.5 Non-Public School Participation: Title I programs have been significant in bringing together both public and non-public school personnel, recognizing that their goals and objectives for educating children are identical. (See Chart VI, Appendix A.)

1.6 Exemplary Programs: While there are no statistical bases for these reactions, the Pennsylvania Department of Education Title

I staff has noted that the overall impact of Title I in Pennsylvania has been tremendous. Appendix B details many of the more successful programs of the 1969-70 school year.

2.0 ANTICIPATED ACTIONS

2.1 Accountability: The state of Pennsylvania has long recognized the need to improve the accountability of Title I projects. As a result, several procedures have been initiated.

2.1.1 The Pennsylvania Department of Education has requested that the student outcome objectives for 1970-71 Title I program proposals be written in measurable behavioral terms. The rationale for this procedure is that when objectives are written in measurable terms they usually include terminal outcomes. This enables the local educational agencies and the Pennsylvania Department of Education to determine more readily if the objectives are achieved.

2.1.2 The continuation of the on-site evaluations (see 1.2 above) will be placed on three-year schedule, with approximately 1/3 of the participating local educational agencies to be evaluated each year.

2.2 Comparability: For fiscal 1971 a new form, DEBE 679 (Assurance of Comparability

(see Chart VII, Appendix A), has been made part of the standard application. This form compares non-participating schools with Title I schools in local educational agencies in relation to teacher load and per pupil expenditure from the general fund. It is expected that Title I will supplement the effort in the target schools. Although it is impossible at this time to know exactly how many school districts have used local funds to supplement Title I funds when full funding is not available, a conservative estimate would be 250 districts. This number is about one half of the local educational agencies participating. Many local educational agencies have also freely contributed part of their regular staff's time to Title I activities.

2.3 Quality Assessment: The Bureau of Educational Quality Assessment in cooperation with Penn State University is conducting a statewide survey to measure student achievement in terms of Pennsylvania's ten goals of Quality Education. The results of this survey will be used by the Bureau of Curriculum Development and Evaluation's Title I staff to establish state priorities for Title I activities.

CHART I

APPENDIX A — RESULTS OF READING PROJECTS AS MEASURED BY A COMPARISON OF PRE AND POST TEST RESULTS FROM A RANDOM SAMPLE OF 3D AND 6TH GRADE STUDIES IN E.S.E.A. TITLE I PROJECTS IN PENNSYLVANIA, 1968-69

Test used	3d grade			6th grade		
	Number of students tested	Average gain per year as indicated by pre test for each student before enrollment in title I projects	Average gain per year as indicated by a post test for each student involved in title I	Number of students tested	Average gain per year as indicated by pre test for each student before enrollment in title I projects	Average gain per year as indicated by a post test for each student involved in title I
Gates MacGintie reading test.....	269	0.61	1.11	196	0.66	1.22
Metropolitan reading test.....	227	.82	.72	255	.71	1.55
California reading test.....	117	.68	1.0	141	.44	.58
Stanford reading test.....	462	.65	.70	306	.69	.66

Note: All results are given in the form of grade equivalents where 1.0=growth for any normal child in a school year.

CHART II

1969-70 TITLE I ESEA DATA (AS OF APRIL 17, 1970)

Amount		Percent	Amount		Percent
Budgeted:			Sites.....	\$975.00	
Salaries.....	\$28,551,943.70	79.1	Building.....	3,863.21	
Contracted services.....	1,286,725.75	3.6	Remodeling.....	1,500.00	
Other expenses.....	5,843,792.97	16.2	Total amount approved.....	36,079,948.52	
Other equipment.....	31,384.62	.1	All equipment.....	391,137.90	1.1
Instructional equipment.....	359,753.28	1.0	Construction (sites, building, remodeling).....	6,308.21	.01

Note: Entitlement, Pennsylvania (local educational agencies)—\$52,600,148.70.

CHART III

TITLE I, ESEA INSTRUCTIONAL ACTIVITIES (REGULAR TERM) 1968-69

Activity	Public	Private	Total number of children	Neglected and delinquent	Estimated cost	Activity	Public	Private	Total number of children	Neglected and delinquent	Estimated cost
2. Mathematics.....	35,651	7,262	42,913	690	1,736,846	20. Speech education.....	249	50	299	50	43,259
3. Pre-kindergarten and kindergarten.....			16,591		1,603,786	21. Industrial arts.....	1,228	146	1,374	160	34,766
4. English language arts.....	17,059	1,281	18,340	135	811,034	22. Home economics.....	558	210	768	110	24,669
5. Teacher aides.....	16,088	3,042	19,130	0	733,065	23. Remedial 1st grade.....	40	10	50	0	19,893
6. Cultural enrichment.....	47,713	14,452	62,165	766	670,703	24. Audio visual.....	771	154	925	101	17,960
7. Music.....	24,594	4,662	29,256	177	642,929	25. Day care center.....	110	0	110	0	16,296
8. Art.....	45,530	6,811	52,341	346	598,080	26. Work study program.....	198	25	223	0	14,423
9. Science, social.....	13,011	1,277	14,288	114	461,281	27. Agriculture.....	198	0	198	0	14,131
10. English, speech.....	17,683	1,239	18,922	132	456,328	28. Foreign language.....	944	70	1,014	0	13,357
11. Physical education/recreation.....	26,723	4,368	31,091	481	401,105	29. Camping.....	133	25	158	26	13,000
12. Science, natural.....	18,520	2,661	21,181	170	376,780	30. Learning center.....	227	26	253	19	7,338
13. Handicapped.....	1,587	147	1,734	99	327,811	31. Perception development.....	125	20	145	0	2,550
14. Evaluation.....	73,800	18,800	92,600	0	250,000	32. Computer programming.....	67	0	67	0	2,000
15. English, 2d language.....	1,201	286	1,487	3	221,376	33. Continuing education.....	80	0	80	0	1,900
16. Television.....	32,045	9,762	41,807	77	202,930	34. Curriculum materials center.....	465	0	465	0	1,739
17. Vocational education.....	1,446	59	1,505	5	152,943	35. Photography.....	100	0	100	0	1,000
18. Business education.....	3,164	781	3,927	184	115,077	36. Driver education.....	2	0	2	0	95

Note: The Title I programs submitted to the State by the 492 participating L.E.A.'s served 251,149 public school students and 47,029 non-public school students at an estimated cost of \$42,053,472.

CHART IV

TITLE I, ESEA SUPPORTIVE ACTIVITIES (REGULAR TERM)

Service	Total of number children		Neglected and delinquent	Estimated cost	Service	Total of number children		Neglected and delinquent	Estimated cost		
	Public	Private				Public	Private				
1. Library.....	114,385	19,819	134,204	625	\$3,825,567	11. Aides.....	3,451	487	3,938	0	\$141,150
2. Guidance counseling.....	72,414	16,547	88,961	768	2,215,292	12. Speech therapy.....	3,606	1,044	4,650	59	83,381
3. Community service.....	47,310	14,720	62,030	0	1,174,503	13. Home and school visits.....	4,457	330	4,787	64	44,194
4. Food.....	27,379	2,664	30,043	224	724,378	14. Curriculum materials.....	1,429	144	1,573	0	44,194
5. Social work.....	18,864	2,234	21,098	581	480,575	15. Clerical.....	3,846	499	4,345	36	40,486
6. Transportation.....	29,374	4,238	33,612	532	363,073	16. Clothing.....	1,727	289	2,016	10	27,490
7. Psychological.....	12,606	2,432	15,029	357	307,728	17. Learning center.....	550	0	550	0	14,500
8. Health, dental.....	30,961	3,749	34,710	122	288,383	18. Psychiatric.....	112	13	125	0	11,423
9. Health, medical.....	27,683	3,725	31,408	213	201,866	19. Handicapped.....	218	47	265	0	10,200
10. Attendance.....	12,758	1,177	13,935	105	183,073	20. Day care center.....	33	0	33	0	6,370

CHART V

TITLE I STAFF—PENNSYLVANIA

Staff	Number	Salary
1. Teaching prekindergarten.....	89	\$300,998
2. Teaching kindergarten.....	244	685,381
3. Teaching elementary.....	3,603	8,219,182
4. Teaching secondary.....	1,752	2,893,132
5. Teaching handicapped.....	82	331,998
6. Teacher aide.....	2,722	3,813,190
7. Librarian.....	245	788,691
8. Librarian aide.....	553	1,249,075
9. Supervision.....	336	1,532,630
10. Direction and management.....	374	1,395,735
11. Counseling.....	353	1,872,128
12. Psychologist.....	93	304,853
13. Testing.....	59	285,405
14. Social work.....	121	983,862
15. Attendance.....	53	144,373
16. Nurse.....	160	231,737
17. Physician.....	47	43,123
18. Dentist.....	60	64,022
19. Dental hygienist.....	32	114,693
20. Clerical.....	650	1,164,981
21. Others.....	1,000	2,068,219
Total.....	12,628	28,487,408

CHART VI

NUMBER OF STUDENTS SERVED (1968-69)

	Public	Private	Total
Regular school.....	251,149	47,029	298,178
Summer school.....	102,836	20,175	123,011

APPENDIX B.—EXEMPLARY TITLE I PROJECTS
SCHOOL-COMMUNITY COORDINATOR SERVICE

This service has been developed to improve lines of communication between the schools in disadvantaged areas and the communities they serve. One or more coordinators—lay persons who reside within the school boundaries and who are "opinion leaders" of the community and people of demonstrated leadership ability—are supervised by an assistant director of the Division of Pupil Personnel and Counseling. Bi-lingual Spanish-speaking coordinators are assigned to schools in Puerto Rican communities. They interpret the school system's program to the communities, inform school people of the aspirations and needs of the community, develop and support school-community activities designed to improve the neighborhood and visit individual homes to gain information which will enable schools to operate more knowledgeably. Coordinators' work hours are flexible to permit them to work before, during and/or after school and on weekends. This project has been termed very successful in utilization of lay people to improve communications. It may not have been wise for these coordinators to make it known initially that they were employees of the school district.—Philadelphia City School District, Dr. Mark R. Shedd.

(Chester City has also adopted a similar program called block parents, in which the communities select their representatives to act as "proxy parents" in liaison with the schools.)

CUSTER STREET SCHOOL FOR REMEDIAL AND CULTURAL EDUCATION

The Day Care Center section of the Custer Street School provides a training program for severely retarded children who have other handicaps or problems and who do not meet the requirements for trainable classes in public schools. Two groups of students are accepted into the program: (1) children five to ten years of age who have possibilities of becoming eligible for trainable classes and (2) children five to seventeen years of age who will never be eligible for public school.

The purposes of the school are to provide the parents of these children with relief from severe tensions, which are difficult to escape, and to create a better home atmosphere by counseling the parents and by training the child in a minimum of responsibilities while improving his self-concept. The children are also provided with medical and dental treatment which is often neglected by the parents.—Wilkes-Barre City School District, Walter C. Wood.

MOBILE SPEECH AND HEARING PROGRAM

The Mobile Speech and Hearing Program provides diagnostic services for speech and/or hearing handicapped students within the physical setting of three mobile units adapted for such specialized use. Therapeutic counseling and educational services are then available to those students selected on the basis of favorable prognosis and/or problem severity. Twenty-one schools in three areas of Pittsburgh are serviced by the mobile units.

Enrolled students achieve correct or substantially improved speech production as a direct result of the therapy programs. Indirectly, the students benefit socially due to their improved speech production. Additionally, a study reports significant improvement in educational achievement as a result of participation in speech and hearing therapy programs. Benefits also accrue from cooperative hospital, clinic, educational and agency services among which the sharing of records and reports is constant. Throughout the school year, personnel meet regularly to participate in professional workshops and to discuss and evaluate the total program, plan for its improvement and implement change.—Pittsburgh School District, Vaughan Weber.

TID—TALENT IDENTIFICATION AND DEVELOPMENT

As the title implies, TID was designed to provide a compensatory fine arts program of individualized instruction for culturally deprived students in grades three to twelve. The program was founded on the concept that urban area students, especially deprived ones, require a cultural anthropological prerequisite to the psychological process of learning school subjects.

By providing this cultural prelude as an adjunct to routine classroom learning patterns, the identification and development of a viable talent in art, music, ballet and dramatics engenders certain outcomes: (1) a positive drive to achieve better in traditional academic subjects; (2) an improved self-image as reflected in personality growth

and confidence and (3) a discovery and realization that this trained talent can lead to a successful life career.

TID students receive instruction from professional artists in studios, schools and colleges in the local Chester area and in the Metropolitan Philadelphia area, as well as from colleges and campuses offering summer classes in the fine arts. Students are given all the paraphernalia required for art, music, ballet, etc., including food and transportation costs as well as the proper clothing to attend lessons with pride and dignity.

The success of this program is multi-leveled and ranges from more students attending professional performances of concerts, operas and ballets to a more cooperative relationship between the professional artist and the school personnel than previously existed.—Chester City School District, John J. Vaul.

WALNUT STREET CENTER

The Walnut Street Center houses preschool and first grade classes in a day-care (7 a.m. to 7 p.m.) school setting with a non-school atmosphere. The philosophy of this nationally-known enterprise includes the belief that it must be "a place where the child can grow fully in an atmosphere of warmth and complete acceptance" and he must "be helped to believe in himself and his abilities and all he may become."

Most of the 400 students are "poverty children" but there are also some children from affluent families who proved to be good "teachers" of manners, deportment, pronunciation, etc. Field trips by bus are an essential part of the program and parents are drawn intimately into the activities from the time of the pre-admittance interview: they act as aides, guides on trips and tutors.

In addition to the teaching staff there is a dietician, a chauffeur, a psychologist, a nurse, social workers, a home and school coordinator and the director who bring together the competencies which are essential to the success of this creatively-oriented center.—Philadelphia City School District, Dr. Mark R. Shedd.

PENNSYLVANIA ADVANCEMENT SCHOOL

Established in Philadelphia in 1967, the PAS is a non-profit corporation under contract to the School District of Philadelphia. Its funding has been derived from a number of federal, local and private sources. Its ultimate goal is to develop a model educational program which fosters integrated emotional, intellectual and social growth in urban children.

The school is an experimental institution which has as its student body seventh and eighth grade under achieving boys from Philadelphia public and parochial schools. At first the boys attended the school for a single fourteen-week term although now some boys remain for an entire year. The staff is comprised of some 50 professionals, including teachers, curriculum development specialists, administrators, writers, researchers, follow up workers and ancillary educational personnel, many of whom are not certified teach-

ers. The school provides a laboratory for testing new methods and materials and for demonstrating to others new models for educating urban children. Several thousand visitors have observed its operations during its existence. PAS personnel conduct an intensive summer program for school district personnel and are engaged in curriculum development and dissemination, community liaison, follow up of its graduates and external staff development and research.

Many opinions have been voiced about the effectiveness of the school's program on the educational rehabilitation of its students. Most reports indicate that it has achieved success in this respect, but concern has also been expressed that the confidence in abilities and independence which the boys achieve here will be suppressed when they return to their originating schools. The school has been reproved for its lack of teacher certification, measurement devices and attendance reports, although one of its strengths is its autonomy as a non-profit corporation.—Philadelphia City School District, Dr. Mark R. Shedd.

IMPROVING SCIENCE SKILLS

Disadvantaged children with deficiencies in communication skills, literacy, computational skills and attitudes toward learning are given special assistance through inquiry-oriented science experiences to improve general learning and performance skills. Teachers learn through a thirty hour interaction analysis workshop to use the inquiry-based materials developed by the American Association for the Advancement of Science's "Science—A Process Approach", the Elementary Science Study and Science Curriculum Improvement Study programs to involve children in small group science experiences which will result in growth in communication and learning skills and social interaction. Through their interaction analysis training, the teachers can then evaluate their observations of pupil behavior in order to determine the success and/or additional needs of the program for each child.—Philadelphia City School District, Dr. Mark R. Shedd.

PSYCHOLOGICAL CENTER AND TALKING TYPEWRITERS

Chester City's experiment in clinical education has attempted to diagnose and treat the specific educational needs of the disadvantaged child in order to retain him in the normal educational continuum. Operation IMPETUS introduced modern psychological and psychiatric techniques for treatment, evaluation and readjustment into the educational system.

The district acquired a building and converted the offices into a Psychological Center, which remains open fifty weeks a year, 8:30 a.m. to 9:00 p.m., five days a week and half a day on Saturday. It is staffed by specialists in the fields of clinical psychology, psychiatry, neurology, dentistry and social work. The implied and actual impediments of the children to which these specialists apply their treatment include paucity of clothing, cultural enrichment voids, lack of convenient transportation and tenuous home and school relationships. The center has caused marked improvements in the attitudes and skills of the students, etc., who have benefited by its operations.

The Psychological Center houses the "Talking Typewriter." Many elementary school staff members, after using several varieties of instructional materials in programs that were especially designed for disadvantaged readers, felt they had failed. An entirely new approach had to be found and the thought of the "Talking Typewriter" offered a "Court of Last Appeal." The "Talking Typewriter" program consists of thirty hours of actual instructional time. Students are scheduled to receive these thirty hours in sessions of fifteen minutes each. Each fifteen minute session on the machine is followed by another

fifteen minutes of a post session dialogue with a reading clinician in the "Talking Typewriter" laboratory at which time the student's daily activities on the machine and his typed "print out" are given as a homework reading lesson. A special elementary school reading program has been designed using the "Talking Typewriter" for the "hard core poor readers."—Chester City School District, John J. Vaul.

OPPORTUNITY SCHOOL

The Opportunity School, which is located in a YMCA, provides an educational program for emotionally disturbed boys with case histories of delinquency. The public school presently has no means to treat such boys and must refer them to the Juvenile Court. In most cases the court previously committed them to an institution.

In order to improve the boys' academic achievement, the school provides small, informal class sessions in communications skills, mathematics, social studies and physical education. After the school day, the boys are taken to the school vocational shops for practical training. During the evening the boys are aided in developing self-concepts through working in the arts. Instruments are provided for those interested in music while others work with ceramics, etc.

Transportation is provided for the boys to the school in the morning and to their homes at night. Three meals are provided at the YMCA for the enrollees. One full time parole officer is provided by Juvenile Court for the boys while other services are made available by the Pittsburgh Board of Education, the Juvenile Court, the University of Pittsburgh Graduate Schools and the Department of Welfare.—Pittsburgh City School District, Louis J. Kishkunus.

EDUCATIONAL-MEDICAL SCHOOL

Approximately 150 pregnant girls enroll each year in this school in order to avoid the four month absence from school during later pregnancy and childbirth. Instruction in English, social studies, mathematics and science for grades seven through twelve is provided. The girls attend for a semester and then are readmitted to the regular classroom upon a physician's approval. The public health nurse and a social worker collaborate with appropriate community agencies to insure proper prenatal care and post-natal care and to provide counseling and other services. The school staff consists of a director, a social worker, five teachers, a half-time remedial reading teacher and two teacher aides. Classes are held in an annex of Allegheny General Hospital.—Pittsburgh City School District, Louis J. Kishkunus.

LANGUAGE ARTS PROGRAMS (STATE-WIDE)

Significant improvement was realized in many aspects of the language arts program within the Commonwealth. Improvement in interest, attitude and increased self-confidence were reported as valuable outcomes. In the remedial and developmental reading programs, standardized test results indicated marked improvement in the majority of students tested. Teachers reported that students who had not previously taken an active part in activities began to feel secure enough to volunteer information in class discussions and group activities, due, in large measure to emphasis on individualized and small group instruction. Of equal importance, the reinforcement of reading skills at the elementary level has enabled deprived children to overcome a lack of readiness. Small group instruction has provided time for individual help and attention which the educationally deprived child needs but does not receive at home or in the regular classroom. Materials and instruction are now better designed for reaching the child where he is and moving him toward his ultimate potential.

Moreover, small group remedial attention has provided ideal intra-personal relationships, improved attitudes and general inter-

est. Whereas in the past, the school experience was one of frustration and ineffectiveness, it is now (according to a majority of the reports received) a meaningful experience for the disadvantaged. Pupil interest and knowledge is being stimulated toward books and the library, due, in large measure to emphasis on varied programs in the language arts.

PARAPROFESSIONALS (STATE-WIDE)

The presence of paraprofessionals performing non-instructional duties was instrumental in affording classroom teachers additional time to work with educationally disadvantaged children. A direct result of this extra time and personal attention was a much better attitude towards school. Reports indicated that Title I children now attend school with greater regularity, are creating fewer discipline problems and, in general, are experiencing success in many of their classes. Parents, too, are showing increased interest in their children and the educational programs of the school, as evidenced by a majority of the evaluation data. The classroom teachers were able to provide a greater variety of lessons for their pupils, utilize audiovisual presentations to a greater extent, and reported that they were able to do things they could only think about doing in the past.

NUMBER OF TEACHER-AIDES AND PARENTS RECEIVING INSERVICE TRAINING (1968-69)

	Teachers	Aides	Parents
Regular school (10,535).....	6,754	2,300	1,481
Summer school (1,169).....	766	288	115

AID—ASSIST INDIVIDUALS' DEVELOPMENT

The community action agency was a considerable help in suggesting programs to be conducted at the Early Childhood Development Center. Dr. Donald W. Strang, Project Director, indicated he was well pleased with parental concern and involvement in the planning stage. The school district identified a group of students that could be considered potential dropouts. Each child was assigned a teacher as a personal advisor. The teacher contacted the child's parents and kept them informed of the situation. In several cases the parents became active participants in the program, doing all they could at home or in school to encourage the child and to prevent him from dropping out.

A summer recreation program was perhaps the most successful part of the project. Two target areas were selected in the school district. Summer recreation programs were established. Successful attempts were made to involve parents in the program. Many activities were planned where the parent and child could cooperate in a joint venture. Picnics and other outings planned were a great success. The major contribution of the project was increased understanding and appreciation of parent for child and child for parent where very little had existed before.

The success of this part of the project was so gratifying that an expanded program was planned for fiscal 1970.

Although no target area students or parents were employed with Title I funds, several students under the Neighborhood Youth Corp Program worked in the Summer Recreation Project.—Baldwin-Whitehall School District, Dr. Donald W. Strang.

TESTIMONY OF DAVID A. HOROWITZ, DEPUTY SUPERINTENDENT FOR INSTRUCTION, BEFORE THE HOUSE EDUCATION AND LABOR COMMITTEE, WASHINGTON, D.C., JULY 7, 1970

My understanding is that you are not interested in programs with fancy names or promises but in research data that hold the promise of being able to rationally predict future success for "target children" and which relate measurable outcomes to the

specific goals and objectives of an institution. I intend to provide you with some data about some of the programs we are operating in Philadelphia, but first let me review the problem as I see it. In this way you can get some idea of the constraints that shape the direction of our resource allocation, determine the structure of our programs and throw obstacles in the way of data collection. These constraints plague every big-city system, private and public. Therefore Philadelphia may serve as an example.

The academic deficiencies within the schools in the United States as a whole are considerable. One out of every four students, nationwide, has significant reading difficulties and about half of the unemployed youth between the ages of sixteen and twenty-one are functionally illiterate.

