

study authority of the National Council on the Arts. The House amendment contained no comparable provisions. The conference report adopts in substance the provisions of the Senate bill.

Fifth. The House amendment authorized the establishment of an Executive Committee of the National Council on the Arts. The Senate bill contained no comparable provision. The conference report does not contain such new authority.

Sixth. The Senate bill contained a technical amendment providing for a successor to the Recreation Board of the District of Columbia to carry out the functions of a State arts council under section 5(h) of the act. The House amendment did not contain a comparable provision. The conference report adopts the provision of the Senate bill.

Seventh. The House amendment but not the Senate bill authorized the National Council on the Humanities to initiate and support research and programs to strengthen teaching potential in the humanities. The conference report adopts the provision of the House amendment.

Eighth. The House amendment authorized the National Council on the Humanities to foster education in the humanities. The Senate amendment contained no comparable provision. The conference report adopts the provision of the House amendment.

Ninth. The House amendment authorized the establishment of an Executive Committee of the National Council on the Humanities. The Senate bill contained no comparable provision. The conference report does not contain such new authority.

Tenth. The Senate bill, unlike the House amendment, amended section 9 of the National Foundation on the Arts and the Humanities Act of 1965 to include the Archivist of the United States as a member of the Federal Council on the Arts and the Humanities. The conference report contains the provision of the Senate bill.

Mr. President, as chairman of the conferees on the part of the Senate, I am satisfied that the bill is the best that could be brought out of conference. It was an amicable session, with agreement being easily reached. I move that the Senate adopt the report of the committee of conferees on S. 3215.

The PRESIDING OFFICER (Mr. SCHWEIKER). The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 20 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 14, 1970, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate July 13, 1970:

CORPORATION FOR PUBLIC BROADCASTING

Saul Haas, of Washington, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring

March 26, 1976, vice Roscoe C. Carroll, term expired.

INTERNATIONAL MONETARY FUND

Charles R. Harley, of Maryland, to be U.S. Alternate Executive Director of the International Monetary Fund for a term of 2 years, vice John S. Hooker.

DEPARTMENT OF JUSTICE

Juan C. San Agustin, of Guam, to be U.S. marshal for the district of Guam for the term of 4 years, vice Francisco R. Santos, resigning.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. John MacNair Wright, Jr., xxx-xx-x...
xxx-xx-x... U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Edward Leon Rowny, xxx-xx-xxxx
xxx-xx-xxxx U.S. Army.

The following-named officers to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Ferdinand Thomas Unger, xxx-xx-x...
xxx-xx-x... Army of the United States (major general, U.S. Army).

Lt. Gen. Frank Joseph Sackton, xxx-xx-xxxx
xxx-xx-xxxx Army of the United States (major general, U.S. Army).

The following-named persons for appointment in the Regular Army of the United States, in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be major

Basom, Darrel W., xxx-yy-xxxx
Floyd, John D., xxx-xx-xxxx
Hatch, Richard A., xxx-xx-xxxx
Lovett, John A., xxx-xx-xxxx
Saltee, Lawrence T., xxx-xx-xxxx
Strum, Major, xxx-xx-xxxx
Walker, Wiley W., xxx-xx-xxxx

HOUSE OF REPRESENTATIVES—Monday, July 13, 1970

The House met at 12 o'clock noon.

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

*Thou art my rock and my fortress:
Therefore for Thy name's sake lead me
and guide me. (Psalm 31: 3.)*

Almighty and everlasting God, who art the Father of all mankind, we turn from the activities of the day to lift our spirits unto Thee from whom all blessings flow. Keep us ever mindful of Thy presence for without Thee all our labor is in vain.

We pray for guidance as we face the duties of these hours, as we make our decisions, and as we plan for the welfare of our beloved America. For courage and faith we pray that through these difficult days we may do justly, love mercy, and walk humbly with Thee.

Bless those who serve under the flag of our country, these Members of Congress, the men and women in our Armed

Forces, our prisoners of war, and those in civilian offices. Keep us all united in the common cause of life, liberty, and the pursuit of happiness for all men.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, July 9, 1970, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11766. An act to amend title II of the Marine Resources and Engineering Development Act of 1966.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3430. An act to amend the Peace Corps Act to authorize additional appropriations, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to a bill of the Senate of the following title:

S. 1456. An act to amend section 8c(6) (I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising.

The message also announced that the Senate had passed bills, joint, and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 583. An act to provide for the flying of the American flag over the remains of the U.S. ship *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941;

S. 2565. An act to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to increase the authorization for such acquisitions;

S. 2808. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes;

S. 3302. An act to amend the Defense Production Act of 1950, and for other purposes;

S. 3617. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development;

S.J. Res. 173. Joint resolution authorizing a grant to defray a portion of the cost of expanding the United Nations headquarters in the United States; and

S. Con. Res. 64. Concurrent resolution to terminate the joint resolution commonly known as the Gulf of Tonkin resolution.

APPOINTMENT OF CONFEREES ON H.R. 17619, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1971

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17619) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington? The Chair hears none, and appoints the following conferees: Mrs. HANSEN of Washington, Messrs. KIRWAN, MARSH, FLYNT, OBEY, MAHON, REIFEL, McDADE, WYATT, and BOW.

THE PLIGHT OF THE VETERANS' ADMINISTRATION HOSPITALS

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

Mr. WOLFF. Mr. Speaker, the New York VA hospitals were underfunded by \$10 million in fiscal 1970 for the operation of facilities for more than two and a half million men. This is but one example of a nationwide situation.

Americans used to think that the care given veterans in VA hospitals was "second to none." A closer look reveals that poor conditions make these hospitals "second to nothing."

Some of our VA hospitals have no intensive care units. An emergency call consequently becomes an effort to see how understaffed hospitals can beat death. Would you be willing to risk your life in such a situation? Yet, we place men who have risked their lives in battle in a living nightmare.

One hospital director indicated that his VA hospital windows leaked during rainy

weather. This hospital was reduced to such a level for want of maintenance funds. The reason—these funds were diverted to pay inadequate staff salaries.

The Senate last week increased the VA hospital appropriations by \$100 million. This is still a far cry from the real needs of VA hospitals. I ask that my colleagues join in efforts to realistically fund VA hospitals.

CARIBBEAN PEARL

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

Mr. CORDOVA. Mr. Speaker, as they say, it is a mighty big world, and Puerto Rico is only a tiny part of it. But from our little place in the sun now comes the fairest maiden of them all.

She is Marysol Malaret, a 20-year-old Latin beauty from San Juan who was named Miss Universe in Miami Beach last Saturday.

A picture is worth a thousand words, of course, and our colleagues who have seen Marysol's photo in the national press, I am sure will agree that she deserves the golden title.

A Miss Universe is always a very busy young lady, but I hope to present her in Washington in the near future, and I want as many of our colleagues as possible to meet our Caribbean pearl.

CONFERENCE REPORT ON S. 3215, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1970

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand the gentleman is going to take a reasonable amount of time to explain?

Mr. PERKINS. If the distinguished gentleman has questions, I will be delighted to answer them.

However, I do want to state that the conference bill reflects those major provisions of the House-passed bill in which the Members have expressed their most positive and frequent interest.

It will be recalled that the House-passed bill provided no limit on appropriations for fiscal years 1972 and 1973.

The bill agreed upon in conference places ceilings on appropriations for both fiscal years.

The State grant program is given specific authorization and the conference report provides that each State shall be allotted at least \$6,500 and that any excess amounts appropriated for this purpose shall be apportioned among the States equally.

If funds are not sufficient to supply the \$6,500 for each State there will be a pro

rata reduction for each State but each State shares equally.

The following are the resolution of the differences:

The Senate bill provided that this act may be cited as "The National Foundation on the Arts and the Humanities Amendments of 1970." The House amendment contained no short title. The conference report adopts the provision of the Senate bill.

The House amendment added additional language to clause 2 of the declaration of purpose contained in section 2 of the National Foundation of the Arts and the Humanities Act of 1965. The Senate bill had no comparable provision. The conference report adopts the provision of the House amendment.

The House amendment amended the definition of humanities to include "comparative religion" and "ethics" and by requiring that particular attention be paid to the relevance of the humanities to current conditions of national life. The Senate bill contained no comparable provision. The conference report adopts the provision of the House amendment.

The Senate bill incorporated the substantive provisions of the National Arts and Cultural Development Act into section 6 of the National Foundation on the Arts and the Humanities Act of 1965 deleting the independent study authority of the National Council on the Arts. The House amendment contained no comparable provisions. The conference report adopts in substance the provisions of the Senate bill.

The House amendment authorized the establishment of an executive council within the National Council on the Arts. The Senate bill contained no comparable provision. The conference report does not contain authority for such an executive council.

The Senate bill contained a technical amendment providing for a successor to the recreation board of the District of Columbia to carry out the functions of a State arts council under section 5(h) of the act. The House amendment did not contain a comparable provision. The conference report adopts the provision of the Senate bill.

The Senate bill limited the allotment of section 5(h) funds to Guam and American Samoa to \$50,000. The House amendment did not contain such a limitation. The conference report adopts this provision of the Senate bill.

The House amendment amended section 5(h) (3) of the National Foundation on the Arts and the Humanities Act of 1965 to provide that no State should receive less than \$75,000 for any fiscal year from funds allocated to carry out the purposes of that subsection. The Senate bill in authorizing separate appropriations for the purpose of paragraph (3) of subsection (h) of section 5 provided that \$50,000 should be allotted to each State and that any funds remaining after such an allotment would be distributed among the States in equal amounts. The conference report provides that from the sums appropriated to carry out the purposes of the subsection for any fiscal year not less than \$65,000 shall be allotted to each State.

The House amendment but not the Senate bill authorized the National Council on the Humanities to initiate and support research and programs to strengthen teaching potential in the humanities. The conference report contains the provision of the House amendment in this respect.

The House amendment authorized the National Council to foster education in the humanities. The Senate amendment contained no comparable provision. The conference report adopts the provision of the House amendment.

The House amendment authorized the establishment of an executive committee on the National Council of the Humanities. The Senate bill contained no comparable provision. The conference report does not contain this provision.

The Senate bill, unlike the House amendment, amended section 9 of the National Foundation on the Arts and the Humanities Act of 1965 to include the Archivist of the United States as a member of the Council. The conference report contains the provision of the Senate bill.

The Senate bill contains separate authorizations of appropriations to each endowment for the various activities under the Foundation while the House amendment consolidated the authorization of appropriations into a single sum to be appropriated to the Foundation. In addition, as I stated earlier, the House amendment placed no limit on appropriations for fiscal years 1972 and 1973. The Senate bill placed overall limitations on appropriations of \$60 million for fiscal year 1972 and \$80 million for fiscal year 1973. The conference report adopts the provisions of the Senate bill in these respects.

Mr. GROSS. But the gentleman is saying that now it has been doubled from \$20 million last year to \$40 million in this fiscal year. Is that correct?

Mr. PERKINS. The President's budget carried a figure of \$35 million. The Senate Appropriations Committee appropriated \$33.5 million and the House Appropriations Committee has not yet acted. However, last year the appropriation figure—

Mr. GROSS. But the House authorized \$40 million, did it not?

Mr. PERKINS. That is correct.

Mr. GROSS. For all practical purposes, this would double it to \$80 million in 2 years?

Mr. PERKINS. The bill that passed the House carried an open ended appropriation.

Mr. GROSS. I understand that.

Mr. PERKINS. But I would think that not only the legislative committee will take a look at it, but I know the Appropriations Committee will take a look at it as to how the funds this year are expended. However, the conference report authorizes \$60 million for 1972 and \$80 million for 1973. The House-passed bill authorized any amount for those years.

Mr. GROSS. This is too rich for my blood, I will say to the gentleman. It is a jump from an authorized figure of \$40 million in this fiscal year, which is a 100-percent increase over the last fiscal year, if I remember the figures correctly.

Mr. PERKINS. The authorization under existing law for 1970 is \$24,750,000. But, let me say to my distinguished friend that the big increase in the appropriation came this year on the recommendation of the present Bureau of the Budget downtown.

Mr. GROSS. That does not make it any more acceptable as far as I am concerned.

Can the gentleman tell me why only one member of the minority signed this conference report, or was there no more than one member of the minority on the conference committee?

Mr. PERKINS. No. The gentleman from Iowa (Mr. SCHERLE), your colleague from Iowa, was duly appointed. I am sure he can better explain why he did not wish to sign the report.

Mr. GROSS. Does the gentleman think this will provide enough money at \$80 million in fiscal year 1973 so that the culturists can print all the copies they may want of, for instance, "Let's All Sing Like the Birdies Sing" and provide ample grants to belly dancers, ballet dancers, poets, painters, folk singers, and so on?

Mr. PERKINS. I can assure the distinguished gentleman that we will not be back in here until the authorizations for fiscal year 1973 are due to expire to ask for an increase or an authorization above \$80 million.

Mr. GROSS. The gentleman is saying now that this \$80 million has the endorsement of the Bureau of the Budget?

Mr. PERKINS. Mr. Speaker, if the gentleman will yield further, I am not saying the Bureau of the Budget. I am stating that the House passed a bill that was open ended but that we closed these ends in conference. These are the figures we arrived at. I should further state that the administration's bill did not provide any limit on appropriations for any of the 3 years' authorization.

Mr. GROSS. Yes; you really closed them in arriving at these preposterous figures. You closed the door on the taxpayers, who have to foot these outlandish bills.

How in all conscience, with this country wallowing in debt and forced to borrow billions of dollars at high interest rates, Congress can blithely authorize the spending of \$40,000,000 for this purpose in the current fiscal year—doubling of the \$20,000,000 authorized last year—and then triple it to \$60,000,000 in fiscal 1972 and quadruple it to \$80,000,000 in fiscal 1973, is beyond me.

This is not only incredible—it is fiscal insanity.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 10, 1970.)

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 236, nays 70, not voting 125, as follows:

[Roll No. 213]

YEAS—236

Adams	Gibbons	O'Hara
Albert	Gonzalez	O'Konski
Alexander	Green, Oreg.	Olsen
Anderson,	Griffiths	Patman
Calif.	Gude	Patten
Annunzio	Hamilton	Pelly
Arends	Hammer-	Perkins
Ashley	schmidt	Pettis
Ayres	Hanna	Philbin
Bell, Calif.	Hansen, Idaho	Pickle
Betts	Hansen, Wash.	Pike
Bevill	Harrington	Pirnie
Blester	Harvey	Poff
Bingham	Hathaway	Preyer, N.C.
Blanton	Hawkins	Price, Ill.
Blatnik	Hays	Pryor, Ark.
Boggs	Hébert	Pucinski
Boland	Hechler, W. Va.	Purcell
Bolling	Helstoski	Quie
Bow	Henderson	Rees
Brademas	Hicks	Reid, Ill.
Brinkley	Hogan	Reuss
Brown, Calif.	Horton	Robison
Brown, Mich.	Howard	Rodino
Brown, Ohio	Hungate	Rooney, Pa.
Broyhill, N.C.	Jacobs	Roth
Broyhill, Va.	Johnson, Calif.	Roybal
Burke, Mass.	Johnson, Pa.	Ruth
Burton, Calif.	Jones, Ala.	Schneebell
Button	Jones, Tenn.	Schwengel
Byrne, Pa.	Karh	Shipley
Byrnes, Wis.	Kastenmeier	Shriver
Cabell	Kazen	Sisk
Cederberg	King	Skubitz
Celler	Kleppe	Slack
Chamberlain	Kluczynski	Smith, Iowa
Chappell	Koch	Smith, N.Y.
Cleveland	Kyl	Springer
Cohelan	Kyros	Stafford
Conable	Langen	Staggers
Conte	Latta	Stanton
Corman	Long, Md.	Steed
Coughlin	Lowenstein	Steiger, Wis.
Cowger	Lujan	Stevens
Culver	Lukens	Stokes
Cunningham	McCarthy	Stratton
Daniel, Va.	McClary	Stubblefield
Daniels, N.J.	McCloskey	Sullivan
Davis, Ga.	McCulloch	Symington
de la Garza	McDade	Talcott
Delaney	McEwen	Taylor
Dellenback	McFall	Teague, Calif.
Dent	MacGregor	Teague, Tex.
Donohue	Madden	Thompson, N.J.
Dorn	Mahon	Thomson, Wis.
Duncan	Maillard	Tiernan
Dwyer	Marsh	Udall
Edmondson	Mathias	Ullman
Edwards, Calif.	May	Van Deerlin
Eilberg	Mayne	Vander Jagt
Evins, Tenn.	Meeds	Vanik
Fascell	Miller, Calif.	Waggonner
Feighan	Minish	Waldie
Findley	Mink	Wampler
Fisher	Mize	Watts
Flood	Mizell	Whalen
Flowers	Mollohan	White
Foley	Monagan	Widnall
Ford, Gerald R.	Moorhead	Williams
Ford,	Morgan	Wilson, Bob
William D.	Morse	Winn
Fraser	Mosher	Wold
Friedel	Moss	Wright
Fulton, Pa.	Murphy, Ill.	Wyatt
Fulton, Tenn.	Myers	Yates
Fuqua	Natcher	Yatron
Galifianakis	Nedzi	Young
Garmatz	Nelsen	Zablocki
Gaydos	Nix	Zwach
Gettys	Obey	

NAYS—70

Andrews, Ala.	Evans, Colo.	Nichols
Ashbrook	Flynt	O'Neal, Ga.
Belcher	Foreman	Passman
Bennett	Frey	Poage
Bray	Goodling	Price, Tex.
Burke, Fla.	Griffin	Quillen
Burleson, Tex.	Gross	Rhodes
Burlison, Mo.	Haley	Rivers
Camp	Hall	Roberts
Carter	Harsha	Rogers, Fla.
Clawson, Del	Hull	Satterfield
Collier	Hunt	Scherle
Collins	Hutchinson	Schmitz
Colmer	Jonas	Scott
Crane	Jones, N.C.	Sebellus
Davis, Wis.	Landgrebe	Smith, Calif.
Denney	Landrum	Snyder
Dennis	Lennon	Steiger, Ariz.
Derwinski	McMillan	Thompson, Ga.
Devine	Martin	Wolf
Dickinson	Michel	Wylie
Dowdy	Miller, Ohio	Zion
Edwards, Ala.	Mills	
Eshleman	Montgomery	

NOT VOTING—125

Abbitt	Erlenborn	Murphy, N.Y.
Abernethy	Esch	O'Neill, Mass.
Adair	Fallon	Ottinger
Addabbo	Farbstein	Pepper
Anderson, Ill.	Fish	Podell
Anderson,	Fountain	Pollock
Tenn.	Frelinghuysen	Powell
Andrews,	Gallagher	Rallsback
N. Dak.	Gaiamo	Randall
Aspinall	Gilbert	Rarick
Baring	Goldwater	Reid, N.Y.
Barrett	Gray	Reifel
Beall, Md.	Green, Pa.	Riegle
Berry	Grover	Roe
Biaggi	Gubser	Rogers, Colo.
Blackburn	Hagan	Rooney, N.Y.
Brasco	Halpern	Rosenthal
Brock	Hanley	Rostenkowski
Brooks	Hastings	Roudebush
Broomfield	Heckler, Mass.	Rousselot
Brotzman	Hollifield	Ruppe
Buchanan	Hosmer	Ryan
Burton, Utah	Ichord	St Germain
Bush	Jarman	Sandman
Caffery	Kee	Saylor
Carey	Keith	Schadeberg
Casey	Kirwan	Scheuer
Chisholm	Kuykendall	Sikes
Clancy	Leggett	Stuckey
Clark	Lloyd	Taft
Clausen,	Long, La.	Tunney
Don H.	McClure	Vigorito
Clay	McDonald,	Watkins
Conyers	Mich.	Watson
Corbett	McKneally	Weicker
Cramer	Macdonald,	Whalley
Daddario	Mass.	Whitehurst
Dawson	Mann	Whitten
Diggs	Matsunaga	Wiggins
Dingell	Melcher	Wilson,
Downing	Meskill	Charles H.
Dulski	Mikva	Wydler
Eckhardt	Minshall	Wyman
Edwards, La.	Morton	

Mr. Aspinall with Mr. Adair.
 Mr. Barrett with Mr. Watkins.
 Mr. Pepper with Mr. Clancy.
 Mr. Rogers of Colorado with Mr. Andrews
 of North Dakota.
 Mr. Charles H. Wilson with Mr. Goldwater.
 Mr. Dingell with Mr. Broomfield.
 Mr. Farbstein with Mr. Grover.
 Mr. Gilbert with Mr. Erlenborn.
 Mr. Murphy of New York with Mr. Esch.
 Mr. Matsunaga with Mr. Gubser.
 Mr. Macdonald of Massachusetts with Mr.
 Beall of Maryland.
 Mr. Hollifield with Mr. Hosmer.
 Mr. Anderson of Tennessee with Mr. Brotz-
 man.
 Mr. Abbitt with Mr. Berry.
 Mr. Carey with Mr. Don H. Clausen.
 Mr. Caffery with Mr. Blackburn.
 Mr. Clark with Mr. McKneally.
 Mr. Daddario with Mr. Meskill.
 Mr. Podell with Mr. Halpern.
 Mr. Roe with Mr. Hastings.
 Mr. Ryan with Mr. Riegle.
 Mr. Sikes with Mr. Cramer.
 Mr. Gaiamo with Mrs. Heckler of Massa-
 chusetts.
 Mr. Gray with Mr. Burton of Utah.
 Mr. Hanley with Mr. Fish.
 Mr. Stuckey with Mr. Brock.
 Mr. Long of Louisiana with Mr. Kuyken-
 dall.
 Mr. Leggett with Mr. Conyers.
 Mr. Melcher with Mr. Keith.
 Mr. Mikva with Mr. Clay.
 Mr. Ottinger with Mr. Dawson.
 Mr. Edwards of Louisiana with Mr. Lloyd.
 Mr. Dulski with Mr. Corbett.
 Mr. Downing with Mr. Whitehurst.
 Mr. Mann with Mr. McClure.
 Mr. Kee with Mr. McDonald of Michigan.
 Mr. Baring with Mr. Minshall.
 Mr. Vigorito with Mr. Pollock.
 Mr. Green of Pennsylvania with Mr. Ralls-
 back.
 Mr. Saylor with Mr. Morton.
 Mr. Taft with Mr. Reifel.
 Mr. Watson with Mr. Roudebush.
 Mr. Gallagher with Mr. Sandman.
 Mr. Weicker with Mr. Rousselot.
 Mr. Kirwan with Mrs. Chisholm.
 Mr. Scheuer with Mr. Ruppe.
 Mr. Rosenthal with Mr. Diggs.
 Mr. Tunney with Mr. Wyman.
 Mr. Wydler with Mr. Eckhardt.
 Mr. McMILLAN changed his vote from
 "yea" to "nay."
 The result of the vote was announced
 as above recorded.
 The doors were opened.
 A motion to reconsider was laid on the
 table.

dition of our servicemen being held prisoners there. The North Vietnamese Embassy Secretary denied that North Vietnam had any American prisoners of war. Rather he said the men they held were war criminals. The North Vietnamese Secretary ended the meeting after 15 minutes by storming out of the room.

The propaganda line the enemy takes in referring to our prisoners of war, and the general lack of information concerning their welfare, are some of the tragic aspects of this subject.

The administration is now making an effort to resume peace talks at Paris. In the event our Government is successful in this effort I believe it is most important that we make the prisoner-of-war issue the first item on the agenda. As we have learned it to be the case in previous instances, the road to a negotiated agreement on Vietnam is likely to be long and frustrating. In Korea, we left the POW issue to the last item on the agenda, after which it was 2 years before an agreement was reached. Let us not repeat that method.

WARNS AGAINST ANY WHITEWASH BY NATIONAL COMMISSION ON OBSCENITY AND PORNOGRAPHY

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

Mr. PUCINSKI. Mr. Speaker, I take this time to caution that any effort by the National Commission on Obscenity and Pornography to whitewash the rising menace of hardcore pornography in America will be roundly rejected by the Congress.

The Commission is now having its final session in New York and there are disquieting rumors that the Commission will attempt to justify the increase in pornography as a perfectly normal phenomenon and one that cannot be dealt with because of constitutional restrictions.

As one of the cosponsors of legislation which created this Commission, I not only expect the Commission to identify the enormous dimensions of this problem in America, but also to come forth with constitutional suggestions on how this Nation can deal with increasing pornography.

I do not intend to idly sit by and see this Commission make America another Denmark.

When the Congress established this Commission, it was clearly with the hope and intent that this Commission would identify the scope of the problem and then provide the leadership in finding solutions to eradicate the problem.

It is my sincere hope that this Commission will not attempt to be dominated by those sophisticates who feel that hardcore pornography must be accepted as a way of life in America. I reject that thesis and I am certain the overwhelming majority of Congress similarly will reject this thesis.

The Commission is now meeting in New York for its final session before its report is drafted for Congress. The report is expected to be sent to Congress sometime during the middle of August. I

THE U.S. PRISONERS OF WAR

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

Mr. FEIGHAN. Mr. Speaker, from time to time I have made statements for the record reflecting my concern for the welfare of our servicemen missing in action or held as prisoners of war. In this connection, I note the House Select Committee on U.S. Involvement in Southeast Asia made this subject a matter of utmost interest and concern during their recent field survey. For one thing, while in Vientiane, three members of the committee met with the Third Secretary of the North Vietnamese Embassy. They made a strong plea for North Vietnam to allow the sending of an international committee of Red Cross representatives to North Vietnam to investigate the con-

So the conference report was agreed to.

The Clerk announced the following pairs.

On this vote:

Mr. O'Neill of Massachusetts for, with Mr. Abernethy against.
 Mr. Addabbo for, with Mr. Casey against.
 Mr. Fallon for, with Mr. Fountain against.
 Mr. St Germain for, with Mr. Hagan against.
 Mr. Brasco for, with Mr. Ichord against.
 Mr. Rooney of New York for, with Mr. Jarman against.
 Mr. Rostenkowski for, with Mr. Randall against.
 Mr. Brooks for, with Mr. Rarick against.
 Mr. Biaggi for, with Mr. Whitten against.
 Mr. Reid of New York for, with Mr. Buchanan against.
 Mr. Frelinghuysen for, with Mr. Bush against.
 Mr. Schadeberg for, with Mr. Whalley against.
 Mr. Anderson of Illinois for, with Mr. Wiggins against.

Until further notice:

hope the report will meet the expectations of Congress.

**THE LATE HONORABLE THOMAS
B. STANLEY**

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

Mr. DANIEL of Virginia. Mr. Speaker, I have the sad responsibility to call to the attention of the Members of the House the death of a former Member of this body, the Honorable Thomas B. Stanley, whose funeral is to be held today at Stanleytown, Va., and to request that a time be set aside at a later date for eulogies.

**THE LATE HONORABLE THOMAS
B. STANLEY**

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

Mr. McCORMACK. Mr. Speaker, I was very sorry to read of the death of our former colleague, the late Governor of Virginia, Tom Stanley, which the gentleman from Virginia (Mr. DANIEL) just announced.

Mr. Speaker, Tom Stanley was one of the finest gentlemen that anyone could ever meet, broad, fine, noble, with an understanding mind, and one of the most public spirited officials I have ever served with during my many years of service in the legislative branch of the Government, the Federal Government, and the State government. His contributions while he was a Member of this body were deep and profound and constructive. His contributions as Governor of the great Commonwealth of Virginia will always be uppermost in the pages of the history of that great State.

I join with the Virginia delegation in extending to the loved ones of our late friend Tom Stanley my deep sympathy in their great loss and sorrow.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from Florida (Mr. FUQUA).

SUPPLEMENTAL TO ACT OF FEBRUARY 9, 1821, INCORPORATING COLUMBIAN COLLEGE, AND SO FORTH

Mr. FUQUA. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 17146) supplemental to the act of February 9, 1821, incorporating the Columbian College, now known as the George Washington University, in the District of Columbia and the acts amendatory or supplemental thereof.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That The George Washington University shall have and is hereby given all of those powers conferred upon nonprofit corporations by section 5 of the District of Columbia Non-Profit

Corporation Act (section 29-1005 of the District of Columbia Code) and, in addition, shall have the power to borrow money at such rates of interest as the corporation may determine, without regard to the restrictions of any usury law.

With the following committee amendment:

Page 2, line 1, strike out "law." and insert in lieu thereof the following: "law, and shall not plead any statutes against usury in any action."

The committee amendment was agreed to.

Mr. FUQUA. Mr. Speaker, the purpose of the bill H.R. 17146, as amended and reported by our committee, is to amend the charter of the George Washington University in order to confer upon the university the powers contained in section 5 of the District of Columbia Non-Profit Corporation Act, and to exempt the university from the operation of the local usury laws.

BACKGROUND

The George Washington University was incorporated by act of Congress in 1821. Since that time, this charter has been amended by supplemental legislation passed by the Congress on seven occasions . . . in 1871, 1873, 1878, 1893, 1898, 1904, and 1905. Starting in 1821 as Columbian College, with about 30 students, the university now has approximately 5,500 undergraduate students, 6,700 students in its various graduate schools, and some 2,700 unclassified part-time students.

1. POWERS CONFERRED BY SECTION 5 OF THE D.C. NONPROFIT CORPORATION ACT

In the course of administering its affairs, it is necessary for the George Washington University, from time to time, to exercise powers similar to those exercised by other corporate entities. For instance, it acquires and holds title to land, invests endowment funds, borrows money from banking institutions, mortgages real estate, employs approximately 400 members of its faculty and 6,000 administrative and maintenance personnel, and engages in bond issues for educational purposes.

While its present charter, as amended, generally empowers the university to "do and transact all and every business concerning or touching the premises" and to "manage all the estate and property now belonging to said college," it has become the practice in recent times, with respect to both profit and nonprofit corporations, to grant certain express powers which enable such corporations more easily to carry on their day-to-day functions.

The administration and operation of the George Washington University will be facilitated at this time by the provision in H.R. 17146 which will grant to the university all those powers conferred upon nonprofit corporations incorporated under the laws of the District of Columbia by section 29-1005 of the District of Columbia Code. These are simply the broad powers customarily given nonprofit corporations in all jurisdictions. For example, in the matter of the power to execute security instruments, whereas the university's charter contains only some very general and archaic language

relative to managing the affairs of the university, section 5 of the District of Columbia Non-Profit Corporation Act includes very specific boilerplate powers. Thus, this provision in H.R. 17146 will be of benefit to the university by spelling out specific, standard powers which are not adequately treated in the language of its charter.

2. EXEMPTION FROM DISTRICT OF COLUMBIA USURY LAWS

Under existing law, whereas profit-making corporations do not come under the purview of the District of Columbia usury laws, nonprofit corporations in the District are so restricted. Thus, the George Washington University and other nonprofit corporations located in the District of Columbia are not permitted to pay interest on loans at rates in excess of the 8 percent maximum which, except for certain statutory exemptions, is the legal rate for borrowing in the District of Columbia at the present time. It is a well-known fact, however, that for a substantial period of time the prime rate of interest for borrowing has been in excess of this figure. As a result, the university now finds itself seriously inhibited in its ability to borrow money, both on an open line of credit and upon security of land and improvements.

This situation poses a very serious problem to the university at this time, as they have planned to begin construction this summer on several badly needed new facilities, one of which is a new medical school and medical school library. The Federal Government has granted to the university some \$15 million toward the total \$25 million cost of these projects. Before the university can actually obtain these grants, however, it must first have expended that amount of money on the projects. That is, under the interest subsidy program the institution must secure a private loan, and the Federal Government contributes toward the debt service thereon through an annual grant.

Hence, in order to qualify the university first must obtain a short-term construction loan, the interest rate on which currently runs anywhere from 10.5 to 12 percent, if indeed the university is fortunate enough to find a lender. Your committee is advised that it will not be necessary for the university to obtain a permanent loan on this medical building project, because with the Government grant and the funds they have solicited in the form of contributions and gifts, they will have sufficient funds without such a loan. The short-term loan, however, is imperative in order that the university may qualify for the Federal grant.

The objective of this planned new facility is to enable the university to increase the number of entering medical students from 110 to 150 per year, and thus to increase its output of physicians in response to the critical shortage which exists in the city today.

In addition, the university is presently negotiating with a major insurance company for a mortgage loan of some \$5 million, which together with a Federal grant and loan already assured will enable them to build a badly needed new library building. However, such a loan simply

cannot be obtained at the present legal rate of interest in the District of Columbia. Your committee is advised that this loan may probably be obtained at an interest rate of approximately 10.5 percent.

Actually, this undertaking has been delayed somewhat because for some time the university was unable to secure two city lots which were necessary to consolidate the site for the building. As an alternative solution, the university has now selected a new site, and has a commitment to HEW to begin the construction of this new building before the end of this year. Otherwise, they face the possibility of the loss of the Federal funding of the project.

Our committee is advised that the need for this new library facility is actually critical, because if the university does not proceed with its construction it will be faced with the loss of its accreditation by the Middle States Association.

COMMITTEE AMENDMENT

Acting upon the recommendation of the counsel for the George Washington University, your committee amended the bill by adding language which will assure that the university cannot bring action charging any lender of funds to the university with exceeding the legal rate of interest provided in the District of Columbia usury statutes.

This amending language is identical to an amendment which was added to the District of Columbia Business Corporation Act in 1963 (77 Stat. 136; D.C. Code, sec. 29-904(h)), and simply provides added protection to lending institutions which make loans to organizations which are exempted from the application of the usury laws.

HEARING

A public hearing on this proposed legislation was conducted on June 16, 1970, by Subcommittee No. 4. At that time spokesmen for the university testified in support of the bill, and no witnesses appeared in opposition to its enactment.

CONCLUSIONS

Since its modest inception more than a century ago, the George Washington University has grown into one of the finest metropolitan centers of learning in this country. Its contribution to the Washington metropolitan area and to the cultural and educational development of the United States is immeasurable. At this time, this institution faces a financial crisis which threatens not only its expansion to the performance of even broader service, but its very existence as well.

Our committee feels deeply that the Congress cannot and must not fail to meet its responsibility in this critical situation by providing the means by which this university can continue to fulfill its vital role in the Nation's Capital City, as a famous and respected seat of advanced learning.

The provisions of this proposed legislation are both practical and entirely justified, and we urge its enactment.

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.

AUTHORIZING DISPOSITION OF CERTAIN DISTRICT OF COLUMBIA PROPERTY IN PRINCE WILLIAM COUNTY, VA.

Mr. FUQUA. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 18086) to authorize the Commissioner of the District of Columbia to sell or exchange certain real property owned by the District in Prince William County, Va., and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the District of Columbia (hereinafter, "Commissioner" and "District") is authorized to convey to Prince William County, in the Commonwealth of Virginia, all right, title, and interest of the District in and to a portion, not in excess of thirty-seven acres, of certain real property owned by the District and located in that county, comprised of approximately three hundred fifty and four-tenths acres of land and more particularly described in a deed conveying such real property to the District and recorded on May 22, 1922, in liber 77, folio 55, in the clerk's office of the circuit court of Prince William County. Such conveyance to Prince William County shall be in consideration, among other considerations, of the issuance to the District by the county authorities of a permit or permits to establish and operate a sanitary landfill for the disposal of refuse in an area of the county determined by the District of Columbia to be suitable for such use.

Sec. 2. The Commissioner is further authorized to transfer to the Secretary of the Interior jurisdiction over all or any part of the balance of the property described in the first section, including such portions of the property as may be described as "wetlands", by which term is meant those low-lying portions of the property in the nature of a marsh, swamp, or bog. Such transfer to the Secretary of the Interior may be in consideration of the payment by him to the District of such sum or sums as may be agreed upon, or in exchange for land under the jurisdiction of the Department of the Interior which may be put to some municipal use by the District, approximately equal in value or area, or both value and area, to the land transferred by the District to the Secretary.

Sec. 3. Beginning one year after the effective date of this Act, the Commissioner is authorized to sell, or to exchange for other real property suitable for use by the District, all or any part of so much of the balance of the property described in the first section, not including the wetlands, as has not been transferred to the jurisdiction of the Department of the Interior, pursuant to section 2, within one year after enactment of this Act. Any such sale or exchange may either be on the basis of competitive bids or by negotiation, as the Commissioner determines is in the best interest of the District of Columbia. The Commissioner is further authorized to pay the reasonable and necessary expenses of the sale or exchange of such land, and shall deposit the net proceeds of any such sale in the Treasury of the United States to the credit of the District of Columbia.

Mr. FUQUA. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the purpose of H.R. 18086 is to authorize actions by the Commissioner for the District of Columbia which will enable the District government to deal effectively with an imminent emergency relating to the disposition of refuse in the District of Columbia. The authority given to the Commissioner would enable him to enter into suitable agreements which will permit the District of Columbia to operate for a long period of years a sanitary landfill in Prince William County, Va. As a reciprocal benefit to Prince William County, Va., the bill would enable the county government to acquire land from the District of Columbia for the construction of water pollution control facilities.

HISTORY OF THE PROPOSAL

Approximately 50 years ago the District of Columbia acquired two tracts of land in Prince William County, Va., for future use in disposing of refuse materials from the city of Washington. A 455-acre tract at Cherry Hill was acquired in 1918 and a 350 acre tract at Featherstone Point was acquired in 1922. Operation of a reduction plant, located at Cherry Hill, was discontinued in 1947 and was thereafter dismantled. The land at Cherry Hill was sold by the District of Columbia in 1962. The District of Columbia government continued to plan for the ultimate use of the Featherstone Point site as a major disposal area by utilization of modern landfill methods.

By 1965 it became apparent to District of Columbia officials that within a short-range future the District of Columbia would face a critical problem for garbage and trash disposal. Not only was the Kenilworth incinerator a major contributor to air pollution in the District, but the future life and utility of the Kenilworth dump was very limited. Plans were launched for a new, modern incinerator facility, and steps were taken to supplement the limited capacity of such incinerator by establishing a major landfill operation at some point in the metropolitan area.

Concurrently, Prince William County, Va., found itself with a developing sewage disposal problem resulting from the rather rapid growth of certain communities within the county. The county officials proposed to the District of Columbia government the purchase of 25 acres of the District of Columbia's Featherstone Point site for the location of a large filtration plant needed for the present and future development of the county and such communities as Occoquan, Woodbridge, and the Garfield area.

Legislation was introduced in the 90th Congress which would have authorized the Commissioner for the District of Columbia to sell the acreage desired by Prince William County and to arrange for the disposition of the balance of the acreage but reserving landfill operation rights for 167 acres which was essentially marshland.

The legislation was favorably reported to the House, but substantial objections were raised to the bill by conservation groups who feared that the dikeing and landfill operations would adversely affect the wildlife ecology of the wetland portion of the site. The legislation did not

reach a final vote in the House of Representatives.

THE PRESENT PROPOSAL

Early in the present Congress, H.R. 664 was introduced proposing action similar to that in H.R. 18980 of the 90th Congress. Committee hearings were held and thereafter a number of meetings and discussions were held with District of Columbia and Prince William County officials. It was suggested that the District and the county officials join in an effort to find a solution to their mutual problems, which would avoid any possible pollution in the area and which would not require utilization of any marsh or wetland areas for sanitary landfill operations.

Under date of April 17, 1970, the District of Columbia government transmitted to the chairman of Subcommittee No. 4, a communication in reference to this problem explaining a modified and hopefully an acceptable alternative to the previous plans. The draft bill proposal which was submitted with this letter has become the text of the instant bill, H.R. 18068. A single modification of the suggested bill draft is in reference to the language concerning the issuance of a permit by Prince William County to the District of Columbia for the establishment and operation of a sanitary landfill. This modification contemplates that the Commissioner for the District of Columbia shall have the authority and will negotiate to secure more than one permit for locations for such landfill operations, in view of the considerations which are being reciprocally extended to Prince William County, Va., and the respective needs of the District and the county. Thus, Prince William County will receive 37 acres of the Featherstone Point site as a consideration for the granting of a landfill permit or permits for the conduct of sanitary landfill operations by the District of Columbia.

As to the remaining acreage, the bill authorizes the Commissioner of the District of Columbia to dispose of all or part to the Secretary of the Interior. Those parts of the land area which may be classified as "wetlands" may not be disposed of except to the Interior Department. Any part or all of the balance of the area may likewise be disposed of to the Department of the Interior. The Secretary of the Interior will make such land exchange or payment to the District of Columbia for the land transfer as may be agreed upon.

As to any land remaining within the ownership of the District of Columbia at the end of one year after the date of enactment, the Commissioner is authorized to exchange or to sell by competitive bid or negotiation the balance of any remaining acreage except any wetlands. The Commissioner is authorized to pay any necessary expenses in connection with the sale or exchange of the land. By reason of the understandings and agreements developed between the District of Columbia government and the officials of Prince William County, contingent commitments have been made to accomplish the landfill operation following the enactment of this legislation. Prince William County will issue such

permits as may be necessary and agreed upon with the District of Columbia government.

THE SANITARY LANDFILL OPERATION

The landfill operation will be conducted on 175 acres of land in an area below the Featherstone Point site, which land is under the jurisdiction of the Cockpit Point Corporation, a nonprofit entity of the Prince William County government. The landfill is located where land elevations are about 40 feet to approximately 100 feet above the mean high-water mark of the Potomac River. The proposed area has an estimated capacity of 1500 tons per day for a period of 30 years. The District of Columbia will pay fees agreed upon to the Cockpit Point Corporation for the privilege of using the Corporation's land area.

It is contemplated that the refuse materials in the District of Columbia will be compressed into bales and prepared for shipment. Access may be had to the landfill site either by water or by a rail. If shipment is by water, the District will have to operate or rent the necessary barge equipment or service. In such event, construction of wharfage and highways will be necessary at the Virginia site. Otherwise, shipment may be made by the Richmond, Frederick and Potomac Railroad which passes immediately adjacent to the landfill area.

DISPOSAL EMERGENCY

Our committee has been informed that the government of the District of Columbia faces a serious emergency in connection with the disposal of local refuse. With the completion of the landfill operations at the Kenilworth dump site, the District of Columbia was pressed to find other locations for any kind of landfill operations. Surrounding jurisdictions in general object strenuously to such land use. At one time, a major railroad operating in the metropolitan area appeared to have a proposal to submit to the District of Columbia as a solution to a disposal problem. This involved the preparation of refuse, transportation from the District of Columbia to a site in Virginia, and the operation of a landfill at that point. The estimated cost to the District of Columbia would have been at the rate of \$8.00 per ton. Upon investigation, it developed that there was no firm agreement which could be given to the District of Columbia. In view of the costs involved in handling such materials, and the large volume generated within the District of Columbia, your committee is of the opinion that the authority granted in the proposed bill and agreements contemplated in the carrying out of this authority, are highly desirable and in the long range interest of the Nation's Capital.

DISTRICT GOVERNMENT RECOMMENDATION

The government of the District of Columbia in the 90th Congress recommended legislation to accomplish the general purposes relating to the disposition of the land at the Featherstone Point site and the conduct of sanitary landfill operations. Similar recommendations were received at the time of the introduction of H.R. 664 of this Congress. The latest communication from the District

of Columbia government recommended the elements of the pending bill.

Mr. SCOTT. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the proposal is a bill I sponsored at the request of the Board of Supervisors of Prince William County, Va. In my opinion, it is a good bill and I urge its adoption by the House.

Before discussing the merits of the bill, however, Mr. Speaker, let me thank the distinguished chairman of the subcommittee, Mr. FURQUA, for the time and courtesy extended by him and the subcommittee in holding hearings and attempting to compromise the various points of view so that a measure could be favorably reported to the House.

It is my understanding that H.R. 18086, as presently written, has been approved by officials of Prince William County and District of Columbia governments.

The District of Columbia, for a period of many years has owned a 350-acre tract at Featherstone Point in Prince William County, and it is my understanding that under the authorization contained in this bill it can convey 37 acres of this land to Prince William County, Va., and in consideration for the conveyance, Prince William County will grant a permit to the District of Columbia government to operate a sanitary landfill in another section of the county.

A portion of the 350-acre parcel of land owned by the District of Columbia is low land, and the bill authorizes the District government to convey this low-lying portion of the property, further identified as a marsh, swamp, or bog to the Secretary of the Interior in exchange for land under the jurisdiction of the Department of the Interior which may be put to some municipal purpose by the District of Columbia.

The District of Columbia is further authorized to sell or exchange the remainder of the property, not including the wetlands, either by competitive bids or negotiation.

Mr. Speaker, before introducing this measure, I discussed the proposal with the then chairman of the Board of Supervisors of Prince William County and he told me of the need of his county for additional recreational facilities as well as property on which to locate a new sewage treatment plant which would combine several existing plants. It was at the unanimous request of the board that this proposal was introduced. Thereafter, the chairman of the subcommittee heard testimony of officials of Prince William County, the government of the District of Columbia, the Department of the Interior, and interested citizens. There were also conferences held between officials of the two governing bodies and the Department of the Interior and hearings were held by the Board of County Supervisors so that all interested parties could let their views be known. Based upon these hearings and negotiations, the present bill was arrived at which I believe has the support of the people who testified at the hearings or participated in the conferences. I am pleased that Prince William County will be able to obtain the land it

needs for its sewage treatment plant and urge that this measure be adopted.

Attempting to satisfy the desires of the local governing bodies has resulted in a compromise which will be beneficial to all and again I thank the distinguished gentleman from Florida for his patience and support of this measure.

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, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 17711, AMENDING DISTRICT OF COLUMBIA COOPERATIVE ASSOCIATION ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 17711) to amend the District of Columbia Cooperative Association Act, with Senate amendments thereto, disagree to the Senate amendments, and request a conference thereon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none and appoints the following conferees: Messrs. McMILLAN, DOWDY, FUQUA, NELSEN, and BROYHILL of Virginia.

LEGISLATIVE REORGANIZATION ACT, 1970

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1093, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1093

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. 17654) to improve the operation of the legislative branch of the Federal Government, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules, the bill shall be read for amendment under the five-minute rule. No amendment to the bill shall be in order which would have the effect of changing the jurisdiction of any committee of the House listed in rule XI. 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.

The SPEAKER. The gentleman from Mississippi (Mr. COLMER) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the gentleman from California (Mr. SMITH), and pending that I yield myself such time as I may consume.

Mr. Speaker, this rule makes in order the long discussed, long considered and

long heralded bill on the reorganization of the Congress. There have been several hundred bills introduced dealing with this subject matter in the current Congress. So some 15 months ago we set up in the Committee on Rules a subcommittee to study this problem and to come up with some kind of a reasonable and meaningful bill that could be submitted to the House.

Mr. Speaker, that subcommittee consisted of the very able and diligent gentleman from California (Mr. SISK), the very studious and able gentleman from Missouri (Mr. BOLLING), and the very knowledgeable gentleman from Texas (Mr. YOUNG) on the democratic side.

On the minority side were the very dedicated gentleman from California (Mr. SMITH), and his learned associate, the gentleman from Ohio (Mr. LATTA).

That committee labored long, diligently, and arduously. In that effort they were assisted, as was the full committee later, by a very able staff, particularly Mr. Kravitz of the Legislative Reference Service and Mr. Carper of the Legislative Counsel's Office.

Mr. Speaker, after this committee had labored long and had heard many, many witnesses, they came up with the finished product which they submitted to the full committee. The full committee considered it and reported the bill to the House. It will not be my purpose in these few moments to go into the details of the proposed legislation. I am going to leave that largely to the gentlemen from the subcommittee. But I do wish to impress upon this House—and this is the main purpose of my addressing you here today—that this is a very complex and very complicated and very controversial subject matter and I predict now, as I am sure others who have studied the bill will also, that it will prove very controversial before it is over. It does not suit anyone in toto and, Mr. Speaker, I happen to be one of those.

I guess I am just old fashioned. I just do not believe that everything should be changed, that matters that have stood the test of time in this legislative body, as well as in other areas, should be changed because someone wants a change. But there are opportunities, there are places here where improvement in the existing system could be made.

This was a give-and-take proposition. Some of us had to do some giving as well as taking, and that goes for the committee. But we agreed in general upon this bill; not only that, but we agreed unanimously upon the bill.

I know that when we reach the amendment stage of consideration of the bill there will be some Members, even members of the Rules Committee, as I understand it, who will be running off on different tangents wanting to change what your committee, in its wisdom and after long and deliberate consideration, has provided.

I do not mean to say that any member of the full committee or of the subcommittee, much less any Member of this House, is bound by this action of the committee any more than in any other

matter that is considered. But what I am trying to say, Mr. Speaker, is that those who have been crying the loudest for reorganization and reform, if they want it, I would suggest to them they stay pretty well within the lines of reason and not try to just revamp the whole Congress and the character of the legislative procedures now in existence.

I think it is a tribute, considering the various degrees of philosophy that exist in our Committee on Rules, that we could agree upon something on a unanimous basis. I think the House will agree with that statement. Therefore, it must be neither too radical nor too conservative. But as one member of the Committee on Rules, as far as I am concerned if there is a desire to take this bill over and rewrite it and reform everything and bring about an unworkable situation, I, too, will be found among the dissidents and those who want to go off at different angles. As a matter of fact, I may want to offer some changes myself.

One of the things I would like to point out in this connection, Mr. Speaker, is that this rule—and this was one of the places where there was some give as well as some take—provides among other things that the question of jurisdiction of the committees cannot be raised. Just to spell it out, there is one committee that has been spending a great deal of money that has two divergent subjects, and it wants to maintain its unity, and I find a very strong sentiment in this House for the division of that committee. Personally, I happen to think that there should be a division, because I do not think the two subjects are compatible, but if we are going to give, we should not have to do all the taking. So I hope that will be borne in mind by some of our reforming friends.

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

Mr. COLMER. I yield to my friend, the gentleman from Iowa.

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

I arise to point out that some of the most vocal of the reformers are conspicuous by their absence at this time. I supposed that when this debate began those who felt so badly in need of a change in the rules of conduct of the House would be available and ready to get into action.

I am one of those who has been critical at times about certain operations of the House, but more critical of the application of the present rules than of the fact that they existed at all. I am much of the same frame of mind as the distinguished gentleman from Mississippi, in that I am old-fashioned enough, I think the present rules of the House are by and large good rules and fair rules when properly applied.

I join with the gentleman from Mississippi, in that I do not want to see any tremendous upheaval, today, tomorrow or the next day as we get down to the amending stage of this bill. I do not want to see any great upheaval and so-called reform that would undoubtedly result in chaos rather than being beneficial.

I thank the gentleman for yielding.

Mr. COLMER. I thank my friend for his contribution. I usually find myself in

accord with the gentleman, and I am honored to find myself in accord with him today.

Mr. Speaker, I might remind my friend that when this bill is read I believe he is going to find possibly more reformers here than today and each will be vying with the other for a place in the sun.

Mr. Speaker, I wish to reemphasize that this has been a rather thankless and arduous task. It affects not only the machinery of the operation of this institution, the House, and to a certain degree the other body, but also the entire country.

Some of the rules which now prevail under which this House has operated for years have proved to be very good rules, as the gentleman from Iowa has so well pointed out.

Finally, I wish to emphasize that the committee, and particularly these able gentlemen to which I have referred, comprising the subcommittee, together with the staff, have done a great job. I hope the membership, when it comes to reading the bill for amendment, will bear that in mind.

Mr. Speaker, I reserve the remainder of my time.

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

Mr. Speaker, House Resolution 1093 provides for 4 hours of general debate for the consideration of H.R. 17654, a bill to improve the operation of the legislative branch of the Federal Government. There will be 4 hours of debate.