Within the adult population it is estimated that there are more than three million illiterates. In a recent United States Armed Forces program called Project 100,000 it was found that over sixty-eight percent of the young men performed below the seventh grade level in reading and general academic ability.

The problems of the large cities are even greater. A study of juvenile offenders in New York City indicated that seventy-six percent of delinquents screened for educational problems were at least two years retarded in reading. In Philadelphia, the problem is equally acute. There are over 200,000 adults who cannot read well enough to interpret signs or read the newspaper. That is ten percent of the population of the city. Obviously, the problem can be traced to the schools. Among poor achievers, patterns of disinterest, truancy, and attrition may be found. These realities cannot be separated from the conditions of life in the city which have in the past been seen as social, economic, or political issues. They are all of these, but they are also educational. Reports from the school district of Philadelphia's Division of testing have shown that . . . "On the Iowa tests of basic skills, the average child in second grade scores four months below national norms; six years later, this deficit has increased to twelve months."

The problems which are engendered by the academic deficiencies in the school district are staggering by themselves. However, there is an additional constraint placed upon the system. This is the financial problem.

The "Taxpayers Revolt", the diminishing tax base caused by the flight of the middle class to the suburbs, the unwillingness or inability of state and local governments to increase resources, and a federal cutback in spending has hurled the school district into the grips of a severe financial crisis. As a result, we are carrying a deficit of \$15 million from the budgets of fiscal 1968 and 1969. The deficit from this past year's operation was nearly \$8 million. Thus, the school district is carrying a deficit of over \$20 million into this next fiscal year.

This deficit represents more than 15% of our budget. With such severe financial limitations we have been unable to provide new or expanded services in the areas of greatest need. In fact, it has become necessary to reduce or eliminate many programs. Saturday morning, after school, and summer programs have suffered greatly. Experimentation and innovation have been curtailed in an era which has been demanding increased attention to new strategies, techniques, and curricula for the youth of the future.

Those who suffer the most are those who can afford it the least. The educationally and socio-economically disadvantaged. Besides being burdened and hindered by the conditions affecting the entire school district, the "disadvantaged" children in urban centers have become further and further disrelated because their need for supplementary educational experiences has not been met to the

extent mandated by their low functional levels.

The school district of Philadelphia is well aware of the situation at hand—as is the community as a whole. Increased interest and concern has been expressed for the improvement of the educational offerings presently available. Within the limits imposed by financial conditions the school district has been responsive to these concerns. Priorities have been established for reading, basic skills development, and early childhood education.

The utilization of State and Federal resources is and will be an essential part of our program for improving the educational status of Philadelphia's pupil population. Commitments have been made and resources have been allocated to provide a comprehensive program designed to improve reading. The focus on early childhood education is reflected in our participation in programs such as Headstart and Follow Through. All of these programs cost money. Monies which must be allocated at levels above those available through the operating budget. The future of a great number of our pupils, in fact, the future of our city, is at stake.

Thus, ESEA funds have become an essential part of our program in the school district of Philadelphia for two basic reasons. The first lies simply in the nature of the programs we have been able to mount and will be able to continue only with Federal funds. They are essential programs.

The second is that ESEA funds constitute for us, and I believe for most big cities, the critical increment—the change dollar necessary to overcome institutional inertia and produce institutional change. I don't have to cite for you, I am sure, the statistics on drop-outs, semi-literate or functionally illiterate high school students, low pupil achievement levels and their inevitable outcomes—unemployment and high crime rates. We're haunted by these statistics in Philadelphia and they are, by and large, as frightening in Philadelphia as they are in every big city. Nothing makes clearer the need for dramatic improvement and change in the institution of public education but it can't be done without money.

At this point, I would like to describe some of the title I and title III programs that we have been able to mount despite problems of historical neglect and financial crisis. Many of these programs are designed to change the nature and quality of the educational process. Other efforts have been focused directly upon specific areas of academic deficiency.

A description of each program will be followed by a discussion of the research findings that are relevant to these programs. The Office of Research and Evaluation has provided project administrators and other decision makers with valuable and timely information on both the operation and the effects of our federally funded programs. Their information is based upon carefully controlled evaluation techniques which include constant project monitoring as well as pre- and post-testing. Two years of experience in the school district and the availability of reports from previous years has helped insure the relevance of this research effort.

A number of innovative programs have been established through ESEA. One of these is the *Pennsylvania Advancement School*. The school takes 7th and 8th grade boys from regular schools and attempts to restore their interest in education. It is a voluntary program designed for underachievers. The boys come for 3 to 9 months and then return to their regular school.

The purpose of the program is to affect the attitudes of the students toward learning; to change them from disinterested underachievers to excited questioning, searching learners.

The staff attempts to achieve this by creating an atmosphere of acceptance, excitement, and understanding. Students are free to explore free-wheeling courses—like improvisational drama and urban geography—which involve them emotionally and physically as well as intellectually. The environment bombards the student's senses with color, and other stimuli such as carpeted floors and movable partitions. A wide range of audio and visual media are used to attract the attention of the students. The theory behind all of this is that learning is best achieved when as many of the senses as possible are involved and when the sense stimuli are relevant to the student's environment. This is a practical application of McLuhan's statement that the "medium is the message." The advancement school attempts to convey the message of learning through the media that stimulate and excite the senses of the learner.

Formal research observations have confirmed the positive feelings of the students toward the program. Their attitudes toward school and learning have changed drastically. Longitudinal data indicates that the students felt that the advancement school was better than their regular teachers; that they learned more than in their regular schools; that the experience would help them get better grades in their regular school; that they would be able to get along better with the people in the old school; that the advancement school was more interesting than regular school, and that the experience made them want to work more in school. The great majority of the students would have attended the advancement school as long as they could if they had been allowed to continue instead of spending only 3 to 9 months there.

A second innovative program has established *learning centers*. These are located in some lower schools and serve as learning laboratories. Children from regular classes come at regular intervals and participate in a variety of learning experiences. Children are free to explore a wide range of materials—science equipment, books, games, etc. They go where their interest lies. The teacher is a monitor and facilitator of exploration experiences.

In addition to informal studies which indicate increased student excitement, enthusiasm and involvement, as well as teacher acceptance of a new style of teaching, there is hard data available which indicates that when compared to three control groups learning center children are from 2 to 3 times better at solving problems of all types, and persisting at their work. The data indicates that there is only one chance in 100 that these dramatic differences in children exposed to the learning centers can be attributed to chance.

Another promising program, *Project Grow*, is the largest operational program in computer-assisted instruction in the country. The project is located in two junior high schools and two senior high schools in Philadelphia. The research reports have been encouraging. They have shown that, despite some problems in the hardware system, achievement in reading by computer-taught students was significantly higher than that of control group students.

In addition to the programs I have described in detail, there are some others that have yielded hard data that indicate successful instructional approaches.

The *salable vocational skills program*, a voluntary Saturday class designed to reinforce skill training, demonstrates that students significantly improve their skills in typing and data processing, obtain a higher employment rate upon graduation, and have a better attitude toward school than a control group of students who did not participate in the program. In data processing, students showed an improvement of 64% over

their initial efforts, and in typing their improvement increased by 84%.

Our *English as a second language project* indicates that emphasis on the development of literacy in Spanish in the early grades has enabled our Puerto Rican students to acquire significantly better command of written and spoken English than students who do not undergo such instruction. This program serves 847 children in 16 public and 6 non-public schools.

In the area of remedial reading, a crucial concern in inner-city schools, Philadelphia's "improving reading skills" project, which provides reading centers and individually prescribed instruction for 1,626 elementary school students, results in considerable progress in overall reading achievement for these students. Research reports show that classes in reading skill centers are extremely well organized and that the atmosphere is one of general cooperation and desire to work and learn. Prior to Project Operation only 19% of the skill center pupils had attained mastery in vocabulary and word attack skills. After one year in the program, 53% of the children had obtained mastery in reading comprehension, only 12% of the children had failed to show growth. 48% gained two reading levels.

The *out-of-school science program for paired schools* promotes better understanding between students of different ethnic and social backgrounds by bringing together students from different schools for participation in a science program at the Franklin Institute, a nationally known science museum and laboratory. It has been found that students who participated in the program attained significantly higher scores on a science achievement test than control students from the same schools. Student interaction data revealed that pupils were positive and cordial in their behavior towards one another. They worked cooperatively towards the accomplishment of the project's goals about 94% of the time. No example of pupil aggression was observed. The overall conclusions were:

1. It is feasible to bring children of different racial, religious and ethnic backgrounds together for joint educational experiences at a "neutral" site.

2. The paired-school children interact positively with one another and will work cooperatively in pursuit of the project's goals.

3. The paired-school children significantly exceeded control groups with respect to science achievement.

We are finding that an effective means of improving the lines of communication between the school and the community is the school-community coordinator program. School-community coordinators serve as liaison persons between the schools and the community, convey and update information, develop supportive school-community activities, and visit homes. They have been responsible for heightening and involvement, responsiveness, and knowledgeability of the community as well as for aiding school personnel by making them aware of the community factors which affect the operational conditions of the schools. A recent survey across the city revealed that 87% of the parents perceived the program positively. In addition, 83% believed that the schools have become more responsive to community needs via this project.

The intensive learning center program uses three strategies for learning; individually prescribed instruction, discovery, and a combination of these two approaches; in the education of later elementary school children. The results of this year's evaluation show that attendance of children at the intensive learning center is well above that of the home schools of these children. The achievement patterns in both reading and arithmetic are indicative of the effectiveness of this program. In some instances the rate of growth

has accelerated to three times what it had been before the pupils' entrance into the program.

A class for mentally retarded-emotionally disturbed children has been established to deal with the problems of severely handicapped students. The project was successful in reducing the frequency of non-relevant student behaviors by over 70%, in raising language ability by an average of 7 months, and in effecting the satisfactory adjustment of 80% of the students into regular classrooms.

Philadelphia's motivation program serves over 5,000 students and is designed to aid and encourage able and potentially able students to continue their education after high school. Besides the regular school program, enrichment classes in English and mathematics, counseling, college visitations, and cultural programs are available. A major emphasis is placed upon parental involvement. Returns from a questionnaire showed that 81% of the motivation students who graduated in 1969 were attending a college or university while the district-wide figure was 35%.

Our own experience with the federally-funded follow through program indicated that even severely disadvantaged children perform well in school when they are provided sufficient resources. The evidence indicates that inner-city schools can do the job if they can provide students intensive support and instructional services. But the margin between success or failure for the inner-city school is a wide one and can only be bridged with a heavy increase of funding.

Gentlemen, I believe we are at a critical juncture in federal involvement in the funding of public education precisely because we are at a point where the clear gains realized through ESEA will either be consolidated and expanded, or they will wither away.

It is a simple fact of life that extension of ESEA at the level of appropriation recommended for the fiscal year 1971 will simply permit the withering to begin: High expectations, in the community as well as among educators, will turn to frustration—and that is a most volatile kind of alchemy.

Recommended funding levels for title III, for instance, will merely provide for continuance of present programs. Yet this is the title which, in my judgment, may produce the greatest long-range pay-off. But no effort to disseminate current gains and broaden them will be possible.

The same should be said for title I. It is important to point out that simply continuing funding at the same dollar level is in effect a decrease in available resources, because of inflation. At present rates, a ten percent increment is needed annually just to maintain the current level of services.

If ESEA is to fulfill its promise, and if it is to speak to the pressing needs of the cities, I would urge the following actions:

1. Fund all titles at the level of authorization. This would be a minimal start—and I stress the word minimal.

2. Fund ESEA programs sufficiently in advance for school districts to plan for the expenditure of funds. We begin planning, in considerable detail, our operating budget ten months before the fiscal year begins. Our planning is guided by a five-year budget projection. But we never know how much ESEA money we will receive until well into the fiscal year for which it is appropriated. Sound planning and management are all but impossible under these conditions. They are replaced by a kind of fiscal roulette.

3. In closing, let me simply reiterate that, we are at a critical point in the history of federal support of public education. Federal funding has enabled us to begin structural changes in the schools which will release the talents of teachers and students alike. Teachers have been given more effective tools and materials to work with. The system itself has

begun to respond to individual needs. To turn back, or to stand still, ultimately will produce chaos in the schools and add to the chaos in our cities. It is imperative that education receive the priority in dollar terms that it must have if the cities—and the country—are to survive "the urban crisis."

It is just possible that we can accomplish the needed revolution in American education. And in so doing, we will disprove the conventional wisdom that it is not possible for one institution in society to stand against and repair the damage done by all the rest of society.

MISS NODJI OLSON SELECTED AS 1970 AMERICAN HONEY QUEEN

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

Mr. THOMSON of Wisconsin. Mr. Speaker, I am honored that one of my constituents, Miss Nodji Olson, daughter of Mr. and Mrs. Theodore Olson, Warrens, Wis., has been selected as the 1970 American Honey Queen. Miss Olson was chosen in competition with other State finalists at the American Beekeeping National Convention in San Diego last January. Her duties include: representing the American honey industry at food shows, State fairs, and conventions, and promotion of honey through demonstrations and talks all over the United States.

Miss Olson is a fine example of American youth. At La Crosse State University from where she recently graduated, Nodji participated extensively in the school's music program and sorority activities; nevertheless she found time to teach Bible school and maintain the interest in beekeeping she learned as a youngster on her father's cranberry acreage. Many of her other activities classify Miss Olson as a real Wisconsinite. She enjoys fishing, boating, hunting, and snowmobiling.

Mr. Speaker, it was my privilege and pleasure to welcome this attractive and accomplished young lady to the Nation's Capital today. I am certain that Miss Olson is demonstrating that the American honey industry chose well when it selected her as their representative for the beekeeping industry of America.

LEGISLATION DEALING WITH ENVIRONMENTAL PROBLEMS

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

Mr. OBEY. Mr. Speaker, there are few subjects of concern today which are discussed more in the Congress, on the campus, in the media, or over the back fence than the need for curing our environmental ills.

In part this certainly should not surprise us, for the degradation of our environment is uncomfortably obvious.

Water pollution is difficult to ignore when lake by lake becomes a community disgrace. It is difficult not to notice the smell of engine exhausts or the belching of smoke stacks when driving through almost any fair-sized city. With increasing and disturbing frequency sports fishing

has turned into just "fun fishing," as fishermen are told they can fish all they want as long as they do not eat what they catch—because those fish contain pesticide or mercury residues.

In short, pollution control has become a popular topic of conversation. Unfortunately, I think it is fair to say that rhetoric about the environment far exceeds the resolve to do something about it. While the Congress has passed legislation establishing an Environmental Quality Council and more stringent regulations for maintaining water quality, I think it can also be said that relatively little, far too little, has been done in the Congress to date to indicate that the serious and immediate threat to our environment has really been recognized.

In an effort to bring before the House legislation which, if enacted, could deal with a great many of these problems, I am today introducing a package of bills dealing with various environmental problems.

As part of this package I have included legislation which would bring to 90 percent the Federal financing on water pollution abatement projects. The bill would allow Federal grants up to 90 percent of the total cost of waste treatment construction projects, if the project is located in a river basin and if the other 10 percent comes from the States and localities in the basin. This legislation would also change the present formula under which pollution grants are made, so that the funds appropriated by Congress could be reallocated after 6 months from States unable to use the funds to those which can, instead of the 18 months now required before reallocation can take place.

Mr. Speaker, as we all know, in the 1950's President Eisenhower financed the construction of a massive interstate highway system with a 90-percent Federal financing formula. Certainly clean water is every bit as important to the Nation as good highways.

A number of the bills which I am introducing today are identical to those requested by President Nixon in his environmental message to the Congress last February. This includes legislation increasing funds for the land and water conservation fund which is used for land acquisition, a bill establishing an environmental financing authority to assure local communities that an inability to sell State or local bonds will not prevent them from undertaking antipollution projects, a bill increasing State grants for the development of advance waste treatment and industrial waste facilities, and a bill making it easier for the Secretary of the Interior to call an enforcement conference if he finds pollution which violates water quality standards or endangers the public health and welfare. The latter bill is particularly significant if we are going to be able to act quickly when pollution threatens interstate bodies of water such as the Great Lakes.

The one area in which I disagree strongly with the President is his proposal for sewage treatment construction grants. Last year the Congress appropriated \$800 million for these grants. The

House has passed legislation this year which increased this to \$1 billion for 1971. Yet the President has proposed legislation which would cut the 1971 outlay for this program to only \$50 million, hardly enough to handle the thousands of requests for sewage treatment construction projects, totaling about \$2 billion, which are being presented by communities throughout the country.

That is why the pollution financing bill which I am introducing today would authorize \$4 billion annually from 1972 to 1976 for grants for waste treatment disposal plants. If fully funded, this legislation would generate \$22 billion annually for pollution abatement facilities.

There is no doubt that a good many of the bills endorsed by the President, other than his financing proposals, would significantly strengthen the laws we now have on the books with regard to pollution control. The House has already passed, almost unanimously, the President's major proposals with regard to air pollution and solid waste disposal. However, while I endorse many of the President's proposals, I have changed several of them in a number of ways.

For example, the President's proposal for bringing together many of the research and training activities of the Federal Government with regard to water pollution deleted from the present law a provision which directs the Secretary of the Interior to conduct research and make studies of the quality of the waters of the Great Lakes. I have retained this provision and feel that continued research in the Great Lakes is needed to protect a group of lakes which is unique in the world but seriously threatened by pollution from industrial dumping, phosphates, and inadequately treated sewage.

I have also added a provision to the President's proposal which would increase to 90 percent the Federal funds available for the cost of projects which demonstrate storm water and sewer separation techniques and those which demonstrate advanced waste treatment methods.

According to the Federal Water Quality Administration waste collection systems of more than 1,300 communities with a total population of 25.8 million people discharge combined storm water and sanitary wastes during and after heavy rains. Another 630 cities with almost 33.1 million people have systems which consist in part of combined sewers. The Public Health Service estimated the average overflow from a combined sewer may contain from 3 to 5 percent raw sewage, and during storm peaks as much as 95 percent of the sanitary sewage in the sewer may overflow directly into the receiving stream.

This obviously has a disastrous effect upon the rivers, streams, lakes, and bays which receive such discharges. It is estimated that complete separation of the combined sewer systems in this country would cost up to \$30 billion. The cost to the city of Milwaukee alone would amount to \$214 for every resident of that city.

If we are to come to grips with this kind of pollution problem, it will take money. A program which pays up to 90

percent of the cost of these separation projects would encourage the construction of them, and subsequently aid our overall pollution abatement efforts.

Mr. Speaker, I am also introducing today a number of bills previously introduced in the Senate by Senator GAYLORD NELSON, of Wisconsin. These bills include—

First, an amendment to the U.S. Constitution declaring that "every person has the inalienable right to a decent environment";

Second, a bill prohibiting the sale or shipment of eight persistent pesticides, including aldrin, lindane, heptachlor, DDD-TDE, chlordane, endrin, dieldrin, and texaphene;

Third, a bill encouraging programs for shoreline protection and lake use management;

Fourth, a bill which would, in 5 years, prohibit the dumping of wastes into the ocean and the Great Lakes;

Fifth, a bill banning phosphates in detergents by June 1972, and establishing national standards for all detergent ingredients;

Sixth, a bill banning the internal combustion engine by 1978 and giving the Department of Transportation authority to initiate research for economic and nonpolluting alternatives to this engine;

Seventh, a bill setting standards on all pesticides which would include their toxicity and public health effects;

Eighth, a bill providing economic incentives for recycling and reusing solid waste which would include packaging charges; and

Ninth, a bill which would halt further oil drilling in the oceans until it can be extracted with no damage to the environment.

Mr. Speaker, I make no pretense that these bills are "mine," because except for changes which I have made in a number of them to reflect my concern over the Great Lakes and over adequate financing for construction grants, they are not.

What these bills do represent is an attempt to put together in one package what appears to me to be the best available legislation yet introduced in the Congress in a number of areas of environmental control. Most of these have been introduced in the Senate, and while many are undergoing scrutiny in the Senate committees, the fact remains that not enough is happening here in the House. With the introduction of these bills today, the House committees which have jurisdiction over environmental matters will have the opportunity to study them, to hold hearings, and to bring them to the floor of this House for consideration.

FEDERAL RADIATION PROTECTION STANDARDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 20 minutes.

Mr. HOLIFIELD. Mr. Speaker, the Members of this body are well aware of the tremendous upsurge of interest throughout this Nation in the subject

of the environment. The CONGRESSIONAL RECORD has for many months been replete with statements and proposed legislation by Members expressing concern or suggesting solutions for our environmental problems. The quest for an improved environment pervades many of our functions and activities throughout this Nation—in government, in private industry, in the academic world, and in our private lives.

With respect to the beneficial utilization of atomic energy and its relationship to the environment, the concerns that have been raised relate principally to thermal discharges from nuclear powerplants and the adequacy of our present radiation protection standards.

What I wish to call attention to today deals principally with the adequacy of our radiation protection standards. Essentially, these have been established by the Federal Radiation Council which was statutorily created for this purpose in 1959. This body advises the President and formulates the radiation standards guidelines for all Federal agencies to follow. The radiation standards used by the AEC are necessarily based strictly on the FRC guides. The FRC guides are in turn based upon recommendations by the National Council on Radiation Protection and Measurements which is made up of 65 scientists of high national and international reputation in the field of biological effects of radiation. Without objection I would like to place in the RECORD at this point a letter I wrote to the FRC on March 20, 1970, and the reply I received on May 4, 1970:

JOINT COMMITTEE ON ATOMIC ENERGY,
Washington, D.C., March 20, 1970.

HON. ROBERT H. FINCH,
Chairman, Federal Radiation Council,
Washington, D.C.

DEAR MR. CHAIRMAN: On January 28, 1970, you had occasion to write to Senator Muskie, Chairman of the Subcommittee on Air and Water Pollution of the Public Works Committee, relative to testimony of Dr. Gofman and Dr. Tamplin before that Subcommittee. Also on January 28, 1970, Dr. John Gofman appeared as a witness before the Joint Committee on Atomic Energy in the course of this Committee's hearings on the environmental effects of producing electric power, and he presented written testimony in support of his contention that there should be an immediate ten-fold reduction in the Federal Radiation Council guidelines for radiation exposure to the population at large. Dr. Gofman's written material consisted of nine documents which are listed on the attachment to this letter; he stated that the material was being furnished concurrently to the Federal Radiation Council for review.

I understand from your letter to Senator Muskie that as Chairman of the FRC you have recommended that the Council undertake a complete review of the present FRC guidelines in the light of all available scientific information. As Chairman of the Joint Committee on Atomic Energy, I thoroughly believe in the advisability of a full-scale review. My belief is not motivated by the views of Drs. Gofman and Tamplin; rather, it has seemed to me that the effective discharge of FRC's responsibilities under Sec. 274h of the Atomic Energy Act of 1954, as amended, should entail thorough periodic reviews to take advantage of factual and meaningfully evidentiary developments. My own thought is that a complete reexamination should, as a minimum, be conducted every five years.

FRC's knowledgeable conclusions, following such a review and evaluation on a sound scientific basis, should serve to reinforce general confidence in the integrity of FRC's performance of its statutory duties, as well as to help Federal agencies and the public who will be affected by the guidelines.