This is a closed rule from the standpoint that no amendments to the bill will be permitted so far as changing the jurisdiction of any committee of the House as listed in rule XI is concerned. Other than that, it is an open rule.

I know of no objection to the rule. In view of the fact that I shall have 2 hours during general debate, I simply reserve the remainder of my time and urge the adoption of the rule, Mr. Speaker.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SISK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 17654) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

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

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. 17654, 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 California (Mr. SISK) will be recognized for 2 hours, and the

gentleman from California (Mr. SMITH) will be recognized for 2 hours.

The Chair at this time recognizes the gentleman from California (Mr. SISK).

Mr. SISK. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, we begin a debate today that we have been looking forward to for quite a long while and, as indicated by the number of calls and urgent statements and so on by many, many Members of the House, a number of other people have also been looking forward to it. I would hope, Mr. Chairman—and I am reminded by the statement of my good friend from Iowa (Mr. Gross) a little while ago about the fact that there are not too many Members on the floor—that the interest we have felt has been manifested in this subject during the past many months that the subcommittee has worked with it will be demonstrated by a good attendance on the floor. Now, of course, this is up to the individual Members as to their interest and concern.

Mr. Chairman, this day in the history of the U.S. Congress and more specifically in the House of Representatives has been, as I indicated, a long time coming. It is a day which many feel should have arrived 10 or 15 years ago. Many have felt it would never arrive. Now that it is here, I am certain there are some who fear the day will be a disappointment.

I confess that this bill is not all I would like, and I am sure many others feel the same way. There are certain changes which I would like to have seen proposed in this legislation, but the members of the subcommittee put our personal desires aside and took the pragmatic way out, because in the last analysis the noblest and finest ideas in the world for reorganizing the Congress of the United States are of no more lasting importance than yesterday's weather forecast if you cannot get the votes to pass them on the floor of the House.

Mr. Chairman, the bill before you, H.R. 17654, is a substantial bill. It is 141 pages in length, and it is accompanied by a report which is 182 pages in length.

Before proceeding to any discussion of the bill, I would like to pay tribute to the distinguished chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLMER), who, by the way, just handled the rule on this bill, for the patience he has demonstrated in giving our special subcommittee the time it has needed to work through the various bills which were before us and for taking the necessary time of the full committee to give this legislation the consideration that it needed.

At this time I would like also to extend my deepest thanks to my colleagues on the subcommittee, the gentleman from Missouri (Mr. BOLLING), the gentleman from Texas (Mr. YOUNG), the gentleman from California (Mr. SMITH), and the gentleman from Ohio (Mr. LATTA). I would particularly like to single out the gentleman from Missouri, who, as all of us know, has written extensively on the work of the House, and the gentleman from California, Mr. BOLLING and Mr. SMITH, with the help, of course, of our other colleagues on the committee, have

contributed immensely to whatever success we have been able to achieve.

It is noteworthy, I believe, that all 15 members of the Committee on Rules have joined in the cosponsoring of this bill. This demonstrates a true determination to reach a consensus. I might say that this fact was cited by our distinguished chairman a few moments ago in his discussion on the rule to the effect that the entire membership on both sides of the aisle of the Committee on Rules were willing to attach their names to the bill pending before us today.

Mr. Chairman, in the interest of speeding up the consideration of this legislation, it is my intention to discuss only three broad sections and to leave the discussion of the other sections of the bill to other members of the subcommittee.

I would like to outline, briefly, the first of these proposals. First, the proposed expansion of the Legislative Reference Service as it now exists into the Congressional Research Service.

Second, the proposed creation of a Joint Committee on Data Processing. And, finally, the proposal to provide greater access to radio, television, and still photography.

These are the three items I would like to concentrate upon in this initial statement and, of course, as I have previously stated, the other members of the subcommittee will discuss in detail the other provisions of the bill, and they will be discussed, of course, all of them, later on in the amending stage.

In many of the congressional reorganization proposals introduced in the 91st Congress there was provision for each standing committee to hire what was called a review specialist whose job it would be to assist the committee in reviewing programs. In considering these proposals, our subcommittee came to the conclusion that one hired for each standing committee would be totally inadequate to do the job yet we realized here was a function which had to be performed. Congress needed, but did not have, the capacity to evaluate the policy results of its work and suggested various ways of accomplishing the objectives of its programs.

After exploring various approaches to this problem, we concluded that what was needed was a new research arm of the Congress.

We felt the new research arm of Congress must provide continuous liaison with any of the committees of the Congress which requested it and that the individual performing this liaison function for a particular committee must be prepared to assume a dual role—he must be responsible to the committee, and at the same time he must be responsible to the central research facility.

We considered assigning this research responsibility to the General Accounting Office, but the Comptroller General did not feel that this dual responsibility was consistent with the overall duties of his office. In addition, there were strong feelings on the part of some Members of Congress, most notably among them, the chairman of the distinguished Committee on Appropriations, that Congress should show some re-

straint in continually expanding the scope and demands made upon the GAO.

We considered the possibility of creating an entirely new research facility. But we concluded that the best way was to use the legislative reference service as the framework. There were a number of reasons for this.

First, it has established a most favorable reputation.

Second, it has a corps of analysts familiar with the needs of Congress and the idiosyncrasies of congressional procedure.

Third, it has at its disposal massive information resources of the entire Congress.

Let me explain briefly here how we on the special subcommittee envision the operation of this expanded research facility which we propose to rename the Congressional Research Service, or the CRS. Obviously, of course, the Congressional Research will have a problem in recruiting fully trained personnel to do the job that needs to be done. However, notwithstanding those problems we would anticipate that the research service would contact every committee of the Congress and offer to assign a man to provide permanent, continuing ongoing liaison between that committee and the research center.

He would attend committee meetings and hearings and be in constant touch with the staff.

He would have a counterpart who would be performing the same liaison function for the Senate committee having jurisdiction over the same areas.

These men would report to the Research Center and keep the Research Service advised of known and anticipated research needs. As the Research Service developed information, it would be made available to committees of both Houses. There would be common frames of reference and words would mean the same thing in a House report as they mean in a Senate report. There would be less tendency to engage in inter-House games because both Houses would be making judgments on the basis of substantially the same independently derived information.

I think all of us agree that what we need is not necessarily more information, but better information. We need information which is analyzed and evaluated and put in perspective when judged against all of the decisions that have to be made. The Congressional Research Service would make it possible for us to get this information.

In order to provide the necessary congressional backstopping for the Research Service, to defend it against pressures from individual Members and groups of Members who feel that it would be developing pertinent information adverse to their particular interests, we propose to enlarge the present Joint Committee on the Library and make it a bipartisan committee of 12 members and rename it the Joint Committee on the Library and Congressional Research. A strong committee, dedicated to the independence of congressional research endeavors, can do much to assure the integrity of data on which we must base our decisions.

Working in partnership with the Re-

search Service would be a new congressional data processing effort under another strong bipartisan joint committee, the Joint Committee on Data Processing.

This committee would have a wide-ranging authority in the field of data processing and could spell out who among the various agencies and offices of the Congress could operate data processing facilities, and under what conditions.

Although there are a few among us who are technically knowledgeable in the field of computers, it is obvious to most of us that the marvels of modern electronic data processing offer enormous potential in the fields of information retrieval and in the analysis of complex problems of various kinds. And, obviously, computers can play a major role in the administrative work of the two Houses of Congress and their committees.

The special subcommittee devoted a great deal of its time and attention to the question of data processing for Congress. We considered whether computers should be under the Comptroller General or the Library of Congress, and whether the Congress should rely primarily on contract personnel and consultants for its professional expertise. We also considered the fact that a subcommittee of the House Committee on House Administration was independently proceeding on the assumption that the other body was not interested in utilizing computers and that the House should, therefore, go it alone.

After considering all of these facts, we decided that the Congress must proceed with a joint computer effort, and certainly this is one area in which this House, of course, will work its will. On the basis of lessons learned by private industry, we concluded that the director of the congressional computer effort must have access to the "top management" of Congress. To provide the kind of access to leadership levels that is essential, we provide for the creation of a bipartisan joint committee with a professional staff.

I would like to take a few minutes here to discuss the question of the use of professional staff by the joint committee. It is conceivable that the Congress of the United States could seek out consultants and contractors of various kinds—both software and hardware—and turn the whole of the computer package over to them. Even those who have only a casual acquaintance with the data processing field realize that a great many firms look upon the Congress as a lucrative sugar daddy who could pump literally millions of dollars in new contracts into their depressed treasuries.

However, it was the judgment of our subcommittee that if Congress is to be master of its own destiny in the data processing field, it must have trained, top-flight, well qualified professional data processing personnel of its own. Industry has learned to its dismay that all too often a consultant will design and install a system for a client who does have its own data processing personnel and then find that the system was either overdesigned—or underdesigned—or overpriced—and that furthermore, the system is so poorly described in company records that only the consultants can

understand it and diagnose problems that arise in connection with its operation. Additionally, when it comes time to modify the system to meet changing needs, only the outside consultants know where to begin. As a result, the consultant in effect is permanently locked into the company. To make matters worse, if key personnel in the consultant firm should part company with the consultant, the problem is compounded.

It is our judgment that the Congress must maintain sufficient in-house capability across the entire spectrum of data processing so that we will never find ourselves in the position of being the handmaiden to private contractors.

Even under the proposal we have embodied in H.R. 17654, it is certain that the Congress will make extensive use of outside consultants, and the results of the studies now being undertaken by the firms under contract to the Waggoner subcommittee will be utilized to the fullest. But the Congress must have adequate independent information through its own professional staff, so that it can intelligently evaluate the work of the consultants and contractors and tell them what it wants, and not the reverse.

In conclusion, I should like to address myself briefly to the question of radio, television and still photography.

This is a question on which there has been about as much comment and controversy and question as almost any subject during the last 15 or 20 years. The bill before you would permit coverage by still photography, radio, and television, of any open committee hearing.

It would require that before such coverage, the committee must adopt written rules including as a minimum certain provisions spelled out in our bill.

These minimums include, first, that no more than four television cameras may be permitted in a hearing, and that the cameras must operate from a fixed position. How these four positions would be allocated is left to the radio and television correspondents to work out.

Another minimum is that no more than five still photographers would be permitted in a hearing. The photographers would have to work out how these five would be chosen and if more than five want pictures, arrangements must be worked out to make them available.

The restrictions provided in H.R. 17654 have been tried and used successfully over the years and the subcommittee felt that if we began permitting this additional coverage on this basis, it would be possible to exercise a degree of control over the hearings which would reduce the chances that the additional coverage would cause confusion and commotion in the hearing room.

Personally, I have come around about 180 degrees on the subject of television, radio and photographic coverage. Over the years, I have not felt that permitting additional coverage of committees would contribute anything to the orderly conduct of the business of the House. In addition, I have shared the feelings of many that the Congress is subject to a great deal of unfair, biased and slanted coverage.

But the more I thought about it, the

more I began to feel that despite whatever shortcomings there are in the present coverage, there is really no substitute for full, free, and extensive coverage of Congress.

In the final analysis, the public service rendered by one example of good reporting far outweighs the damage done to the public by 100 examples of bad reporting. The American people, as history clearly demonstrates, are a perceptive lot and are not likely to be long deceived by unprofessional conduct on the part of the press.

Although we are going through a period in our history when some of the sacred assumptions about the role of the press are being questioned, when the virtue of the press itself is being doubted, there is really nothing much new in all of this.

In 1920—50 years ago next month—the noted columnist Walter Lippmann and one of his colleagues teamed up to write an article titled "A Test of the News," in which they said their conclusions were that "the professional standards of journalism are not high enough, and the discipline by which standards are maintained not strong enough, "to sustain the press under a severe test".

They went on to say that the press must police itself, much as the bar associations and medical societies have done, and then they concluded—and remember this was 1920:

As citizens they—the press—cannot escape that duty, and as members of a profession they are forced to it by the growing distrust which everywhere greets them. They know that today, they are feared but not intimately respected, and the sins of some are visited upon all.

Every generation of public officials, going back to the earliest days of the colonies, has questioned the motivation—and indeed the parentage—of its leading critics among the press. But the Republic has remained and grown strong, and I believe that if we as elective officials are willing to recognize our own foibles and shortcomings, we will have to admit that the press is a positive force for good in our country and that the presence of the press, with all its weaknesses, is one of the reasons why American democracy has survived for nearly 200 years. The press is one reason why the people of America—all of the people—have more freedom than is enjoyed by the people of any other nation on the face of the earth.

It may be argued by some that the question here is not whether we are or are not to have press coverage—that the press is very much with us. I submit, however, that insofar as the Members of this House are concerned, their own misadventures with the press are by and large confined to the print media. Under these circumstances it is manifestly unfair to continue to close the door to broadcasters just because we are dissatisfied with the print media.

If we are unhappy with print coverage of the House, we should shut the doors to the press entirely—a right which we unquestionably have. On the other hand, if we are prepared to continue to live with the press, and obvi-

ously we must, there is no reason why we should not welcome the broadcasters and the still photographers into our committee rooms, particularly under the limitations and regulations that we have provided in this bill.

The reason always has been in the past that radio, television, and still photography caused too much confusion because of the profusion of microphones, cables, floodlights and flashguns.

These arguments are no longer valid. Modern technology makes it possible to permit coverage without turning our committee rooms into circus arenas. The news media representatives with whom we worked out the provisions in this bill assure us that they can live with the restrictions we have built into this legislation. These controls will permit the coverage without destroying the institution.

I for one believe it is time to permit this additional access, and I hope the House goes along with our proposals.

I would like to conclude on the note, Mr. Chairman, that this is one area in which our committee was not unanimous, but rather was one of the most controversial of all the issues the subcommittee dealt with. There are differences of opinion in the subcommittee, and there were differences of opinion in the full committee. The first two subjects which I discussed, that of the establishment of a Congressional Research Service and the beefing-up of the Joint Committee on Library to have charge of that, as well as the Joint Committee on Computers and Data Processing, were unanimous decisions, both in the subcommittee and the full Committee on Rules.

With that, Mr. Chairman, I again would urge that the Members study the bill and study the report, as we proceeded with this, to the extent that improvements can be made, certainly our committee is here and is desirous of cooperating.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Chairman, I yield myself 15 minutes.

Today is a historic day. Not since 1946 has an omnibus legislative reorganization bill been brought to the House floor. H.R. 17654, reported by your Committee on Rules, is indeed an omnibus bill dealing as it does with a number of questions, each of major importance to the Congress. Before discussing the provisions of the bill, however, I think a little background on the subject of congressional reorganization might be helpful.

H.R. 17654 covers changes in procedures of the Senate and the House. Inasmuch as the bill specifically contains the word "Senate" in many, many instances, I believe, Mr. Chairman, that during the debate the Members may rightfully refer to the other body as the "Senate" and still be in keeping with the rules and appropriate conduct.

In March 1965, the Congress created a Joint Committee on the Organization of the Congress. S. 355 in the Senate and H.R. 2594 introduced in the House by the joint committee cochairman, the gentleman from Indiana (Mr. MADDEN), were the results of 2 years of work. S. 355

passed the Senate but no action was taken by the House during the 90th Congress. Early in the first session of the 91st Congress, many Members, myself among them, introduced reorganization bills. As we debate this bill today, almost half of the membership of the House has sponsored one of the earlier versions of legislative reorganization. These reorganization bills were referred to the Committee on Rules.

In April 1969, a Special Subcommittee on Legislative Reorganization was created by the Rules Committee to study all pending bills and report its recommendations to the full committee. The subcommittee, chaired by the gentleman from California (Mr. SISK), and composed of Mr. BOLLING, Mr. YOUNG, Mr. LATA, and myself, met and met. It seemed to be a never-ending proposition.

Mr. Chairman, I would like to pay special tribute to the members of the subcommittee and particularly to the chairman, the Senator from California (Mr. SISK). I would also like to express my deep commendation and special appreciation to a number of individuals who worked tirelessly in their efforts to assist the subcommittee. I refer particularly to Mr. Laurie C. Battle, counsel of the Rules Committee, Mr. Robert D. Hynes, Jr., minority counsel of the Rules Committee, Mr. Waller Batson and Miss Jonna Lynne Cullen, both staff members of the Rules Committee. Also, I would like to include Mr. David Carper of the Legislative Counsel's Office, and Mr. Walter Kravitz and Mr. Walter Oleszak of the Legislative Reference Service.

We studied each bill and evaluated each proposal. Our first committee print, produced early in November 1969, was the basis for our public hearings. When hearings were completed, the subcommittee reviewed every suggestion received and adopted many of them. Our final recommendations, in the form of a draft bill, were reported to the full committee in May of this year. After careful examination and the adoption of a number of amendments, the bill was reported to the House last month.

The distinguished chairman of the House Rules Committee, the gentleman from Mississippi (Mr. COLMER), as well as the other members of the committee, were very patient and attentive in listening to the presentation of the subcommittee. As a result thereof, Mr. COLMER agreed to be the principal author of the bill and all the remaining 14 members agreed to coauthor the bill.

Now, Mr. Chairman, what does H.R. 17654, the Legislative Reorganization Act of 1970, propose? First of all, with respect to changes in the rules of the House, we have not suggested any radical departures from current practice, but have recommended a number of changes which we believe will improve our committee and floor practices.

In title I, the committee system remains intact. A number of the proposed changes codify current practices of many committees, practices which are conducive to good legislative practice and should be adopted by all committees. Among such changes are ample advance notice of all hearings, opening committee hearings and meetings to the public, and

the opportunity for minority committee members to call witnesses of their choice. Provisions are made for appropriate exceptions which are clearly detailed in the committee report.

The broadcasting and televising of committee hearings is also permitted if a majority of the committee members so authorize.

Mr. Chairman, as I previously mentioned, this is an omnibus reorganization bill. To know all of the changes proposed actually requires a detailed reading of the bill sentence by sentence. However, so far as title I is concerned, some of the important suggested changes in the rules include the following:

Section 102 covers the calling of meetings. Each standing committee shall fix regular meeting days—at least one per month. The chairman may call additional meetings. A majority of the committee may call a special meeting within 7 calendar days after filing a written request. This is a substantial change in the rules. It gives to the majority of the members of a standing committee the right to call and have hearings if the committee chairman refuses to do so.

Section 104 has to do with the public announcement of committee votes. On each record vote on a motion to report, the number of votes for and against shall be announced by the committee and included in its report. This change in the rules does not require announcing the vote of each individual. It only requires the announcement of the total votes for or against.

Section 105 requires that committee reports must be filed within 7 calendar days—exclusive of days when the House is not in session—after a majority of the committee files a written request. It exempts the Rules Committee with respect to House rules, order of business, and joint rules.

Section 106 prohibits proxy voting in committee except when a committee, by written rule, permits that practice, in which case each proxy must be in writing, designate the person who is to execute it, and be limited to a specific measure or matter and any amendments or motions pertaining thereto. The purpose of this change is to eliminate the practice of a chairman and ranking minority member from obtaining general proxies at the beginning of the session and then using them for each and every issue thereafter which the committee considers when a member is not present to personally vote.

Section 107 provides for the filing of supplemental, minority, and additional views. It gives the right to committee members, if notice is given at the time of a measure's approval, to not less than 3 calendar days in which to file supplemental, minority, or additional views, which views shall be printed in the same volume as the committee report. Because of the nature of the process of the Rules Committee, it is exempted from this requirement.

Section 108 applies to the availability of committee reports before House consideration. A measure or matter reported by any committee—except the Committee on Appropriations, the Committee on

House Administration, the Committee on Rules, and the Committee on Standards of Official Conduct—shall not be considered in the House unless the report has been available to the Members for at least 3 calendar days—excluding Saturdays, Sundays, and legal holidays—prior to the consideration in the House. This will not apply to the declaration of war, or the declaration of a national emergency, nor to legislative veto procedures. However, in addition no general appropriation bill shall be considered unless the report is available for at least 3 calendar days—excluding Saturdays, Sundays, and legal holidays.

Section III provides that each committee of the House—except the Committee on Rules—shall publicly announce the date, place, and subject matter of any hearing at least 1 week in advance of the hearing. In instances where the committee determines that there is good cause to hold a hearing at an earlier date, it may do so. However, the committee shall make such public announcement at the earliest possible date and publish it in the Daily Digest portion of the CONGRESSIONAL RECORD as soon as possible after such announcement is made.

Section 115 provides that points of order in the House against a measure with respect to violations of hearings procedure may be made only by a member of the committee reporting the measure, and only if such point was timely raised in the committee and improperly overruled or not properly considered.

Section 117 changes the Rules in connection with committee meetings during sessions of the House. It provides that committees may meet while the House is in session, without special leave, except while the House is reading a measure for amendment under the 5-minute rule. The exception will still remain from the standpoint that the Committee on Appropriations, the Committee on Government Operations, the Committee on Internal Security, the Committee on Rules, and the Committee on Standards of Official Conduct may meet at any time.

Section 118 revises the definition of the oversight functions for committees. It requires annual reports by committees of their review activities. The Committees on Appropriations, House Administration, Rules, and Standards of Official Conduct are exempt from this requirement.

Section 119 provides changes in the rules regarding conference reports. Each report shall be prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate. The statement shall be sufficiently detailed and explicit to inform the House as to the effect which the amendments or propositions contained in such report will have upon the measure to which those amendments or provisions relate. The report shall be printed as a report of the House.

The time allotted for debate in the consideration of any such report shall be equally divided between the majority party and the minority party.

Section 122 clarifies certain provisions and eliminates some obsolete language in certain House rules. The rules of the

House will apply to committees and subcommittees. Committees may adopt additional rules providing they are not inconsistent with House rules. Committee rules will apply to all of its subcommittees. Obsolete language in certain rules is eliminated, such as that which refers to Delegates from Alaska and Hawaii, inasmuch as they are, of course, now States.

Several floor procedures are modified by title I. The reading of the Journal would no longer be required upon demand of a single Member. If the chairman of the committee fails to call up a bill, the Speaker is authorized to recognize another member of a legislative committee to call up a bill on which the rule has already been adopted by the House. Nongermane amendments of the Senate to House-passed legislation could be subject, upon demand, to a separate debate and vote by the House. This is based on the rules of "suspension." The rules presently provide that two-thirds of the Members present and voting can suspend the rules and pass a bill. The same provision is made applicable to nongermane Senate amendments. In other words, if two-thirds of the Members present and voting want to consider a nongermane Senate amendment, they can do so.

Over the years, and particularly during this session of Congress, there have been many complaints against nongermane Senate amendments. A number of suggestions were made by various Members as to the procedure and what they thought should take place, such as referring the bill back to the standing committee. However, we believe that if any restriction is to be placed on nongermane Senate amendments, the procedure in this bill is best.

The subcommittee did not attempt to make any changes in the Senate rules with the possible exception of creating a joint committee. All language in the bill so far as Senate procedure is concerned was taken from S. 355, the bill which the Senate previously passed. So far as the House is concerned, the recommendations will change the Rules of the House. Thus, it is materially different from the 1946 reorganization bill which was a legislative bill and was not written into the rules. All of the procedures of H.R. 17654 will be written into the House rules. Accordingly, the same procedure in the future will follow from the standpoint that the majority of the Members of the House can change the House rules any time they have the votes. We proceeded in this manner so that the changes will be effective and not simply be words for a reorganization bill.

Mr. Chairman, it is in the areas of procurement and utilization of information within the legislative process that the bill strikes substantial new ground. The committee and many Members of the House believe that Congress, as an institution, does not have sufficient information available to it in order to deal effectively with the myriad of legislative problems we face every day. The subcommittee spent a great deal of time on this one issue and, I believe, H.R. 17654 provides a number of mechanisms to meet this evergrowing problem. Let me give several examples:

First, in title II, we require the executive branch to formally provide supplementary budgetary information to the Congress, subsequent to the January budget message and before June 1, which is 30 days prior to the beginning of the ensuing fiscal year. Such supplemental information should go a long way toward eliminating some of the more unpleasant fiscal surprises that we have received in years past.

Second, and very important, in title III we have expanded the Legislative Reference Service of the Library of Congress, without changing any of its existing services. The expanded service, renamed the Congressional Research Service, will be able to provide to committees of the Congress, upon request, supplemental staff in all fields of interest to the committees. These supplemental staff personnel will be available to each congressional committee to assist in gathering and analyzing information, examining executive proposals, preparing legislation, and undertaking any other responsibility assigned to it by a committee. This new Congressional Research Service can be of significant assistance to all congressional committees in better discharging their legislative duties.

Title IV creates a new joint committee whose sole responsibility and function will be to design, create, and operate an information storage and retrieval system for the Congress and to modify, enlarge, or change it as congressional needs grow and develop. The joint committee will be staffed by technical experts in the computer field.

Great strides are being made by industry and by the executive branch in computerizing their operations. Members are aware of the tremendous advantage the use of such a system gives any organization. The availability of factual source material and supportive information for a particular position or program is limited only by the breadth of the system and the previous planning of those operating it. All Members have had occasion to observe this.

All too often we do not have sufficient independent sources of information to fully evaluate testimony, particular factual data on a program's effectiveness, when it is presented by a Federal department or agency. The bill seeks to eliminate this imbalance of available resources in which the Congress today finds itself.

It is the belief of the Rules Committee that the creation of the joint committee, together with the enlarged Congressional Research Service in the Library of Congress, will enable Congress to greatly increase the quality of its legislative efforts and to obtain independent source information upon which to base its decisions.

The Committee on Rules is aware that Members and committee staffs are overloaded with current committee legislative responsibilities. To help insure that full advantage can be realized from the new and expanded information sources made available, the bill proposes to increase the permanent professional staff now authorized for each committee in the House. This increase from four to

six professional staff personnel is long overdue. Each session brings greater committee responsibilities in addition to oversight and extension of existing programs, plus hearings on new legislative proposals. Competent professional staff work at the committee level is a necessity. The Committee on Rules further believes that committee staffs should be increased to insure that, as the new information sources and services become available, the committees will be able to utilize them to their fullest.

Along with increasing the permanent professional staff of each committee, the Committee on Rules also recommends that the minority members of the committees have the right to choose their own minority staff. To accomplish this result without damaging the existing committee system and the legislative process was most difficult. The points of view among House Members were quite numerous and varied.

Your committee recommends that the minority of a committee, upon request, have the right to nominate for employment two of the six professional staff and one of the six clerical staff allotted each committee. The full committee would retain the right it now has to hire or fire all committee employees by a majority vote. But it could not substitute another nominee for that put forward by the minority. Minority members would retain the exclusive right of nomination until all minority staff positions were filled.

Your committee believes that such a system of selection and appointment will assure, by rule, that the minority's right to staff is protected, while at the same time retaining for the full committee the final authority over the entire committee staff. Only one staff will serve each committee, not two competing ones, and each party will be served by professional staff of its own choice.

This change may well require two additional staff members for a period of time. No competent staff member will be terminated in order to make a position available for a minority staff member. It is hoped and believed that the changes can take place by attrition within a reasonable time.

Many suggestions were made by members of the minority in connection with this situation. Some felt that the minority should have an absolute right to hire and fire the minority staff members. Some felt that the staff should be based on a proportionate basis in accordance with the number of majority and minority members. I personally feel that the majority members of the Rules Committee were very fair to me in agreeing to the language in this bill. Further, I firmly believe that the majority of the Members should always have control. Otherwise, I think there could well be chaos and confusion.

The bill will create a new Capitol Guide Service. All guides will become congressional employees, with the attendant rights and benefits. All present employees will be transferred to the new Service. Additionally, public tours of the Capitol Building will be free to all visitors.

The bill also provides for the formal creation of the position of administra-

tive assistant in the office of each Member, with an increase in salary equal to that paid Senate employees holding the same position. This section is permissive. Each Member may determine whether or not to so designate any employee and whether or not to increase his or her salary.

The page system is restricted by the bill. All pages will have to have completed their high school education and shall not have reached 22 years of age. While no such requirement is written into the bill, the committee expects most pages to be actively pursuing their college education at a local school, as are many other congressional employees. This change in the page system was undertaken because of current need to either change the present system as here proposed, or to construct an adequate dormitory for all pages to insure necessary off-hour supervision and safety of the young men.

Finally, the bill proposes the creation of a five-member commission to study ways of improving the visitor facilities now provided in the House galleries, and upon presentation of the Commission's recommendations to the House, implement its plan through the Architect of the Capitol, who shall have charge of the work.

Mr. Chairman, I realize that H.R. 17654 will not be completely acceptable to all Members. Information is that some Members do not feel that any reorganization is necessary. Some feel that this measure does not go far enough. The five-member subcommittee attempted to write a bill upon which they could unanimously agree with all the provisions therein. With few exceptions the bill presented to you is the unanimous agreement of the subcommittee. In the very few instances where we were not in unanimous agreement, the members knew the reservations of each of the other members.

As an example, I am not absolutely convinced that broadcasting and television committee hearings is the proper thing to do. I am not entirely convinced that the changes in the page system are advisable. I am not entirely convinced that this bill should be used for the purpose of creating the position of administrative assistant in the office of each Member. Possibly this should be done by the Committee on House Administration.

However, Mr. Chairman, I want to make my position crystal clear in that I intend to support the committee bill. If the vote on final passage were now occurring, I would wholeheartedly support the measure and urge my colleagues to do likewise.

A word of caution, Mr. Chairman. If efforts are made to defeat this measure by killing it with kindness, or if numerous amendments are offered and adopted which materially change the intent and purpose of this measure, then, in my opinion, the end result will be that no reorganization bill will be finally enacted into law.

And, in connection with any amendments which are to be offered, it should be kept in mind that the pending bill changes House rules. Accordingly, the

amendment must be in accordance therewith. Some of the changes of the rules as proposed in H.R. 17654 actually took days to work out because many rules tie into many other rules. This may be a bit confusing, Mr. Chairman, but such is the situation.

In my opinion, this is a good bill and I repeat, Mr. Chairman, that I intend to support it and I hope that the vast majority of the Members will do likewise.

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

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

Mr. HUTCHINSON. Mr. Chairman, I would ask the gentleman if he can give us the rationale for incorporating in a legislative bill changes to the rules of the House when the Constitution gives the House the power to adopt its own rules?

The bill incorporates these changes in the rules in a legislative bill to be submitted for review of the other body as well as to the President. Would the gentleman care to discuss that for a moment?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SMITH of California. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, I would state to the gentleman from Michigan that it is very true that this measure will have to be passed by the other body, and have to be signed by the President. We figured that rather than just having a bill prepared that goes to the precedent of many kinds of things—and the details that I have given you here are very short compared to the length of the bill—but if we are going to make it effective we thought that we should do it in this manner, otherwise these changes maybe never would be effected because the rules can be changed any time. And the House is voting on these rules changes today.

Mr. HUTCHINSON. By the adoption of this bill in the House, does that accomplish a change in the House rules?

Mr. SMITH of California. No; it will not become effective until next January. It will have to be passed by the Senate and signed by the President before these changes become effective.

Mr. HUTCHINSON. So these changes that are now proposed do not become effective until after the other body has acted?

Mr. SMITH of California. No; the only way they can become effective would be if everything in the bill that relates to the House was taken out and introduced in another bill and brought up by a resolution from the Committee on Rules—and that was not our procedure.

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

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

Mr. PUCINSKI. The gentleman mentions changes being suggested in the handling of conference reports. Has any consideration been given in the committee to make conference meetings open and to have a record vote on conference reports?

Mr. SMITH of California. I do not think we went into having conference meetings open and record votes taken.

The only other provision we considered was on the time conference reports should be made available. We did change or offered a suggested change, of half to the majority and half to the minority Members, to discuss it. We went about as far as we felt we could go on conference reports and nothing was done on that.

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

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

Mr. HOGAN. As to the provision which allows House Members to have an individual designated as an administrative assistant to be on a salary on a comparable basis with the Senate; do we perpetuate the limitation on the number of employees authorized?

Mr. SMITH of California. The number is not increased.

Mr. HOGAN. So this would give us one employee with a higher salary rather than an additional employee?

Mr. SMITH of California. He must be one of your present employees. We are not giving an additional employee. That is the House administration function. It is the same number and the increases are designated in your top base pay from \$7,500 to \$8,955; \$1,455 would be added to take care of that one increase for one present employee, if you so desire to designate him.

Mr. HOGAN. I thank the gentleman.

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

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

Mr. BROTZMAN. Mr. Chairman, later this week, the House will be asked to vote on H.R. 17654, the Legislative Reorganization Act of 1970. This legislation represents a serious effort to make the Congress more responsive and responsible to the people of the United States.

Since I first came to Congress in 1963, I have been an advocate of legislative reform. I particularly congratulate the Rules Committee for including several provisions in H.R. 17654 which would make Congress more open to the public. Opening more committee meetings, recording for publication the votes taken in committee meetings, and allowing radio and television coverage of certain committee activities will help alleviate the charges that Congress acts secretly.

In fact, these were among the chief features of the legislative reform bill I introduced early in the 91st Congress.

Despite the many excellent provisions contained in H.R. 17654, Mr. Chairman, I do feel that one amendment which will be offered would substantially improve the bill's objective of achieving a more responsive Congress. I am referring to the amendment on teller votes to be offered by the distinguished gentleman from California (Mr. GUBSER) and the distinguished gentleman from Massachusetts (Mr. O'NEILL).

The amendment operates very simply. One-fifth of a quorum—20 Members—would be able to obtain a "record teller vote." This is the same number as may now demand a simple teller vote. Members would still file past the tellers to be counted, but clerks would check off how each Member votes. Votes would then be

published in the CONGRESSIONAL RECORD on many important matters which currently go unrecorded. Sufficient time would be allowed for Members to reach the floor when a record teller vote is ordered.

Mr. Chairman, this amendment will go a long way toward assuring that the people of the United States are informed of the activities of their Congress and their individual Congressman. I encourage all of my distinguished colleagues to support it when H.R. 17654 is brought to the floor later in the week.

Mr. SISK. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri (Mr. BOLLING).

Mr. BOLLING. Mr. Chairman, the general debate has proceeded, as often was the case in the subcommittee, with the chairman and the ranking minority member having done a very excellent job of presenting the facts on the bill.

I join with them in their comments as to the efforts of the other members of the subcommittee and of the full committee, and also join with them in their comments with reference to the enormous amount of hard work done by the staff.

Mr. Chairman, this is a bill which probably satisfies no one—and which should please everyone. Because for the first time in 24 years, at least Members of the House of Representatives have an opportunity to work their will on the subject of congressional reorganization.

At any time, the House can, presumably, work its will on House reorganization. But this bill concerns itself with congressional reorganization.

I know of no member of the subcommittee or of the full committee who claims perfection for this legislation. I know that there are going to be many, many amendments. If all that are suggested are offered, I guess there will be several hundred amendments offered.

This bill represents a compromise in the true democratic—small "d"—sense of the word, and it gives to Members, with some limitation, Members who are not on the subcommittee or on the full committee an opportunity to offer for the consideration of the whole legislative body any improvements that they may have.

I am aware that a great deal of effort has been put into this matter by Members who did not serve either on the Joint Committee on Organization or on the Rules Committee. I am going to say very little more because I believe the truly fruitful time in this debate will come after the general debate when we go into amendments under the 5-minute rule. I think we should remember one thing: while this is the first time in 24 years that the House will have debated a reorganization bill, the debate of the House this week, or if it takes more than a week, in the next couple of weeks, will not in itself accomplish anything. As has been pointed out, it will require action by the Senate. I happen to believe, as I felt when we established the first Committee on Standards of Official Conduct in the history of this institution, that the thing that is important is the end result, and it seems to me very clear that the house-keeping provisions of this institution require modernization. I hope the end re-

sult of this debate and of the action of the other body will be that we will have taken a significant step in the direction of bringing this institution and its house-keeping endeavors into modern times.

There are clearly many areas in which we do not take advantage of technological advances, of advances in methods of organization on which we should be able to agree, so that this institution, a key element in the Federal Government, one-half of one of the three branches, may be fit in its organization, in its use of modern devices, to carry on the public business. I hope, and I know that the consideration which will be uppermost in the minds of all Members as we debate this bill in the days ahead will be, that this is not a subject exclusively for the House, exclusively for the Congress of the United States, or, indeed, exclusively for the other branches of Government—the executive branch and the judicial branch—but that this is the subject of seeing to it that the people's business, insofar as it is carried out by the House of Representatives and what we call the other body—the Senate of the United States—is carried out in the way most advantageous to the shortrun advantage and the longrun advantage of the people of the United States.

Mr. Chairman, I thank my chairman and I thank the other members of the subcommittee and the staff for the privilege of working with them on what may be an important step forward in the history of the United States.

Mr. SMITH of California, Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. LATTI).

Mr. LATTI. Mr. Chairman, I agree with everything the gentleman from Missouri has just said. We are entering a period of debate covering the next couple of days, perhaps covering the next couple of weeks, which will be important not only to this session of Congress but to many sessions of Congress to come. I do not think we ought to take this debate lightly. The Members should be on the floor to listen to the debate, because some of the rules proposed to be amended should be amended and others should not as they are designed specifically to expedite the business of the House of Representatives.

I have read some of these proposed amendments. I might say they were all considered by the subcommittee. Some of them, in my opinion, should have been adopted by the subcommittee. However, should some of these proposed amendments be adopted, the House of Representatives will be unable to function with the necessary speed which some occasions demand.

So as we consider some of these amendments we should not lose sight of the fact that we are here to take care of the people's business and that we should do so in an expeditious and proper manner. We should not permit the people's business to become bogged down by the application of unnecessary and cumbersome rules of procedure.

During my service in the House, I have been concerned over the Senate to adopt a rule dealing with the germaneness of amendments. We have witnessed in this

session of Congress the attachment of nongermane amendments by the other body to House-passed bills. For example, just recently, we passed the extension of the voting rights bill. The Senate attached a nongermane amendment dealing with the right of 18-year-olds to vote. Members of this House were deprived of the opportunity to cast a vote on the right of 18-year-olds to vote. We had to approve of the Senate amendments or vote to send the bill to a conference committee. I think this is absolutely wrong. I hope when this bill gets to conference our conferees will be able to prevail upon the conferees of the other body to forgo this practice and subject itself to a rule on germaneness. If only this one matter is accomplished, I think that this Congress will have performed an invaluable service for succeeding Congresses.

In conclusion let me say that working on this bill for many months with a diligent staff has been a pleasure. Without the help of these staff members, it would have been impossible to have this bill before the House today. As one member of the subcommittee, I want to extend my heartfelt thanks to all of these fine people.

Mr. SMITH of California. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, today ought to be called Sisk-Smith Day and ought to be declared a holiday for the fact that this bill is on the floor at all. I commend both the distinguished gentlemen from California (Mr. SISK), the chairman of the subcommittee, and Mr. SMITH, the able gentleman from California who is the ranking Republican on the subcommittee for what I know have been untold hours of labor and negotiations and compromise to achieve the result that is here today in the form of H.R. 17654. I am grateful to the gentleman from California (Mr. SMITH), for this time.

The bill is a good bill. It does much that needs to be done and it would not be well for any of us who are at all interested in the modernization and the updating of the procedures and practices of the House of Representatives in any way to take away from the work of the Committee on Rules.

That is not to say there are not features of that bill that some of us might like to see deleted or that there are not features that, in the judgment of myself and I know of others, ought to be added to improve and build upon the work of the Committee on Rules. That, it seems to me, is what the House can do in working its will today and tomorrow as we begin to undertake our work on this bill.

I call particular attention to section 121 on page 42 of the bill brought by the Committee on Rules, which I think ought to be called the Rumsfeld section. There will now be a change in the House rules relating to the reading of the Journal, which means we may no longer have that opportunity we did in the 90th Congress to have a 24-hour session by interrupting the reading of the Journal for the purpose of calling quorum calls. That feature—the old reading of the

Journal—ought to have been done away with a long time ago. I commend the Committee on Rules, but I would not want the day to pass without paying tribute to our former colleague, Donald Rumsfeld, who undertook to lead the group on that day, called by some Rumsfeld's Raiders, in having called the attention of the House to an obsolete section that this bill takes care of, and it may have been the spark that led to this bill's coming to the floor today.

Mr. Chairman, there are at least two sections of the bill about which I have some serious questions. One is that provision described by the able gentleman from Ohio, a member of the subcommittee, which relates to the germaneness of Senate amendments. I would hope we might delete or at least modify the proposed rule regarding germaneness of amendments.

The other is to provide a method of working out the ability of the Committee on House Administration to continue to do its job on data processing and information retrieval systems.

I personally have some serious questions about the creation of a Joint Committee on Data Processing, if that means the work of the Committee on House Administration would in any way be slowed down.

On March 4, 1969, the House Republican Policy Committee quoted from a statement in the Republican platform of 1968 which said:

Congress itself must be reorganized and modernized as a co-equal branch of government.

and then went on to quote from a May 10, 1967, Republican policy committee statement:

The awesome problems of today and the challenges of the 70's demand an efficient and effective Congress. Unless Congress is strengthened and new procedures and techniques developed, there is grave danger that the historic role of Congress as an essential check on the massive power of the Executive may be dangerously diluted. Legislation is needed to update and modernize Congress.

This bill provides the vehicle for updating and modernizing the rules and practices of the House of Representatives.

There are in some ways amendments which will be offered which I believe will do more than the bill presently provides to fully implement the statements that have been made by so many about the needs of the Congress.

There will be an amendment offered, for example, by the distinguished gentleman from Massachusetts and the gentleman from California, the so-called O'Neill-Gubser amendment, to provide for record teller votes. For the first time at least that I can remember as one Member of the House for a very short time, and having studied the House before that, a serious effort will be made to attack the problem of secrecy on the floor of the House in the Committee of the Whole. I believe the record teller vote amendment, if it is adopted, and I hope it will be, can do as much as any other single amendment to improve the ability of the public to know the public's business in the House of Representatives. At

this point, Mr. Chairman. I want to include a letter from the AFL-CIO which states well the need to adopt the O'Neill-Gubser amendment:

JULY 10, 1970.

The AFL-CIO urges you to support the O'Neill-Gubser amendment to H.R. 17654, the Legislative Reorganization Act of 1970, aimed at curbing secrecy in the House of Representatives.

Action on H.R. 17654 will represent the first major change in Congressional rules since the Reorganization Act of 1946—more than two decades ago.

The O'Neill-Gubser amendment, cosponsored by a bipartisan group of 54 other members, calls for the recording of teller votes and spells out a procedure that will increase participation in the Committee of the Whole while ending the secrecy of voting on crucial amendments.

Along with many others in this country, both inside and outside the Congress, the AFL-CIO has long called for such reform. At the AFL-CIO's Fifth the Constitutional Convention, in 1963, a resolution on "Congressional Reform" declared:

"Until Congressional reformation is achieved, America will be trying to resolve its vast automation and atomic age problems with a horse-and-buggy legislative mechanism."

The resolution called upon "all members of the Senate and House to give immediate and intensive consideration to Congressional rules and customs reform."

Another bipartisan reform effort deserving special attention deals with the early availability of conference and committee reports. The traditional secrecy of the Appropriations Committee, for example, makes it extremely difficult for members to consider intelligently—and act upon—the funding of all government programs and activities. There is no need for such secrecy except in instances of national security.

Ending secrecy in the House of Representatives is clearly in the public interest and will help to restore confidence in the legislative process.

The AFL-CIO urges you to be present, on the floor, when H.R. 17654 is before the House. It would be ironic, indeed, if the O'Neill-Gubser amendment to end the secrecy of teller votes failed because of poor attendance on a non-recorded teller vote.

Your support of these bipartisan reform efforts will help to bring about badly needed and long overdue changes in present House rules and procedures.

Sincerely,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

An amendment will be offered to provide for a layover of conference reports of 3 days. This goes beyond the Committee on Rules bill and provides that there shall be at least 3 days in which the Members of the House can study conference reports. I must say that the Committee on Rules bill in giving time equally between the minority and the majority has taken a big step in the right direction to correct a weakness that has been present in the rules too long. I believe the Brademas-Erlenborn amendment will do much to help.

Third, BILL HATHAWAY of Maine and ORVAL HANSEN of Idaho will offer an amendment to provide for open committee sessions. The Committee on Rules bill goes to this problem, but in my judgment does not go far enough in terms of insuring that open committee sessions shall be the rule instead of the exception.

Fourth, there will be an amendment offered by DANTE FASCELL and HENRY

REUSS, and BOB STAFFORD and WENDELL WYATT, to disclose record votes in committee. The Committee on Rules bill would be changed to provide that instead of simply announcing the vote for and against a particular motion, that vote be a recorded vote and that the names of Members be announced, and it be indicated whether they voted by proxy or in person. I believe this, too, will go a long way toward insuring that the public has a right to know what happens behind closed doors, if in fact the doors are closed.

Fifth, there will be an amendment offered by Members such as LLOYD MEEDS, ABNER MIKVA, SAM STEIGER, and JIM HARVEY on the debate on motions to recommit with instructions, so that we will not go through this process we go through today of perhaps having had 5 minutes to explain a motion to recommit with instructions, but to provide, to the extent we can, given the power of the Rules Committee, that there be 10 minutes available for motions to recommit with instructions.

OTIS PIKE and BILL FORD of Michigan, along with TOM RALLSBACK and JACK EDWARDS, will offer an amendment to provide for a guaranteed debate time on amendments that were printed in the RECORD.

I must say that this is an amendment which has some problems, but which is aimed at attempting to find a way to take care of that Member who has spent a considerable amount of time on amendments to bills and then gets cut off when a time limitation is imposed. And the Members vote in haste on amendments without explanation.

Seventh, DICK WHITE, MORRIS UDALL, BOB TAFT, and ED BIESTER will offer an amendment designed to shorten the time required for quorum calls. We now spend, it is estimated, 26 minutes on each quorum call. Frankly, I think that is too long. I would like to see the amendment they intend to offer adopted so that we can find a way to shorten the time required for calling the roll without shortening the time available for Members to be recorded.

The distinguished gentleman from Missouri, the remaining ranking member of the original commission on congressional organization in 1965 and 1966, Mr. HALL, and I will have an amendment to offer which will establish a Joint Committee on Congressional Operations. Of all of the recommendations made by that original joint committee, on which served Mr. HALL, Mr. CLEVELAND, Tom Curtis on our side, formerly a Member of this body, this is the one recommendation which is not in this bill of the Rules Committee and which I happen to think does belong in it if the House is not to go another 24 years before we have reform before us again.

At this point, Mr. Chairman, I want to include that section of the final report of the Joint Committee in the Organization of the Congress, Report No. 1414, which discusses the need for this joint committee:

JOINT COMMITTEE ON CONGRESSIONAL
OPERATIONS

During the course of the Joint Committee's deliberations, it became apparent that a

number of the recommendations will have to be implemented gradually and that further exploration and planning will be required. Also, a number of witnesses urged that provision be made for continuing examination of the organization and operations of the Congress, with a view to recommending changes that would help keep the Congress in step with modern and rapidly changing techniques. We do not believe, and do not recommend, that the life of this committee should be extended for these or any other purposes. However, in our judgment, it is essential that the Congress establish a centrally constituted agency under which certain existing functions can be consolidated, and which can be charged with new and important functions that significantly involve the Congress as an institution, as well as continuing scrutiny of its organization and operations, including implementation of the present recommendations. We therefore recommend as follows:

1. Congress shall establish a Joint Committee on Congressional Operations, consisting of 10 members, 5 of whom shall be appointed by the Speaker of the House of Representatives and 5 by the President pro tempore of the Senate. No fewer than two of the five appointed by the Speaker shall be members of the House Committee on Government Operations and one shall be from the majority and one from the minority, and no fewer than two of whom shall be members of the Committee on House Administration and one shall be from the majority and one from the minority. No fewer than two of the five appointed by the President pro tempore shall be members of the Senate Committee on Government Operations and one shall be from the majority and one from the minority, and no fewer than two of whom shall be members of the Senate Committee on Rules and Administration and one shall be from the majority and one from the minority.

It is fitting that members serving on these designated committees predominate the membership of the proposed joint committee because of their familiarity with issues of this nature. The foregoing language governing makeup of the committee is also sufficiently flexible to enable the Speaker and President pro tempore to appoint members to the joint committee who have both the interest and the time to devote to the work involved.

2. The Joint Committee on Congressional Operations shall make a continuing study of the organization and operation of the Congress and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the U.S. Government, and enabling it better to meet its responsibilities under the Constitution.

While this language is virtually identical to the charge given the present Committee under the terms of Senate Concurrent Resolution 2, it appears, nevertheless, to be appropriate for the proposed joint committee. Matters involving relationships between the Senate and the House would also come under the purview of the joint committee. The language is also intended to charge the joint committee with continuing the implementation of this Committee's recommendations as are adopted by the Congress.

3. The functions of the Joint Committee on Disposition of Executive Papers shall be transferred to the Joint Committee on Congressional Operations.

This joint committee meets infrequently, as it does not have a heavy workload. Its functions appropriately could be absorbed by the proposed joint committee.

4. The Joint Committee on Congressional Operations shall be authorized and directed to explore and evaluate automatic data processing and information retrieval systems with a view to determining the feasibility of

their use in congressional operations and recommending such installations as may be found appropriate.

We received a great deal of testimony encouraging the use of data processing techniques. Members and staff visited various computer installations and demonstrations. The study of the legislative workload, as indicated in Appendix A, made use of computers to process the data. We determined that any automatic data processing or information retrieval system of consequence must be developed step by step and be based on thorough planning and programing.

There are a myriad of potential applications of data processing techniques, such as (1) establishment of a central committee meeting scheduling service, with a view to minimizing meeting conflicts; (2) application to various business-type operations of the Congress; (3) bill drafting service, as an aid to the legislative counsel in both Houses; and (4) daily bill status service. The feasibility of these and various other applications should be explored in regard to ultimate adaptation to congressional operations.

Such exploration not only will require considerable inquiry but also involves determination of priorities as to which possible applications would be most beneficial. As a result, the committee felt that the responsibility, at least for overall direction and planning, should be lodged in a single agency that would represent the Congress as a whole. Once there is a determination of feasible applications, the joint committee must address itself to the question of the administrative organizational arrangement necessary to provide the data processing services as efficiently and economically as possible.

5. The Joint Committee on Congressional Operations shall be given continuing responsibility for identifying court proceedings and actions affecting the vital interests of the Congress as an institution and for determining, with the approval of the leadership of both Houses, whether the Congress should be appropriately represented in these actions.

The Congress, its committees and its Members are sometimes involved as parties litigant. Traditionally, representation in these cases has been by private counsel, sometimes not paid for by the Congress or by the Department of Justice.

In addition, the constitutional authority of the Congress, the will or intent of Congress, and even the application of parliamentary rules have been passed upon by the courts. In a few cases involving constitutional powers, the Congress has been represented through appearances by Senators, Representatives, or attorneys as *amicus curiae*. This representation has been on a sporadic basis and sometimes at no expense to the Congress. In contempt and perjury cases involving the powers of the Congress and its parliamentary procedures, Congress usually has been represented by the Department of Justice.

This legal representation of the Congress with respect to its vital interests is unsatisfactory and the effect upon Congress of court decisions should be a matter of continuous concern for which some agency of the Congress should take responsibility. This function appropriately can be vested in the proposed joint committee, acting with approval of the leadership of both Houses.

6. The Joint Committee on Congressional Operations shall be designated as the supervising agency for such functions as lend themselves to central supervision rather than separate direction in each House.

There are a number of functions, particularly in the Capitol housekeeping category, which might be centrally consolidated into a more effective operation. The Committee's recommendations regarding the establishment of an Office of Personnel and Office Management and the Capitol Guide Service should be centrally supervised. (See Capitol

Housekeeping Functions.) The joint committee should also initiate studies of other functions that might be centralized.