I would expect that such reviews of radiation protection guidelines will be conducted in accordance with the highest procedural and substantive standards of true scientific inquiry.

Please let this Committee know what the FRC's plans are in regard to the review of the guidelines for radiation protection. Your cooperation in this important matter is appreciated.

I am sending a copy of this letter to the other members of the Council.

Sincerely yours,

CHET HOLIFIELD,
Chairman.

FEDERAL RADIATION COUNCIL,
Washington, D.C., May 4, 1970.

HON. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic
Energy, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of March 20 in which you inquired about Federal Radiation Council plans to review its basic guidelines for radiation protection. My recommendation that the Council review its basic guidelines is before the other members for their consideration. We are in full agreement with your expectation that such a review must be conducted with the highest procedural and substantive standards of scientific inquiry. With this in mind, the Executive Director has asked the NAS Advisory Committee to the FRC to recommend how the suggested review can best be accomplished. The Academy's recommendations will be given careful consideration by the FRC in the development of implementing procedures.

We will, of course, keep your committee fully informed of Council activities associated with this problem as our plans develop.

Sincerely,

ROBERT H. FINCH,
Chairman.

DOCUMENTS SUBMITTED BY DR. JOHN W. GOFMAN TO THE JOINT COMMITTEE ON ATOMIC ENERGY, JANUARY 28, 1970

1. "A Proposal for at Least a Ten-Fold Reduction in the FRC Guidelines for Radiation Exposure to the Population-at-Large Supportive Evidence," by John W. Gofman and Arthur R. Tamplin, Bio-Medical Research Division, Lawrence Radiation Laboratory, and Division of Medical Physics (Berkeley), University of California.
2. "Studies of Radium-Exposed Humans II: Further Refutation of the R. D. Evans' Claim that 'The Linear, Non-Threshold Model of Human Radiation Carcinogenesis is Incorrect,'" by John W. Gofman and Arthur R. Tamplin.
3. "The Colorado Plateau: Joachimsthal Revisited? An Analysis of the Lung Cancer Problem in Uranium and Hardrock Miners," by Arthur R. Tamplin and John W. Gofman.
4. "Radiation-Induction of Human Breast Cancer," by Arthur R. Tamplin and John W. Gofman.
5. "Radiation-Induction of Human Lung Cancer," by John W. Gofman and Arthur R. Tamplin.
6. "The Mechanism of Radiation Carcinogenesis," by John W. Gofman and Arthur R. Tamplin.
7. "ICRP Publication 14 vs. The Gofman-Tamplin Report," by Arthur R. Tamplin and John W. Gofman.
8. "Major Fallacies in the AEC Staff Comments on the Gofman-Tamplin Papers and Congressional Testimony," by John W. Gofman and Arthur R. Tamplin.

9. "Radiation Induction of Breast Cancer in the Rat (A Validation of the Linear Hypothesis of Radiation Carcinogenesis over the Range 0-600 rads)," by John W. Gofman and Arthur R. Tamplin.

The following letter from Dr. Dunham of the National Academy of Sciences-National Research Council to the Federal Radiation Council indicates the willingness of the Academy's advisory committee to the FRC to undertake further consideration of the interpretation of data relative to estimating risks associated with low levels of radiation exposure and to clarify the philosophy underlying decisions involving the weighing and apportionment of risks versus benefits in standards setting:

NATIONAL RESEARCH COUNCIL,
Washington, D.C., April 24, 1970.

DR. PAUL C. TOMPKINS,
Executive Director, Federal Radiation Council,
Washington, D.C.

DEAR DR. TOMPKINS: As you know the National Academy of Sciences-National Research Council, Advisory Committee to the Federal Radiation Council met on March 25, 1970 concerning the recent challenges to radiation protection guides particularly raised before Congressional Committees.

The Advisory Committee passed a resolution to be forwarded to the President of the National Academy of Sciences, which is directly responsive to the problem of urgency concerning the challenges brought forward by various sources. A copy of the resolution by the Committee is attached for your information.

In addition, the Committee proposed a plan of action to be undertaken by the Committee to reevaluate the existing radiation protection guides. This reevaluation would be done by basically four subcommittees over a period of the next year or two and would result in a "White Paper" from the Advisory Committee detailing its findings as well as its recommendations concerning protection guides in view of benefit-risk, relative risks to existing levels of population exposure, and varying methods of estimating potential risk. The four subcommittees planned are: 1) somatic risk evaluation, 2) genetic risk evaluation, 3) teratogenic effects, and 4) environmental effects (food chain contamination, etc.). The leadership of each subcommittee would be one of the present Advisory Committee members. The membership of each subcommittee would be chosen to represent the best expertise available throughout the scientific community.

The funding of this effort by the Advisory Committee to the Federal Radiation Council would be requested in additional funds to the normal annual operating funds for the Committee.

A copy of the full minutes of the meeting of the Advisory Committee is available for your review in either my office or the office of Dr. Hilberg of my staff.

In summary, the Advisory Committee has suggested a comprehensive plan of action to be undertaken but in no sense was there expressed a feeling of urgency or crisis which needed to be met in any superficial way. I recommend to you the advice and suggestions of the Advisory Committee and assure you that the Division of Medical Sciences, NAS-NRC, is ready to proceed in the direction deemed most practical at this time to all concerned.

If you have any questions or comments please do not hesitate to contact either me or Dr. Hilberg, Staff Officer for the Advisory Committee.

Best regards,
Sincerely,

CHARLES L. DUNHAM, M.D.,
Chairman of Division.

NATIONAL RESEARCH COUNCIL,
Washington, D.C., April 27, 1970.

CHARLES L. DUNHAM, M.D.,
National Academy of Sciences,
Division of Medical Sciences,
Washington, D.C.

DEAR DR. DUNHAM: The Advisory Committee to the Federal Radiation Council has prepared the following statement and would appreciate having this statement forwarded to the President of the National Academy of Sciences through your office.

Recently the adequacy of radiation protection standards has been questioned. Allegations have been made that insufficient attention has been paid to human data that have become available in the past few years, and that as a result that risks to the public are being grossly underestimated, and that maximum permissible levels should therefore be reduced immediately.

Radiation Protection Standards are formulated by several independent national and international bodies, namely, the NCRP, ICRP, and FRC. In addition, periodic scholarly reviews of pertinent data are provided by UNSCEAR. Recent reviews by these groups (ICRP 1966, 1969; UNSCEAR 1964, 1966, 1969) have considered in depth essentially all of the available data relevant to the setting of standards. These bodies have found no evidence that warrants a downward revision of the basic radiation standard of 5 rems per 30 years of 170 mrems per year to the general population.

Pertinent data have been under continuous review by the NAS-NRC Advisory Committee to the FRC. This Committee has specifically reviewed the statements presented before Congressional Committees and elsewhere to support the allegations referred to above and conclude that these statements contain no data that would significantly alter the base upon which current standards were established. There is no evidence available to the Committee that exposure of the public will increase at a rate that would in any way justify an emergency revision of the existing standards.

Because of the allegations and widespread public concern the Committee feels it must plan further consideration of the interpretation of data relative to estimating risks associated with low levels of radiation exposure and the utilization of such interpretations for establishment of radiation standards.

The public's attention has for the most part been directed to hazards associated with nuclear power production. This apprehension is, paradoxically, partly a result of the detailed public information now available on radiation hazards of nuclear power and the relative lack of information on the hazards of other modes of power production. What is needed is a comprehensive study of the biological hazards of non-nuclear power production, therefore, the Committee feels that simultaneously there should be a comprehensive comparison of the biological and social costs of nuclear versus alternative sources of energy. Furthermore, there exists a need for clarification of the philosophy underlying decisions involving the weighing and apportionment of risks vs. benefits in standards setting.

This Committee is especially aware of a need to consider radiation standards within the context of the broader aspects of societal needs and is anxious to contribute in any way possible as the matter develops.

Sincerely,

Dr. CYRIL L. COMAR,
Chairman, Committee.

Probably the most outspoken critics of the presently applicable FRC radiation standards, which incidentally accord with the standards of the International Commission on Radiological Protection, are Drs. John Gofman and Arthur Tamplin of the Lawrence Radiation Labora-

tory at Livermore, Calif. Undeterred by the rejection of their opinion by their scientific peers, and undaunted by the finding of the Federal court in the Rulison case that their scientific views were unsubstantiated, they continue to do their own thing in the limelight of the mass media and public forums to exacerbate the public anxiety. Late last year, they publicly proclaimed their own judgment that the present FRC protection guides should be made more conservative by at least a factor of 10. Without objection, I would like to place in the RECORD at this point a letter on this subject which I received in April of this year, signed by 29 scientists highly knowledgeable in the fields of medical research, medical training, and medical practice. In this letter these distinguished professionals reaffirm their confidence in the integrity of the procedures used in establishing the present radiation protection standards and in the scientific judgment inherent therein.

The letter follows:

ATHERTON, CALIF.,
March 30, 1970.

HON. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy,
U.S. Congress, Washington, D.C.

SIR: We are increasingly concerned at the prominence given to the alarmist views of a tiny minority of experts on the effects of ionizing radiation in the general population.

Several reports have appeared suggesting that the authorities responsible for guide lines for the safe uses of ionizing radiation have been grossly complacent and even in error in setting their current radiation standards. Unfortunately, adequate rebuttal requires a somewhat lengthy and technical reply unsuitable for publication in the press.

Such material as is necessary is contained in the publications of Federal Radiation Council (FRC), the National Council on Radiation Protection and Measurements (NCRP) and the International Commission on Radiological Protection (ICRP). These reports show evidence of the great competence of these bodies, and their concern for public health.

The difficulty of presenting an adequately balanced view through the news media has, however, led to some public alarm and loss of confidence. Public confidence in those bodies and individuals responsible for the establishment of radiation safety standards is vital if the development of the peaceful uses of nuclear power and the beneficial uses of ionizing radiation are to move ahead in an efficient and orderly manner.

Bodies of the stature of ICRP, NCRP, and the FRC are under a severe handicap in replying to attacks on their competence representing, as they do, the collective wisdom of many tens or hundreds of experts in widely differing specialties. We, the undersigned, feel it to be necessary at this time to speak out, reaffirming our confidence in the integrity of the procedures used to establish radiation standards. We all assume that, in the absence of firm scientific facts, all unnecessary radiation exposure is to be avoided and, like the FRC, NCRP, and ICRP, agree that standards should be set on the assumption that all man-made radiation is potentially harmful. This concept was introduced into the scientific literature more than twenty years ago and has been discussed since that time. It is most important to stress, however, that it is not yet known with scientific certainty whether radiation exposures at the levels permitted by the radiation standards are deleterious, of no consequence or even beneficial to man. These problems will continue to be subject to scientific investigation until resolved. In the

meantime the assumption that all radiation exposure to man is potentially harmful is prudent and is made by all regulatory bodies.

At present FRC recommendations are directly derived from those of the ICRP, an international body that draws upon the accumulated wisdom of experts from the entire world.

In setting the current radiation standards, the ICRP in 1958 considered the then available evidence relating to somatic and genetic damage induced in human beings by radiation. Whenever data were contradictory or obscure the commission consciously and consistently took the more conservative (safer) interpretation. They concluded the risk to the general population due to the development of the nuclear power industry within these safety standards "to be not unacceptable" and indeed very small compared to the risks we subject ourselves to in our everyday lives. At the present time the vast majority of experts in the field of human response to ionizing radiation who have been involved in setting current radiation standards are convinced that these standards are based upon the best scientific evidence available and the deepest concern for public health.

Matters relative to public health should of course be subject to continuous scrutiny, but we believe the record of activities of the ICRP, NCRP, and FRC demonstrates this to be their proven policy.

The ICRP has reviewed its work frequently, most recently in 1969. It has concluded that no change in the relevant safety standards is warranted at the present time. If concerned members of the general public will read the publications of the ICRP, NCRP, and FRC, we are convinced that they will find that current radiation standards are based on a sound foundation.

Finally, it is also relevant to recognize to what extent those involved in the development of the beneficial uses of ionizing radiation have lived within not only the letter of the law but, perhaps more importantly, the spirit of the view of ICRP, NCRP, and FRC that all unnecessary radiation exposure be avoided. Radiation exposures to members of the general population from all man-made sources (excluding medical sources) have been, in fact, only a very small fraction of those permitted by the FRC.

LIST OF SIGNATORIES

Professor William F. Bale, Radiation Biology and Biophysics, School of Medicine and Dentistry, Rochester, New York 14620.

Dr. Victor P. Bond, Associate Director, Brookhaven National Laboratory, Upton, Long Island, New York 11973.

Professor Leo Bustad, Professor of Radiation Biology and Director of Radiobiology and Comparative Oncology Labs., University of California, Davis, California 95616.

Eugene P. Cronkite, M.D., Chairman, Medical Department, Brookhaven National Laboratory, Upton, Long Island, New York 11973.

Dr. Merrill Eisenbud, Professor and Director of Laboratory for Environmental Studies, New York University Medical Center, New York, New York 10007.

Alexander Gottschalk, M.D., Director, Argonne Cancer Research Hospital and Professor of Radiology, University of Chicago, Chicago, Illinois 60637.

Alexander Grendon, Consultant Biophysicist, Donner Laboratory, University of California, Berkeley, California 94720.

Dr. Hardin Jones, Professor of Medical Physics and Physiology, Assistant Director, Donner Laboratory, University of California, Berkeley, California 94720.

Dr. Harry A. Kornberg, Consultant to the Director, Battelle-Northwest, Richland, Washington 99352.

Dr. W. H. Langham, Group Leader, Biomedical Research, Los Alamos Scientific Laboratory, Los Alamos, New Mexico 87544.

Dr. J. S. Laughlin, Radiation Safety Officer, Memorial Hospital, Chief, Division of Bio-

physics, Sloan-Kettering Institute, 410 E. 68th Street, New York, New York 10021.

John H. Lawrence, M.D., Director, Donner Laboratory, University of California, Berkeley, California 94720.

George V. LeRoy, M.D., Director, Student and Employees Health Clinic and Professor, Department of Medicine, University of Chicago, Chicago, Illinois 60637.

Dr. Richard C. McCall, Head, Health Physics Department, Stanford Linear Accelerator Center, Stanford, California 94305.

Roger O. McClellan, D.V.M., Director, Fission Product Inhalation Program, The Lovelace Foundation, Fission Products Inhalation Laboratory, Building 9200, Area Y, Sandia Base, Albuquerque, New Mexico 87115.

Carl V. Moore, M.D., Busch Professor of Medicine, Washington University School of Medicine, 440 Scott Avenue, St. Louis, Missouri 63110.

Russell H. Morgan, M.D., Professor and Chairman, Department of Radiological Sciences, The Johns Hopkins Medical Institution, 615 North Wolfe Street, Baltimore, Maryland 21205.

Robert D. Moseley, Jr., M.D., Professor and Chairman, Department of Radiology, Director of Radiation Protection Service, University of Chicago, Chicago, Illinois 60637.

James V. Neel, M.D., Lee R. Dice, University Professor of Human Genetics, The University of Michigan Medical School, Ann Arbor, Michigan 48104.

Dr. Harvey M. Patt, Professor of Radiobiology, University of California Medical Center, San Francisco, California 94122.

H. Wade Patterson, Certified Health Physicist, Chairman-Elect American Board of Health Physics, Lawrence Radiation Laboratory, University of California, Berkeley, California 94720.

Leonard A. Sagan, M.D., Associate Director, Department of Environmental Medicine, Palo Alto Medical Clinic, 300 Homer Avenue, Palo Alto, California 94301.

Eugene L. Saenger, M.D., Department of Radiology and Medicine, University of Cincinnati School of Medicine, Cincinnati, Ohio 45219.

William J. Schull, Professor of Human Genetics, University of Michigan, Ann Arbor, Michigan 48104. Currently: Visiting Professor, Institut für Anthropologie und Human-genetik, Der Universität Heidelberg, 69 Heidelberg, Germany.

John B. Storer, M.D., Scientific Director for Pathology and Immunology, Biology Division, Oak Ridge National Laboratory, P.O. Box X, Oak Ridge, Tennessee 37830.

Dr. Ralph H. Thomas, Certified Health Physicist, Lawrence Radiation Laboratory, Berkeley, California 94720.

Dr. Roger Wallace, Lecturer in Medical Physics and Nuclear Engineering, Health Physicist, Lawrence Radiation Laboratory, University of California, Berkeley, California 94720.

Shields Warren, M.D., Cancer Research Institute, New England Deaconess Hospital, 185 Pilgrim Road, Boston, Massachusetts 02215.

Robert W. Wissler, Ph. D., M.D., Professor and Chairman, Department of Pathology, University of Chicago, Chicago, Illinois 60637.

(The views expressed here are solely the responsibility of the signers of this document and in no way should be construed as representing a statement of opinion by the institution identified.)

As a further point, since both Drs. Gofman and Tamplin are employees of the Lawrence Radiation Laboratory, which is funded by the Atomic Energy Commission and operated under contract by the University of California, there is some inference that their recommendations to make more stringent the radiation protection standards may in fact be the position of the laboratory. This is not

the case and I wish to call this fact to the attention of my colleagues. I would like to place in the RECORD a letter sent by Dr. Michael May, director of the laboratory, to Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, clarifying this situation:

UNIVERSITY OF CALIFORNIA,
Livermore, Calif., April 8, 1970.

Dr. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission,
Washington, D.C.

DEAR GLENN: For the past several months, Drs. Gofman and Tamplin, of this Laboratory, have been making estimates of how much cancer might be caused by exposure to low level radiation. They have called for a lowering of the Federal Radiation Council exposure guidelines by a factor of ten on the basis of their estimates.

I believe, along with a number of other scientists here, that Drs. Gofman and Tamplin have not shown that the guidelines ought to be lowered by a factor of ten. They did not compare the risks of nuclear reactors, for instance, to those of other power sources under similarly conservative assumptions. In fact, they did not estimate realistically the population exposure that would result from present guidelines as they are actually applied. Before deciding whether to lower the guidelines, a comprehensive, realistic, consistent evaluation of the risks inherent in the several competing sources of power (or other applications) should be made. Otherwise, we are not likely to arrive at a balanced set of regulations, that will allow us to obtain power and other benefits at the least overall risk.

The Laboratory has provided the resources for Drs. Gofman's and Tamplin's technical research, including publication of their technical papers. This work consists of taking existing data connecting cancer with radiation at high doses, and extrapolating to low doses on the basis of various assumptions (such as linearity, doubling dose concept, disregard of possible repair mechanisms, etc.). The same type of extrapolation has been made by others, in ICRP publications and elsewhere, although some of the assumptions differed. The assumptions are a matter of debate in the biological community since not enough data and experiments are available to determine the correct ones.

In some statements, Drs. Gofman and Tamplin have treated their connection of low level radiation with cancer as fact or "law", whereas it is really a hypothesis. The hypothesis may or may not be a prudent one from the standpoint of public health planning, but either way, it is not a known fact that "32,000 extra Americans would die of cancer and leukemia if everyone got this 'safe' dose," (i.e., the 0.17 rads per year guideline) as Dr. Gofman states. Treating this hypothesis as fact does not help either the regulation makers who must reach reasonable decisions, or the public who must understand and appraise these decisions.

In summary, over the past several years, the Laboratory provided the resources for Dr. Gofman's and Dr. Tamplin's technical work in connection with these estimates and in other fields. A number of scientists here, however, do not agree with the Gofman-Tamplin recommendations concerning new guidelines. Dr. Gofman's and Dr. Tamplin's search for public support of their recommendations is an activity they carry out as individuals and is not a course of action endorsed by the Laboratory.

Sincerely,

MICHAEL M. MAY,
Director, LRL, Livermore.

Mr. Speaker, a July 5 article in the Washington Post states that the Atomic Energy Commission has been harassing

Drs. Gofman and Tamplin in their work at the Lawrence Radiation Laboratory. Without objection, I would like to include a press release I issued this morning stating that I have asked the Commission for a full report on this matter. If the situation warrants, the Joint Committee will schedule public hearings in order to obtain all of the pertinent information.

STATEMENT BY CONGRESSMAN CHET HOLIFIELD, CHAIRMAN JOINT COMMITTEE ON ATOMIC ENERGY, REGARDING AN ALLEGATION THAT AEC IS HARRASSING TWO SCIENTISTS AT THE LAWRENCE RADIATION LABORATORY, LIVERMORE, CALIF.

I read the *Washington Post* article of July 5, 1970, concerning Drs. Gofman and Tamplin of the Lawrence Radiation Laboratory at Livermore, California.

It tells a story which suggests that retaliatory tactics are being used against these two scientists because of their openly expressed scientific judgment on radiation standards, which is at odds with the standards adopted by the Atomic Energy Commission in accordance with the guidelines established by the Federal Radiation Council. This article may be the basis for a charge which I understand Ralph Nader has made to the effect that AEC is harrassing these two scientists.

I have asked the Commission promptly to provide the Joint Committee on Atomic Energy with a complete and detailed account of this matter. The Committee will look into it fully, and, if the situation warrants, it will hold hearings to obtain all the facts.

With respect to the fundamental issue which forms the basis for the estrangement between Drs. Gofman and Tamplin and the Atomic Energy Commission, namely, the setting of basic radiation protection standards, the following observation can be made. Drs. Gofman and Tamplin have recommended to the Congress that the present Federal Radiation Council standards for exposure of the general population to ionizing radiation be made more conservative by at least a factor of ten. On March 20 of this year I wrote to the Chairman of the Federal Radiation Council urging that a review be made of the FRC standards now in use and at the same time expressed the opinion that future periodic review should be made of such standards, in the light of new scientific evidence which may develop.

I have been informed that arrangements are under way by the Federal Radiation Council to obtain the advice of the National Council on Radiation Protection and Measurements and the National Academy of Sciences with respect to an initial review of the FRC's radiation standards. The Committee expects to follow closely progress by the Council and its advisors in this effort. I would not attempt to predict the outcome of the review, but it is fair to say that although Drs. Gofman and Tamplin publicly proclaimed their recommendations on this matter in October of last year, the intervening time has produced little or no support among those in the scientific community knowledgeable in the field of biological effects of radiation.

In addition to the review under way nationally, I have corresponded with the International Commission on Radiological Protection (ICRP) and invited their comments upon certain interpretations Drs. Gofman and Tamplin have made of technical material published by the ICRP and utilized by Drs. Gofman and Tamplin in support of their hypothesis.

This morning I received a preliminary statement from the Atomic Energy Commission which acknowledges my request that a full report be made to the Joint Committee and provides preliminary information on programmatic changes and re-assignment of

personnel at the Lawrence Radiation Laboratory.

A copy of the AEC statement is attached.

STATEMENT BY THE ATOMIC ENERGY COMMISSION

Stories have appeared in the press during the last few days concerning programmatic changes and reassignment of personnel at the Atomic Energy Commission's Lawrence Radiation Laboratory at Livermore, California, operated by the University of California. These stories have quoted two laboratory employees, Drs. John Gofman and Arthur Tamplin, concerning their work at the laboratory.