The Committee's studies should include a review of existing salary differentials between the two Houses, with a view to recommending comparable pay levels for comparable positions of responsibility.

7. The Joint Committee on Congressional Operations shall be authorized to appoint staff members on a permanent basis, and to employ, on an intermittent basis, such expert consultants or legal counsel as it may need in the conduct of its duties.

At least in the beginning of its operations, the joint committee will require a small corps of professionals, numerically similar and not in excess of staff recommended for the standing committees of the House and Senate. They should be selected solely on the basis of qualifications and fitness to perform their duties. Particularly in connection with the joint committee's responsibility for exploration of automatic data processing techniques, however, the regular staff and the committee should be able to make use of the best expert opinion available outside the regular staff. The Committees on Government Operations have done considerable work in this field, particularly as it relates to the executive agencies, and the staff of the proposed joint committee would be expected to avail itself of this experience, as well as that of other committees. In fact, a great deal of expertise exists throughout the Government and should be made available to the joint committee. But where this help is not otherwise accessible, the committee should have authority to employ consultants.

8. The Joint Committee on Congressional Operations shall be required to report from time to time to Congress on its operations and the results of its studies, together with its recommendations.

The joint committee should be permitted to report, by bill or otherwise, its recommendations with respect to matters within its jurisdiction. All such reports and findings of the joint committee, when filed, should be referred to the appropriate committees of each House of Congress.

Last, there will be an amendment offered on minority staffing which the distinguished gentleman from California (Mr. SMITH), discussed and which does try to grapple with some of the problems that he brought forward in terms of guaranteeing that the minority would handle their own staffing without reference to the majority and vice versa and that there would be a split in the funds of the investigative staff to provide a one-third to two-thirds split.

In addition to that, Mr. Chairman, with all of the other amendments to be offered, I hope we do not lose sight of the fact that this bill is a good bill and it does do good things. We ought to keep in the radio and television time provision, for example, and the good things in title I, which need strengthening.

There are some things, two of which at least were left out, about which I might say a word.

One is to change the fiscal year to the calendar year. This poses lots of problems for different people in the executive branch as well as in Congress, but I hope an amendment will be offered to make a change in the fiscal year. It was in the original Sisk subcommittee bill, but it was dropped from the full committee bill. Perhaps the gentleman from California (Mr. SISK), will, at the time the

amendment is offered, give us some reasons why that change was made.

The second area relates to purifying the CONGRESSIONAL RECORD. The present CONGRESSIONAL RECORD is not a true reflection of what happens on the floor and some steps to correct this problem should be made. I hope an amendment on this matter will be offered.

Reform of the House has been long in coming but H.R. 17654 is a sound foundation upon which major improvements can be made. I intend to work for those improvements.

Mr. SMITH of California, Mr. Chairman, I yield such time as he may require to the gentleman from Washington (Mr. PELLY).

Mr. PELLY, Mr. Chairman, I want to compliment the gentleman from California (Mr. SISK), and the other members of the committee, for bringing this reorganization bill up for consideration of the House.

Mr. Chairman, the experience of my many years in Congress has taught me one thing; namely, that the issue of congressional reform is something akin to Mark Twain's remark about the weather—everyone has talked about it, but little has been done about it.

But, I am happy to admit that, nevertheless, progress has been made in recent years as was the case in 1968 when the House of Representatives established a Committee on Standards of Official Conduct and required financial disclosure of Members' financial interests. This was not a giant step, perhaps, but it was a step in the right direction.

Actually, Mr. Chairman, I had begun a sort of crusade 10 years earlier in an endeavor to get Congress to review the entire subject of a code of conduct for public service and establishment of rules to strengthen the faith and confidence of the American people in their Government. I made many speeches in this Chamber on that subject.

Likewise, during my service in Congress I have constantly sought changes in procedures and other reforms to increase the efficiency and improve oversight and scrutiny by the press and by the public of the actions of Congress and individual Congressmen; especially in the House and in our committees.

At long last, the Legislative Reorganization Act of 1970 offers another remedial step to improve this aspect of the legislative branch of Government. Again, as reported from the Committee on Rules, it fails to completely satisfy many of us, but this time it is a giant step in several respects.

This new bill provides for new expanded sources of information and research and budgetary assistance by automatic data processing. It strengthens the House rules for better committee practices. And, it improves the rules covering floor procedure.

In 1965, a joint Senate-House Committee on the Organization of the Congress was established, and I testified in person before it. But, unfortunately when the committee reported a bill in 1967 making changes in jurisdiction of House committees, it aroused considerable controversy and, as a result, no ac-

tion was taken by Congress. But, the new reorganization bill now reported by the Rules Committee benefited by that earlier attempt to reform the procedures of Congress.

Mr. Chairman, this reform legislation, of course, does not deal with the seniority system because the seniority system is not a procedure established by Rules of the House. Instead, it is an unwritten custom used by both political parties as a factor in selection of party leadership in each standing committee. Any party could change its method of ranking its members on the basis of length of service.

As it is now, members of the majority party on a committee can select any of the committee members as chairman. In other words, seniority does not have to be the basis of selecting a chairman and by majority vote of the majority members of a House committee, a chairman can be deposed, and it has happened. Personally, my view is that the criticism should be that the chairman of committees are too powerful, and any reform would be better to call for more democratic procedures.

In other words, I believe a downgrading of the powers of committee chairmen is more desirable than a change in the method of selecting a chairman, and the House should provide against capricious or obstructionist tactics by a chairman, but here even now a majority vote of the members of any committee can bypass and override a capricious chairman.

Mr. Chairman, I am awaiting with interest the report of a special task force on seniority of House Republicans which has been studying the issue. I came to Congress as a freshman with a desire to end the seniority system, but after observing this custom work, I think it has two points in its favor; it recognizes experience of Members, and it provides a simple way of stabilizing politics. No doubt it can be improved, and I would expect to support any such plan even though on the basis of my length of service I would be a committee chairman if Republicans gain control of the House. Frankly, on my committees, we are almost completely free of partisanship and we work in harmony.

As I have tried to indicate, Mr. Chairman, throughout the years of my service in Congress, one of my major interests has been congressional reform because nothing to me is more important than respect for this Congress by the people it represents.

I strongly support H.R. 17654, to improve the operation of the legislative branch of the Federal Government. As I said, this bill represents progress which has been all too slow in coming, but to those who criticize our system, I would remind them, with all its shortcomings, our Government is the best in the world, and I thank God I am fortunate enough to live under it.

Mr. SISK. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. Reuss).

Mr. REUSS. Mr. Chairman, a little over a month ago, on June 4, Congressman CHARLES VANIK and I proposed a

four-point program for House reform. The most important reform issues, we suggested, were seniority, record voting, committee democracy, and secrecy. More specifically, we advocated open, democratic selection of committee chairmen in party caucus through record ballots, provision for recorded votes in Committee of the Whole, divesting committee chairmen of arbitrary powers, and an end to secret committee sessions.

To bring about these changes, we said then, the vigorous support of those who aspired to House leadership positions was needed. To a large extent this support has been forthcoming, and we stand now on the verge of accomplishing a significant part of that reform program.

SENIORITY

To many, the seniority system is not a matter that should be dealt with in the Legislative Reorganization Act.

The Rules Committee report says, Seniority relates to party practices and customs, and a joint reorganization measure is not an appropriate vehicle for dealing with party activities in Congress.

Furthermore, it is argued, both parties have appointed committees to study the problem of seniority and it would be premature to make changes before the committees have completed their work. Finally, the two parties appear to be moving toward different solutions to the seniority problem, the Republicans favoring selection of committee chairmen by vote of committee members, while Democrats lean toward selection of chairmen by the Democratic caucus. To try to embody either one of these selection procedures in the House Rules would mean courting the opposition of a large bloc of Members who might favor a change in seniority but who disagree over what should take its place.

Congressmen VANIK, REES, MACGREGOR, and I have settled on a seniority amendment which we hope will meet these objections. The amendment would simply add to the section of the House rules dealing with selection of committee chairmen a provision stating that the chairman of a committee need not be the Member with the longest consecutive service on the committee.

The amendment would not interfere with party practices and customs. Each party would still be free to select its committee chairmen in whatever way it saw fit. All the amendment says is that seniority does not have to be the sole determinant in that selection.

Nor does the amendment anticipate prematurely the recommendations of the Hansen and Conable committees on seniority. What it does is clear the way for some kind of change in the present system, leaving it to those committees to determine what that change should be.

Finally, the amendment walks a line between Republican and Democratic preferences for seniority reform, and represents, hopefully, a principle that both parties can agree on.

The amendment may indeed be simply symbolic or advisory, but it is something, and something is better than nothing. To a great many people in this country, congressional reform means changing the seniority system. If we spend a whole

week on this bill and do nothing at all about seniority, it will do little to increase public confidence in this body. I think it is time for the House to say to the American people and to the two committees considering seniority reform that we are not tied to the principle of seniority, and that we are ready for change. The amendment we propose would do that.

RECORD TELLER VOTES

The present system of permitting unrecorded teller votes in the Committee of the Whole has an ancient lineage. During the reign of Charles I in England (1625-49), intense controversy grew up between the King and Parliament, and in 1641 Parliament began the practice of secret teller votes in Committee of the Whole to keep the King and the Speaker, who was the King's appointee, from learning how Members were voting.

Parliament took care of the immediate problem in 1649 by beheading the King, but secret teller votes persisted for nearly two centuries more until they were finally abolished in the 1830's.

When the American Congress was established, the Committee of the Whole procedure, along with secret teller votes, was taken over from the British Parliament. Attention to British practice seemed to lapse after that, however, because secret teller votes have continued in this country long after their abolition in England.

At long last, however, it appears that this anachronism will be ended. If the O'Neill-Gubser amendment to record teller votes passes, as I am confident it will, it will bring significant changes to the House. Much credit is due the Democratic study staff and the Members from both parties who have worked so hard on this amendment.

COMMITTEE DEMOCRACY

There is little in the Legislative Reorganization Act that puts any limits on the powers of committee chairmen. The existing provisions dealing with the calling of committee meetings are simply restated in somewhat clearer language, but, as the Rules Committee report says, "without appreciable change." The bill does contain a provision permitting the majority of a committee to get a bill approved by the committee reported promptly if the chairman fails to act, and another giving committee members more time to file minority or supplemental views. That is about it, however.

There is much more that could be done. The majority of a committee should have a much greater say in the scheduling of witnesses, hearings, and bills than they do on many committees, for example. Hopefully this problem can be dealt with by amendment on the floor.

COMMITTEE SECRECY

The two most important issues here are open committee meetings and recorded committee votes. The Legislative Reorganization Act is inadequate in both areas.

It continues the existing practice of allowing the majority of a committee to close any and all meetings for any reason, and it continues to permit secret committee votes, adding only the not very useful requirement that vote totals be announced.

However, amendments will be offered on the floor to deal with both of these problems. The open committee sessions amendment will require that all committee hearings and meetings be open to the public unless the committee, by rollcall majority vote in open session, decides otherwise. Furthermore, committees would not be allowed to vote to close more than one meeting at a time.

The amendment to require disclosure of record votes in committee will be offered by Congressmen BINGHAM, FASCELL, STAFFORD, WYATT, and myself. It provides that:

The result of each rollcall vote in any meeting of any committee shall be made available by that committee for inspection by the public at reasonable times in the offices of that committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and whether by proxy or in person, and the names of those Members present but not voting.

The proposed Senate rule on committee voting goes further than this, requiring that the committee report on all bills contain a tabulation of all record votes on that bill, including a listing of how each Senator present voted.

The House Rules Committee considered this Senate requirement to be an undue burden on the operations of the committee, and required only that vote totals be announced in the committee report. We do not feel that our amendment will be unduly burdensome. The present rule XI, clause 27(b), requires that each House committee keep a complete record of the votes on any question on which a record vote is demanded. All our amendment does is require that this record be available for public inspection in the committee office at reasonable times.

Mr. Chairman, I hope that when this week is out the agenda for House reform will be greatly shortened. We can do a good deal this week, but there will always be more to do. The House should not sit still while conditions change all around it. Reform and modernization should be a continuing process, not something which only happens every 20 years.

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

Mr. REUSS. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. Would the seniority amendment which the gentleman has described and which is sponsored by him, the gentleman from Ohio, the gentleman from California (Mr. REES) and myself, in any sense preclude the most senior Member in terms of continuous service from being chosen to be the chairman of the legislative committee involved?

Mr. REUSS. It certainly would not. It carefully preserves what to me is an important ingredient in the decision-making process by the majority party. Certainly, length of service on the committee does give the senior person a tremendous and deserved headstart, and far from diluting it, the amendment would clearly recognize it.

Mr. MACGREGOR. Mr. Chairman, if the gentleman will yield further, the

adoption of this amendment would make it possible for the man ranking No. 2 or No. 3, or conceivably below that, to be chosen, but it is permissive; it is not mandatory that the man most senior be denied the opportunity to be the chairman of the committee?

Mr. REUSS. That is entirely correct. The idea at this stage is simply to have a referendum of the Members of the House of Representatives to see whether we do not want, as I believe we should want, to allow considerations other than pure, unadulterated seniority to enter into the selection process. Presumably we want to put forward to the Nation the most capable and competent people as chairmen of our committees.

Mr. SMITH of California. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. Mr. Chairman, I want to join in commending the chairman of the Special Subcommittee of the House Rules Committee and the ranking member as well as all members of that special committee for producing this legislation.

I suppose that I voice and echo the views of many Members who have supported congressional reorganization for many years and, certainly, since the creation of the Joint Committee in 1965.

I recall today testifying before the joint committee and hoping that they would produce a reorganization bill. Such a bill was passed in the other body in 1967, and then languished here. But now the Special Subcommittee of the Committee on Rules has produced a measure which, it seems to me, is meaningful, and which certainly points us in the direction of updating the processes and procedures of this body and of the other body.

My principal interest, when I first came to the Congress in 1963, was with regard to the budget. During my first term, I sponsored a measure which others also had proposed, and which had the active support of the chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLMER). That proposal sought to establish a Joint Committee on the Budget, to try to get the Congress to establish top limits on spending, to provide a schedule of priorities, and to produce something comprehensive with regard to the fiscal management of the Government. In that regard, it seems to me that the fiscal information which is made compulsorily available to Members of the House in the measure before us today, is a partial and, indeed, a substantial answer to the subject of better fiscal management on the part of the legislative branch of the Government.

Then, Mr. Chairman, I am pleased too, with the way in which the Rules Committee dealt with the subject of automatic data processing. In my opinion it is absolutely essential that the Congress have the ability to take advantage of the revolution in the handling of information that has come about since the advent of computers.

I am proud to have introduced the first legislative proposal designed to establish an independent, automatic data processing facility exclusively for the Congress. It seems to me that with the authority which is granted by this legislation, the joint committee can fulfill the needs and

requirements of this and the other body to the end that we can avail ourselves of the modern techniques and the best and most current sources of information available to us in our decisionmaking role.

I am pleased too that authority is granted for televising sessions of House committees. I would have liked to see that authority expanded so that we might have televised sessions in the House of Representatives itself. By that I do not mean that we should have the television cameras up there in the galleries all the time. I do not think all of our sessions merit the expense nor command the level of interest necessary for continual television. But we do have historic sessions and debates here, which, it seems to me, we should communicate to the American public.

The executive branch, of course, has advantages with regard to communicating by television. Also we know that we can leave this Chamber and be televised out in the hallway. But the American people are denied the opportunity to witness firsthand the debates that occur on the floor of the House. It is my hope and expectation that in the near future we should assure that that opportunity is made available to the public.

I am pleased, too, that we are giving some attention to the subjects of rollcalls and of rollcall votes. It is my understanding that an amendment may be offered with regard to the recording of teller votes, so that we can make an expeditious record for demonstrating the will of the House.

But it seems to me that in addition we should establish and have available to us an electronic rollcall facility on which we can electronically record our presence here, and electronically record our votes on different measures. It does not seem to me that this is too complicated or too advanced. Such a device would enable us, in the space of a few minutes, to record our votes here and avoid the time-consuming, laborious and painstaking task of calling the roll twice, and then recording the votes of those Members in the well. While the luxury of having 30 to 40 minutes to answer a quorum or a rollcall is pleasant, it is a time-consuming luxury we can ill afford today.

Such additional changes may be effected at an early date if we adopt an amendment to provide for the establishment of a continuing committee on legislative reorganization.

I just want to conclude by saying, I hope that such an amendment will be offered by the gentleman from Missouri (Mr. HALL), who served on the original special Joint Reorganization Committee. Several of the subjects to which I have made reference are the things which such a continuing joint committee might propose and which we might act upon on a continuing basis—without the necessity of waiting another 24 years to vote on constructive changes in the organization of the Congress.

Mr. SMITH of California. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Chairman, I join in the words that have been said by

several of our colleagues earlier, and I would even broaden them a bit, in expressing appreciation to those members of the Committee on Rules who have made possible our being here today and made possible what is going to happen in these days that lie ahead.

We so frequently engage in House proceedings in paeans of praise for events or for people that sometimes we make everything sound like a mountain and the risk arises that we will make every word of praise sound equally loud and merited.

I think what has been done in connection with congressional reform by a group of dedicated people, particularly the gentlemen from California (Mr. SISK and Mr. SMITH), is really quite considerable. Both of these gentlemen stayed with their pledged word which was given some months ago that they were going to work hard in their subcommittee to see that a meaningful bill on congressional reform came forth from the subcommittee, and then hopefully from the full Committee on Rules. They promised they would give it their best effort, and they have done all that could be asked of them. We are grateful for their being largely the instrumentality behind our being here today working on this bill.

Earlier in the discussion this afternoon, in today's general debate, our colleague, the gentleman from Michigan (Mr. HUTCHINSON) raised the question as to why we were adopting a procedure of working by amendments of the House rules, which are within our power in this body acting alone to achieve, without any action by the Senate and without any action by the President. Yet, we are combining a change in the House rules with the legislative process, which calls for action by the House and action by the Senate and for the signature by the President.

This was the decision of the Committee on Rules—and I do not seek to challenge or raise a serious question about that procedure at this particular moment except to express a personal hope. Namely, that if we act this week as I fully expect the House to act, we will not then retire from the field thinking all is won. If we find that this House rises up and faces this matter of amendment of the reorganization of the legislative process squarely and comes out at the end of the week, having passed with strong bipartisan support this measure which is before us at the present time, it still may not result in any change. We can act unanimously or near unanimously in the House, and still that will not get the change which we seek unless the Senate acts. The hope which I express is that if we find that, after we have acted, for any reason the other body fails to act, the Rules Committee will not then let the matter drop and it will take such action as is within its power to take and proceed with amendment of the House rules—which we can do by ourselves even without action by the other body.

I can understand the thinking of the committee in moving the way it is moving. We get strong action by both bodies. We get action which, though identical, would be so similar that we would be improving reciprocally what we would do. We would help the Senate to improve and

the Senate would help us to improve. So only if that effort does not succeed, if there is a failure on the part of the other body, I earnestly hope that we will not let the matter rest there.

I do not seek to repeat what was so eloquently said by the ranking Republican, Mr. SMITH, as he went down the summary of what is in the Legislative Reorganization Act. In the report which every one of us has in his hand, which was delivered to our offices, and which we will have here as we engage in debate, we will observe there is much good in this bill. I earnestly hope that as we spend the 4 hours of general debate touching on the provisions of the bill before us, and then a number of days actually touching on the amendments, no Member of this body, and certainly no member of the public who listens to what is said on this floor, no member of the news media, will come up with the idea that this is not a good bill. It is a good bill. There is much good in it. It is our hope that we will be able to improve it still more before we cast our final vote thereon.

The amendments that will be before us will be many. There may be a series of individuals who have individual amendments that they will propose, debate, and push. If we get the full panoply of the proposed amendments discussed, we will be here many hours. We will be dealing with more than 100 proposed amendments. I think we should give them all careful attention, and I am sure that we will.

There has been a bipartisan group that has met now for a number of weeks and engaged in extensive discussion. It began with consideration of more than 30 proposed amendments, and it weeded them down for one reason or another until it came to the nine proposed areas of amendments which were touched on earlier by the gentleman from Wisconsin (Mr. STEIGER). I shall not go over those again except to say that, as you listened to Mr. STEIGER, you heard him talk in terms of the specific proposed amendments and you also culled from it the idea that these areas of change involving all these nine amendments were areas of change dealing with making certain that the Members of the House, before they cast their votes, had ample time to know and to digest what it was we were to be asked to vote on, that that action which we as Members took in committee and here on the floor of the House would be known to our constituents and to the public, that there would be a saving of the time of the body in every way that we possibly could, and there would be a continuation of careful attention beyond this week and in the months and years ahead to the question of what we needed in further areas of congressional reform.

It is in continuation of this bipartisan approach that we will be coming forward with these particular nine amendments.

I think this week's action is extremely important. It is extremely important for two reasons: First, because substantively in this body it is important that we have the best possible tool to accomplish the matter of legislating. No carpenter

would want to work with archaic or rusty tools. No marksman would seek to hit a mark that he was striving to hit, that it was important for him to hit, with a gun that was archaic or rusty. We, charged with the task of legislating for the people of this Nation, have a real responsibility to make sure that the tools we use in the Congress are as sharp and up to date and as contributory to a good, final product as we possibly can get.

I close with saying it is my hope that this week we are going to find extraordinary House participation in this debate. Too many times there are occasions when motions pass in the Committee of the Whole House without the full participation by the House of Representatives. It is my earnest hope that the membership of this House will recognize the importance of what we do this week and will understand and remember that what we do this week will be with us for an indefinite period of time hereafter, and that we in large number will be on this floor to act.

Second, I hope we will be able to succeed in making some improving amendments to a good bill.

Third, I hope by what we do this week we will make clear to the people of this Nation—our constituents and those who are not our constituents—that we of the Congress take very seriously our responsibilities in this regard that we care, and that we want to do what we can do to make sure that this body acts in the most efficient and modern and effective way we possibly can.

I close finally by repeating what I said earlier. I hope and trust that, whatever we succeed in doing this week will not be considered the end of the road, and that we will act alone if the other body does not act with us on this measure. But hopefully it will act with us and we will succeed in passing this bill and having it signed by the President. It is important that this occur.

Mr. SISK. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana (Mr. JACOBS).

Mr. JACOBS. Mr. Chairman, I thank the gentleman from California (Mr. SISK) for yielding me this time. I pay my compliments also to the subcommittee and to both the gentlemen from California.

There are obviously some points within the reported bill on which disagreements will occur. I myself disagree with the provision with respect to the administrative assistants of Members of the House of Representatives. As I understand it, the problem is to have the administrative assistants on the House side receive the same salaries as the administrative assistants in the other body. I realize that is a very serious problem facing the Nation. But I have another solution to the problem. Rather than raising the salaries on the House side, lower them in the other body. I shall be offering an amendment with respect to this subject when we reach the amendment stage.

Also I have a suggestion to the Congress on the subject of seniority. I believe if seniority is a good thing for the Congress, it is a good thing for the coun-

try, and, therefore, Members of Congress should be selected from the various districts of the United States on the basis of the longest living individual citizen in each congressional district, thus saving the cost of holding an election. Or, if there are some diehards who still believe it is a good idea to elect public officials, I suggest that we continue electing Members of Congress from their respective districts and then also elect the chairmen of the committees. Members would be surprised how many chairmen would remain right where they are by secret ballot. Quite a few of them would. But I think that it would be good to provide, in the alternative, either to have all Americans participate in the blessings of the seniority system, or have the American people and the Congress participate in the blessings of democracy, by abolishing the silly system of seniority here.

A third point I would like to mention—and it is something on which I especially commend the Committee on Rules for bringing to the floor—the suggestion for enclosing the galleries here with a transparent window.

Congressmen send hundreds of thousands of letters each month to constituents for the purpose of explaining what is going on in Congress.

Yet, when these constituents visit the House of Representatives in its gallery, they are subjected to the muffled sounds of unexplained proceedings carried on by unidentified Members of Congress.

Because of the shelflike construction of the House gallery in relation to the House floor, bad acoustics exist both in the gallery and on the floor.

If the two areas were separated by a transparent soundproof window system of the sort found in radio studios, the view back and forth would remain the same, but the acoustics of both areas would be refreshingly improved. And if designed well, long columnlike frames could add to the stateliness of the Chamber.

Members on the floor would be able to hear debate better, and so would visitors in the gallery through the medium of well-modulated speaker systems piping in sound from the floor.

Such an arrangement would permit visitors more freedom of conversation without fear of disturbing the floor business.

Moreover, during lulls in the proceedings an announcer could give brief explanations to the gallery listeners about what is taking place on the floor and who is taking part.

BYPRODUCTS

There are happy byproducts of this proposed arrangement. It would produce greater safety for those in the gallery and those on the floor—safety from falling down from the gallery and safety on the floor from objects accidentally or deliberately dropped from the gallery.

The steps in the gallery are steep. If a visitor should trip on the way to a front seat he could fall across the rail down into the Chamber, possibly to his death.

Whether on purpose, as in the case of the leaflets dropped in 1965 and the

snipers in 1954, or by accident, as in the case of the news camera dropped to the serious head injury of a page in 1966, the possibility of serious and irreparable damage could be reduced to near zero by this simple and sensible arrangement.

Within the last few years science has produced a lightweight, shatterproof, transparent, and force-repellent material which makes possible installation of a virtually continuous window between the gallery rail and the Chamber ceiling—24 feet—all the way around the Chamber.

This transparent material weighs only a fraction as much as glass of equal strength.

Our best estimate is that sufficient material for the job could be purchased at a retail price of less than \$25,000. The cost of installation would be greater, but the entire job could probably be done for less than \$100,000.

SUMMARY

It is rare when Government can improve both popular participation and security at the same time by the same arrangement.