Here are the facts concerning the programmatic changes and reassignments:

First, none of the persons previously associated with Drs. Tamplin and Gofman has been terminated; they have been reassigned by the laboratory.

The Commission is undergoing substantial budget cuts at its major laboratories, requiring reallocation of programs and positions. During the two-year period from July 1, 1969, to June 30, 1971, it is expected that a total of 4000 positions will have been eliminated at AEC laboratories. The cuts are based upon national programs priorities and budgetary stringencies. At all three of the weapons laboratories, of which Livermore is one, and at all six of the major multipurpose laboratories it has been necessary to reduce personnel. In the year ending June 30, 1971, alone, projected reductions involve more than 500 persons at Brookhaven on Long Island; some 250 at Lawrence Radiation Laboratory, Berkeley; about 280 at Livermore; and 240 at Oak Ridge.

Within the biology and medicine program, which includes the work of Drs. Gofman and Tamplin, three laboratories will have funds reduction in 1971; Brookhaven National Laboratory in New York, the Lawrence Radiation Laboratory at Berkeley, and the Lawrence Radiation Laboratory at Livermore. In this program it has been necessary for the AEC to give increased emphasis to certain key technical areas while at the same time absorbing cuts in its over-all program. These areas include research on the thermal effects of warm water discharges from power plants and experimental studies on plutonium hazards. These changes in program emphasis including the impact on Livermore were discussed in advance in detail with the AEC's Independent Advisory Committee for Biology and Medicine.

Laboratory directors are expected to exercise considerable discretion in the management and direction of these complex multimillion dollar laboratories. The Livermore Laboratory has informed the AEC that the decision to reassign within the laboratory 10 persons who formerly worked under Dr. Tamplin was based upon its judgment of relative program priorities. As a matter of fact, the laboratory has advised AEC that seven of the 10 were split off to form a new group at the suggestion of Dr. Tamplin.

Dr. Tamplin's project continues to receive AEC support at a level of about \$70,000 per year and Dr. Gofman's research is supported at a level of about \$270,000 a year. These levels do represent a substantial reduction from the funding of previous years, consistent with the reassignment of personnel. Both Dr. Gofman and Dr. Tamplin were aware of the problems of finding funds for higher priority laboratory programs before reductions in their own projects were made.

The laboratory, with the concurrence of the AEC, has maintained a policy of encouraging free scientific discussion. Contrary to published reports, neither the AEC nor the laboratory has abridged the freedom of Drs. Gofman and Tamplin to speak out on issues.

The laboratory has funded travel to meetings and the publication of papers by Drs. Gofman and Tamplin, depending upon the

scientific character of the meeting or publication, and its relevance to their work at the laboratory. On other occasions, they have been free to travel or publish on their own time and with resources not provided by the laboratory. There is no indication that Drs. Gofman and Tamplin have been inhibited in their public criticisms.

In response to a request from Rep. Chet Hollifield, Chairman of the Congressional Joint Committee on Atomic Energy, the AEC is preparing a full report on the matter to be sent to the Joint Committee.

I endorse a copy of the statement made on behalf of the Lawrence Radiation Laboratory concerning the alleged pressures exerted on Drs. Gofman and Tamplin which I would also like to include in the RECORD at this point:

STATEMENT OF DR. ROGER E. BATZEL, ASSOCIATE DIRECTOR, LAWRENCE RADIATION LABORATORY, LIVERMORE

We have been asked to comment on public statements attributed to Drs. John Gofman and Arthur Tamplin concerning alleged pressures exerted on them by the LRL management.

1. One statement attributed to Dr. Gofman states that the LRL Director "has just recently threatened him (Gofman) with dismissal for rebuttals he has made against his critics."

Dr. Michael May, the Director, has told Dr. Gofman that he would have to stop making personal attacks on individuals who disagreed or leave the laboratory. An example of one such personal attack Dr. Gofman made on his critics is the attached letter to the Atomic Industrial Forum. A copy of the letter, as it went out on Laboratory stationery.

We do not believe this kind of attack by Dr. Gofman on the character and motives of those who disagree with him is in the interest of science, the Laboratory, or enlightened public debate.

2. Allegations of budgetary action of a punitive nature against Drs. Gofman and Tamplin have been attributed to them.

The reports have correctly stated that Dr. Gofman's research program has been cut slightly, in line with Federal budgetary reductions in the Laboratory and throughout the AEC system for the fiscal year 1971.

Regarding the 11 people under Dr. Tamplin, 7 were made an independent unit by mutual agreement arrived at with Dr. Tamplin a year ago and made effective last December. Three more were assigned to other work last week when it was clear that support for the work was not warranted in the light of budget and scientific priorities. All 11 staff members, as well as Dr. Tamplin, are still employed in the Laboratory.

Dr. Tamplin and his remaining associate have Laboratory, technical staff, and secretarial support for their work, for which an annual estimate of \$70 thousand is allocated.

It is important to note that the statements and publications by Drs. Gofman and Tamplin about effects of low dose radiation are not based on the research being terminated but are based on their analysis and interpretation of data developed by others. The work terminated is one of many radiobiological efforts and is not designed with any special promise that it will either substantiate or refute the Gofman-Tamplin estimates of nuclear radiation hazards.

3. Allegations concerning travel expenses and vacation time.

The policy of LRL is to pay the expenses and salary of staff scientists traveling to scientific meetings to present scientific data or to testify before official bodies such as congressional committees. We have given such support to Drs. Gorman and Tamplin. The Laboratory does not support staff members on trips to other meetings which they attend

as individuals expressing their personal opinions.

4. There have been allegations of "censorship" of Drs. Gofman and Tamplin especially in connection with a paper by Tamplin at the American Association for the Advancement of Science meeting last December.

The facts are as follows: Dr. Tamplin proposed to present at this meeting his views on the licensing of nuclear power plants. Our position was that if he wished to present a scientific paper based on his research, the Laboratory would sponsor him and his trip. We advised him that if he wished to present his personal opinion on nuclear power he was free to do so as an individual using non-Laboratory resources. Dr. Tamplin did present a scientific paper, and the Laboratory did sponsor him. The Laboratory's action in this matter was not influenced by the alleged threat of Dr. Gofman to write to the AAAS.

UNIVERSITY OF CALIFORNIA,
Livermore, Calif., May 14, 1970.

PUBLIC AFFAIRS AND INFORMATION PROGRAM,
ATOMIC INDUSTRIAL FORUM, INC.,
New York, N.Y.

GENTLEMEN: I find repugnant in the extreme the lies and distortions in your Info News Release of Mr. Carl Goldstein, for April 24, 1970. Both the Bond discussion and the AIF release are so filled with lies, half-truths, and deliberate distortions that I would consider them to represent criminal irresponsibility.

The AIF, the AEC, and Dr. Bond all seem to believe that a stupid set of lies will enable them to ram ill-considered atomic programs down the throats of the American public. It is becoming so obvious to citizens and the Congress that all of you represent a despicable fraud. The more you all lie, hide the facts, and deliberately and unashamedly distort every responsible criticism, the earlier will be the celebrated demise of your outrageous activities.

Cordially,

JOHN W. GOFMAN, M.D.,
Professor, Medical Physics.

BEN REIFEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDADE) is recognized for 5 minutes.

Mr. McDADE. Mr. Speaker, it was with great pride that I learned that on the occasion of the Department of the Interior's 38th Honor Awards Convocation June 30, Secretary Hickel presented to Congressman BEN REIFEL a commendation in recognition of his contributions to the programs of the Department.

With the close of the 91st Congress, this body will lose in BEN REIFEL one of its most valuable and dedicated Members. Since learning of his intention to retire, I have anticipated the great degree of leadership and legislative ability which will pass with him.

After 22 years of service with the Bureau of Indian Affairs, Mr. REIFEL's energies and talents were properly channeled to the Appropriations Subcommittee for the Department of the Interior and related agencies. His belief in the American Indian, his high regard for our precious natural resources, and his personal consideration of the individual problems and needs of every area of our Nation have been reflected in his endless contribution of knowledge to and support of the committee's work. His sincere regard for his fellow man is so obvious to

those of us who have served with him and who have depended on him for strength and guidance.

We all can appreciate the extensive work and expertise that goes into a piece of legislation such as an appropriation bill. We know too that each such bill is largely the product of the efforts of a few. Unquestionably, Congressman REIFEL has always been in the forefront of this activity—his contribution invaluable in this as well as other phases of the legislative process.

His ability and efforts will be missed in another area as well, however. For now with the long overdue concern and urgency for the critical needs of our environment finally being manifested, the Interior Appropriations Subcommittee will realize a broadening of its responsibilities. More than ever in the planning and work that lies ahead, the Congress and the Nation could greatly benefit from the knowledge, experience, and sensitivity of our capable colleague.

BEN will be sorely missed as a Congressman and as a friend; but the memory of his deeds, of his kind and sympathetic attitude toward his colleagues and of his devotion to duty will be his monument here. The Department of Interior's commendation to BEN REIFEL is an honor well earned and well deserved.

JAMES E. KENNEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. CONTE) is recognized for 5 minutes.

Mr. CONTE. Mr. Speaker, this month the Federal Government is losing the services of one of its most devoted officials, a man who has labored long and hard for his Government and his country.

James E. Kenney, staff attorney with the Board of Immigration Appeals at the Department of Justice, will be retiring this month after 10 years of service. This service has not often been in the limelight, but his actions, his concern for his department and his exemplary performance of his duties certainly deserve the limelight for it is this type of public servant that day in and day out keeps this Government functioning.

In the words of his coworkers, Mr. Kenney has been the "big production man" at the Board and has written many of the major decisions for that body which is the last word on the administrative level for immigration, deportation, and expulsion.

Throughout his long career he has been an important force at the Board of Immigration Appeals and a strong advocate of enforcement of the laws of this country.

But his career, Mr. Speaker, goes beyond his service on the Board. I am proud to say that Jim Kenney is a native of my hometown, Pittsfield, Mass. He came to Washington, D.C., as a young man and joined the District Police Department.

As a detective sergeant, he was wounded in the arm in the line of duty. While still on the police force, he often served as bodyguard for visiting digni-

taries. In fact, the late Al Smith, Governor of New York and presidential candidate, when he came to Washington in 1928, personally requested Jim Kenney as a bodyguard.

Despite the wounded arm he received on police duty, Jim was still able to enter the Army when World War II broke out. He served in combat in the Pacific and was discharged as a captain.

This Friday, July 10, the many personal and professional friends of Jim Kenney will gather at a reception for him here and next week Jim will officially leave the Board. I wanted the members of this body to know of his retirement because Jim has been a superior public servant. I congratulate him for all his achievements and his contributions to his country. And I wish him and his lovely wife Agnes much joy in their retirement.

THE INVESTIGATION OF JUSTICE DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. WYMAN) is recognized for 15 minutes.

Mr. WYMAN. Mr. Speaker, I am concerned that the special Judiciary Subcommittee looking into the question of the impeachment of Justice William O. Douglas has not yet taken a single word of testimony under oath. Just the other day this subcommittee was granted an additional 60 days within which to file a report.

This 60 days expires the 20th of next month and it is difficult to see how the subcommittee can compile a meaningful and reliable report unless it does examine witnesses under oath and subject to penalties of perjury.

Shortly after the investigation was begun, I submitted to the subcommittee a seven-page letter outlining certain suggestions with respect to the calling of witnesses and making the point that in the exercise of the responsibility of the House of Representatives in impeachment proceedings it is unavoidable that to a certain extent, at least, such an investigation must be adversary. There is disturbing indication that to this point the investigation has not been conducted in this tenor but rather in the spirit of so-called voluntary cooperation.

At stake are some of the most important issues and fundamental responsibilities of our constitutional system. There is a serious question as to whether or not Justice Douglas has been practicing law while a member of the Supreme Court. It is a matter of public record that the Justice received a thousand dollars a month from a foundation incorporated with his legal advice and assistance over a period of many years, all while still on the Supreme Court.

The Justice has also chosen to write for pay, while on the court, articles and a book, encouraging if not advocating violence to "restructure" the present Government of the United States, which he refers to as the "establishment."

In addition to the foregoing there have been serious charges that the Justice has written articles for pay for persons whose

cases have been pending before or on appeal to the Supreme Court on which the Justice was sitting.

In these circumstances I believe that the Celler subcommittee should promptly proceed to implement the recommendations made to it for the taking of testimony pursuant to subpoena and under oath in open hearing, or turn the investigating responsibility over to the select committee called for by House Resolution 922 and companion resolutions cosponsored by more than 110 Members of the House and now pending before the Rules Committee.

In this connection, the following article by James Kilpatrick appearing in tonight's Evening Star is significant; also a recent column by William Edwards from the Chicago Tribune.

The material follows:

[From the Washington (D.C.) Evening Star, July 7, 1970]

FORTAS SHOWED DOUGLAS HOW TO SPARE COURT

(By James J. Kilpatrick)

The longer one gazes upon William O. Douglas, associate justice of the U.S. Supreme Court, the better Abe Fortas looks. Fortas had the grace to resign. Douglas is adamantly staying on.

Some of the parallel circumstances doubtless will be developed by a House subcommittee now looking into the Douglas record. Meanwhile, a paperback book has just appeared, "Dossier on Douglas," by Allan C. Brownfeld, in which the case against Douglas is competently summarized.

Brownfeld's book, to give him a plug, may be ordered at \$3 from the New Majority Book Club, 1835 R. St. N.W. in Washington. Unhappily, the work suffers typographically from the haste with which it was rushed into print, but Brownfeld's tone is moderate, not shrill. The author, a William and Mary law graduate, formerly was on the staff of the Senate internal security subcommittee. Here he has done a workmanlike job.

The parallels between Justice Fortas and Justice Douglas emerge with remarkable clarity from Brownfeld's report.

One of the charges against Fortas, it will be recalled, was that he engaged as a justice in extra-curricular policy matters unrelated to the law. Specifically, he was supposed to have advised Lyndon Johnson on Vietnam.

Douglas, for his part, also has involved himself in policies remote from the bench. He has publicly waged war upon the Army Corps of Engineers. He has urged recognition of Red China. In 1968, when Ernest Gruening was running for re-election as a senator from Alaska, Douglas publicly endorsed him.

Another of the charges against Fortas stemmed from his acceptance of a \$15,000 fee for conducting a few seminars for American University. The university served, in effect, as a conduit for channeling tax-exempt private funds into his hands.

Precisely the same situation has obtained with Douglas in his role as chairman of the Center for the Study of Democratic Institutions in Santa Barbara. Here Douglas received fees of \$500 a day for participating in seminars.

Still another charge against Fortas was that he once refused to disqualify himself in a pornography case before the high court, involving a defendant he had represented in the past. The companion charge against Douglas is that he refused to disqualify himself in January in a pornography case involving a defendant, Ralph Ginzburg, publisher of a magazine that paid Douglas for an article.

Fortas was charged with moonlighting as a justice by making lectures for high fees.

Douglas, for his part, is a frequent contributor to Playboy magazine, which reportedly pays the highest fees in the magazine field.

The most serious charge against Fortas—the charge that led to his resignation—resulted from his agreement to serve as a \$20,000-a-year adviser to a family foundation created by financier Louis Wolfson.

There is no substantial difference in the matter of Douglas and the Albert Parvin Foundation. Between 1961 and 1969, Douglas accepted \$12,000 a year, plus expenses, for services (what services, one wonders?) as president of the outfit.

There is, however, this great difference between the two justices. Fortas felt keenly about the reputation of the court on which he sat. The controversy over his role with the Wolfson Foundation, he concluded, would adversely affect that reputation.

"In these circumstances," said Fortas, "it seems clear to me that it is not my duty to remain on the court, but rather to resign in the hope that this will enable the court to proceed with its vital work free from extraneous stress."

It is the saddest part of the record of Justice Douglas, perhaps, that he cannot see the need for providing still one more parallel with the record of the departed Justice Fortas.

[From the Chicago (Ill.) Tribune]

WORD FOR DOUGLAS CASE—DELAY

(By Willard Edwards)

WASHINGTON, July 3.—The votes are available, in the opinion of Capitol Hill headcounters, to impeach Supreme Court Justice William O. Douglas. For that very reason, legislative veterans agree, the possibility of a vote before election day, Nov. 3, has almost vanished.

An impeachment resolution, entrusted last April to a special five-man House Judiciary subcommittee, is quietly being smothered thru delaying tactics which mock the initial promise of action within 60 days.

The deadline for a report has now been postponed until late August, at a time when the House will be anxious to adjourn for the fall campaigning. The pressures will be heavy to put off a record vote until Congress returns next January.

Such pressures will come mainly from pro-Douglas liberals who have informed leaders that they cannot take the political risk of voting in support of Douglas.

They have pleaded for escape from a record vote. Their cries are being heeded.

Chairman Emanuel Celler [D., N. Y.] and Rep. William M. McCulloch [R., Ohio] head the special subcommittee, which is loaded, 4 to 1, for clearing Douglas of charges of misbehavior. They promised "neither witch-hunt nor white-wash" when given the impeachment resolution.

The subcommittee's only product thus far has been a 53-page staff study, stamped "Confidential." It is so secret that it has not been leaked to the press. Even the Republican minority leader, Gerald R. Ford [Mich.], who first raised the impeachment issue, had great difficulty in securing a copy.

The reason for this extraordinary secrecy became apparent when the document's contents were studied. It appears to be largely the handiwork of Douglas' attorney, former Federal Judge Simon Rifkind, and includes a slashing attack on the "McCarthyite" tactics of those who have impugned Douglas' integrity thru "guilt by association" with unsavory characters.

Rifkind, however, does not scorn to argue "innocence by association," noting that his client enjoyed the confidence of great men like the late Adlai E. Stevenson and John F. Kennedy.

Rifkind supplied a detailed defense to the charges against Douglas, which include practicing law for private benefit while on the

bench; writing for erotic magazines; espousing revolution; and profitable connections with a foundation funded from Las Vegas gambling casinos.

He reportedly has been aided by a "board of strategy" consisting of two former Supreme Court justices [Arthur Goldberg, now seeking to be governor of New York, and Abe Fortas, who resigned under fire] and a former defense secretary [Clark Clifford].

In asking and obtaining the 60-day postponement on June 24, the staff noted that a huge mass of documents from government agencies must be examined before "final assessment of the validity of the charges." Such a "final assessment," critics note, is not the subcommittee's assignment. That verdict is reserved to the Senate, which sits as a trial court if the House finds probable cause for such a proceeding in the public interest.

For those interested in a scholarly, unbiased and fascinating paperback summary of this controversial case, "Dossier on Douglas," by Allan C. Brownfeld [New Majority Book Club, 1835 K St., N.W., Washington, D.C.], costing \$3, is recommended. The private and public lives of William O. Douglas provide the ingredients for a remarkable tale.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore (Mr. ASHLEY). Under a previous order of the House the gentleman from Ohio (Mr. MILLER) is recognized 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 is the world's largest milk producer. In 1968 the United States produced 117,234 million pounds of milk compared to 68,343 million produced by France, the second-ranked nation.

CURRENT TREND IN STEEL IMPORTS HITS HARD AT SPECIALTY TUBING MANUFACTURERS IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania (Mr. CLARK) is recognized for 10 minutes.

Mr. CLARK. Mr. Speaker, at the recent midyear general meeting of the Welded Steel Tube Institute in Cleveland, Ohio, member companies expressed grave concern that unless the current trend in steel imports is reversed, domestic production of specialty steel products could be in jeopardy. Many of these stainless, tool and alloy steels and specialty tubing products are critical to national defense.

According to these leading suppliers of carbon and stainless steel tubing, the voluntary import quota plan in effect since early 1969 has created serious problems for specialty steel firms in this country. Although foreign producers have remained within tonnage quotas, they have steadily increased their imports of higher priced steel products such as specialty tubing.

WSTI members cited examples of increases in imports of specialty steel products in 1969, the first year of voluntary quotas when overall steel import tonnage was reduced as compared to 1968: alloy and tool steel imports up 16 percent; stainless imports up 7.7 per-

cent; welded steel tubing imports up 3 percent.

This trend has accelerated in 1970. According to an AISI—American Iron & Steel Institute—announcement on June 5 citing U.S. Commerce Department reports:

A shift in the product mix of steel imports has made welded pipe and tubing the most heavily imported steel mill product of 1970.

WSTI companies made the specialty items in this category, such as welded boiler tube, welded stainless pipe and tubing and sophisticated types of mechanical tubing used in metalworking industry. In 1968, 3,641 tons of welded alloy pipe and tubing—most of which is stainless—were imported. This jump to 5,682 tons in 1969 and during the first 4 months of 1970 accelerated to 3,713 tons, or an annual rate exceeding 10,000 tons.

Members in explaining the reasons for their growing concern, point out that specialty tube mills are expensive. It is uneconomical to build and operate a small mill since large tonnage production is required to be practical. Domestic manufacturers are capable of producing and supplying the entire country's needs, with surplus available for export. Now, with imports capturing a larger share of the U.S. market and with export markets decreasing, domestic manufacturers of specialty tubing are beginning to question seriously whether their share of foreign and domestic markets is sufficient to support profitable operations.

Mr. Speaker, the pertinent Government agencies involved should reexamine the voluntary quota systems and their effect on manufacturers of higher priced specialty steel items.

WATER POLLUTION—PART I

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

Mr. KOCH. Mr. Speaker, we are all deeply concerned about the pollution of our water, but often feel powerless to do anything about this contamination. In the Borough of Manhattan we are an island bounded by the Hudson and East Rivers. Daily more than a billion gallons of sewage and industrial waste are poured into those rivers. Industrial users by the hundreds throughout the State daily pollute our waterways. The ordinary citizen feels frustrated but there is something that can be done. There is a little known but powerful Federal statute known as the Refuse Act of 1899. The statute provides that anyone discharging refuse into navigable waters without a special dumping permit from the Army Corps of Engineers is liable to the extent of a fine of \$500 to \$2,500 for each day of pollution and a jail sentence of from 30 days to 1 year. I have written to the Army Corps of Engineers and have ascertained that no such permits have been issued. Since the inception of the New York State pure waters program of 1965, the State department of health has kept a list of such polluters. I have secured the

names of those polluters and have called upon the U.S. attorneys in the southern and eastern districts of New York, covering the entire city of New York, vigorously to prosecute those offenders.

In my affidavit filed with the U.S. attorneys, I named the 10 polluters doing business in New York City who, as of January 1970, were listed by the State department of health as polluters of major importance. Moreover, they had done the least to abate their pollution. Since filing my affidavit, two of the firms which I named have had final abatement plans approved by the department of health.

It is important to note that under the Refuse Act of 1899 any citizen who provides the U.S. attorney's office with information that leads to a conviction is entitled to one-half of whatever fine may be set by the court. In the event I were to be awarded part of such a fine, I would, of course, turn it back to the city and State of New York for use in cleaning up our waterways. I would hope that Congressmen and individuals across the country would call upon the U.S. attorneys in their districts to prosecute these industrial water polluters. For those interested in having all of the material pertinent to that law, Congressman HENRY REUSS, of Wisconsin, Congressman MICHAEL HARRINGTON, of Massachusetts, and I have put together for our constituents an environmental do it yourself enforcement packet. I would be pleased to provide any citizen with it.