The gallery window idea would accomplish both goals.

The value of improving acoustics both on the floor and in the gallery is clear.

The value of better understanding of congressional business by visiting constituents is clear. So is the view through the new plastic material.

The value of improved security, not for Members as individuals, but for the people's Congress as a body is clear.

It would be tragic if this Nation were subjected to the trauma of a devastating physical blow to its Government. But it would be doubly tragic if by hindsight it were realized that, as in the death of President Kennedy, a simple and sensible arrangement could have prevented it.

One can anticipate suggestions that "if some deranged person is going to do violence to the House Chamber it is going to happen." The answer, of course, is that while it is true that detection of the deranged person beforehand is virtually impossible, it is possible to make his physical chances of delivering violence next to impossible.

Seatbelts are insignificant, sometimes funny, until the collision comes. Then they are solemn blessings.

If one were to say that it is inherently alien to think of government security in a democracy, then he should consider the stationing of armed guards about the Chamber unacceptable.

But we do not. Neither should we deny to the police the methods to accomplish their mission. "All the king's horses and all the king's men" cannot put life back together again. And it is most unlikely that "all the king's horses and all the king's men" could detect beforehand the few among millions willing to deliver violence by stealth and elusive methods.

Finally, there should be no talk of cowardice. Some Members of this Congress have faced death on the battlefield for their country and would do so still. Members of Congress go about as individual officials of the Government without protection, because as individuals they have

less national importance. But, as a group and a place, the Congress is vital to our country.

Nor should anyone confuse the dignity of taking necessary chances for the foolhardiness of taking unnecessary chances.

In the matter of planner or accidental casualty in the House of Representatives to Members or constituents, a stitch in time saves nine—maybe more.

Mr. SMITH of California. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa (Mr. SCHWENGEL).

Mr. SCHWENGEL. Mr. Chairman, first of all I want to commend the committee, especially the subcommittee of the Committee on Rules, for giving us a chance to improve the operations of the House and to get started on some important work here so that we can do our important work more efficiently and more effectively.

While I commend the subcommittee for giving us this opportunity to present some suggestions for change, I cannot commend them in the same spirit for what they gave us, for I believe what they have given us so far is woefully inadequate. However, they are to be commended and the House is to be commended for giving us the opportunity to improve the bill that is before us.

I want to pay tribute, also, to the Members of Congress who have so eloquently and adequately presented arguments for many needed additions to the bill and improvements. I want to talk about some other additions and underscore what some others have said about them.

Mr. Chairman, as most Members of Congress know, I have long been interested in and active in working for congressional reform and congressional reorganization. It was my privilege to head a committee appointed by Minority Leader GERALD R. FORD to a Republican task force on minority staffing. That was early in my tenure of service here. From that experience with other Members of Congress I began to realize that there was a great need indeed to do something about minority staffing. However, there were also other great needs and improvements that we should consider. I have said many times that Congress has long been in need of updating and of improving its procedures and its rules. As has already been pointed out, our last reorganization and improvement, which was quite an improvement over a prior operation, was in 1946. Since that time the legislative workload here in the Congress has increased threefold. Our constituents have demanded more and more of our time. Working under the 1946 conditions has become more difficult as time went on. The efficiency and effectiveness of our operation has decreased to the point where many people consider us to be a rubberstamp for the Executive. This is unfortunate in view of the former stature and influence of the House. It is important that we attempt to recapture our former place in order better to serve the American people in our time. By streamlining our procedure and opening our proceedings we will be able to consider improving this link in the checks and balances of government.

Mr. Chairman, we are in a period of history which finds, tragically, our political institutions and policies in disfavor with far too many people in our country. This is especially true among our younger citizens. It is unquestionably true that you cannot satisfy all the people all of the time, but the situation which prevails in our time is not one to bring comfort or to give confidence to those who believe in our republican institutions and our system of representative government. Certainly, the displeasure abroad in the land is not without some foundation. It is then incumbent, I believe, upon those of us who have been elected to man our political institutions to take the necessary action and dispel public doubts as to the integrity and viability of those institutions.

I would like to interject here this observation and it is based upon my study of the Congress itself. I am here to testify and I believe I can prove to any reasonableminded person that in this House today there are more men and women of stature and capacity and capability than the House has ever seen before. However, we are not measuring up to our capabilities and to our capacity because we have the handicap of too many precedents that do not fit our time and too many traditions under which we cannot function effectively.

Now, along with the real need for congressional reform and improvement there is a compelling argument which has already been presented very effectively by very able men and that is that the Congress—and there will be presented as we consider many amendments; the gentleman has suggested, perhaps, 100 and I hope we give them very, very serious consideration for there is nothing we can do that would help the country more, help the capability of this body to measure up to its capability and its capacity and, yes, its dedication, than the bill under consideration, H.R. 17654. I say this bill is a small step in the right direction. There are flaws so serious that it will be hard put for some of us to support them without some major changes.

SENIORITY

Mr. Chairman, I could talk about a lot of them but I shall talk briefly now only about four areas. One is seniority.

I would be less than honest were I not to express my disappointment at the failure of the Rules Committee to include in the bill before us, an alternative to the present seniority system for selecting of our committee leaders. Someday the Congress is going to deal with this problem, and deal with it by abolishing the seniority system; why not today? With all of the talent that exists in this Congress why do we not say to the American people, "We recognize the fact that we are living in a new era, and need new rules to operate effectively in that new era."

The law of the jungle is survival of the fittest. The law of the House is survival of the eldest. That is a foolish law upon which to base the operation of an institution which must deal with the complex problems faced by our Nation today. The only telling argument offered in defense of selection by seniority is that

it expedites the organization for committees. That is not good enough for me.

Seniority, as you know, is not a rule of the House but a custom. Rule 10 of the House provides that the "House shall elect as chairmen of each standing committee one of the members thereof" at the commencement of each Congress. Admittedly, the remaining language of that rule, in its provision for chairing of the committee by the ranking member in the absence of the chairman, implies seniority. Nevertheless, in the election of the chairman the rule permits the choosing of any member of the committee.

For almost six decades now, longevity has been the criterion for their selection. It has been said before, and I now say it again, that this use of seniority is, apparently, peculiar to the U.S. Congress. I would emphasize that it is not the method employed in any of our State legislatures or in any foreign legislative bodies for the selection of committee chairmen. I would say that this is a singularly interesting fact.

In both the 90th and in this Congress, I have introduced resolutions which would revise the method for selection of committee chairmen. For those who may not know the language of my proposal, it is contained in House Resolution 81 of this Congress. I will be using the identical language in an amendment which I will offer to this bill.

My alternative is quite simple. It provides that the members of the committee shall convene as soon as possible following the opening of Congress and by secret ballot the majority party members shall elect the chairman from among the three most senior majority members on the committee. In like fashion the minority party members shall elect the minority leader for the committee.

This alternative to the present method has the virtue of permitting the members of a committee a choice in the selection of the chairman and ranking minority members. Thus, if there are valid or seemingly valid reasons in their minds for not awarding the chairmanship to the senior majority member, they can withhold it from him and elect someone in whom they have greater confidence. I would expect that if such a system of election were instituted, it would be a rare occasion for the senior member to be denied the chairmanship. But, I think that option should remain open to the members of the committee, the men who are most knowledgeable about the workings of the committee and the ability and responsiveness of the chairman, if they desire to exercise it. Moreover, the very possibility of not maintaining or attaining the chairmanship by seniority alone, could act to curb any abuse of authority by chairman or prospective chairman.

To buttress my alternative permit me to quote from a former colleague. In "We Propose: A Modern Congress," John Lindsay has written:

I am . . . inclined to favor selection of committee chairmen by secret ballot of the members of each committee. Each of the standing committees of the House is a semi-autonomous body with its own unique problems and special norms. Committee members, by observing each other at close range in the

daily operations of the committee, would seem to me to be in the best position to judge the qualifications necessary for their chairmen and they certainly are aware of intelligence or personality traits which are often important to a smooth-working relationship. Committees are the workshops of Congress; their members should determine who should be seated at the head of the worktable.

I might add that Mr. Lindsay's article effectively devastates arguments offered in defense of selection by seniority by pointing out that the senior members of the majority and minority parties are not alone in having valuable experience on the committee and are not alone in having expertise in the committee's jurisdictional areas. Countering the argument that the seniority principle avoids internecine struggles and their bitter residue is the historically dismaying fact that longevity has too often put into the chairs of the House committees men unresponsive to the platforms and policies of their own party. I learned early in my career about the unresponsiveness of some chairmen by virtue of my service under a chairman who was absent from the Congress most of the time. Since the seniority system assured him the position, there was little incentive for him to be responsive to the other members of the committee or the public.

The notion that men from safe districts who live long enough to become chairmen are somehow more attentive than other Representatives to the "national interest" is dubious at best because it presupposes that such men operate from a rational basis in their consideration of legislation and their estimation of the role of a chairman. There is little, if any, empirical evidence to support that claim.

In matters of courtesy such as the assignment of room space, I think that reliance on seniority is probably as equitable and practical a system as could be devised. But on the question of choosing who shall be the chairman of each of the important standing and special committees of the House, it seems to me that we ought to be governed by a higher law of logic than that which says that the fellow who has been around the longest shall therefore exercise the greatest authority. This is not the way in which we choose the Speaker, or the party leaders on each side of the aisle. Why then should it be the way in which we select committee chairman who exercise equally enormous powers?

No point of order on the grounds that this amendment is nongermane, in my judgment, should be sustained. Two reasons form the basis for this view. First, the "rule" from the Rules Committee only prohibits amendments "which would have the effect of changing the jurisdiction of any committee of the House listed in rule XI." My amendment infringes on the jurisdiction of no committee and concerns rule X of the House, not rule XI. Furthermore, H.R. 17654 modifies many of the rules of the House. For example, section 103(b) of the bill amends clause 26 of House rule XI by adding a new paragraph relating to open business meetings of House standing committees. Surely, the amendment that I offer to the reorganization bill is germane when

the bill itself authorizes numerous changes in the rules of the House.

Title I of the Legislative Reorganization Act of 1970 is entitled "The Committee System." Certainly, my amendment adding a new provision concerning the selection of committee chairmen falls within the purview of this title. In fact, scholars, journalists, and Members of this body have both criticized and defended the custom of seniority. Why, some ask, should we elect our party leaders on basis other than seniority yet allow men to become committee chairmen by the accident of long tenure? My proposed amendment would grant each committee the right to select its own chairmen. A democratic process is substituted for one that acts capriciously.

PROXY VOTING

The second matter on which I would like to elaborate concerns the provisions relative to proxy voting. I am completely opposed to proxy voting in the committees. The real workshop of Congress, where legislation is shaped and from which, most often, it emerges in final form, is the committee. Therefore, it is in the committee that the most important votes are cast. There is no provision for proxy voting on the floor of the House, in spite of the fact that absences are often unavoidable. It is, therefore, certainly the responsibility of the Member to his constituents to represent them personally in the committee: the most important link in the legislative chain.

Not only should the Member vote personally, he should be present for the debate in order to argue for his constituents' point of view. Also, in this regard, a proxy cannot be debated or reasoned with—an important consideration, particularly if a close vote is expected.

Though there is no provision for proxy voting in the rules of the House, this practice has developed, often giving committee chairmen inordinate power and releasing the Members from their responsibility to determine their own stand.

H.R. 17654 attempts to deal with the situation, but not broadly enough. It permits specific proxy votes when committee rules provide for proxy voting. This well-intentioned reform—one which could easily be abused—does not go far enough in correcting this situation. Mr. Speaker, I ask that we abolish all proxy voting in committee.

MINORITY STAFFING

The third area of concern on which I speak is that of minority staffing on committees, an area which is included in the current bill. As former chairman of a special subcommittee on increased minority staffing on the Republican conference and as a longstanding member of the minority party in the House—a situation, I can assure you, which I would like to see changed—I have been much intrigued by the whole problem.

I have been convinced for some time that a minority party is hampered in functioning as the loyal opposition by the failure to provide it with adequate staff representation on the committees of both the House and Senate. It is true that a number of committees do permit the minority to have members on the

permanent staff but this is not a uniform practice.

A group of distinguished political scientists has said:

To deny the Minority in Congress access to adequate representation on Committee staff eliminates the opportunity for a minority to act responsibly after a careful examination of the problems under consideration. Congressmen, in this difficult and complex period of our history, require access to date and evaluation in those subject areas to which they are given responsibility as Committee members. It is obvious that this work cannot be placed regularly with their own office staffs, which have functions very different from those of a Committee. It is obvious also, in light of policy formulation patterns at all levels of government, that the adversarial technique of law and politics in this country requires a personal relationship in which a congressman can develop confidence with the professional staff members. This is why, of course, the President has a high degree of control over his White House Staff, as well as at many policymaking levels in the Executive Departments.

Some have argued that an increase in minority staffing of congressional committees would jeopardize the recent "professionalization" of these staffs. We do not believe that this is true. There is no reason why such "professionalization" cannot take place in a bipartisan framework. What is needed are professional staff members separately responsible to the majority and the minority. The demand that a substantially larger portion of the professional staff be responsible to the minority members is wholly reasonable and within the best democratic traditions.

Their statement puts the case well.

Furthermore, as my colleague and fellow Republican, JAMES C. CLEVELAND, has said:

Even in the cases of committees which do list staff members as assigned specifically to assist the minority, those employees are ultimately responsible to the committee chairman, who is always a member of the majority party. By that I mean that they cannot be hired without the chairman's approval; their salaries are subject to the approval of the majority, and often their physical location is determined by the majority. Thus, nowhere in the House does the minority party have guaranteed to it an unobstructed conduit to information vital to the success of its adversary role under our two-party system.

As I have said on many occasions the minority on a committee ought to have exclusive right to hire and fire. As a matter of right, not privilege; it should have allotted to it probably in the neighborhood of 40 percent of both permanent and temporary staff. With such a staff it could offer constructive alternatives to the proposals of the majority party. With that staff assistance it could submit far more detailed and far better minority and supplementary opinions in committee reports. No matter of what party the minority must be granted staff on committees which will enable it to be a more adequate and constructive loyal opposition.

Regrettably, this has not been true in the past. Unfortunately, we Republicans have had to suffer from it for most of the past 35 years. I think that this situation has been more detrimental to the Nation and the Congress than it has to us House Republicans.

The subcommittee has seen fit to in-

clude provisions for minority staffing in its proposed bill. In all candor, I must take exception to the language as presently written. It is true that the language of the bill provides the minority with a maximum two of the six permanent, professional staff members and one of the six permanent, clerical staff. The language further provides for equitable treatment for the minority staff in terms of pay, work facilities, and accessibility to committee records. It is also true that language in the bill stipulates in a general way that the minority be given fair consideration in the appointment of temporary committee employees.

In the latter regard, however, there are no guarantees that the majority of the committee, specifically the chairman, has to allot any of the temporary staff to the minority. There is no specific formula and no enforcement clause. In other words, the prescription in the bill can be ignored and minority members could be denied a fair share of temporary staff.

Even less palatable is the entire procedure for the hiring of minority staff. Sole right of hiring is not vested in the minority. Instead, it may only recommend a person whose appointment is subject to ratification by the full committee. The whole purpose of minority staffing is subverted by this method of appointing. Who knows what tests might be applied by the majority party, before it will agree to the recommendations of the minority? Why should the majority be given a veto power over the employment of minority staff? That, of course, is the precise effect of the present language. I submit that the majority would never tolerate the minority having such a veto power. This distresses me and I beseech you to alter the language of the bill to permit the minority sole hiring and firing power over the minority staff.

Mr. CLEVELAND and I will introduce an amendment, supported by a broad spectrum from both parties, which will correct the flaws in the bill being considered. This amendment stems from a bipartisan effort to make the entire bill acceptable.

TELLER VOTES

Finally, I turn to the problem of secrecy in the House. Secrecy now pervades the operation of the Congress in the form of closed committee meetings, secret committee votes, nonrecord votes in the Committee of the Whole and in the House, and these are merely the most obvious examples. I speak particularly to the need for more record voting as a means of giving the constituent a better understanding and to make the Congressman more responsive to his constituents, and for attempting to restore public confidence in the Congress. We are now faced with a situation in which a Congressman can say one thing and vote to the contrary with no fear of his duplicity being discovered.

This situation has led to a certain mistrust of the Congress, and this mistrust has dramatically shown to be valid when observers in the gallery discovered vote switching between the nonrecord teller votes and the record votes on the SST earlier this year. This caused a justifiable

public outcry which has finally led this body to act. Several Members have taken action in the belief that the Congressman is accountable to his constituents, and they, therefore, should have the clearest possible information on his voting record, the most precise record of his real positions.

Since all major legislation is considered in the Committee of the Whole, a Member can vote anonymously in the most important stages of a bill's development, before it reaches the floor, where a record vote might be demanded. This problem is similar to that of secrecy of votes in committees, which is being attacked in the bill before us.

I speak for an "escalation," if you will, of the attack, to include the Committee of the Whole. The vehicle which I support in this effort is the amendment—to the Reorganization Act—which Representatives O'NEILL and GUBSER will be introducing. This amendment provides for a recorded teller vote on request of one-fifth of a quorum of the Committee on the Whole. This does not preclude other nonrecord teller votes or any other type of vote currently used. Voting in this manner would serve the same purpose as a rollcall but would take only 12 minutes, during which time the Members would be able to get to the floor from their offices and vote. This would alleviate to a substantial degree the problem of secrecy and is, along with the seniority amendment, one of the two most important improvements which are needed in H.R. 17654.

BIPARTISAN AMENDMENTS

The bipartisan group, of which I am a member, which is working to upgrade this bill, is also concerned with several other areas, most of which deal, again, with the problems of secrecy and efficiency. Two of these amendments are aimed at revising the committee procedure, one to provide for more open committee sessions by requiring a majority vote in public to close a session, and the other to require a disclosure of all rollcall votes in committee at public request. These features would place more pressure on the committee structure itself, forcing it to be more responsive to the public will.

Three of the amendments deal with the amount of time involved in considering and debating motions. The first would require that conference reports be printed in the RECORD at least 3 days before floor consideration and be available to Members, and the other two increase the time allotted to debate on a motion to recommit with instructions and on any amendment which has been published in the RECORD before consideration. These provisions would permit the Congressman more time to consider and make decisions, and more time to argue in his constituents' interest, both of which would be important factors in democratizing proceedings and gaining public trust.

The other two amendments provide basically for a streamlining of procedures and of the work of the Members. Quorum calls would be shortened by a sign-in process which would allow the call to be dispensed with when a quorum

was reached and would speed up floor action. A Joint Committee on Congressional Operations would be set up to provide for continuing review of the workings of the Congress. This amendment is important, as it would allow a continuing improvement of our operation, a move clearly in order.

In conclusion, I want to make it quite clear that the amendments I plan to offer and those of the bipartisan group will serve only to make the bill acceptable. Even then, several badly needed features will be missing, including the professionalization of the Capitol Police Force, the formation of an Office of Placement and Office Management, and the strengthening of the laws controlling lobbying. As I have told my constituents in Iowa, if these amendments are adopted, we will have a reasonably good bill. However, if they are not adopted, I will find it difficult to support a bill which will be woefully inadequate, and one which cannot honestly be called reform when we address the American people. The last reorganization bill was passed 24 years ago. We must not pass a weak bill and be forced to wait another 24 years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of California. Mr. Chairman, I yield 1 additional minute to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Chairman, I shall revise my remarks at some length on this point, and they may be read in the RECORD.

Another point I want to deal with is proxy voting in committee. That should be abolished. We do not allow it on the floor, and we should not allow it in committee where oftentimes the vote is much more important than it is on the floor of the House. I will cover that more fully in my revision of remarks in the CONGRESSIONAL RECORD.

Mr. Chairman, I have deep feelings about secrecy, and I think we should record our teller votes. If we do that we will remove secrecy and restore public confidence in the House. This will make Congress more responsive to the needs of the Nation.

Mr. Chairman, in conclusion I want to make it clear that the amendments I plan to offer and those of the bipartisan group are offered only to make the bill acceptable.

Mr. Chairman, if we are to meet the needs of our time, if we are to measure up to our capability and to our capacity we must have this bill along with many of the proposed amendments.

The CHAIRMAN. The time of the gentleman has again expired.

REFORMING OUR NATIONAL ATTITUDE TOWARD SPENDING

Mr. SISK. Mr. Chairman, I yield 17 minutes to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Chairman, I visualize that this is going to be an important week in the House of Representatives. I think we all would like to see our procedures improved, and I for one am glad to have an opportunity to give consideration to the various proposals which are

contained in the committee bill. Of course, we will also have to give consideration to the proposals which will be presented by way of floor amendments.

It is easy to mistake the mood of the House. I had thought that, beginning at noon today, perhaps half, or more, of the Members of the House would be in the Chamber sitting on the edges of their seats, listening attentively to what might be said about this question of reform. It is fair to say that somewhat less interest is being shown.

I would anticipate that more Members will be present when we get under the 5-minute rule—and I would hope so.

I think it well to ask or to raise the question: For what purpose do we seek reform? What are the motivations? We say that we want to meet the needs of our times. Well, I am not so sure that the major plank in a proper reform platform is contained in the pending bill. I am not sure that an amendment has been submitted which meets our major reform requirements.

I am of the opinion that the greatest need for reform—and I would not discount other needs—but the greatest need for reform is reforming the will of the majority of the Members of the House, and perhaps the country.

I think we need to reexamine the problem which confronts us. We spend much time in considering our priorities. We talk about programs for clean water and clean air and better housing and all the rest. We all recognize that they cost money and we, as a House of Representatives, tend to say, well, we need money for housing, so let us authorize and appropriate it.

We tend to say, we need more money for the cities so let us authorize and appropriate more money for urban renewal.

We tend to say, we need more money for health so let us authorize and appropriate it.

We tend to say, How can you be against doing what is necessary to provide the people with the maximum opportunity for education and self-improvement?

This is generally the trend of thought that seems to dominate us.

We should not just ask ourselves—do we need a program for urban renewal or for health or for education? We should, of course, first ask ourselves that question—do we need the program? Then we should say, have we got the money to pay for the program? If we say, no, we do not have the money to pay for the program, then let us lock ourselves into this Chamber or into our committees and decide whether or not there is a way for us to get the money to pay for the programs. Short of a grave national emergency, we ought to find the way to pay for a program before we authorize and appropriate for it.

But this is what we are failing to do. This is an indefensible attitude and we must rectify it if our country's best interests are to be served.

We talk at great length and with much fervor and dedication about the need for various programs and about the consequences of failure to act quickly to approve programs.

We talk about the need. Yes, needs

exist. But few, if any, are beating their breasts and saying, yes, we need it but we do not have the money for it; we are determined to provide the money for it before we launch a program.

But, if we appropriate the money for this needed program without raising the revenue to pay for this needed program, the money is not going to produce the desired results. It is going to be worth less and less and we are not going to get a dollar in value for a dollar expended. The program will not be effective unless it proceeds on a firm fiscal basis.

So I would say the major reform that we need here is to change our attitude, our national attitude. While we continue to talk about the programs that we support, we should begin to talk more about whether or not we have the funds to provide for the programs and if we do not have the funds, then to ask, how are we going to get the money to pay the bill?

Now, if we talk like that—taking into account that the money must be raised for our programs—we will talk like mature legislators. But until we do that, we are not performing our full function as Members of the Congress.

It is plain to see, it is crystal clear, but it goes unnoticed, that he who does not know that democracy will fail unless it can practice sufficient restraint does not understand the facts of history. Democracy will work only as long as there is sufficient restraint. But if everybody grabs for everything and is unwilling to pay the price, democracy will eventually go down the drain. It might be supplanted by something else, but you cannot have the system we have in this country unless you have people who are willing to face up to the need for raising the revenue to pay our bills.

Not long ago I was in a meeting. We were talking about whether or not there should be \$587 million in a bill above the President's budget for urban renewal. It was said: "Well, this has been authorized." The principal argument was: We have got to have this money. The mayors have said that they need this money. The mayors say that they can use it. It is indispensable. The mayors say so. Therefore we should appropriate it.

Appropriating money on the basis of need alone is not practical. There is not enough money in the world to readily meet all our demands. Of course the mayors in cities, big and little, would like to get all the funds they can from Washington to help them with their problems and programs and I am not condemning our mayors. They have difficult jobs. It is understandable that mayors would like to see more and more Federal money channeled into their cities. But the argument that we ought to provide more money for the cities because the mayors want it is only one factor for consideration. The question is whether or not we have the money, whether or not we are willing to raise the money, and therein is the problem that deeply concerns me.

What does it mean when we say that we must meet the needs of our times? I am afraid that many of our citizens means simply that we have got to spend more money. What does it mean when

we say we are against secrecy in the House—and I think all of us want to see objective action on this question under appropriate conditions. But what is the objective of many who desire some sort of plan to meet the needs of our time? Is it merely to get more money—to spend more money?

Do they want to increase appropriations? Is that the purpose? Well, we are appropriating all the money there is now. In fact, this year we will spend for Federal functions all the Federal revenue there is plus an additional amount of perhaps more than \$10 billion.

Now, as chairman of the Committee on Appropriations, I would like to see us meet our needs, and if revenues can be found to meet those needs, then let us do more for education, more for health, more for the cities, more for rural areas. There are many Members here who vote against increases who would not be against those increases if we had the money to pay for them, to pay for the programs which we provide, which are recommended and advocated; but when we are spending about \$10 to \$12 billion more than we have got in Federal funds and borrow about \$8½ billion from the trust funds—from social security and the highway fund, which makes the budget look smaller—it seems to me that this is about as far as we can go.

To me, one of the sad things is that we just do not have more funds to meet the requirements. I am not against spending money for needed programs if we have the money at hand.

If we go on and on and on, creating deficits and cheapening our money, it will buy less and less, and it will work a severe hardship on the rich and poor alike, and especially on the poor. I hope we do not mean by reform or by meeting the needs that we will appropriate more money that we do not have to meet our problems.