ESSENTIALITY OF CONGRESSMEN BECOMING KNOWLEDGEABLE OF NUANCES OF MODERN WEAPONRY AND STRATEGY

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

Mr. HALL. Mr. Speaker, with the Soviet Union's recent buildup in SS-9 ICBM's capable of destroying Minuteman missiles positioned in their silos, and thereby reducing or destroying our "second-strike" capability; with the Chinese recent advancements in both hydrogen nuclear weapons and delivery systems—they exploded their first hydrogen bomb 3 years ago, June 17, 1967, and orbited their first satellite on April 24, 1970; and with the extremely essential SALT talks now in progress, it is most essential that all Congressmen become knowledgeable of the nuances of modern weaponry and strategy.

We still live in a world of nations who, as a matter of policy, are willing to resort to force in order to achieve their national goods and interests. As Congressmen we must provide this country with sufficient means whereby to resist the attempts of others to impose their interest over ours.

I, therefore include the following article which appeared in the June 20, 1970, issue of BARRONS, written by Dr. James D. Atkinson, professor of government, Georgetown University, a member of the National Strategy Committee of the American Security Council, and a mem-

ber of the British Institute for Strategic Studies, in the RECORD for the benefit of all:

TIPPING THE BALANCE: WASHINGTON MUST COUNTER MOSCOW'S GROWING NUCLEAR MIGHT

When former Secretary of Defense McNamara stated in September 1967 that the United States would proceed with a "relatively light and reliable Chinese-oriented ABM system," it might still have been possible to be moderately complacent about defending America from either a Soviet or a Chinese Communist missile attack. In June 1970 any slightest cause for complacency has vanished, although our people are not yet fully aware of the magnitude of the threat. In short, the on-going pace of military-technological innovation has become such that a country which forecloses defensive options in the nuclear-missile age places itself at the mercy of a country which is less scrupulous in the build-up of both advanced offensive and defensive weapons systems. And the Czechs are prepared to testify that mercy is currently in short supply among the leaders of the Soviet Union.

The pioneering study of the American Security Council entitled "The ABM and the Changed Military Balance," published in May 1969, was an excellent analysis of the growing Soviet threat. It was a warning signal of the necessity for a U.S. ballistic missile defense to prevent the Soviets from being tempted into launching a surprise nuclear strike on our country.

But although it pointed out that the Soviet Union had already surpassed the United States in overall strategic missile strength, the Soviets have pressed even more strongly since the publication of the American Security Council study. Thus, for example, the Soviet Union has test-fired double the number of strategic missiles compared to the United States from November 1969 to April 1970. And, ironically, November was the month in which SALT—Strategic Arms Limitations Talks—negotiations began between the United States and the Soviet Union.

An even more convincing argument for early deployment of the Safeguard ABM than the number of test missiles fired is the developing qualitative factor. The splashdown pattern—the technical terminology is the "footprint"—of recent multiple test missiles fired from the Soviet Union into the Pacific Ocean was approximately 60 miles apart. *And our Minutemen missile silos are roughly 60 miles apart.*

A convincing example of how the Soviets have been running while the U.S. has been standing still is given by the recent Report of the House Armed Services Committee, dated April 24 and released April 27, 1970. The Report points out that "in the past five years the Soviets have increased their strategic offensive missiles from around 300 to around 1,500 and have achieved a fourfold increase in the megatonnage of their strategic arsenal. The U.S., by contrast, is proceeding on a strategic offensive force level that was determined in the mid-1960s and in which no essential change has been made despite the change in the nature of the threat. In the comparable time frame, the U.S. has reduced its nuclear megatonnage by more than 40%."

The Report went on to state that "In considering these facts, it should be kept in mind that the decision to make MIRV a part of the U.S. Minuteman force was made in the 1965-to-1967 time frame. Since this step was considered appropriate and necessary for U.S. security against the then-projected threat, it should be apparent that the continuation of MIRV and ABM programs are but the continuation of deployment for a deterrent policy formulated on a global strategic threat of considerably

smaller magnitude than that which now faces us. Despite this, the U.S. has not taken any further steps to increase its strategic offensive force. *There has not been an arms race; the Soviets have been running at full speed all by themselves.*" (Emphasis supplied.)

The Committee also gave the following figures, which graphically illustrate the speed of the Soviet strategic arms build-up: "Five years ago the Soviets had neither a depressed trajectory ICBM nor a Fractional Orbital Bombardment System. The Soviets have tested both types of systems and could have an operational version deployed. The U.S. has no such systems. Five years ago the Soviets had about 25 submarine-launched ballistic missiles (SLBMs) on submarines. The Soviets now have over 200 SLBMs and in the next two years could have over 400 to 500 SLBMs on Polaris-type submarines."

Ominously, too, the Soviets now have 64 ballistic missile defense launch vehicles actually deployed around Moscow, and are testing either a new ABM system or an advanced version of their present Galosh ABM system. By contrast, only two U.S. Safeguard ABM sites have been authorized and—unless we speed up our defense effort—these Safeguard sites will not be operational before 1974-1975.

Although the Chinese Communist threat is presently a lower-risk one than the high-risk threat of the Soviet Union, it gives us no cause for complacency. The Chinese Communists exploded their first H-bomb on June 17, 1967. It was apparently a sophisticated implosion type in the two-to-seven megaton range. The complicated electronic triggering and measuring devices that were required in this and in other Chinese tests were a warning that the Chinese were much further advanced in military technology than we had been led to believe. If any doubts remained, they were resolved when, on April 24, 1970, the Chinese Communists put their first satellite vehicle into orbit. It is noteworthy that the Chinese Communist satellite was heavier than either that of the United States or the Soviet first-launch satellites. We can expect, therefore, that the Chinese will have an ICBM capability well in advance of previous estimates in the West.

The high-risk Soviet threat, and the lower-risk but growing Chinese Communist threat, pose problems to the survival of the United States. The Soviets quite soon, and the Chinese Communists at a later time phase, will be able to hold a nuclear pistol at Uncle Sam's head. No amount of wishful thinking will make these hard, unpleasant facts go away. Those who still live in a world of dreams rather than the real world might well ponder the words of Soviet Party leader Brezhnev. On April 21, 1970, with the other 10 members of the Politburo ruling group standing behind him, Brezhnev made a highly significant speech, "The Living and Triumphant Cause of Lenin." He said that not only would the Soviet Union move forward in the present arms build-up, but that the policy of the USSR was to "equip our army with the most up-to-date weapons." In other words, both quantitatively and qualitatively, the Soviet goal is to become the mightiest military-technological power the world has ever seen.

With the rapid growth of the massive megaton pay-load SS-9 Soviet ICBM (220 operational now, and 60 being built) and its approaching multiple independently targetable capability, if, indeed, this MIT capability has not already been achieved, the locust years of complacency are ended. This is reinforced by the fact that the Soviet Y-class nuclear submarines, with Polaris-equivalent 16-tube ballistic missile launchers, are now believed to be operating off our Atlantic coast.

Surely no American would argue that we can put a price tag on the lives of our people. Yet this is what we shall do, if we ignore

these threats. And, if we ignore the nuclear war threat, such vexing problems as air pollution and other irritants of modern life will have been solved for us. But the solution will be in rather a different way than we would like.

The urgency of the threat indicates the following courses of action for the common defense and the protection of the people of the United States:

1. The Safeguard ABM System. We should move forward more vigorously to deploy this land-based system on a faster time phase than presently contemplated. As we deploy the system, we have a solid technological base for refinement and increased reliability of ballistic missile defense, and we reduce the risk of nuclear war, a course of action on which all Americans would surely agree.

2. Deployment of a Sea-Based Missile Defense. A sea-based missile defense system (Sabmis) would not replace the Safeguard land-based system, but supplement it. The two systems are not in competition, but are complementary, since each would support the other. As the then Chief of Naval Operations and now Chairman of the Joint Chiefs of Staff, Admiral Thomas H. Moorer, testified before the Senate Armed Services Committee two years ago, the Safeguard and Sabmis systems are not competitive. He indicated, instead, that deployment of both Safeguard and Sabmis would constitute a "defense in depth mix" which "would be an effective combination to deal with future sophisticated weapons that Soviet and Chinese technology will be able to produce." Now, in 1970, we can see that Admiral Moorer's 1968 analysis was correct. Soviet and Chinese Communist technology is providing them with sophisticated weaponry.

A sea-based ABM would be a highly valuable addition to the protection of the American people offered by the Safeguard ABM, since it can be geographically positioned so that America can use the oceans to offset the land mass advantages which the Soviet Union especially possesses, and which Communist China has to a lesser extent over the United States.

An additional advantage is that a sea-based ABM defense would permit mid-course interception of missiles fired against the American homeland. This is especially important with reference to multiple warhead vehicles, since interception early in flight would permit killing the main vehicle before multiple warheads and/or penetration devices could separate from the main body. It may also be envisioned that knocking out some of the warheads in a mid-course interception would prevent overwhelming terminally-based defense ABM sites by the simultaneous arrival of several warheads.

We must be honest and admit that this would be expensive. But what Englishman would have refused to pay for air defenses in 1937, if he had been fully informed of the high-risk threat of air attack on Great Britain? In 1970 and beyond, the risk, as we study the continuing Soviet technological advances in weaponry, will be far greater for Americans than it was for Britons before the Second World War.

In 1937, too, Winston Churchill—even though he was a voice crying in the wilderness—told the truth to the British people. Who, in 1970, will give the hard but nuclear-war-preventing facts to the American people? Above all, who will put a price tag on the lives of the American people?

NUTMEG RAILROAD PROBLEMS

(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, the recent debacle of the Penn Central has

emphasized the critical state of public transportation in the State of Connecticut. The Cheshire Herald and Wallingford Post recently published a column on this subject in which one of my constituents, Mr. R. L. McLaughlin of Cheshire, Conn., graphically stated the plight of the railroad customer who desires to use a passenger train in Connecticut today.

I have assured Mr. McLaughlin of my concurrence with him in his objective and I stressed my support in the past of Federal legislation dedicated to providing funds for the general improvement of our transportation and the establishment of turbotrain and Metro-liner runs.

The Penn Central crisis has served to emphasize the predicament of our railroads today and it is my earnest hope that with this crisis freshly before us, even though the current bankruptcy has complicated matters, all concerned with this national problem will concentrate our efforts and work to bring about a long-term revival of our railways.

I am not now prepared to discuss in depth the question of Federal assistance, but certainly any help of whatever character that the Federal Government might consider granting should be conditioned on: first, the discovery and placing in office of competent and public-minded executives; and second, the maintenance and expansion of adequate, fast, clean, and reasonably priced railroad passenger service.

The column referred to, follows:

PLEASE, MR. MONAGAN

On this 300th anniversary of our sister town of Wallingford, let me appeal publicly to our shared Congressman Monagan to please, Sir, save the railroad service at Wallingford:

Every morning 20 to 30 people come out of the Wallingford station—an architectural prize, by the way—and board the train at 7:35 for New Haven and Grand Central Terminal. There are no other stops. Actually this is the old "eight o'clock" out of New Haven and in more colorful times past was known as the "Bankers"—the fast express to the city. It arrives in Grand Central at 9:25, a perfect train for a day's business.

Through the long travail on the old "New Haven", the Bankers' usually reached the city on time. The cars were dirty and jam-packed and the ride was too rough for comfortable reading. But, basically, the thing worked. To return to Wallingford you knew you could leave Grand Central on the hour every two hours. In other words, trains left at 2:00, 4:00, 6:00, 8:00 and 10:00. All stopped at Wallingford.

THE INCREDIBLE YEAR

Then the Penn-Central took over and there was hope. Many of us thought passenger service would improve. But look what has happened to that hope. Although the Bankers' still stops at Wallingford in the morning and sometimes reaches Grand Central on time, only the 4:00 returns to Wallingford. Like it or not, the Cheshire businessman must take the 4:00. There is no real alternative. But look what has happened even to this train. Someone, somewhere down in the depths of the railroad changed the Grand Central starting time from 4:00 to 4:01. (What on earth for, do you suppose!) But what is worse, it no longer arrives at Wallingford at 6:05 in the evening as it systematically did when the much better New Haven ran it. Again, someone, somewhere in the depths of the railroad changed the arrival time to 6:14.

This is bad enough. But in the last four trips I never arrived back by 6:30, so you can really see what the Penn-Central has done to passenger service after only a year. The fact is, they have all but ruined it.

OUR "NEW" NATIONAL RESOURCE

Our American enterprise system has ALWAYS had this rule: if it can be done adequately by private means, do it privately; if it cannot be done adequately by private means, then public means must be brought to bear. TVA could not have been built with private funds. The Post Office could not be run as a totally private firm, because you couldn't afford to mail a letter. We must now face up to the fact that railroad passenger service can no longer be a profit-making, private enterprise. How long overdue can a public need be?

I will make my case even stronger. The railroads in this nation were built privately at great expense by virtually every immigrant group. The Irish, the Italians and the Chinese served nobly in this enterprise, not to mention black people who immigrated long before. They were built from one end of this country to the other. They pierce into every nook and cranny of this great land. They are a rich and indispensable national resource. They should be taken over by the U.S. Government as a scarce national resource. These roadbeds should then be leased back to profit-making organizations that will use them. All railroad passenger traffic should be subsidized by the U.S. Government in the same way that the mail is subsidized. The passenger mile subsidy—which, by the way, virtually built our aviation industry—must be attractive enough to make railroad companies want to seek the service.

The railroads, which long ago were the image of plunder out in the West, have long since become the victims of plunder. They tried to compete against trucks which had all the flexibility, the lobbies and the tax benefits going for them. Virtually every small town in America, through which ran a railroad, saw the track right-of-way as a tax windfall. No railroad right-of-way should any longer be taxed—by anyone! Even if they are discontinued as railroads, these rights-of-way represent invaluable land for highways. They are level, longsettled, with small grades and mild curves. They will be indispensable as the traffic jam of future years builds up.

MR. MONAGAN, DO SOMETHING

Wallingford is celebrating its tercentenary. And we wish them all the best. We also wish their perfectly marvelous railroad station could be saved as a local architectural wonder. And we wish it could be again a place for coming and going. Mr. Monagan, go to Wallingford's celebration. And then go back to Washington and become the first Congressman to really try to re-build our railroads. Our country cannot do without them. Only you and your fellow Congressmen can save them.

SUPPLEMENTAL VIEWS ON SOUTH-EAST ASIA INVESTIGATION

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

Mr. HAWKINS. Mr. Speaker, I include herein the views which I have filed along with certain exhibits in their support:

SUPPLEMENTAL VIEWS TO REPORT OF THE SELECT COMMITTEE ON U.S. INVOLVEMENT IN SOUTHEAST ASIA

(Submitted by Hon. AUGUSTUS F. HAWKINS, committee member)

In submitting these supplemental views, I seek in some measure of proper balance to reflect the human and social dimensions of

the investigation conducted by the Select Committee on Southeast Asia.

In my dissent on a number of matters, I believe the difference is accounted for in the greater emphasis I have given to views of South Vietnamese people, student leaders and religious groups as distinguished from the military establishment.

About Southeast Asia, U Thant was never more right than when he said: In times of war, the first casualty is truth. I found that what was cited as facts in Washington seldom coincided with realities in Saigon. And what we saw in the Vietnamese countryside seldom resembled what the central government told the people.

U.S. POLICY QUESTIONED

I am saddened but obligated to report that we are not winning the war or support of the people in Southeast Asia. The military is performing its mission well but within the context of a foreign policy geared to a conventional military victory instead of a political settlement. The United States emphasis is on getting more countries involved in the war rather than encouraging peaceful settlements with their neighbors.

The basis of that policy regards the conflict to be between communism and the "free world." Halting Red China, not achieving self-determination for South Vietnam is the United States official concern. Our policy is in direct conflict with the aspirations of the South Vietnamese who seek independence from all foreign powers and national pride. Most of the people are suspicious of our real intentions. They cite, when permitted, our support of corrupt, unpopular, military dictatorships who are for war as their means of getting American dollars and military backing to stay in power.

CAMBODIA

Our invasion of Cambodia is seen by many as another example of western imperialism. Great caution is warranted in describing the operation as a success since this depends on the objectives sought. The bulk of the Communists we pushed out of the sanctuaries are now occupying almost half of Cambodia's territory. The tensions we found in Phnom Penh and Bangkok certainly do not justify optimism that the United States military "success" has helped Cambodia and the rest of Southeast Asia. Everyone is now asking what will we do for a helpless nation.

Newsmen in Phnom Penh regarded our Cambodian operation as imposing on that country military and economic problems it cannot bear without massive United States assistance. The new military cost alone will exceed its current total national budget. Its revenues are almost shut off and its export trade interrupted. The North Vietnamese occupy many of its rubber plantations, a major resource.

Conflicting reports are heard in Cambodia concerning United States airpower already being in operation more than one hundred miles inland and in use other than "interdiction of supply routes." Cambodia can easily become our second "Vietnam-type mistake."

VIETNAM

In South Vietnam, we are ostensibly fighting for the self-determination of the people. Yet, every act of ours reflects paternalism: we direct their military, we select their political regimes, pay their armies, and even act as their negotiators. It was common throughout our trip to see American "advisers" answering our questions and even making the decisions while their South Vietnam counterparts merely nodded approval.

Mennonite missionaries in Vietnam in testifying before the Select Committee expressed it this way: "Vietnamese apparently see America as only replacing French imperialism; the feeling of being used still pervades their life and spirit . . . and causes

nationalism to burn brighter among opposition elements."

That the "opposition elements" constitute a majority can be deduced from the last time a national election was permitted in Vietnam. Somehow, Ambassador Bunker's assessment of the situation of President Thieu as bringing "democracy" and effective government to Vietnam doesn't ring true.

ELECTIONS

In the presidential election in 1967, General Thieu won with only 35 percent of the votes cast which represented about 20 percent of the electorate. But this hardly describes the real facts.

Every conceivable means was used to suppress the opposition which was divided among many splinter parties.

Candidates and voters alike were prohibited from discussing relevant issues, including peace. Popular candidates were jailed for their views. Freedom of the press and of assembly were curtailed.

Much publicity is being given to the recent local elections for province and city councils as being fair and popular in voter interest. Actually most persons regard these local bodies as meaningless and without any real power and duties. The real power lies in provincial chiefs who act as military governors and are appointed by the central government in Saigon.

In my opinion the most troublesome aspect of the situation in Vietnam is the suppression by the Thieu-Ky regime of those noncommunist elements out of which a popular, independent, and peace-loving government can be created.

In a country where it is illegal to discuss peace, and where "neutralists" and "pacifists" are jailed for their views, there is little hope for much needed social change or ending the war.

Hopefully, I listened to such national leaders as Mrs. Tanh (Vice President of National Progressive Movement) who had been held in jail without trial twice for a total of over two years merely because she proposed a government of conciliation which would organize an election with all concerned parties in agreement.

Most productive was a personal interview I was granted with the venerable Thien Hoa, Rector of the Buddhist Institute and a leading force in the powerful Buddhist religion whose faith commands 87 percent of the people.

I listened as he described the people's image of the Thieu-Ky regime and of his peoples struggle for independence, nationalism, and freedom from outside forces. I marveled at his great insight and belief that a popular government, one not corrupt and evil, could stand strong and resist both communism and imperialism. Failure to use such powerful figures as this religious leader is one of the most tragic mistakes of the Thieu government.

With sadness, Thieh Thien Hoa, described how such forces as the Buddhist, students, and disabled war veterans—forces upon which a sound anti-communist government could be built—were being oppressed, tortured, and jailed.

Significantly, therefore, there are alternatives to war being proposed by indigenous leaders whose voices are being suppressed by a government which stays in power only because it is supported by the United States. Is there any wonder then that so many South Vietnamese express the belief that if American military powers were withdrawn the people in Vietnam could solve their problems among themselves.

As I listened to young students who had been arrested, tortured and imprisoned for expressing their opposition to the war and government corruption, I became more critical of what is happening to the people

in Southeast Asia. At first, it was hard for me to believe the stories of detention, interrogation, and torture of those who opposed a corrupt government and an absurd war. On my last day in Vietnam, I decided to visit Con Son Prison in search of a truth I hoped did not exist.

CON SON

Con Son is a South Vietnamese National Prison located on a remote island in the South China sea. Four of us, Congressman Anderson, myself, a staff member Tom Harkins, and an interpreter, Don Luce made the trip. We were accompanied by the Director of Public Safety for the American program CORDS, Frank E. Walton, and other United States AID personnel. Our government furnishes a modest amount of aid for improvement of the national prison system.

On Con Son Island we were escorted through the prison facilities by the Commandant, Colonel Nguyen Van Ve.

After routinely visiting the more visible cell compounds, our group by virtue of unique and ingenious circumstances observed certain areas of the prison known as the Tiger Cages in which are kept political prisoners who had the courage to express their belief in peace.

No one can possibly describe this compound except one who has experienced the brutal torture of these chambers. Attached to my report is a statement of persons who have. After observing the torture cells and talking to many of their occupants, I believe all that is reported by them.

The Tiger Cages are cells approximately 5 feet wide and 10 feet long. Five persons are crowded into this space surrounded by cement walls and floors on which inmates sleep. About a foot off the floor is an iron rod to which the legs of the inmates are shackled. Lying in this position for years causes a paralysis of the legs.

Occupants are fed a small portion of rice and a few dried fish, often molded, and always an inadequate amount of water which forces the prisoners through exhaustion to drink their urine.

At the top of the cages are kept boxes of lime which is sprinkled into the cages to quiet any noise or disturbance. More often, however, those who protest against their treatment are beaten by trustees who thereby earn special privileges.

In opposition to prison officials, we used the walkway atop the cages to interview various prisoners. Among them several students, a Buddhist monk, and an elderly woman 60 years of age who was blinded from beatings. None we interviewed had criminal records but generally had been imprisoned, often without judicial trial merely for participating in peace demonstrations. Although many were sick, medical care was practically non-existent. The only merciful thing observed was a separation of men and women.

I described Con Son in some detail because it represents the evils of a government that can only stay in power by suppressing the people and limiting their constitutional rights.

Con Son is a symbol of how some American officials will cooperate in corruption and torture because they too want to see the war continued and the government they put in power protected.

Con Son dramatizes what war does to the countryside, the villages and hamlets that our planes and firepower have devastated and the thousands of civilians we have maimed, killed or made homeless.

Con Son is the type of "not-looking-at-our-own-faults-and-atrocities" that endangers our American prisoners of war held by the Communists. By exposing and opposing torture regardless of by whom committed, I believe we can best help those Americans for whom we plead humane treatment and a safe return.

VIETNAMIZATION, PACIFICATION, AND
LAND REFORM

Much of the Committee's time was devoted to exploring the question of what happens if and when the Americans withdraw. Vietnamization and the pacification programs have been upheld as assuring a safe and viable society. Land reform has been cited as a means of providing self-help among the peasants who have either been displaced or relocated.