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

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

Mr. SCHWENGEL. Mr. Chairman, I listened with avid interest to the gentleman's remarks, but I feel compelled to say that those who are promoting reform are not looking for more money necessarily, but we are looking for more efficient and wise handling of our business.

Mr. MAHON. In that respect I think we should all join hands, and I think we should all join hands in spending more money if necessary when we have it, or when we have the opportunity to get it, for programs of the highest urgency. This is the point I want to make very clear. I sense there are those who feel that by changing certain techniques it will be possible to have larger and larger appropriations above the budget of any President for various laudable purposes when we do not have the revenue to provide for them.

Mr. SCHWENGEL. I would like the gentleman to know as one of the sponsors of reform and reorganization, that certainly is not what I have in mind.

Mr. MAHON. I am sure the gentleman is right.

Mr. Chairman, here on the first day of

debate on this reform bill I thought it might not be out of order to make reference to this matter. I am not sure I have heard any speeches on the floor in the last few weeks about the need for raising the revenues to pay our bills. We are in the red. We have been in the red for years, and inflation is getting more and more difficult. In fiscal 1968, we had a budget deficit of \$25 billion. There is nothing wrong with prudent spending and there is nothing inherently wrong with big spending provided we have the money and there is a clear need for such action. That is the matter I wished to bring at this time as forcibly as I can to the attention of the Members of the House.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

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

Mr. ANDREWS of Alabama. Mr. Chairman, I want to say to my distinguished chairman, the gentleman from Texas, that he has made one of the finest speeches I have heard in this Chamber in many, many years. The gentleman has hit the nail on the head. He has put his finger on the problem.

Of course, we need many of these programs, but can we afford them? Do we have the money? I hope every Member will read the speech made by the gentleman. In my opinion it is excellent. The people of this country must learn to live within the means that the people of this country have.

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

I want to say of the committee which has brought out this legislation that they have worked hard and long and they have toiled and they have been very selective, and they have done a distinct service. I commend the committee.

I support the bill, generally speaking. I would like to see it improved. I would like to see our body become a more effective body. I would like to see the House become more responsible.

In the future when our friends circulate a letter advocating an appropriation of a billion or so dollars above the budget for some worthy purpose, I would hope that they would say that of course we cannot make the additional appropriation until we raise the required additional revenue, bearing in mind that we are already in the red by billions of dollars.

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

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

Mr. BOW. Mr. Chairman, I should like to congratulate my distinguished Chairman for this important contribution he has made today. It is an important subject the gentleman has brought up and he has done it in a clear and understandable and considered way. I think it is also a part of reform. I join the gentleman in his remarks, and I congratulate him for bringing this to the floor.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

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

Mrs. HANSEN of Washington. Mr. Chairman, I would like to ask the distinguished gentleman from Texas, our distinguished chairman, a question. Is it not true that in this country a few years ago, 70 percent of the people came from the rural areas. There was a different financial problem then. There are today 70 percent of the people who live in the cities and 30 percent who live in the rural areas. Therefore, Mr. Chairman, it seems to me we do have to change some of our thoughts.

The other day when I was in the West, I picked up a paper, the Oregonian, and I noticed in 17 States the water supply and the very lives of people were threatened because of mercury poisoning.

It seems to me, Mr. Chairman, we do have to consider some of the problems which are forced upon us because of our own activities, and we do have to provide some of the answers to the challenges that are present in the year 1970.

Mr. MAHON. I agree that we must meet the challenges which confront us.

Of course, every mayor, as I said, would probably like to have more Federal money, and most every community would like to have more Federal money, as would every Governor.

Does it surprise any Member when his Governor writes him and says: "We understand there is a bill pending for more money for the State. Please do your best to help"? The States are in fiscal trouble and understandably would like to have all Federal moneys that are available. This is not in any way said as criticism. We all agree that the requirements of the States and cities and rural areas must be appropriately considered. My plea is for full consideration not only of the need but the availability of money to pay the bill.

Mr. SMITH of California. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire (Mr. CLEVELAND).

Mr. CLEVELAND. Mr. Chairman, I was particularly interested in the remarks of my colleague from Iowa (Mr. SCHWENDEL). They suggest some points which I do not believe are as widely understood as they should be.

The gentleman and I have served together for some years now on the Committee on Public Works. Out of that service has arisen our joint interest in congressional reform. I took over as chairman of the Republican Task Force on Congressional Reform and Committee Staffing when the gentleman from Iowa (Mr. SCHWENDEL) enjoyed a brief sabbatical after 1964.

The fact which is not widely known is that many of the so-called reforms we are considering in this bill today, and many of the reform measures that will be proposed by way of amendment, are actually perfectly possible under the present rules of the House.

We will address ourselves in this bill to proxy voting. In the Committee on Public Works on several occasions we have voted as to whether or not we would permit proxy voting. I have been pleased in recent years to note that the committee vote permitting proxy voting has been increasingly close.

Again, there is a good deal of talk by the newly founded Bipartisan Committee on Congressional Reform about secrecy and the importance of having committee votes made public. Again, under the rules of most of our committees this is perfectly possible. In the Public Works Committee of the House we have voted on this subject several times. While we have not adopted the rulemaking our committee votes public, the votes have been closer and closer, when we have organized at the beginning of the session.

That is the first point I want to make, Mr. Chairman, the point that much of what we are considering today in this congressional reform legislation is perfectly possible under our existing rules.

The second point I should like to make is that there is a continuing need for congressional reform. It is too bad that we treat this as something we do once every 25 years and then forget about. This is why I hope the House will pay particular attention to the suggestions which will be made by the gentleman from Missouri (Mr. HALL), who I understand will reintroduce the proposal that we made in the Joint Committee on Congressional Organization on which we served together.

This was the committee composed of six Members of the House and six Senators who drafted the Legislative Reorganization Act of 1967, which passed the Senate by a very large vote of 75 to 9 in March of 1967.

Many people have been high in their praises of our powerful Committee on Rules today. Indeed I commend them too, but the RECORD should show that particular offering by the joint committee back in 1967 and passed by the Senate, remained clutched in the embrace of the Committee on Rules until it expired quietly at the end of that session. However, the Senate, I hope, will be kinder to this bill, if it passes now, than we were to the Senate bill when it passed in 1967.

In that bill we had a continuing committee that would consider all matters of congressional reorganization and reform on a continuing basis. I know that Mr. HALL is going to offer that amendment along with others including Mr. WILLIAM STEIGER'S. I hope you will all consider how important this will be.

One of the more interesting amendments that will be offered by the so-called bipartisan committee is going to be the Gubser-O'Neill amendment. Let us consider this amendment for a moment.

This amendment is going to be the amendment that will permit a record of how you feel about a particular teller vote. This is something that a lot of people have felt needed for a long time, but nobody really talked seriously about this until the last few months. Nobody really started talking seriously about it until various organizations took to ascribing to procedural votes certain motives which might or might not be inherent in them. Mr. GUBSER circulated the membership of this body on that issue. It so happened that he was fortunate at the time he made his proposal that this bill was coming to the floor. This does not happen very often. The last time we had a crack at one was the one

that passed the Senate and it died in the Rules Committee and it was never considered here. For that reason it is important to remember the need for congressional reform is continuing and we cannot act on it now and put it aside for another 20 or 25 years. That is what happened for too long and it has happened too often. That is the guts of the proposal which I understand Mr. HALL will offer an amendment on. This was an important proposal embedded in the Legislative Reorganization Act of 1967, and it should not be dismissed.

Mr. Chairman, many of us consider ourselves experts in congressional reform. In a sense every Member of this House is an expert, because we deal daily with the frustrations that we face as Members. My particular background is that I took over from Congressman SCHWENDEL the Republican Task Force on Congressional Reform and Committee Staffing. As chairman of that task force, with 21 of my Republican colleagues, we published a book entitled "We Propose a Modern Congress."

A mere recitation of the table of contents of the 21 essays indicates many of the propositions made in this book "We Propose: A Modern Congress," were as broad in scope and as timely now as they were when published. As I skim down the table of contents, I note first the foreword by Tom Curtis, for many years a leading Member of Congress and one respected for his great mind and wisdom, and then the introduction by our colleague, House Minority Leader GERRY FORD. Both statements are refreshingly timely.

The list of essays in the book includes a section on the committee structure, including my own chapter on the need for increased minority staffing. Proof that this is still a problem is recognized in the bill before us, which takes tentative steps in the direction of assuring the minority a staff of its own when required. The essay on the seniority system by John Lindsay, now mayor of New York, cuts to the root of one of our present problems, and is especially timely. BOB GRIF-FIN'S essay on rules and procedures of the standing committees is demonstrated to be relevant by the proposals included in the bill now before us, which includes a number of provisions to regularize and improve committee procedures. Although the overlapping jurisdiction of many of our committees described by our colleague BRAD MORSE was not dealt with by the bill before us, it remains a problem as the number and structure of Federal agencies and programs proliferates, yet the committees and their jurisdictions remain the same.

The problem of setting science policy described by JOHN ANDERSON has not been adequately dealt with, nor have we really faced the lack of congressional leadership in the field of foreign policy which was outlined by OGDEN REID. In fact, the lack of activity in this field is now catching up with Congress as an institution, as we all know from the headlines of recent months. But in 1966, the task force was a voice crying in the wilderness for action which never came.

Last year when we were treated to the

spectacle of the HEW appropriations bill being finally passed after more than 7 months of the fiscal year had gone by, Congressman McCLORY must surely have been thinking of his essay on the need for reforming the budgetary and fiscal machinery of Congress. As the new fiscal year is now in its second week, without one major appropriations bill yet sent to the President, it is appropriate that the bill now before us contains small steps toward solution of this problem so ably dealt with by BOB McCLORY.

The issues involved with the complex area of lobbying, both by organizations and individuals which was dealt with by PAUL FINDLEY, and by the administration which was dealt with by ANCHER NELSEN, still remain valid and timely. The action by the House last week was a good step in the right direction. Recent newspaper stories have reinforced this recognition. BOB MICHEL outlined the continuing need for the minority in Congress to control at least one investigative committee, and suggested a proposal to do this, which I hope to offer as an amendment to the bill now under consideration.

Our colleague, BILL SPRINGER, very ably discussed the current operation of our system of congressional pages. With the major reforms in this bill the suggestions and comments offered by BILL SPRINGER at last get the action they deserved when they were made in 1966. JOEL BROYHILL made a convincing case for reform of House personnel procedures. His plea for sweeping away the existing jumble and replacing it with a logical and workable system is extremely timely.

JOHN RHODES called for reconsideration of our floor procedures, to reform them and bring them up to date. Clearly this was a call which should have been heeded, for these procedures are now under attack and are bringing derision upon Congress. DURWARD HALL explored the feasibility and prospects of electric voting in the House. One reason for this is so that there can be more record votes in much shorter time. Had this been given serious consideration at the time, the SST, the Leggett amendment, and the Cooper-Church amendment among many others would perhaps have been voted on for the record, and much of the recent harsh criticism of Congress as an institution been avoided.

We have been fortunate that there have been no contested elections to the House of Representatives, for BOB McEWEN's suggestions and comments on this subject have not received the attention they deserve. Every one of us here in Congress can attest to the timeliness of our colleague LAURENCE BURTON's discussion of the problems of the cost of campaigns and the length of stay in Congress. BOB WILSON's essay on congressional ethics was timely when it was written and fortunately we now have a Committee on Standards and Ethics.

The essay advocating television and radio coverage of House and committee activities, which was written by BOB ELLSWORTH, is partly adopted in the bill before us. Many wish that the bill went further in this regard, especially as more and more people rely on the electronic media for their news. MAC MATHIAS made an eloquent plea for home rule for the

District of Columbia. Regrettably this is yet another field in which Congress has done little. Don Rumsfeld gave a good analysis of the operation of a congressional office—and surely all of us are aware of the need for reforms in this area, as we spend time in using outdated procedures which should be spent in committee or on the floor.

Perhaps the chapter of the book which has won most significant acceptance since it was written was the one by FRED SCHWENGEL, my friend and colleague, on the problems and needs of Congress in the field of information handling. The Rules Committee and the House Administration Committee are to be commended for their action in this area—for truly FRED SCHWENGEL was right in calling for action to bring Congress up to date in this field.

I just point this out to show on this side of the aisle there has been a very determined and scholarly effort in this area. On the other side of the aisle we know that the Democratic study group and other committees and task forces have been busy. We are in a sense all experts on congressional reform. That is one of the reasons why so many of the amendments that will be offered will be worthy of attention.

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

Mr. CLEVELAND. I am glad to yield to the gentleman from Iowa, a great expert on congressional reform.

Mr. GROSS. I am certainly no expert.

Mr. CLEVELAND. I consider the gentleman one of the greatest experts on congressional reform and the need for it. As I hear him speak constantly to some of the extravagances we indulge in I would put him high on the list of those who head the rollcall on congressional reform.

Mr. GROSS. I will still deny it, and for that reason I will ask the gentleman if there is anything in this bill that he knows of that will do anything about the T and T club—the in on Tuesday and out on Thursday club.

Mr. CLEVELAND. Just a second. I consider myself an important member of that club.

But I want to get the record straight. It is no longer a "Tuesday to Thursday club." This is Monday and I am here on Monday and 336 Members are here. So let us get away from the Tuesday to Thursday club and call it the Monday to Thursday club.

Mr. GROSS. If there were 336 Members here they were not recorded on the first and only vote today. The only vote taken reflected that there were only 306.

Mr. CLEVELAND. I am sorry if I was misinformed. I thought it was 336.

Mr. GROSS. I think the gentleman will find that there were "ayes" 237 and "noes" 69.

Mr. CLEVELAND. I thank the gentleman.

There is not anything in this bill that this gentleman knows of with respect to the "in on Tuesday and out on Thursday club." Does the gentleman expect me to stay in Washington if there is no legislative business scheduled?

Mr. GROSS. I would not expect any-

one in the House to do anything in particular.

Mr. CLEVELAND. I would like to say that I returned to New Hampshire last Thursday night after the rainstorm. In New Hampshire air was clear and the sky was blue. I was glad to get out of Washington and be back in my district.

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

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

Mr. SCHWENGEL. I, first, want to thank the gentleman for his kind remarks and his reference to my effort in dealing with the minority staffing question. I wish to commend the gentleman for the work he has done. The gentleman was a member of that committee when its function began and then he took over as a chairman and did a very commendable job and in a large measure pioneered the development of the Joint Reform Committee that resulted.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. SMITH of California. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. SCHWENGEL. Mr. Chairman, if the gentleman will yield further, I want to commend the gentleman for his great leadership and for his followthrough and for his work and particularly for his observations here.

Mr. CLEVELAND. I thank the gentleman.

Mr. SCHWENGEL. I want to ask the gentleman one question: Is it not true and have you not found in your study of minority staffing, that it is impossible for the minority to be an effective and articulate minority and be able to properly challenge the majority, without having adequate staffing?

Mr. CLEVELAND. I thank the gentleman for his question and I was just about to address myself to that subject, the subject of minority staffing.

As I said earlier, in a sense we are all experts in this field of congressional reform. However, I want to address myself now to two aspects of it. One is the question of minority staffing. It is quite true—and I treat it at some length in one of the chapters of the book I referred to—that it is impossible for the minority to fulfill its role unless it is properly staffed. For that reason, although I think the committee has taken a first step, I do not think they have gone far enough, and at an appropriate time I will introduce an amendment to insure that there is made available to the minority members of a committee if they want it at least one-third of committee staffing funds. There are some committees where this will not be necessary and there are other committees where it is necessary. There are some committees where this is being done.

The second amendment which I shall offer is one that is not widely known about; that is the problem involved with reference to the minority party which does not have control over any committee of the House. For this reason some people have proposed—and some have called it the Michel proposal, or the Ford proposal, that the minority be given control of at least one committee. There is

precedent. The British Parliament has an oversight committee which they usually trust to the leadership of the minority. Further, there is some precedent in this country and in the Congress for following this procedure. During the Teapot Dome scandal, the investigation of the Teapot Dome scandal was turned over to a Democrat although the Republicans were in control. Senator Walsh of Montana. This proposal would not only strengthen the hand of the minority, also it would help the majority. It would help the majority to stay on the ball and give the minority an opportunity to put up or shut up when they criticize the majority.

Mr. Chairman, I hope to discuss these two proposals at great length under the 5-minute rule.

Mr. SISK. Mr. Chairman, I yield 10 minutes to the gentleman from California (Mr. REES).

Mr. REES. Mr. Chairman and members of the Committee, my purpose today is to read into the RECORD the list of 10 amendments which were sent to the Members I believe last Friday, and I think all of the Members should have them in their offices.

My job the past couple of years has been to help try to coordinate some of the efforts in the area of congressional reform. I worked with our former colleague from Illinois, Mr. Rumsfeld, last year, and this year I have been working with the gentleman from New York (Mr. CONABLE) and the gentleman from Florida (Mr. GIBBONS) in a bipartisan attempt to try to agree on a basic package of amendments.

Mr. Chairman, I want to compliment the Rules Subcommittee headed by my good friends, the gentleman from California (Mr. SISK), and the gentleman from California (Mr. SMITH). I think they have come up with a very excellent bill.

It is the purpose of these amendments to improve a very excellent bill so as to make it a little stronger.

I think there are three general areas in policy which concern us in a reform bill. One is that we believe that the public has a right to know this deals with secrecy in the House of Representatives. So we hope that a recorded teller vote might help so that our constituents will know how we feel on important issues.

Also, we want to open up the committee meetings so that the news media and the public can attend our deliberations and observe how we are going to vote on various issues.

Another very important area is the right of the minority, to make sure that the minority rights are protected at all stages of our deliberations. Guaranteed minority staffing is one amendment. Another amendment would guarantee 10 minutes to debate a motion to recommit with instructions.

And the third area, which really has not been hit on in any of the amendments that have been sent around to the Members, is that we should spread the base of participation in the House of Representatives. This deals with something that is very controversial in this House, and that is the forbidden subject of seniority.

It is the custom in the House that everyone is appointed to a committee or appointed to a leadership position by the sole criteria of seniority. I suspect that there will be several efforts made to deal with the rules so that we do have other criteria other than seniority in appointing Members to positions of responsibility. I do think that there is a need to adopt some changes in this area so as to spread the base of participation and allow more Members of this House who wish to work in areas of legislative activities to engage in these legislative activities in a position of leadership.

At this time I would like to discuss the first 10 amendments that were made public last week. For about the past year an informal committee of Democrats, Republicans, conservatives, liberals, and middle-of-the-roadsers have been discussing congressional reform, and last week we made tentative agreement on 10 amendments. There are other amendments, some of which we have agreed to, others of which we have not, but at this time I would like to have printed in the RECORD the amendments that have been agreed to.

The first has to do with the recording of teller votes. If 20 Members rise up and request a recorded vote on tellers, then there shall be a recorded vote, and those voting "yea" and those voting "nay" shall be printed in the RECORD.

Mr. Chairman, the proposed amendment is as follows:

On page 47, immediately below line 5, insert the following:

"RECORDING TELLER VOTES

"SEC. 123. Clause 5 of Rule I of the Rules of the House of Representatives is amended to read as follows:

"He shall rise to put a question, but may state it sitting; and shall put questions in this form, to wit: "As many as are in favor (as the question may be), say Aye;" and after the affirmative voice is expressed, "As many as are opposed, say No;" if he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one or more from each side of the question to tell the Members in the affirmative and negative; which being reported, he shall rise and state the decision. If before tellers are named any Member requests tellers with clerks and that request is supported by at least one-fifth of a quorum, the names of those voting on each side of the question shall be entered in the Journal. Members shall have not less than twelve minutes from the naming of tellers with clerks to be counted."

And make the appropriate technical changes in section numbers and references.

The second amendment deals with conference committee reports, and it states that conference committee reports shall be made available to the membership 3 days before the conference committee report is taken up. Too many times we do not have sufficient information on a conference committee report, and little opportunity to debate what the conferees have decided upon.

Mr. Chairman, the proposed amendment is as follows:

On page 40, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following:

"(2) Clause 2 of Rule XXVIII of the Rules of the House of Representatives is amended to read as follows:

"2. It shall not be in order to consider the report of a committee of conference unless such report and the accompanying statement shall have been printed in the Record at least three calendar days (excluding Saturdays, Sundays, and legal holidays) prior to the consideration of such report by the House; but this provision does not apply during the last six days of the session. Nor shall it be in order to consider any conference report unless copies of the report and accompanying statement are then available on the floor. The time allotted for debate in the consideration of any such report shall be equally divided between the majority party and the minority party."

And make the appropriate and necessary technical changes in the bill.

The third amendment deals with open committee business meetings. This is a double-jointed amendment, one dealing with business meetings and the other dealing with committee hearings.

It is felt that these meetings should be open to the public. If the committee feels the meeting is too controversial or perhaps deals with national security, then they can, by an open vote, vote to close that meeting.

Mr. Chairman, the amendments referred to above are as follows:

On page 9, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following:

"(f) Each meeting for the transaction of business of each standing committee shall be open to the public unless the committee, in open session and with a quorum present, determines, by roll call vote, that all or part of the remainder of that meeting on that day shall be closed to the public."

And make the appropriate and necessary technical changes in the bill.

On page 26, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following:

"(2) Each hearing conducted by each committee shall be open to the public unless the committee, in open session and with a quorum present, determines, by roll call vote, that all or part of the remainder of that hearing on that day shall be closed to the public."

And make the appropriate and necessary technical changes in the bill.

The fourth amendment deals with disclosure of rollcall votes on measures in the committee.

The bill provides that the chairman of the committee must make available the total vote on measures that was voted on in that committee, if those votes were taken in a closed meeting.

What this amendment does is to state that the committee chairmen will make available the rollcall vote on how each member voted and how each proxy was voted on issues before the committee.

Mr. Chairman, the amendment is as follows:

On page 10, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"(b) Clause 27(b) of Rule XI of the Rules of the House of Representatives is amended by adding at the end thereof the following: "The result of each roll call vote in any meeting of any committee shall be made available by that committee for inspection by the public at reasonable times in the offices of that committee. Information so available for public inspection shall include a description of the amendment, motion,

order or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order or proposition, and whether by proxy or in person, and the names of those Members present but not voting."

And make the appropriate and necessary technical changes in the bill.

The fifth amendment deals with the time for debate on a motion to recommit with instructions.

I think we have had the situation many times in the House, where we have a motion to recommit with instructions, and only about two or three people on the floor know really what the instructions are.

This amendment provides that there will be 10 minutes set aside so that the person who will be offering the motion to recommit can explain exactly what the motion is and then half of the time can be used by one who is opposed to that motion, giving his viewpoints on the motion.

Mr. Chairman, this amendment is as follows:

On page 47, immediately below line 5, insert the following:

"DEBATE ON MOTION TO RECOMMIT WITH INSTRUCTIONS AFTER PREVIOUS QUESTION IS ORDERED

"SEC. 123. Clause 4 of Rule XVI of the Rules of the House of Representatives is amended by adding at the end thereof the following new sentence: 'However, with respect to any motion to recommit with instructions after the previous question shall have been ordered, it always shall be in order to debate such motion for ten minutes before the vote is taken on that motion.'"

And make the appropriate technical changes in section numbers and references, as necessary.

The sixth amendment deals with debate time on amendments previously printed in the CONGRESSIONAL RECORD.

How many times have Members been working on amendments for several weeks and then find themselves in a situation, where a time limit has been voted and they do not have time to bring up and explain their amendment.

Many times a Member who has been working on an amendment for several weeks finds that there is absolutely no time to bring the amendment up.

What this amendment provides is that on the day before that Member can give his amendment to the Clerk and it shall be printed in the CONGRESSIONAL RECORD and that Member will be guaranteed 10 minutes of debate time on the amendment, 5 minutes for and 5 minutes against.

Mr. Chairman, the amendment is as follows:

On page 39, immediately below line 4, insert the following:

"DEBATE TIME UNDER 5-MINUTE RULE FOR AMENDMENTS PREVIOUSLY PRINTED IN CONGRESSIONAL RECORD

"SEC. 119. Clause 6 of Rule XXIII of the Rules of the House of Representatives is amended by adding at the end thereof the following new sentence: 'However, in any case, if the exact text of any amendment offered by any Member shall have been printed, at his request, in the Congressional Record for the then current session of the Congress prior to the offering of that amendment by that Member, it always shall be in order to debate such amendment for ten

minutes before the vote is taken on such amendment, one-half of such time to be given to the proponent, and one-half to debate in opposition to such amendment; and debate may not be closed under this clause with respect to such amendment; and any decision adopted to close debate under this clause shall be considered to include an additional ten minutes for debate on any such amendment.'"

And make the appropriate and necessary technical changes in the bill.

Mr. Chairman, the seventh amendment deals with quorum calls.

What we are trying to do is to cut down on the length of time for quorum calls. A quorum call takes approximately a half hour. With this amendment, the Clerk will call the roll and when he reaches a majority of those present, he can cease calling the roll. But the original roll will be open for a half hour from the time of the point of order, that there was no quorum, was made and Members can come in during that half hour and sign in.

So it is hoped that we can cut the length of the quorum call down to 15 minutes.

Mr. Chairman, this amendment is as follows:

On page 47, immediately below line 5, insert the following:

QUORUM CALLS

"SEC. 123: (a) Clause 2 of Rule XV of the Rules of the House of Representatives is amended to read as follows:

"2. In the absence of a quorum, fifteen Members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent Members, and in all calls of the House the doors shall be closed, the names of the Members shall be called by the Clerk, and the absentees noted; Members shall be counted if in lieu of answering to their names Members affix their signatures to a Clerk's form; and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged. Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered on the Journal as present. When the presence of a quorum has been ascertained, the call may be interrupted to entertain a motion to dispense with further proceedings under the call, but the rolls shall be kept open for Members to record their presence until 30 minutes after commencement of the call."