In theory, there is not much to disagree with the objectives of these programs even though the statistics seem inflated with unwarranted optimism. Statistics on pacification indicate an increase in American casualties since December and in the number of Viet Cong terroristic attacks. These may be temporary trends of course.

In the final analysis, I agree with the venerable Thien Hoa's appraisal of these programs, that their success depends on the quality of the government that administers them.

RACE RELATIONS

The militant young black soldiers in Vietnam is one of the war's touchiest aspects. I was always suspiciously regarded by top brass whenever I talked to black soldiers apart from their officers.

Even in the military stockade at Long Bien when I requested the opportunity to meet privately with soldiers from my own state, the group assembled for me did not contain a single black soldier although 61 percent of the stockade population is black.

When asked the reason for this high percentage, Colonel Jones, the Confinement Officer, himself a Negro replied: The black soldier is anti-establishment and anti-war. I suppose in this respect our black soldiers and South Vietnamese people are soul brothers. But other reasons may lie beneath; racial bias, unequal assignment, double standards, and a lack of understanding at the command level. I intend to explore further.

I can report our black soldiers are fighting with gallantry. Thirteen percent of battle deaths are black . . . Many raised questions about conditions back home. They spoke cynically of violence and discrimination against blacks in America. Many sent messages to their families that I will deliver in person.

In barracks everywhere I noticed a great variety of black pinups that displayed not only genuine beauty but pride and black awareness that in a subtle way indicated a new manhood.

Many fine directives on human relations were evident and I interviewed members of human relations councils in various command areas. Although non-minority personnel were generally of good intentions, I often sensed a lack of communication and sensitivity.

I strongly urge appointment of black civilian personnel at top level in the Department of Defense whose duties will involve monitoring and making more effective these human relations councils and assuring equal opportunity and treatment.

PRESIDENT THIEU

In our visit to the Palace and interview with President Thieu, I was struck with what can best be described as a smug and pleasantly-indefinite attitude. Two of his statements seemed highly important in being imprecise, one:

"I cannot say when the last United States soldier will leave. I believe we can replace them in 1971 except some for logistical support of United States bases."

The other as I recall was this: "The North Vietnamese are tired and don't want to continue but they may have been pushed to invade Vietnam and beyond, and they are pushed to continue the war, to continue

their mission of 'liberation.' It is difficult for Hanoi to admit they were wrong."

Somehow this last statement does not exactly fit an enemy that was often described to us as "hard, cruel, and a tough fighter," or these words to be those of a seasoned military general.

Unlike Cambodia's Lon Nol, President Thieu seemed more irrelevant to his country and to his people's needs and I am not sure which of the two I may be doing an injustice.

A third dimension is added to an understanding of the nature of what we face in Southeast Asia by the many dedicated workers of volunteer agencies operating in Vietnam.

One such individual is Don Luce of the Fellowship of Reconciliation and former head of International Voluntary Services in Vietnam. Mr. Luce, who was our interpreter on Con Son, has done an outstanding service in revealing "the repressive nature of the Thieu-Ky regime which claims to be our ally in the search for peace." (See Congressional Record, June 8, 1970, page 18820.) Mr. Luce described to members of our committee his personal experience of many years in Vietnam the brutal torture used by Saigon police to stifle dissent against the war by students.

In sharp contrast but of a contradictory nature was the testimony before the full committee of General Ainsworth of World Vision, another volunteer agency. The following are excerpts from his presentation in respect to my questioning him on the extent of the student unrest after he had charged "only a negligible number was involved":

Q: Back to student unrest. Only a few hundred students: Are you saying that these individuals closed up all the schools for two months? Your statements seem to be in very sharp contrast to insertions in the Congressional Record about repression by the Government of students participating in dissent. There has been an indication of a very strong movement by the government to crush student unrest—including torture. How can these two things be reconciled?

A. I believe that out of the 50,000 students you would get a very small percentage (of students participating in dissent).

Q. Why were the schools closed for two months, then?

A. I believe that this government is so afraid it will be criticized by opposition for being undemocratic. The schools were closed because the students were throwing rocks at people who were going by on the streets and burning Hondas.

Q. Do you know if the allegations of prison torture are accurate?

A. That also happens in the United States, in Arkansas, with people being killed and buried. Is there any difference?

Q. Yes there is a difference when it is sanctioned. Do you know if the allegations of prison torture are accurate?

A. Imprisonment in the orient is not the same. I don't know, but it is possible.

Q. Do you think this police force is generally cruel to the people?

A. I do not believe that these police are purposefully cruel.

Our recent "incursion" into Cambodia complicates the whole process of our withdrawal from Southeast Asia for this tragic "strategy" mistake involves us more deeply in the internal affairs of other nations.

Basically, however, it is South Vietnam and how we deal with this question that will determine both our role and our image in Southeast Asia, for the Vietnamese represent the plight of millions of Asians whose lives have been bitterly affected by colonialism. It is Vietnam that will always be on our conscience and serve as our test of world leadership.

Certainly the United States' involvement

in the internal affairs of nations in Southeast Asia has caused enough suffering in the world and created too many divisions among its own citizens here at home. The vigor and respect for us of our youth are being destroyed.

As the world's most powerful military power, we can with dignity become its strongest leader for peace. Our deeds, however, must match our words. The first step is to withdraw our military from Indo-China and leave its peoples to determine their own way of life.

EXHIBIT IN SUPPORT OF VIEWS
CON-DAO PRISON

To: Our Fellow Countrymen, Distinguished and Notable Guests, Fellow University and High School Students who have already been in prison and who have not yet been in prison, including also the fathers, the mother's the older brothers, the younger brothers and sisters, the young friends of all the prisoners in all the prison wards of South Viet Nam.

(Report of five students who have been returned from Con Dao Prison. They were released from Con Son Island on May 25, 1970)

Distinguished guests, Deputies, from the Joint Committee on Internal Affairs and Justice of the House of Representatives, dear friends, student representatives from the Saigon Student Union, the Joint Council of the Faculties of Hue University, and the Can Tho University, Chairman of the Committee to Oppose Repression of University and High School students, Chairman of the General Confederation of High School Students of Saigon, and close relatives of the prisoners on Con Son Island.

If we had to report to you everything about Con Son Prison, a prison which was established in 1939 and which has experienced many cruel regimes, colonialist, fascist, French, Japanese, and the one existing today, it would be impossible to do so.

To report about the existence of the more than 10,000 prisoners on Con Son Island, we are not yet able to act as their official representatives. So we only intend for the present, to simply report to you about a small portion of the situation of the prisoners on Con Dao, based on those facts from our own experience, we being the principle victims of a system they call "Re-education", a system we lived under, endured, and suffered under for the year and more just past. We are prepared to testify in more details before any agency related to the government about the incidents, the affairs, the facts which we report here.

We appeal to the enlightenment and the frankness of our guests and honored deputies, those remaining people in this regime that we can still believe in. We hope that with the help of your spirit, guests, deputies, distinguished persons and our brothers who have been in prison, as well as those who have not yet been in prison, we can eradicate completely all of the evils of the prison system, and re-establish justice and reason for all those people who have lost their freedom.

We also call on all the communication media, both in and outside of the country, particularly the Saigon press, to print this report which reflects accurately and fully the prison system of Con Dao, though this is only a very small part of the infinitely tragic situation that has existed there for many years.

After being beaten and held in the Central Police Headquarters for more than 2 months; and having appeared before the so-called "Field" court; and having received a sentence of imprisonment from 2 to 3 years based on a prepared statement, forcibly signed after many beatings, the members of the Field Court could find no way to

clarify what they called our "crime" except by calling it a "disturbance of national security" as the government had already decided in advance. The frankness of our self-defense before the members of the Court was met with threats from the Military Police who also escorted us wherever we went, revealing their violent intentions in the face of and with the consent of the men on the bench (that is, the Field Court) who chose to ignore what was happening. The right of self-defense of a person convicted on no grounds, as we had all been, was rudely denied. The arguments of the Government Commissioner now only revolved clumsily around the words, "stubbornness, stubbornness . . ." and we were sentenced for "2 years imprisonment, 3 years imprisonment." Today we have returned for all to see. What do those sitting on the bench think of the sentences which they have passed in the name of justice. What does the government think of the years we were ill-treated in their prisons, of the months we were tortured to confess in the police stations. I am sure you know whose responsibility it is.

After being held for many months "imprisonment" in Chi Hoa prison, it was decided by the Prison Master there to transfer us to "hard labor." His intention to transfer us resulted in deportation to Con Son Island. Of course we could never accept this sentence, especially as he had decided by himself to change the sentence from "imprisonment" to "hard labor." Without warning, the Chi Hoa Prison Master sent us off to the island in an enclosed truck aboard a Navy boat #403; our legs shackled from the time we left the vessel and arrived on the Island, where we were welcomed by more than 300 Prison Orderlies (These are the prison's beating-specialists). We were forced to keep our heads bent down toward the ground and were hurried off to the prison ward amid sounds of rude cursing and swearing, amid the whipping rods of the people welcoming us. "This is Con Son, boy, do you hear!" "The Last Place They Will See." One old man, over 60 years old, from Bien Hoa, could not keep up as we went along because he was so old and weak. The orderlies beat and kicked him, rapped him on the head with a cane. "Be smart and you'll live." "Slowness Means Being Whipped, do you hear, boy?" The old man was beaten numberless times and suffered more than anyone during the welcoming that day. After one day in the prison ward they sent us to the Tiger Cage where our legs were shackled together from that day on, until we left the Island.

This is a room, or more correctly a small cage about 3 meters (10 feet) long and 1½ meters (5 feet) wide, in an area separated from the other cages by many walls and totally isolated from all life outside. They threw 5 people into this narrow cage. On the average, each person had only about 2 hand breadths of space in which to lie and live. The legs were shackled and held high day and night—even while eating, sleeping, washing—fastened to a metal rod about 4 or 5 meters (14 to 17 feet) long. They forced us to lie in silence; we couldn't sit or stir in this hot, narrow, dark cage. The cages are separated by stone walls more than a meter thick. A small door is kept tightly shut all day, except for a few minutes when it is opened and reclosed during meals. Above it are metal bars running horizontally lengthwise, with a small space or passageway left for the orderlies who make regular checks. We had to lie there all day. Sitting or standing (during the first months) was not allowed. We only had to murmur one or two words ever so softly under our breath and we had to pay for it with the cruel lashings of the orderlies, as ordered by the Administration of the prison. Even when the latrine barrel was open and leaking all over so the floor had a pasty covering, we still had to

lie quietly and endure it. The tile roof had leaked for years and never been repaired, and during the rains the water poured down into the cage, not to mention the sand pebbles, and blinding dust that came in on windy days. The ground where we lay was uneven, rough, bumpy with sand, pebbles and dirt since it was many years since the last time it had been cleaned. We were kept here continuously for the first four months. They now throw girls and women prisoners into these places.

The second place was the Cow Cage. This is a prison, located near a cattle feeding shed from the days of the French, which was built by the government in 1970. It was no different from the Tiger Cage except that it was bigger and hotter, 17 people being all thrown together into one of these cages. We were put in chains, and existed as before. Let me describe here what sort of food the government reserved for us.

The food regimen was officially determined for the more than 8000 prisoners in the various locations, wards, and underground cells, according to the various categories of prisoners that the government has set up here: military prisoners, political prisoners, general security prisoners, female prisoners (including children) and more than 2,300 prisoners whose cases were being re-examined.

We want to affirm clearly, at the beginning, that all year round our fellow prisoners are continuously and regularly given just 2 main things to eat, namely fish sauce and a dried fish, along with rice. This was all decided by the Administration, the quantity always being limited and regularly insufficient, not to mention the quality of the food we had to eat.

Besides the matter of allotting an insufficient amount of rice, there were many other ways of keeping us hungry, such as making us eat very fast (so it was impossible to eat much or enough to make us full). Specifically, in the Tiger Cage we were given 3 minutes to eat. A second way was to cook the rice and gruel so it was pasty and liquid, which rapidly filled your stomach so you could eat no more, but then even more rapidly left you hungry again, only an hour or 2 after eating. A third method the government used here to limit the prisoners' rice consumption was simply that most of the rice was mixed with sand and pebbles. Until the prisoners stand up to demand a re-organization of these conditions, they will continue to have little to eat and must accept a state of endless and constant hunger.

Finally, as you know, rice and gruel can't be eaten alone, but must have some flavoring to help get the rice past the throat, but here there was nothing but one kind of dried rotten fish that the prisoners all call dried Quinine because it is so bitter. People in the South of Viet Nam often buy this to use as compost for plants. Even among the most miserable Vietnamese or the people of the most remote minority groups, I have yet to see anyone use it for either human or animal food. There is no word that can adequately describe the quality of this dried Quinine. This dried substance was brought to the island in great quantities whenever it was selling cheap. They stored it for long periods, from 3 to 6 months, which made it even more bitter and decayed. If there was a little oil they half-fried it, if not they boiled it by pouring on a scalding liquid to make something called "stew"; if there was not enough they poured in more water. At times they roasted it until it was burned black like a piece of coal. For this reason, only prisoners know how to find the saltiness in the bitterness of this dry rot; choked with tears, they swallow the rice grains, washing them down with resentment.

Aside from this dried quinine, there was also a "fermented sauce stirred into plain

water." So much water was added to the sauce that you could only see a bit of shrimp residue barely coloring the bottom. We still remember many times when this food was brought into the cage it made us nauseous enough to vomit. So our deepest wish now is to eat rice with some grains of salt or sprinkled with a little salty water. That is enough to make it seem delicious. They only gave us salt a few times when they were in a good mood. But if they happened to be in a bad mood when you asked, you were liable to be beaten, as was one of our friends here who was called up to the Specialist Section and beaten and required to testify this past May 16th.

All year, month after month spent in the cage, not once did we ever see a bit of green vegetable or anything that could have been called fresh. Only a few times during New Years (the day when love appears among people). During the New Years holidays we only received a special piece of fried pork fat as big as the end of your finger. We understood that this piece of fat was no bigger now because it had "evaporated" enroute, through the intermediary hands of the orderlies, the organizers, the overseers of the prison. For lack of fresh food over a long period of time, most teeth became rotten and loose, even the biggest and hardest teeth. The only way to solve this condition was to find some leaves to eat, even if they were those distributed later to use to go to the bathroom, but which we had temporarily and painfully to call the "vegetables" of the Administration. Or we could look for insects, crickets, fleas, flying white ants, beetles, and even lizards, unfortunately flying past the prison door or unintentionally chased and falling off the top of the wall. We ate them alive, biting off and sharing pieces, saving some for the weakest among us who had never once in all these years been given a vitamin pill or eaten a bite of vegetable leaf that could serve as vitamins.

In order to get some vitamins or something fresh, sometimes after being called before the Specialist Section for a beating, though totally exhausted we tried to pick some blades of dry grass growing near the road and stick them secretly under our arm to bring back to the sick prisoners. That was the only "fresh" thing that we were ever able to get for food throughout that whole year, month after month of dried rotten fish and watery sauce.

We ate and drank only twice a day, first around 8 a.m., which we called lunch, and then again around 2 in the afternoon which we called dinner. The time between the afternoon and next morning's meal was 18 hours, out of the 24. They only gave us water to drink twice a day along with our meals; each time we received a small sweetened condensed milk can about one-third full of water. Since it was so hot and humid all year round in the crowded and dark cell, we mutually quenched our thirst with our collected urine. In the first terribly hot months our throats were so dry we couldn't swallow any rice, the esophagus and tongue got numb from thirst and there was only one other kind of water to be had, the water that remains from the latrine barrel after it had been roughly rinsed out. And so we had to use this unsanitary germ-ridden water because of the cruelty of the chief of the specialists and the tight squeeze of the prison orderlies, and we were prepared not to tolerate or submit ourselves to them though we had to accept germs, though we had to accept sacrifice.

Due to these conditions of eating and drinking, most of us were sick, in addition to the symptoms we had after the savage beatings of the prison system. Some had stomach trouble from eating too fast and from eating the mixture of sand and pebbles, or suffered from chronic dysentery from hav-

ing to drink cold water as we did in the Cow Cage. When we were sick like this, or physically exhausted, or when we could not eat at all, the problem of reporting this and getting permission to eat rice soup was very difficult indeed. Each sick person could only have a small bowl of rice soup and he had to talk endlessly before he even got that. If he reported he was sick and still got no soup, he got so hungry he had to stave off the hunger by eating a few spoonfuls of the gruel of one of the other prisoners beside him, knowing that if the orderlies caught him he would be beaten with a rod until he would have to give up eating for many days . . . as happened to one of our friends here who was beaten by an orderly who used his elbows and knees to pound him, and as happened to someone on a day in September 1969, because he had eaten one spoon of rice that a fellow prisoner had saved for him when he was sick. Though he called out, "I am sick. Why do you keep beating me so?" the orderly did not cease striking him except to answer shortly, "You're sick. Then let me beat you to death."

To sum up the issue of food and drink, we constantly were in a state of insufficiency, misery, and—compared with an animal who has someone to feed him—we were much worse off, even if you don't consider the savage beatings we received as compared with the lot of a family pet. But still we continued to endure this for more than 13 months, because we dared oppose the injustice and bestiality of the individuals who belong to the cruel government of Con Son Island.

These living conditions were all created by the Island Master and his committees, and the causes of these conditions originated in a policy called "5 year plan for economic self-sufficiency" which Mr. Le Canh Ve drew up in 1964. In direct requests, the Island Master began going around the usual contractor because he found that otherwise he could not divide things up and get as much as he wanted. On the economic self-sufficiency theory it was easy to deceive and flatter the government on the mainland. And he achieved the goals of his policy by exploiting the prisoners, limiting their food and drink, letting his men distribute the food supply, over which he held a complete monopoly, as they wished; he could arrange for supply any way he wished, he could grant anything he pleased. And at the end of each contract bid term, he didn't have to laboriously run up and down conniving with the contractor like the other Province Chiefs did before him . . . In this way Mr. Le Canh Bo was filled to overflowing on the starving, suffering, needy bellies of more than 8,000 prisoners.

Many times when the prisoners stood up and demanded an improvement in their living under the dynasty of Mr. Ve, it had seemed that a fierce accusation of the policy of economic self-sufficiency he had created, which meant a direct collision with his interests, was always answered by the Island Master with beatings by the group of specialist orderlies and security orderlies that he had set up and supported. Many unscrupulously corrupt Province Chiefs in South Viet Nam who exploit the very bones and marrow of their own countrymen, have been protested by the people in favorable situations, but still succeeded without suffering revenge. The case of uncovering the unscrupulous corruption of the Province Chief of Con Son was not so easy, because the struggle of the prisoners could be labeled a "revolt," "Communist rebel struggle," "prisoners daring to resist," by the Province Chief and his friends. Thus their suspicious activities continue over many years concealed from the eyes of the Saigon government and from public opinion despite the hatred and anger at injustices of the prisoners and all the people.

All this time the ration allotted to the prisoners was never made clear to the public. The Con Son government has put the blame on the Ministry of the Interior. Since the Re-Education Center has not granted them enough, the prisoners must accept their lot. Thus every struggle to demand an improvement in the life of the prisoners has no base to stand on and is always accused of "violating internal regulations" and is thus punished. Ultimately only 2 solutions were left to the Con Dao prisoners, namely to:

Surrender and submit themselves to the cruelty, and live forever a miserable existence, slowly dying in need and oppression until the very end.

Or continue the struggle by voluntarily sacrificing so that ones fellow prisoners could live more easily than before, though it was necessary to sacrifice ones body, go on a hunger strike to the death, slit ones stomach, or disembowel oneself, in order to force the Island Master and his cohorts to find solutions to the minimum and simple aspirations of the prisoners (as happened on May 14, 1970, in the 4th Ward, where an unsuccessful request was made to meet with the head of the Specialist Section in order to demand a solution to the food problem of the prisoners.)

Besides the "Food" problem, we also had to cope with a modern method of "Washing" that came out of the Con Son Prison Masters many years of experience in overseeing the prison, as well as the extraordinary code of "Dressing" practiced in the prison in the Tiger Cages. We called it "bathing in shackles" and "dressing stark naked, at least nearly so."

The day they first pushed us into the Tiger Cages, our clothes, money, and medicines and all the other things an individual finds essential were taken, put all together and simply appropriated immediately by the orderlies, following the orders of the Administration. They purposely created a situation where everyone's individual material possessions were all mixed up, using the pretext of having made a mistake in order to rudely steal from us. They deliberately recorded incorrectly the amounts of money they kept from us because a criminal in the "discipline cells" has no right to possess money. So each prisoner had to bear a loss of anywhere from 100\$ to 1500\$ plasters, which was a lot of money for us. And the grand total of all this stolen money was not so small considering that there were over 1000 prisoners that they called "isolated" prisoners. A classical example, in my case I lost all my clothes, and possessions, including all the letters that my family sent. How can one tolerate a situation of injustice and robbery right in the place that the government calls a "re-education center," a "reformatory." If we complained then the overseer whom we called Mr. Chin Rong issued the order for a merciless beating as revenge for our complaint which he called "daring to protest" (in the case of university student Nguyen van Chin). Sometimes the complaints were ignored and left unsolved as in the case of Mr. Nguyen Tuan Kiet and Mr. Tran van Long, not to mention all the other prisoners who have had similar experiences.

We still continued to struggle and complain about their oppressive, barbarian and inhumane actions until the morning we were returned to mainland. Only then did we get their answer: "You already have your freedom; what are all those little things you lost worth compared to that." How ironic and bitter is the price of freedom for a prisoner.

We could only keep one outfit. In this single outfit we had to pass all the terribly hot days and months, as well as the months of winter on Con Dao when the cold penetrated us to the very bone. There were no blankets, no sleeping mats; we lay flat on the earth floor, our skin covered with ulcers from the gravel we lay on for long days and

months. As for washing, during the first months (April, May, June, July) we were only allowed to wash once a week, and then our feet were kept chained to this short metal bar. We sat together and the orderly poured a tub of water over the 5 of us. Naturally the water never got our whole body wet. Moreover, during the past 13 months, washing our mouths or brushing our teeth was unheard of. Brushing the teeth and washing the mouth was something the authorities, the "discipline" keepers, absolutely forbade us. We couldn't even go to the bathroom; for toilet paper we had to use a small scrap of cloth ripped from a shirt or pants pocket, which we carefully washed out with urine so it could be used again and again.

Living under these conditions of eating, dressing, and shelter, the prisoners had to endure confusion and serious disease. Food was inadequate, beatings were regular, feet were shackled day and night. Most of our fellow prisoners in the cages were paralyzed, on the average 2 out of the 5 persons were paralyzed, not to mention the number suffering from chronic dysentery (resulting from the drinking water); tuberculosis due to long-term physical exhaustion; stomach disorders from the beatings by the orderlies, from eating sand and pebbles, from eating too fast; gangrenous feet from a lack of vitamins; and endless other diseases and medical problems such as mumps, swellings, etc. Medicine was dispensed as the person in charge of medical problems was inspired to do so. Here, every time we wanted to ask for medicine we had to wait until we were in agony and then we generally only received a few aspirin tablets. Any medicine more valuable than this was all hoarded by the orderlies and their accomplices in the administration and was taken away and sold. The situation now is even more tragic than when we were in the Cow Cage around February, March, April, May of 1970. Weakness, pain, or the effects of beatings over many days and death during the subsequent period was nothing unusual.

No matter what medical problem the prisoner has: T.B., diphtheria, . . . he is still thrown in with all the others who are not sick, all still eat out of the same bowl, sleep together, shackled to the same rope. We know of no other place on earth where human lives are so cheap as in Con Dao, to the degree that the government and the orderlies there dared to state openly to us that "If you die it only costs us a piece of paper." A sheet of paper which they call the announcement to the Re-education Center of the Ministry of the Interior. This evidence can serve to help you all see clearly what our conditions of life and death were like.

Medical problems on Con Dao were entrusted to a lieutenant in the medical corps. We had heard his name, but never once did any of us see his face, even though we were taking our very last breath. Seeing this Doctor in charge was a remote dream for us political prisoners because, in the name of this ideal or that ideal, he avoided having to treat directly these people he called V.C. . . . especially the sick who were in agony and really needed him. Thus medical work was entrusted to people under him: Some were truly capable but lacked the needed medicines and supplies; others had just studied their profession for 2 or 3 months and only understood the names of drugs. There was one male nurse one time who was very capable and wanted to cure us of our diarrhea and asked the administration for more drugs. He was suspected of being an accomplice of the V.C. and could have been thrown into the cells too for doing something like that. Though we were dying, the medicine our families sent us never reached our hands, for the simple reason that we were being disciplined and could not receive pills. Many

people have died in spite of the piles of medicine their families sent them, which was kept stored in the warehouse of the specialists.

Deputies, student representatives and relatives of the prisoners at Con Son.

Through our report of the Con Son government's treatment as concerns our food, our diseases, the squeezing of our means and their robberies, the shameful acts of the Province Chief and his fellows, we hope to have given you some small views of the prisoners' life at Con Dao. The corruption of the Con Son government has not been reported despite the bitter resentment of the prisoners who have lost their freedom and who have been in agony. These facts are not as barbarous and violent as the beatings, repressions, mental and physical terrorisms they carry out on us. To perform these cruel scenes, special committees have been set up. The security-committee, responsible to the province chief has at its head a proctor, with "3 grades" named "Mr. Chin Khuong", his assistant, "Mr. Chin Rong" directly commands over a thousand orderlies who specialize in beatings. The office of beating is near Camp 2, area with its stores of lime powder, canes, chains, shackles and other equipments for torture. Whenever the prisoner is tortured and beaten, he must sign under the following statement: "Not being beaten at all" and similar statements such as "the dried fish are deliciously fried and we prisoners ask for more" in case of food problems.

In order to explain the silent and subtle killing "machine" and the violent barbarian beating "machine" that the Island Master set up, we will successively report the following situations.

Being political prisoners, we sympathize with and feel pity for the fate of our fellow-prisoners. On the other hand we feel broken hearted at the sight of some prisoners who work as "orderlies", order and security specialists, which we recognize, are part of the terrible policy of "division for government" by the Con Son government to crush the prisoners. A most painful case publicized by the press, was the death of 7 prisoners on May 31, 1970, most of them political prisoners. The rest are seriously injured and in agony. At Con Dao there are a number of prisoners convicted of robbery, killing people, and raping who are sentenced from 5 to 20 years of hard labor, and death punishment. These include military culprits who could have been re-trained, by the government in order to participate in the equal life of the Vietnamese community. However the Con Son government encouraged their cruelty and barbarism by giving them the title of "Order Guard" of the prison. They use materialistic means and allow a certain indulgence to attract and increase the cruelties of the "Order and Security" prisoners, while they could have ended these acts.

Some of the prisoners who were attracted by these materialistic means, once again sold their soul to take the responsibility of "keeping the order". They are used as reformatory cadres because they directly beat and control the lives of prisoners in the various prison wards and cells. Their inhumane acts of beating, of killing and disposing of us increase the "prestige" of the administrators, and the confidence and favors on the part of the authorities. They have much hope of having their sentences reduced through the report of the Administrative Committee that "they behave well". Thus the orderlies' killing actions were easy activities, even pastime hobbies.

The Con Son government's toleration of these barbarous acts of the orderlies encourages their bestial desires, most clearly, through the acceptance of their lusty activities: visiting the prostitute houses, injection of marijuanas and opium and gambling. This type of life has been and is still being public at Con Son. Smuggled opium is bought through the intermediary of the proctors.

Gambling is tolerated by the upper proctors. Prostitution is provided by a series of girls. The orderlies fight in these activities, sometimes even killing each other. With the support of the Con Son authorities and with their assigned positions, they publicly grab our money. Some of them possess as great a sum as 4 or 500,000 piasters from these "activities" (as is the case of the orderly Tam Kinh) or are released after having been able to kill too many political prisoners (as is the case of Muoi Mau).

The Island Master and the heads of the committees protect these acts that they themselves have planned, and destroy the evidences of robbery and acts of cheating the prisoners of their food ration in order to raise poultry for their own benefit.

At the island, a prisoner who wants to buy something must get it through the order-committee, i.e. through a "filter" who fixes the price of the items. The prisoner has only a choice either to buy it or not, either to need it from the prison or not. Money coming from the prisoners of the tiger-cages may reach a million piasters, and this is freely divided among the chiefs. Prisoners who want to get the money they had or the money sent to them by their families run into many difficulties, some of them have had to fight and sacrifice their lives in order to get it.

With the support of the government, the orderlies have a new profession: that of killing people without being accused, that of torturing which was reserved only to the secret police, that of reformatory cadres of the prison and the Administration. A more tragic profession is the acting as a health assistant. Such is the case of Mr. Pham Van Mong, who, after having beaten us to death, is now assigned the job of health assistant in order to try medicines on us and use us as experimental animals, shooting needles into our bodies in place of the previous clubs on our heads. Of course, we never forget the devoted help of the doctors, health assistants who are here as political prisoners and who, despite suffering and continuous threats by the authorities, still manage to give cure to many of us. We also do not forget some of the orderlies who still treat us with some sympathy. We can never forget their grace. Some of them were barbarously beaten by the Administration when they tried to help us.

Once again, we are thankful to their sympathies and help for us. On the other side we are forced to accept the daily cruelty and the insults. Some of them use the most vulgar words and in our struggles for improvement of conditions some of them have become torture-specialists by applying lime powder on our bodies so that some of the prisoners are choked and vomit blood. The orderlies are equipped with masks and gloves while beating us. In one of the most typical and recent cases in December, some women political prisoners were covered with lime powder and two of them were beaten to death. Each 4 orderlies are in charge of torturing and beating one of us as in the case of February 28, 1970 at Camp, where the repression was carried out under direction of the proctors Tha, Chin Khuong, Chin Rong and high ranking officer named Duc. On May 5, as we asked to see the head of the committee for improvement of conditions, we had to decide on the last means of struggle—that we were ready to accept death through a non-violent protest: an unlimited hunger strike. The strike lasted over a week. Still we could not see Mr. Chin Khuong. He remained indifferent to our minimum and just demands. One fellow prisoner, Mr. Ho Van Chin, 23 years old, of Dien Ban district province of Quang Nam sacrificed himself in this struggle. His corpse was robbed and his death was given a falsified reason "dead because of illness" with the complicity of the health service and the police department of the Island.

Under the direction of the Island Master Le Canh Ve, we are constantly under threats of being beaten or killed. Just an act of unbuttoning your shirt because of the heat, or a noise caused by your leg as you unvoluntarily move it under the chains, or your not bending the head as you pass the office, and you are punished with a series of beatings and insults for the reason of not observing the rules of the center.

Here, the orderlies have the opportunity to use the modern ways of the hooligans which have the name of "Rubbing the Heel", "Crushing the Pepper" or "Used Bolts": they use their feet, or long heavy sticks which were used to bar the doors (called Red Bars) or iron bolts to hit on our heads and necks, especially on the weak parts of the body. Besides this, they continually keep us under shackles. In the past year, we were free from the shackles only for 8 days, 4 days at New Year, 3 days at Wandering-Soul holiday, and one day before we returned home. This "grace" to the prisoner is very valuable as we were at ease being able to move our legs when we slept after days and months of being paralyzed. We always remember these feelings and are grateful for those who have created these holidays, to save the conscience of these people here who have lost most of their human qualities.

We had the "opportunity" to be under two kinds of shackles belonging to two different periods:

Shackles of the period of the French colonists which are round and smooth under the legs.

And shackles of this period which are made of F.8-iron provided by U.S. aide for the construction of houses. These iron bars are shaped to the form of shackles. They are full of sharp, pointed thorns which cause violent pain reaching to your heart and brain when you have your leg under it. Later, these sharp teeth cut the legs and make painful wounds around them: each time he moves to one side or the other, is a misery for the prisoner. Such is the shrewdness and cruelty of this present regime and of F.8-iron aide.

As for the prisoners with hard labor sentence, whenever they struggle to ask for more rice and salt, they are punished by the "disciplinarians" who shut them up in cave-cells.

The shape of the caves is a half-circle. It is very narrow, without enough light and air for 10 people jailed together. The prisoners collapse in extreme insufficiency and because of continuous tortures to death. The call "Mr. Orderly, we have a dead man in our cell" or "Mr. Orderly, someone is in agony" is very common to us. Each time we hear the call, our heart is broken and we think of our own fate.

To protest against this situation, the prisoner accepts sacrificing himself so that his friends may "live" in a better condition, or he surrenders to the cruelty of the men, thus letting his friends live in a worse condition. We choose the former, because we cannot let the proctors and the island master exploit human strength, through hard labor, causing death to the prisoners when they slipped from the top of a high hill or were smashed by a fallen tree. The master robbed part of the wood that the prisoners have chopped, what remains is divided among the other proctors (as the case of the Proctor Danh Sinh and his fellows). They used about 10 prisoners in their families as slaves, 3 to cultivate land for the family's food, one to take care of their children, 2 to cook, 2 to wash clothes, one to be messenger. In case the prisoner has some education, he is used as preceptor without wages to the administrators' children against his will. Selling their education in order not to be whipped! Selling their education in order not to be shackled! Such is the fate of the intellectual

in prison who is forced to accept the regime, to overlook it, even though it is cruel. Does one accept to stay in prison in order to learn more slavery or to learn to fight against injustice in the tiger-cages. Most of us students in the whole country take the second choice.

If in Saigon, there are continuous campaigns in favor of lowly romantic love, and family ties to avoid the struggle against injustice, this type of reformatory education is strictly not applied to us in prison. The love of brothers, sons, fathers in dangers, prisons. . . . is repressed by "discipline." One is not allowed to write letters to his family, to meet his relatives. They publicly call these love sentiments "lowly", so that the prisoner gives in his desire to see his relatives. The authorities have created scenes of unhappy mothers and wives weeping day and night for their sons, husbands and fathers. The authorities rudely accuse the prisoners of "having no sentimentality" i.e. having no lowly love as they expected, giving pretext that these prisoners who dare struggle against cruelty have a higher love and a higher and more determinate love for their country.

However, in front of the infinite unhappiness of mothers and wives, can the authorities always remain silent? For, no matter how violent they are, they cannot in the name of cruelty destroy family relations and human love. We have experienced the deprivation of love and we have escaped this. But what is the fate of thousands of our fellow prisoners who still remain there?

Here, we have to raise a question. How can the authorities at Con Son plan and carry out these barbarous acts without being discovered? How can the province chief succeed in taking bribes, squeezing out the prisoners if the "special committees," "the organization of the order committee," "the division of benefits among the province chief and the proctors" are being openly reported?

The province chief classifies the jails into different categories—jails for the prisoners with and without sentence; jails for the prisoners with hard labor sentence and the isolated prisoners; jails for the prisoners with a light sentence and political prisoners; but most typical are the jails for the "undisciplined" and the "disciplined."

The system of re-training the prisoners through series of barbarous whippings, through forcing their labor by the chief of Con Son island has transformed these prisoners without freedom into complete physical and mental slaves. The degree of slavery depends on the degree of "correction" given by the Con Son Administration. At the very beginning when we first came to the prison we were warned by Mr. Ve's words: "Obey us, bend to force and misery. Otherwise we'll treat your stubbornness by breaking your bones."

We had to obey, and follow the orders, sell our labor. If we protest if we dare stand up against violence, whether we are numerous or not, no matter what means we use, we will be beaten to death. They try to correct us through violence, threats, cheating us of our food. Correction here means violence, and robbery by the Con Son authorities. Yet, they are not yet satisfied. They deceive the outsiders who come and visit us through false "democracy at the island." How can there be democracy here? Only prisons. Therefore the master of the people is the King of the Island Le Canh Ve. In order to see how powerful he is, how much authority he has over the slave prisoners, he has the idea of setting up a letter box to receive the people's opinions. For more than 4 years, he has only received several letters from the box. As a result, the authors of the letters were summoned to a special committee to get answers, in form of terrible whippings. "Who tells you to de-

nounce us?" "who gives you the right to give opinion?" "Remember boy, this is a prison." From then on, the letter box gets rusted through time, still it remains on the wall. We wonder if any of the congressmen group who came to visit the island has noticed the rust on the lock of the box though the words "People's Opinion" still remain, together with Mr. Le Canh Ve.

When there are teams who come to visit, or investigate the order, the special committee takes care of giving us some "wipe." We get a chance to wash ourselves lest we stink. They have us cut our hair and whiskers so that we look less wild and they do not forget to warn us carefully "Don't you breathe a word to the team, beware of death, we will not forgive you. Hear it?" We note that when some of the members of the team have the generous idea of asking about the conditions in the tiger-cages, cell No. 2, the cow-cage, they are given such answers as "that was in the French period, it no longer exists today." Stacks of firewood were piled in front of the doors of the cells to hide the cells, cow-cages, and the tiger cages. "It no longer exists" says Le Canh Ve.

Sirs, countrymen, friends, Student Representatives of the Saigon Student Union, the Joint Councils of the Faculties of Van Hanh University, and Can Tho, Hue Universities, the Committee to Oppose Repression of the Students of Van Hanh, Saigon, Hue and Can Tho Universities and of the Saigon High Schools and relatives of the prisoners all over South Vietnam.

We hope to have reported to you only a very small part of the violence and cruelty of the prison system. What does the Government think? Sirs, what must we do to re-establish equality and justice to the people deprived of freedom, those who can never speak out for their human rights, those who silently and continuously struggle against the injustices of a sinful and vulgar society.

Saigon, June 19, 1970.

TRAN VAN LONG
CAAO NGUYEN LOI
NGUYEN THANH TONG
NGUYEN TUAN KIET
NGUYEN MINH TRI.

ROLES OF CONGRESS AND PRESIDENT—AMERICAN MILITARY COMMITMENTS

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

Mr. GUDE. Mr. Speaker, the war in Southeast Asia has revived the continuing debate over the roles of Congress and the President in the direction of American military commitments abroad. A touch of historical perspective is essential, for the question of balancing the war powers between the legislature and the executive is as old as the Constitution and as current as Cambodia.

My Maryland colleague in the other body, Senator CHARLES McC. MATHIAS, has contributed this perspective in a most thoughtful analysis of the war power, presented in an article in the May 24, 1969, issue of the Baltimore Sun. I agree with his conclusion that the division of war powers conceived by the Founding Fathers is still workable today. The President's powers as Commander in Chief are embedded in our Constitution and traditions. Congress has no power to limit his authority to act in an emergency to protect our servicemen or the lives of

Americans at home or abroad. In a case which does not qualify as an emergency, however, our Constitution and traditions require consultation with Congress, which has the power to declare war, to raise and support armies, and to ratify treaties. A division of powers centuries old can continue to serve the Nation well, provided that we in Congress live up to our responsibilities in the field of military commitments, and the Executive recognizes our obligation to do so.

The article follows:

NOT BETWEEN CONGRESS AND PRESIDENT:
MATHIAS

(By CHARLES McC. MATHIAS, Jr.)

In ordering the United States Navy to protect American shipping from attacks by the French Navy nearly two centuries ago, President John Adams presented the country with its first experience in balancing the war powers of the Congress and the executive. He acted only after receiving congressional authorization to protect U.S. commerce on the seas.

A few years later, Jefferson faced a similar problem in the course of a dispute with Spain. Jefferson, and after him Presidents Monroe and John Quincy Adams, maintained the position that, in Jefferson's words, "It is my duty to await their (congressional) authority before using force in any degree which could be avoided." Since that early period of our history, Presidents have taken varying positions on the locus of war authority. Twentieth Century Presidents, with the notable exception of President Eisenhower, have claimed the power to commit our forces abroad with little or no congressional authorization.

The issue raised by John Adams thus remains with us today, as American combat troops march across an international boundary into Cambodia at the direction of the President, acting alone under his constitutional authority as commander-in-chief.

NO GROUNDS?

Administration spokesmen have told me that the specific role of Congress in matters of war and peace is the object of a 190-year constitutional controversy. The President, they imply, cannot wait until it is resolved before he acts. This is partly true. But there is no 190-year debate over the question of whether Congress should have any role at all. Yet Congress was not consulted—indeed was not even informed—before the recent decisions expanding the war. When the troops moved out for Cambodia we were not told whether they were on the road to peace or the road to Mandalay.

It is said that this invasion of yet another country in Southeast Asia was based on purely military considerations, which the Senate has no grounds to second-guess. But these decisions caused the stock market to plummet and our campuses to explode. On any reasonable scale of nonmilitary priorities—or any scale of more than short-term military interests—the future of our economy and educational system is far more important to the United States than the future of Fishhook and Parrots Beak—or even of Saigon. Even more vital is the avoidance of a confrontation between the United States and the Soviet Union in the Middle East. Yet our appeals for Soviet restraint are drowned amid the cries of battle in Southeast Asia. A further concern is the maintenance of good relations between the United States and the Soviet Union at the Vienna negotiations on strategic armaments, designed to halt the dangerous and costly arms race.

The Constitution divided authority between the exclusively civilian Congress and the partly military executive in large meas-

ure to assure that such nonmilitary concerns would receive an adequate hearing. In our current military crisis it is of particular importance for us to transcend a bombsight view.

ALL TOO REAL

American policy in Southeast Asia seems trapped in a room of distorting mirrors. Everywhere we go we encounter a crazily perverted reflection of our own ideas. We are winning a "victory," the President tells us. Yet no policy-maker has been able to define the concept of victory in a meaningful way—whether in the self-abasing terms of a body count or in the idiom of self-determination, deprived of all meaning by a decade of massive American intervention. The situation does not accord with the rhetoric of either side: "American imperialism," "Vietnamese self-determination," "American military victory," "South Vietnamese democracy" are all phantom concepts in this terrible conflict. The words pursue the realities and never catch them in the jungle of an all-engrossing war. All ideals tend to be dissolved by the cruel logic of combat.

For, regardless of the phantom quality of much of our thinking about Vietnam, the bombs and bullets are all too real. And all too real, also, are the perversions of American democracy to which the war has so heavily contributed, particularly in the constitutional relationship between the executive and Congress in the making of American military commitments and policies.

An important step in restoring the balance was taken last June by the Senate and the national commitments resolution. This enactment affirms the need for specific congressional approval for any foreign commitment or engagement of American troops. Since that clear expression of the will of the Senate was promulgated, however, there have been new military engagements in Laos and Cambodia without any congressional action whatsoever. And the administration has reasserted its position that the President has "inherent powers" to intervene overseas without legislation authorization.

OPTIONAL?

The recent reassertion of the theory of executive "inherent" powers to make war came in response to a bill introduced by Majority Leader Mike Mansfield and myself to repeal the Tonkin Gulf and other Cold War resolutions based on this broad view of presidential authority. The administration stated with regard to the Tonkin Gulf enactment that it did not oppose repeal because the President as commander-in-chief already has ample authority to conduct military operations in Vietnam and related areas.

There are two theories designed to support the notion that congressional action must be optional on matters of war and peace in the modern age. One is the big-war theory—that in the nuclear age wars may be too large and cataclysmic to allow a congressional role. And I would be the first to admit that during a nuclear war the role of Congress would be problematical. The other theory is the reverse of the big-war theory. It is that in the modern age wars tend to be too small, secret and intricate to allow a congressional role.

It is this small-war theory that increasing numbers of senators and congressmen are now rejecting, because if it is accepted it means that Congress cannot intervene in the war-making process until it has gotten out of hand, until war is a fait accompli. Just because in the nuclear age wars often take the form of insurgencies, preservation of meaningful congressional war powers requires that they be applied to this kind of conflict. We must overcome the pervasive notion that congressional military authority

consists only of the crude instruments of war declaration and purse-string garotte which may be applicable only after a military commitment has gone amuck.

My own conclusion is that our experience with the new conditions of the nuclear age—big wars, small wars, secret wars and non-wars—affirms rather than impugns the durability of the insights of the founding fathers. Their reservation to the President of the right to repel attack remains valid in terms of a strategy of deterrence. Their reservation to the Congress of the power to ratify treaties, declare war, raise and regulate our military forces and define and punish pirates and other violations of international law—in other words, the vesting of comprehensive war powers in the Congress—remains eminently desirable. The alternative, which the framers of the Constitution feared, is to grant dictatorial powers to the executive in this realm. This approach has been tried, notably in Southeast Asia, and it has produced a near constitutional crisis and a state of national demoralization in relation to the legitimacy of our foreign and military policies.

The resolution introduced by Senator Mansfield and myself is a joint resolution, with the force of law when passed by both houses and signed by the President. Beyond its provision repealing old foreign crisis resolutions, it also would extend specific authority to the President to pursue essentially defensive military policies in Vietnam in the context of a continued commitment to total withdrawal and to negotiations. If the President signs this bill, it will symbolize his acceptance of a reassertion of congressional powers on matters of war and peace. If he refuses, then the Congress may plausibly reach for its more extreme powers, though there may not be sufficient congressional support to employ them today.

In correcting the constitutional imbalance and withdrawing our troops, I hope we can also end the Vietnamization of American politics. We can restore balance to our vision of the world and our country. We can see again what is important and what is not, and how America can again become the best hope for mankind.

TRANSFER OF EAST-WEST CENTER IN HAWAII TO THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. MINK. Mr. Speaker, today I am introducing legislation to provide for the transfer of the East-West Center in Hawaii from the Department of State to the Department of Health, Education, and Welfare.

For some years I have been convinced that this transfer should be effected in the interest of obtaining maximum educational advantages for the students in this great new institution. Recent events evolving from efforts to reorganize the center into a problem-solving organization have placed in focus the need to determine our ultimate objectives in establishing the center.

As one who has always felt that the Center for Cultural and Technical Interchange Between East and West should serve primarily an educational objective—the interchange of ideas by scholars and faculty from the East and our West-

ern society—I feel that these new problem-oriented directions are significantly different from the goals envisioned by Congress in creating this institution shortly after Hawaii became a State.

The tendency seems to be to make the center more dependent on the goals and aspirations of the State Department and the Agency for International Development rather than an independent educational institution attuned to the ideals of academic freedom and reasoned discourse. While I recognize the need for our State Department to pursue the ends of our international relations, I do not feel that it is the role of the East-West Center to become merely an instrument of U.S. foreign policy.

Congress never intended the East-West Center to be an appendage of American diplomacy, but through budget pressures the State Department has gradually been enforcing its will on the institution. Now it appears that unless a transfer to the Department of Health, Education, and Welfare is implemented, the last vestiges of the original concept will soon be destroyed.

The center was officially authorized on May 14, 1960, when President Eisenhower signed into law the Mutual Security Act of 1960, which included an amendment establishing the center. Five months later, on October 25, the State Department and the University of Hawaii signed a memorandum of agreement approving a \$10 million grant "to enable the university to establish and operate" the center.

The signing of the agreement followed more than a year of concentrated efforts by Hawaii's Governor, Senators and Representatives, the University of Hawaii, and members of the Hawaii community, all of whom worked to make the center a reality.

It all began on April 16, 1959, when then Senator Lyndon B. Johnson in an address to the American Society of Newspaper Editors in Washington, D.C., called for the establishment in Hawaii of an "international university" as a meeting-place for the intellectuals of the East and West.

Less than a month earlier, President Eisenhower had signed into law the bill that would make Hawaii a State on August 21. With statehood only a few months off, many considered it an ideal time to replace the idea of Hawaii as an "outpost" in the Pacific with the reality of Hawaii as the Nation's bridge to Asia and the Pacific Ocean area.

Thus, from the very start, it was thought that communications would be on a two-way street, not on a one-way basis with the United States furnishing the talking and Asia furnishing the listening.

In August the State Department established an interagency working group to study the factors involved in the center's establishment. The group's investigations were focused on the proposals of the Congress as contained in the Mutual Security Act of 1959 and on those submitted to the Secretary of the State by the Governor, William F. Quinn.

Governor Quinn's proposals repre-

sented the thinking of a community advisory committee which envisioned two programs, one dealing with higher learning and the other dealing with technical training. He said:

The programs are mutually supporting and complementary; each serves a different range of needs and interests.

I agree with this concept and wish to make no criticism of programs at the center to impart technical training and expertise to Asian students. All who are familiar with the challenges faced by Asians realize that there is a great need for engineers and scientists and technicians of all types who can bring the technology of the West to the benefit of the people of the East.

I fear, however, that the needs of the equally important sphere of higher education are being overlooked in the new directions the center has been taking. This has been my belief for some time, particularly since the unfortunate case of Mr. Chen Yu-hsi, a Taiwanese student who attended the center from 1964 to 1966 and later, while working in Japan, was apprehended and flown to Taiwan, charged with treason, and sentenced to 7 years of imprisonment.

It was alleged in the original bill of particulars that Mr. Yu-hsi was being charged for reading Communist literature at the University of Hawaii; this charge was later deleted and it was denied by Taiwanese authorities such a charge had even been contemplated. But the arrest disclosed widespread reports at the center that student "spies" at the center employed by Taiwan and other Asian governments were reporting to those governments on statements and activities of their students at the center. This, of course, was directly contrary to the ideal of academic freedom since students facing arrest on their return home could not be expected to participate freely in academic interchange of ideas.

It is also true that our State Department, which is responsible for the operation of the center, has been unable to take firm action to prevent this type of interference by Asian governments because it is our foreign policy to support the governments involved. Again, I do not question the Department's interest in promoting our foreign policy, but it should not be done at the expense of students' academic freedom at the East-West Center if another alternative is feasible.

I believe that such problems could largely be eliminated through transfer of the Center to the Department of Health, Education, and Welfare where the emphasis would be on education rather than implementation of foreign policy objectives.

CRIME CONTROL AND SAFE STREETS ACT

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

Mr. PEPPER. Mr. Speaker, let me first offer a public apology for my absence

from this body on Monday, June 29, when the House voted on H.R. 17825, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968. I was absent on official business, the nature of which was indeed harmonious with the vote on this floor. I was in New York City, chairing hearings of this body's Select Committee on Crime. Our hearings centered on the devastating problem of heroin abuse, which contributes greatly to crime wherever that vicious drug gains a foothold.

So, while I could not cast an affirmative vote when the roll was called last Monday, I wish now to state publicly my support for the bill and its purposes.

For the past 14 months, sitting as chairman of the Select Committee on Crime, I have been daily occupied with the complex problem of crime in America and I have been daily impressed with the toll crime exacts from American society and its fine citizens. Probably no other domestic problem affects so many Americans as crime and the fear that crime engenders. And probably no other problem cries out quite so loudly for a rapid solution.

While I am sure that there is not a single Member of this body who thinks there ought to be a national police force to fight crime, I think the role of the Federal Government in helping local jurisdictions fight crime is clear.

The Members of this body recognized that responsibility in passing the Omnibus Crime Control and Safe Streets Act of 1968. And we continue to recognize that responsibility in passing the amendments to that act in order to improve and streamline the administration of that legislation.

There is no question in my mind that had I been here Monday, instead of in New York on official business, I would have voted for the passage of H.R. 17825. But there is also no question in my mind that the amendment does not go far enough, does not provide sufficient funds to carry out effectively the ideals and aspirations of this legislation.

I was deeply pained when the administration, which came into office vowing a war on crime, requested for the Law Enforcement Assistance Administration only \$480 million for fiscal 1971. That figure, I am sorry to say, indicated that there was more rhetoric than cash in their proposed war on crime. I am pleased, on the other hand, that the Judiciary Committee of this body saw fit to raise the authorization to \$650 million, a marked improvement over the administration request.

But while we are all painfully aware of the somewhat strained economic condition of the country today, it seems clear to me that the time to spend money to fight crime is now, not tomorrow. The bill this body has passed includes a fiscal 1972 authorization of \$1 billion and a fiscal 1973 authorization of \$1.5 billion.

I say that we should be spending that \$1 billion now, not next year.

We should be using our big guns now, not holding them in reserve. We should be attacking the problem with every re-

source at our command, not waiting to see if mild measures will do the job. The dollar we do not spend today will probably cost us \$2 or \$3 in the future.

When I testified before the Judiciary Committee on behalf of my bill authorizing a \$1 billion appropriation for LEAA in fiscal 1971, I told the committee of the plea we have heard across the country. Wherever your Select Committee on Crime has held hearings, it has heard the same cry from local officials: please give us the tools so that we can do the job ourselves. Their request is certainly not immoderate. Had they the funds in the first place, the problem of crime might not have burgeoned so greatly. Now there is a nationwide awareness of what must be done. The Federal Government should be standing foursquare behind the local officials in their fight against crime, ready to hand them anything they need.

Now, in addition to the fact that not enough money is available overall, I think there has to be a greater recognition of the need for massive improvements in the criminal justice system. In the past, the courts, probation, and parole systems, prosecutors' offices have all been somewhat neglected when LEAA money was handed out. This is a grievous error, for in many ways these are the groups who can make or break a criminal justice system. Our constitutional commitment to a speedy trial is obeyed now more often in the breach. Our commitment to rehabilitating prisoners, rather than merely confining them, is also something we talk about more than act on.

It is foolhardy to expect that we will ever solve the problem of crime if our prisons harden criminals, instead of rehabilitate them, or turn juvenile offenders into adult offenders.

Perhaps the greatest failing of our criminal justice system, in fact, is in its treatment of juvenile offenders. In theory, we have an enlightened outlook. In most States, juvenile offenders are considered "misguided youths," rather than criminals. We theoretically send them away to places that will make decent citizens of them. But, in fact, our juvenile correctional facilities are all too often far worse environments for young people than the streets they came from.

And we pay heavily for this. A juvenile who is rehabilitated is one of the best investments society can make. A juvenile, with a mind that is still open to new ideas, is a far better target for rehabilitation than an adult. And yet we all too often pass up this opportunity, and when the juvenile offender becomes an adult offender we ask him, "Where did you go wrong?" In fact, we should be asking, "Where did we go wrong?"

More money simply must be spent in this area if we are ever to rise proudly in this Chamber and say, "The Law Enforcement Assistance Administration is no longer needed. It succeeded so well that we can proudly lay it to rest."

Mr. Speaker, I look forward to that day, I pray for that day, but I do not see it coming until our commitment to fight crime is reflected in our deeds.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HUNGATE, for July 7, 1970, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD, for 20 minutes, today. (The following Members (at the request of Mr. FISH) to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.
Mr. McDADE, for 5 minutes, today.
Mr. CONTE, for 5 minutes, today.
Mr. WYMAN, for 15 minutes, today.
Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. PREYER of North Carolina) to revise and extend their remarks and include extraneous matter:)

Mr. CLARK, for 10 minutes, today.
Mr. TUNNEY, for 30 minutes, on July 9.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SCHWENGEL and to include a report and other substantive material.

Mr. RANDALL and to include extraneous matter.

(The following Members (at the request of Mr. FISH), and to include extraneous matter:)

Mr. McCLOSKEY in two instances.
Mr. ROBISON.
Mr. WINN.
Mr. HALPERN.
Mr. BURTON of Utah in five instances.
Mr. GUBSER.
Mr. PELLY.
Mr. DUNCAN in two instances.
Mr. MYERS.
Mr. ZWACH.
Mr. DEL CLAWSON.
Mr. McEWEN.
Mr. STEIGER of Arizona.
Mr. LUKENS.
Mr. THOMPSON of Georgia.
Mr. WYMAN in two instances.
Mr. POFF.
Mr. WOLD.
Mr. HOGAN.
Mr. McCLORY.
Mr. ASHBROOK in two instances.
Mr. STEIGER of Wisconsin.
Mr. SCHWENGEL.
Mr. PRICE of Texas.
Mr. McDADE.
Mr. HORTON.
Mr. DON H. CLAUSEN in two instances.
Mr. SPRINGER.
Mr. NELSEN in four instances.

(The following Members (at the request of Mr. PREYER of North Carolina), and to include extraneous matter:)

Mr. STOKES in two instances.
Mr. LOWENSTEIN in five instances.
Mrs. GRIFFITHS in two instances.
Mr. BINGHAM in three instances.
Mr. MINISH.

Mr. CHARLES H. WILSON in five instances.

Mr. BURTON of California in two instances.

Mr. RODINO in three instances.

Mr. WOLFF in two instances.

Mr. FRASER.

Mr. GALLAGHER in two instances.

Mr. JACOBS.

Mr. ANDERSON of California.

Mr. PICKLE in two instances.

Mr. BOLLING in two instances.

Mr. DINGELL.

Mr. KOCH in two instances.

Mr. DORN in three instances.

Mr. MELCHER in five instances.

Mr. KLUCZYNSKI in two instances.

Mr. FOUNTAIN in two instances.

Mr. OBEY in six instances.

Mr. HATHAWAY in two instances.

SENATE ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1455. An act to amend section 8c(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio;

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes;

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3592. An act to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On July 6, 1970:

H.R. 17868. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes.

On July 7, 1970:

H.R. 16739. An act to extend until July 3, 1974, the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines.

H.J. Res. 224. A resolution to change the name of Pleasant Valley Canal, California, to Coalings Canal.

H.J. Res. 746. A resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

ADJOURNMENT

Mr. PREYER of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 8, 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:

2181. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a proposal for the transfer of the submarine U.S.S. *Piper* to the Rehabilitation Clinic, Inc., Madison Heights, Mich., pursuant to the provisions of 10 U.S.C. 7308; to the Committee on Armed Services.

2182. A letter from the Director, Selective Service System, transmitting his fifth semi-annual report, covering the period July 1, through December 31, 1969, pursuant to the provisions of section 10(g) of the Military Selective Service Act of 1967; Committee on Armed Services.

2183. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of abaca from the national stockpile; to the Committee on Armed Services.

2184. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of antimony from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2185. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of chemical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2186. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2187. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of columbium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2188. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of kyanite-mullite from the national stockpile; to the Committee on Armed Services.

2189. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of magnesium from the national stockpile; to the Committee on Armed Services.

2190. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2191. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of selenium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2192. A letter from the Assistant Admin-

istrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of sisal from the national stockpile; to the Committee on Armed Services.

2193. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of vanadium from the national stockpile; to the Committee on Armed Services.

2194. A letter from the Acting Comptroller of the Currency, the Vice Chairman of the Board of Governors of the Federal Reserve System, the Chairman of the Federal Deposit Insurance Corporation, and the Chairman of the Federal Home Loan Bank Board, transmitting a report on the feasibility and desirability of insurance premium rate differentials based on the installation, maintenance, and operation of security devices and procedures in member financial institutions, pursuant to the provisions of section 4 of the Bank Protection Act of 1968; to the Committee on Banking and Currency.

2195. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the text of a recommendation concerning the preservation of cultural property endangered by public or private works, adopted by the General Conference of the United Nations Educational, Scientific, and Cultural Organization to the Committee on Foreign Affairs.

2196. A letter from the Assistant Secretary of the Interior, transmitting the second annual report of the Alaska Power Administration, for fiscal year 1969; to the Committee on Interior and Insular Affairs.

2197. A letter from the Assistant Secretary of the Interior, transmitting the initial annual report of the U.S. Government Comptroller for Guam for the fiscal year 1969, pursuant to the provisions of Public Law 90-497; to the Committee on Interior and Insular Affairs.

2198. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according to certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2199. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a) (1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2200. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a) (2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2201. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for periodic, pro rata distributions among the States and other jurisdictions of deposit of available amounts of unclaimed Postal Savings System deposits, and for other purposes; to the Committee on Post Office and Civil Service.

2202. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 14, 1969, submitting a report, together with accompanying papers and illustrations, on a beach erosion control study, Martin County, Fla., requested by resolutions of the Committee on Public Works, House of Representatives, adopted June 19, 1963 and October 19, 1967; to the Committee on Public Works.

2203. A letter from the Secretary of the Army, transmitting a letter from the Chief

of Engineers, Department of the Army, dated December 3, 1969, submitting a report, together with accompanying papers and illustrations, on Nauset Harbor, Mass., authorized by the River and Harbor Act approved July 14, 1960; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

2204. A letter from the Comptroller General of the United States, transmitting a report on savings available to the Government by timing advances of loan and grant funds with actual cash requirements, Farmers Home Administration, Department of Agriculture; 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. FALLON: Committee on Public Works. H.R. 18104. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority (Rept. No. 91-1278). Referred to the Committee of the Whole House on the State of the Union.

Mr. GALLAGHER: Canada-United States Interparliamentary Group. Report of the 13th meeting of the Canada-United States Interparliamentary Group (Rept. No. 91-1279). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 9306. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; with an amendment (Rept. 91-1280). 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. BUTTON:
H.R. 18312. A bill to amend section 7275 of the Internal Revenue Code of 1954 to provide that airline tickets and advertising which are required to show or state the total cost shall also show or state the amount paid for transportation and the amount of tax; to the Committee on Ways and Means.

By Mr. EDWARDS of California (for himself and Mr. ROYBAL):
H.R. 18313. A bill to amend section 312(1) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ERLBORN (for himself and Mr. THOMPSON of New Jersey):
H.R. 18314. A bill to amend title IV of the Higher Education Act of 1965 to establish a Student Loan Marketing Association; to the Committee on Education and Labor.

By Mr. FISHER:
H.R. 18315. A bill to promote public health and welfare by expanding, improving and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:
H.R. 18316. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:
H.R. 18317. A bill to carry out the recom-

mendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. HOWARD:
H.R. 18318. A bill to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH:
H.R. 18319. A bill to establish a Transportation Trust Fund, to encourage urban mass transportation, and for other purposes; to the Committee on Ways and Means.

By Mr. LANGEN:
H.R. 18320. A bill to authorize emergency loans under subtitle C of the Consolidated Farmers Home Administration Act of 1961 to milk farmers who suffer severe losses caused by economic conditions; to the Committee on Agriculture.

H.R. 18321. A bill to provide for orderly trade in textile articles, articles of leather footwear, and minkskins; to the Committee on Ways and Means.

By Mr. LOWENSTEIN:
H.R. 18322. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:
H.R. 18323. A bill to provide general revenues to the U.S. Treasury, to regulate and establish fees for the importation and exportation of controlled dangerous substances, to amend the narcotic and drug laws, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLS:
H.R. 18324. A bill to authorize the Secretary of the Interior to construct certain pumping facilities for the Mammoth Spring National Fish Hatchery, Arkansas; to the Committee on Merchant Marine and Fisheries.

By Mr. OBEY:
H.R. 18325. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as aldrin; to the Committee on Agriculture.

H.R. 18326. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as chlordane; to the Committee on Agriculture.

H.R. 18327. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as dieldrin; to the Committee on Agriculture.

H.R. 18328. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as DDD/TDE; to the Committee on Agriculture.

H.R. 18329. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as endrin; to the Committee on Agriculture.

H.R. 18330. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as heptachlor; to the Committee on Agriculture.

H.R. 18331. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as lindane; to the Committee on Agriculture.

H.R. 18332. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as toxaphene; to the Committee on Agriculture.

H.R. 18333. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 18334. A bill to amend the Solid Waste Disposal Act in order to establish economic incentives for the return, reuse, and recycling of packaging, to reduce the public costs of packaging and other solid waste disposal, to require national standards for controlling

the amount and environmental quality of packaging, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 18335. A bill to provide for the development of a low-emission engine for motor vehicles and for assistance to American industry in putting such engine into production as a replacement for the internal combustion engine; to the Committee on Interstate and Foreign Commerce.

H.R. 18336. A bill to amend the Federal Water Pollution Control Act to ban polyphosphates in detergents and to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

H.R. 18337. A bill to amend the Federal Water Pollution Control Act to protect the navigable waters of the United States from further pollution by requiring that pesticides manufactured for use in the United States or imported for use in the United States comply with certain standards of biodegradability and toxicity; to the Committee on Public Works.

H.R. 18338. A bill to amend sections 5, 6, and 7 of the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

H.R. 18339. A bill to amend sections 1, 3, 10, and 13 of the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

H.R. 18340. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 18341. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

H.R. 18342. A bill to preserve, protect, develop, restore, and make accessible the

lake areas of the Nation by establishing a National Lake Areas System and authorizing programs of lake and lake areas research, and for other purposes, to the Committee on Public Works.

H.R. 18343. A bill to establish an Environmental Financing Authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

By Mr. POFF:

H.R. 18344. A bill to carry into effect a provision of the Convention of Paris for the Protection of Industrial Property, as revised at Stockholm, Sweden, July 14, 1967; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 18345. A bill to amend the act entitled "An Act to establish a contiguous fishery zone beyond the territorial sea of the United States," approved October 14, 1966, to extend the seaward boundary of the contiguous fishery zone to 200 nautical miles; to the Committee on Merchant Marine and Fisheries.

By Mr. UDALL:

H.R. 18346. A bill to repeal certain provisions of the Airport and Airway Development Act of 1970; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 18347. A bill to transfer the Center for Cultural and Technical Interchange between East and West from the Secretary of State to the Secretary of Health, Education, and Welfare; to the Committee on Foreign Affairs.

By Mr. OBEY:

H.R. 18348. A bill to amend the Outer Continental Shelf Lands Act, to establish a National Marine Mineral Resources Trust, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. STEIGER of Arizona:
H.R. 18349. A bill to provide for disclosure of political fund-raising fees; to the Committee on House Administration.

By Mr. ALEXANDER:

H.J. Res. 1292. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. CARTER:

H.J. Res. 1293. Joint resolution to authorize the President to proclaim the month of January of each year as "National Blood Donor Month"; to the Committee on the Judiciary.

By Mr. OBEY:

H.J. Res. 1294. Joint resolution proposing an amendment to the Constitution of the United States declaring that every person has an inalienable right to a decent environment; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.J. Res. 1295. Joint resolution authorizing the President to proclaim the period August 1 through August 7, 1970, as National Roller Skating Week; to the Committee on the Judiciary.

By Mr. ANDREWS of North Dakota:

H. Res. 1128. Resolution designating January 22 of each year as Ukrainian Independence Day; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. FARBSTEIN introduced a bill (H.R. 18350) for the relief of Benedicta Torremonia, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

ITALIAN-AMERICAN UNITY DAY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. ANDERSON of California. Mr. Speaker, Italian-American Unity Day was celebrated throughout the country on June 29 to recognize the contributions which the Italian people have made to our Nation. It is most fitting that we stop at this time, to reflect upon the benefits we enjoy as a result of the influence of the Italian culture and heritage.

Ever since Cristoforo Colombo discovered America, Giovanni Cabota—John Cabot—first explored its mainland, and Amerigo Vespucci gave it its name, the Italians have participated in and contributed fully to every aspect of American life and culture from the arts and sciences to industry and government. President Nicholas Butler of Columbia University once wrote:

You can subtract Italian culture from civilization only by destroying that civilization.

Many Italians are known throughout the world for their contributions to the various fields of human endeavor. In science, both Galileo's discovery of the telescope and Enrico Fermi's discovery

of atomic power advanced their fields. The artistry of Da Vinci, Michelangelo, Raffaello and Cellini is recognized around the world. The writings of Dante, Petrarca, and Boccaccio, and the philosophy of Giordano Bruno, are still studied widely, just as the music of Verdi, Toscanini, Menotti, Caruso and Mario Lanza are enjoyed everywhere. In the fields of sports and entertainment, millions know Nino Benvenuti, Mario Andretti, Jimmy Durante, Anne Bancroft, Jerry Colonna, and Perry Como.

However much the Italians have been recognized by the world community, few Americans realize the contributions made by Italians right here in our own country. How many know that it was an Italian friend and adviser of Thomas Jefferson, Filippo Mazzei, who first penned the phrase, "All men are by nature created free and independent—It is necessary that all men be equal to each other in natural rights," which was used as the basis for the immortal "All men are created equal" phrase in our Declaration of Independence?

Italians discovered and explored many parts of the country—Alfonso Tonti aided Cadillac in the founding of Detroit and became its governor; Alessandro Malaspina was the first white man to explore Alaska and Vancouver; Father Marco da Nizza led Coronado's expedition beyond the Grand Canyon; Giovanni Verrazano discovered New York Harbor;

and Umberti Beltrami traced the sources of the Mississippi.

In defending our country, Italians have played a major role from Francesco Vigo, the fur trader who made possible the victory of George Rogers Clark at Vincennes; to Salvatore Catalano, who aided Stephen Decatur in the war against the Barbary Pirates; to the estimated 845,000 Italian men who served in the Armed Forces of the United States during World War II.

Right here in the Nation's Capital, we find numerous examples of the brilliant artistry of the Italians. Most of the frescoes, paintings, and sculptures are the works of Joseph Franzoni, John Andrei, and Constantine Brumidi, who conceived and executed the magnificent rotunda in the Capitol building, winning for himself the title "Michelangelo of the Capitol."

Many Italians are famed in a variety of other fields including education, industry, and government. These include the renowned child psychologist Angelo Patri; the gifted philologist Dr. Mario Pei; the Cuneo Brothers who founded the world's greatest printing establishment; Amadeo Giannini who founded one of the largest banking institutions in the world; Senator JOHN O. PASTORE; former Secretary of Health, Education, and Welfare Anthony J. Celebrezze; and New York's most famous mayor Fiorello La Guardia, for whom a hit Broadway show was named.