"(b) Clause 2 of Rule XXIII of the Rules of the House of Representatives is amended to read as follows:

"2. Whenever a Committee of the Whole House or of the Whole House on the State of the Union finds itself without a quorum, which shall consist of one hundred Members, the Chairman shall cause the roll to be called until a quorum shall appear. Members shall be counted if in lieu of answering to their names Members affix their signatures to a Clerk's form. Thereupon the Committee shall rise, and the Chairman shall report the names of the absentees to the House, which shall be entered on the Journal, but the Clerk shall strike from the list of absentees the name of any Member who shall affix his signature to a Clerk's form within 30 minutes after the commencement of the call. If on such call a quorum shall appear, the Committee thereupon shall re-

sume its sitting without further order of the House."

"And make the appropriate technical changes in section numbers and references."

The eighth amendment deals with minority staffing.

Under the reform bill, the minority is guaranteed a staff, but under this amendment one-third of the total committee funds are guaranteed for the minority, to be spent in whatever the minority deems necessary for them to do their work.

The amendment as to minority staffing is as follows:

COMMITTEE INVESTIGATIVE FUNDS

"Amendment offered by Mr. _____ to H.R. 17654

"On page 23, line 15, strike out the words 'and shall receive fair consideration in', and insert in lieu thereof the following:

"not less than one-third of the funds provided for."

"And make the appropriate and necessary technical changes in the bill."

Mr. Chairman, the ninth amendment deals with the Office of Legislative Counsel.

This is an attempt to try to upgrade Legislative Counsel Office so that it adequately serves the Members and this legislative body.

When I was a member of the California Senate, we had a legislative counsel's office in the California Legislature that had 46 attorneys. I think we have 14 attorneys in the Legislative Counsel Office for the House of Representatives.

These gentlemen do an excellent job. They are harassed, they are overworked and one of their problems is—first, their loyalty by statute is to the committees and not to the individual Member. So many times when we need legal help, we find that it is not forthcoming because the attorneys are tied up with work dealing with the committee.

This amendment would extend the scope of this Office and I think would give us the type of staff work in the legal field that is so necessary for us to effectively operate.

The amendment as to the Office of Legislative Counsel is as follows:

Amendment offered by Mr. _____ to H.R. 17654.

Page 141, after line 4, insert the following:

"TITLE VI—OFFICE OF LEGISLATIVE COUNSEL

"SUBTITLE A—HOUSE OF REPRESENTATIVES

"PART 1—PURPOSE, POLICY AND FUNCTION

"ESTABLISHMENT

"SEC. 601. There is established in the House of Representatives an office to be known as the Office of Legislative Counsel, referred to hereinafter in this subtitle as the Office.

"PURPOSE AND POLICY

"SEC. 602. The purpose of the Office shall be to advise and assist the House of Representatives, its officers, committees, and Members in the achievement of a clear, faithful, and coherent expression of legislative policies. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House of Representatives, and shall not advocate the adoption or rejection of any legislation except when duly requested by the Speaker or a committee to comment on a proposal directly affecting its own functions. The Office shall maintain the attorney-client relationship with respect to all communications between it and any Member or commit-

tee of the House, subject to the requirements and procedures provided by this subtitle and to the extent consistent with the purpose and policy of the Office as set forth in this section, the resources of the Office may be employed in aid of any function of the Congress.

"FUNCTIONS

"SEC. 603. The functions of the Office shall be as follows:

"(1) Upon request of the managers on the part of the House at any conference on the disagreeing votes of the two Houses, to advise and assist the managers on the part of the House in the course of the conference, and to assist the committee of conference in the preparation of the conference report and any accompanying explanatory statement.

"(2) To have in attendance on the floor of the House not more than two members of the staff of the Office (and, in his discretion, the Director) during the consideration of any legislative business by the House, to advise and assist upon request any Member having control of time, and, to the extent feasible, any other Member, in the course of such consideration.

"(3) Upon request of any committee (including any joint committee) having authority to report legislation to the House, to advise and assist the committee in the consideration of any legislation before it, and to assist the committee in the preparation of drafts of any such legislation, amendments thereto, and reports thereon.

"(4) Upon request of any Member, subject to such reasonable restrictions as the Director may impose with the approval of the Speaker on the proportion of the resources of the Office which may be devoted to the requests of any one Member, to prepare drafts of legislative proposals and to furnish advice with respect to such drafts prepared by others.

"(5) To prepare and maintain for the use of the committees of the House current compilations of public laws other than those enacted as part of the United States Code. Compilations prepared pursuant to this paragraph may be annotated as to legislative history, cross-references, and any other information (other than digests of decisions) bearing upon the legal status, force, or effect of statutory provisions.

"(6) At the direction of the Speaker, to perform on behalf of any officer, component, or agency of the Congress any legal services which are within its capabilities and whose performance would not be inconsistent with the purpose and policy set forth in section 602.

"PART 2—ADMINISTRATION

"DIRECTOR

"SEC. 611. The management, supervision, and administration of the Office are vested in the Director of the Office, referred to in this subtitle as the Director, who shall be appointed by the Speaker of the House of Representatives without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

"STAFF

"SEC. 612. With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Director shall appoint such attorneys and other employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Director with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

"COMPENSATION

"SEC. 613. (a) The Director shall be paid at a per annum gross rate equal to the rate of basic pay, as in effect from time to time,

for level III of the Executive Schedule of section 5314 of title 5, United States Code.

"(b) Members of the staff of the Office other than the Director shall be paid at per annum gross rates fixed by the Director with the approval of the Speaker or in accordance with policies approved by the Speaker within the limits otherwise provided by law for employees of the House of Representatives.

"SPECIALIZED TRAINING

"SEC. 614. (a) The Office is authorized, with the approval of the Committee on House Administration, and within the limits of funds made available from the contingent fund of the House of Representatives pursuant to resolutions which shall specify the maximum amounts which may be used for such purpose, to provide assistance for members of the staff of the Office in obtaining specialized training, whenever the Director determines that such training will aid the Office in the discharge of its responsibilities.

"(b) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on House Administration.

"(c) When the Office provides assistance under this section, the Director shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the United States Government as the Director may deem necessary to assure that the Government will receive the benefits of such employee's services upon completion of his training.

"(d) During any period for which an employee is separated from employment with the Office for the purpose of undergoing training under this section, such employee shall be considered to have performed service (in a nonpay status) as an employee of the Office at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purpose of—

"(1) subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code,

"(2) chapter 87 (relating to Federal employees group life insurance) of title 5, United States Code, and

"(3) chapter 89 (relating to Federal employees group health insurance) of title 5, United States Code.

"(e) The authority contained in this section does not impair the authority of the Director to grant administrative leaves with pay not exceeding one month's duration, and to pay tuition, registration, and other similar fees and expenses and travel expenses and per diem in connection with attendance by members of the staff of the Office at professional conferences, institutes, or other educational activities related to the work of the Office.

"FUNDING

"SEC. 615. (a) There are hereby authorized to be appropriated such sums as may be necessary to pay the expenses of the Office, other than expenses paid pursuant to section 614 or subsection (b) of this section.

"(b) Whenever the duties of the Office are increased by action of the House of Representatives or otherwise pursuant to this subtitle to a degree that cannot reasonably be accommodated within the resources of the Office available under the appropriations for the Office then current, additional funds may be made available for the expenses of the Office from the contingent fund of the House pursuant to a resolution approved by the House specifying the maximum amount which may be used for such purpose.

"PART 3—CONSTRUCTION AND EFFECT

"CONSTRUCTION AND EFFECT

"SEC. 621. Insofar as the provisions of section 1303 of the Revenue Act of 1918 (2

U.S.C., chapter 9) have applied to the appointment or functions of any officer or committee of the House of Representatives or to the appointment or functions of any officer or employee of the office of the legislative counsel established by that section who has been responsible to the House of Representatives or its Speaker and whose compensation has been disbursed by the Clerk of the House of Representatives, those provisions were enacted and have been in effect as an exercise of the rulemaking power of the House of Representatives, subject to the power of the House of Representatives to enact or change any rule of the House at any time in its exercise of its constitutional right to determine the rules of its proceedings. Insofar as the provisions of this subtitle apply to the appointment or functions of any officer or employee of the House of Representatives, these provisions are likewise enacted as an exercise of the rulemaking power of the House and are similarly subject to change at any time. Effective immediately upon the passage of this subtitle by the House of Representatives and regardless of when or whether this subtitle is enacted into law, any person expressly appointed by the Speaker as Director shall have the functions provided in this subtitle, and the provisions of this subtitle shall govern the functions of all persons in the office of the legislative counsel established under section 1303 of the Revenue Act of 1918 whose pay is disbursed by the Clerk of the House of Representatives. If this subtitle becomes law, then its provisions shall remain effective for the foregoing purposes and shall become effective for all other purposes on the date of enactment of this Act and shall thereafter remain in effect until amended or repealed, subject to modification under the constitutional rulemaking power of the House, and any person expressly appointed as Director by the Speaker prior to the enactment of this Act shall remain as Director after the enactment of this Act unless otherwise ordered by the Speaker. Notwithstanding any other provision of law, any individual who, on the date of passage of this subtitle by the House of Representatives, was serving under an appointment by the Speaker as legislative counsel shall, after that date and after the enactment of this Act, continue to be designated as legislative counsel of the House of Representatives as long as he remains in the employ of the House and shall be paid at a per annum gross rate of pay equal to the dollar amount of the per annum gross rate of pay in effect for his position immediately prior to the passage of this subtitle by the House of Representatives or at a rate determined under section 613(b), whichever is higher. Effective upon the date of enactment of this Act, the provisions of section 1303 of the Revenue Act of 1918 (2 U.S.C., chapter 9) shall have no further applicability of any kind to the Speaker or to any committee, officer, employee, or property of the House of Representatives, and all personnel, property, records, and unexpended balances of appropriations of or for that part of the office of the legislative counsel established under section 1303 of the Revenue Act of 1918 which was employed or held in or for the House of Representatives shall be transferred to the Office established under this subtitle.

"Amend the table of contents by adding at the end thereof the following:

"TITLE VI—OFFICE OF LEGISLATIVE COUNSEL

"SUBTITLE A—HOUSE OF REPRESENTATIVES

"PART 1—PURPOSE, POLICY AND FUNCTION

"SEC. 601. Establishment.

"SEC. 602. Purpose and policy.

"SEC. 603. Functions.

"PART 2—ADMINISTRATION

"SEC. 611. Director.

"SEC. 612. Staff.

"SEC. 613. Compensation.

"Sec. 614. Specialized training.

"Sec. 615. Funding.

"PART 3—CONSTRUCTION AND EFFECT

"Sec. 621. Construction and effect."

Mr. Chairman, the last amendment would create a Joint Committee on Congressional Operations.

Tied in with this amendment is also another amendment that would do away with the proposed Joint Committee on Data Processing. This is still being negotiated. There is no positive agreement on it yet, but there will be by tomorrow.

Mr. Chairman, the amendment to create a Joint Committee on Congressional Operations is as follows:

At the proper place insert the following:

"TITLE IV—CONGRESS AS AN INSTITUTION

"PART 1—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

"ESTABLISHMENT OF JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

"SEC. 401. (a) There is hereby created a Joint Committee on Congressional Operations (hereafter in this part referred to as the 'Joint Committee').

"(b) The Joint Committee shall be composed of twelve members as follows:

"(1) six Members of the Senate, appointed by the President pro tempore of the Senate; two from the Committee on Government Operations of the Senate, two from the Committee on Rules and Administration of the Senate, and two from among the remaining Members of the Senate (including but not limited to members of the committees referred to in this paragraph); and

"(2) six Members of the House of Representatives, appointed by the Speaker of the House of Representatives; two from the Committee on Government Operations of the House of Representatives, two from the Committee on House Administration of the House of Representatives, and two from among the remaining Members of the House of Representatives (including but not limited to members of the committees referred to in this paragraph).

"(c) Of each class of two members referred to in subsection (b), one shall be from the political party having the greatest number, and one shall be from the political party having the second greatest number, of Members of the Senate, or of the House of Representatives, as the case may be.

"(d) Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee and shall be filled in the same manner as in the case of the original appointment.

"(e) The Joint Committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The Chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Joint Committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the Joint Committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from the House of Congress other than the House of Congress of which the chairman is a Member. The vice chairman shall not be of the same political party as the chairman.

"DUTIES OF JOINT COMMITTEE

"SEC. 402. (a) The Joint Committee shall—

"(1) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States;

"(b) The Joint Committee shall exercise all functions vested in it by sections 406 and 407 of this part.

"(c) Except as provided in subsection (d) of this section, the Joint Committee shall report, from time to time to the Senate and the House of Representatives its recommendations with respect to matters within the jurisdiction of the Joint Committee.

"(d) In addition to the studies and activities of the Joint Committee under subsection (a) of this section, the Joint Committee shall—

"(1) conduct a study of each of the matters described in subparagraphs (A) to (E), inclusive, of this subsection; and

"(2) submit to the Senate and House of Representatives, within the time limit specified with respect to that study, a report of the results of that study, together with the recommendations of the Joint Committee, as follows:

"(A) a study of the procedure of both Houses in connection with citations for contempt of Congress;

"(B) a study of the facilities, including gallery facilities, available to the public in its visits to the United States Capitol and the means of improving such facilities in order to present to the public an informative view of the Congress;

"(C) a study of the role of the Congress, and the exercise, application, and effect of its authority, with respect to the engagement of the Armed Forces of the United States in armed conflict in overseas areas without a formal declaration of war by the Congress;

"(D) a study of the problems relating to the application, operation, and enforcement of the provisions of section 1913 of title 18, United States Code, relating to lobbying with appropriated funds;

"(E) a study of the procedures of the Senate and the House of Representatives in connection with contested elections in their respective Houses.

The report and recommendations of the Joint Committee with respect to each of the studies described in subparagraphs (A) to (E), inclusive, of this subsection shall be submitted to the Senate and House of Representatives within the time limit specified with respect to that subparagraph of this subsection in which that study is described, as follows:

"(i) subparagraphs (A) and (B)—not later than one year after the effective date of this section;

"(ii) subparagraphs (C), (D), and (E)—not later than two years after such effective date;

"POWERS OF JOINT COMMITTEE

"SEC. 403. The Joint Committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Joint Committee may make such rules respecting its organization and procedures as it deems necessary, except that

no recommendation shall be reported from the Joint Committee unless a majority of the Joint Committee assent. Subpenas may be issued over the signature of the chairman of the Joint Committee or of any member designated by him or by the Joint Committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the Joint Committee or any member thereof may administer oaths or affirmations to witnesses.

"STAFF OF JOINT COMMITTEE

"SEC. 404. (a) In carrying out its functions under subsections (a) and (c) of section 402 of this Part, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

"(1) to appoint, on a permanent basis, without regard to political affiliation and solely on the basis of fitness to perform their duties, not more than six professional staff members and not more than six clerical staff members;

"(2) to prescribe their duties and responsibilities;

"(3) to fix their compensation at rates authorized by section 202(e) of the Legislative Reorganization Act of 1946; and

"(4) to terminate their employment as the Joint Committee may deem appropriate.

"(b) In carrying out its functions under section 406 of this Part, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

"(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties concerned, such additional personnel as the Joint Committee deems necessary;

"(2) to prescribe their duties and responsibilities;

"(3) to fix their compensation at rates authorized by section 202(e) of the Legislative Reorganization Act of 1946; and

"(4) to terminate their employment, as the Joint Committee may deem appropriate.

"(c) In carrying out any of its functions under this Part, the Joint Committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government, and to procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract at rates of pay not in excess of the per diem equivalent of the highest rate of basic pay of the General Schedule of section 5332 of title 5, United States Code, including payment of such rates for necessary traveltime.

"RECORDS OF JOINT COMMITTEE

"SEC. 405. The Joint Committee shall keep a complete record of all Joint Committee actions, including a record of the votes on any question on which a record vote is demanded. All records, data, charts, and files of the Joint Committee shall be the property of the Joint Committee and shall be kept in the offices of the Joint Committee or such other places as the Joint Committee may direct.

"TRANSFER OF FUNCTIONS

"SEC. 406. There are transferred to the Joint Committee all of the functions, records, and property of the Joint Committee on Disposition of Executive Papers, created by the Act approved July 7, 1943 (57 Stat. 380), and such joint committee is hereby abolished.

"OFFICE OF PLACEMENT AND OFFICE MANAGEMENT

"SEC. 407. (a) There is hereby established for the Congress an Office of Placement and Office Management which shall be subject to the supervision and control of the Joint Committee. The Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

"(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform his duties, a Director of the Office of Placement and Office Management to serve as the head of the staff of the Office;

"(2) to prescribe his duties and responsibilities;

"(3) to fix his compensation at a rate authorized by section 202(e) of the Legislative Reorganization Act of 1946; and

"(4) to terminate his employment, as the Joint Committee may deem appropriate.

"Subject to the prior approval of the Joint Committee, the Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties of the Office under this section.

"(b) It shall be the duty of the Office, upon request, to assist Members, committees, and officers of the Senate and House of Representatives seeking competent personnel with specified qualifications and to furnish advice and information with respect to office management procedures. In carrying out the provisions of this section, the Office shall—

"(1) operate as a central clearinghouse for applications for employment with the Congress;

"(2) test the qualifications of individuals submitting such applications for employment;

"(3) furnish advice and information to Members, committees, and officers of the Senate and House of Representatives, on request, with respect to better office management practices and efficient utilization of office equipment; and

"(4) maintain, for the benefit of such Members, committees, and officers desiring detailed office studies to improve the efficiency of their operations, a list of private management concerns capable of rendering such service on request.

"(c) Nothing in this section shall be held or considered to require the use of the facilities of the Office by any Member, committee, or Officer of the Senate or House of Representatives, if, in the opinion of such Member, committee, or officer, the use of such facilities is inappropriate.

"EXPENSES

"SEC. 408. The expenses of the Joint Committee shall be paid from the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers approved by the chairman."

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

Mr. REES. I yield to the gentleman.

Mr. GROSS. With reference to this matter of quorum calls, I trifled with the idea of putting a call on so the Members could hear this dissertation by the gentleman from California, particularly with reference to quorum calls and then I thought—well, after we got 218 Members here, there would still be some 217 Members who would not be available to listen to the gentleman. They would come in any time within 30 minutes and would be signed in and then they could go back to the gymnasium or whatever they wanted to do and they would not get the benefit of this.

Would the gentleman think that if we are going to amend the rules with respect to quorum calls, we ought to have some more effective means of getting Members here and keeping them here?

Mr. REES. In the legislative body to which I referred we were not allowed to have any deliberations unless we had a quorum present and on the floor. If we had a call of the house, the doors would be closed and the members would have

to remain on the floor and deliberate on the issue.

Mr. GROSS. Did you lock the doors in California? Did you lock them in or how did you keep them there?

Mr. REES. They locked the doors.

There was a sergeant at arms at each door and they would not allow any member to leave the chamber unless they had an OK from the speaker.

Mr. GROSS. In the case of fire what would happen?

Mr. REES. I suspect the Sergeant at Arms would be the first out.

We have a second series of amendments. These are still being negotiated.

No. 1 provides that a majority of each standing committee may call up and set for consideration any bill or matter within that committee's jurisdiction.

No. 2, that conference committee members, whenever practicable, shall be appointed from the subcommittee from which the legislation was reported. We would hope that this would spread the opportunities a little more to the younger Members.

No. 3 mandates that, at the beginning of the session, each committee shall adopt such rules.

No. 4 deals with a Resident Commissioner. It would have the Speaker, I believe, appoint the Resident Commissioner from Puerto Rico to specific committees, as we are appointed by our own Committee on Committees, and the Resident Commissioner would have the right to vote in that committee.

No. 5 mandates a rollcall vote on all general appropriation measures.

No. 6 changes the fiscal year from July 1 to January 1.

No. 7 deals with parliamentary precedents.

No. 8 is an extension of the Remseyer rule so it is used on all bills being considered by a committee or on the floor of the House.

No. 9 requires the printing of amendments over 25 words that are brought up on the floor of the House.

No. 10 deals with translating basic pay into gross pay, and easing restrictions on the pooling of the clerk-hire allowances.

There will be amendments that will deal with the seniority system. As there are committees on both sides of the House dealing with the problems of seniority, these amendments will be relatively minor. I do think that we need to consider seniority as these reform bills come around only every 20 or 30 years. What we will try to do in our informal committee is to have all of these amendments drafted and made available to the Members on both sides of the aisle.

Mr. SMITH of California. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, this situation would be ludicrous if, indeed, the subject matter were not so serious. A wag said a little while ago that there were 12 Members listening attentively on one side, 18 were present on the other, and two of the latter were asleep.

Obviously there have been many areas of concern by those present, there have been many expressions that have come in worldwide about the organization of the Congress and its related agencies,

and some are real and others are simply by the "have-nots"—and this, like the worldwide situation, is always with us—and some are theoretical and some are real.

Basically, Mr. Chairman, Congress was and is intended to be a policymaking body, that agency of our Government making policy, with the executive or administrative branch carrying out that policy, and the judiciary or judicial branch interpreting and guarding the laws and the Constitution.

Until recently in our history this Founding Fathers intended arrangement had proven out well and by and large had worked well. The burgeoning bureaucracy based on over-regimentation, conscription, too many wars, and perhaps too much security, has in the past four decades, however, gradually intruded into the will and stamina of our people and into the policymaking business of the legislative branch; and in the last two decades, the Supreme Court—our highest tribunal—has asserted wide powers of policymaking largely through interpretations of the equal protection and the due-process clauses of the 14th amendment, to say naught of the spreading of the so-called commerce and welfare clauses in the Constitution and its doctrine.

It is my conviction and I believe that of thinking students of congressional reorganization that:

First. The original distribution of Government powers and their checks and balances was basic and tried and true as well as correct.

Second. It is as workable today as it was then, notwithstanding our society and the fact that it has grown in complexity, if we simply work the plan and have good leadership—and we can work here all day and legislate until doomsday, and without leadership or good intent or "working the plan," it will come to naught.

Third. Proper balance can be restored if we ourselves overcome complacency.

Fourth. Only the Congress itself can restore that balance.

Fifth. Only by reorganizing and strengthening itself can Congress resume its position as a policymaking agency of the Government.

This then is the issue we now confront. There was a joint commission that studied for 3 years and had literally stacks of testimony by academicians and by Members of Congress, both those who represent the States of the Union and those who represent the people, and its findings have been reviewed here today, and I shall not repeat those and transgress on the time of the Committee of the Whole House on the State of the Union.

I would like to join those who have taken their hats off today to the Committee on Rules, which has sustained the "package" concept so that this House might work its will. I hope it will stay with this package concept on which the House in its Committee of the Whole can work its will and not rise in frustration with all these many-sided multifaceted amendments that have been suggested.

The original package which came from

that joint committee has been fragmented, and I want to stipulate here that many good things, such as the Standing Committee on Ethics and Standards of Conduct, the lobbying bill that we passed last week, a counterpart to our own Committee on Veterans' Affairs in the other body, and the elimination of at least two useless House or joint committees have been accomplished.

I think we are up against here today the basic question of whether Congress can continue to legislate—with or without leadership—based upon what we may or may not here adopt and exercise as representatives of the people.

It is because in fact we are a representative Government in a Republic under a limited Constitution whose uniqueness is the fact that we can change that with ballots and due process, rather than with bullets.

But I fear today we come up against the problem of jurisdiction and prerogatives, and perhaps too much power on the one hand and too little on the other. We have, for example, at one end of the stick the question of joint congressional committees on data processing and of Congressional Library research. On the other we have the jurisdiction and functions of continuing committees of the House and of existing committees which naturally have their prerogatives and jurisdictions.

Over 5 years ago, on May 10, 1965, as a member of the Joint Committee on the Organization of the Congress, almost paradoxically in the glare of history's objectivity, Mr. Chairman, in the opening statement I asked the question:

Can we contribute to the "shoring up" or revitalization of the Congress to withstand these powerful attacks from sister branches of the Government?

I think we can. I think this is our duty.

If our hearings, our study, our deliberations produce no more than superficial nit-picking modernizations; if we gullibly accept some suggested changes which at first glance "smack of efficiency," but in essence reduce the importance of Congress—we will have failed in our duty and I—as one Member—will regret and decry that failure.

It should be our high purpose, Mr. Chairman and members, in these hearings to search for the means of restoring to the Congress its rightful function to the end that we may prove that self-government by free individual citizens, through agents they control, is possible, even in a complex, sophisticated, and rapidly changing society.

I believe that statement is still true. I believe it is what we are in fact considering here today.

Of all the recommendations of our joint committee created by Senate Concurrent Resolution 2, back in 1965, the one which gives the greatest promise of solving the basic problem of congressional weakness, if any, is the concept of a Joint Committee on Congressional Operations.

This is all produced in a bill under title V of H.R. 2187, submitted by the gentleman from California (Mr. SMITH). I believe it is most cogent.

The other reforms in S. 355 as passed by that body by a vote of 75 to 9 on March 7, 1967, and those contained in the bill presently before us, however

salutary, do not begin to deal with the restoration of congressional power, with one exception.

The increasing involvement in policy making of the bureaucracy, Mr. Chairman, is founded on its abundance of manpower, expertise, and funds, but perhaps more importantly on its stability and continuity. It has tenure, by the laws we have passed and established. It is always there, while the Congress is turning over periodically and even within any given Congress may change its interests or direction. This happens frequently.

The Legislative Reorganization Act of 1946 began attacking the weaknesses of Congress by providing permanent professional staffs for committees and strengthening the Legislative Reference Service of the Library of Congress, the Congressman's library. The present bill before us further strengthens committee staffs, and strengthens still more a renamed Congressional Research Service.

Many of the provisions of the bill before us dealing with the House rules and precedents were not in S. 355 because our joint committee was excluded from dealing with those matters. On the other hand, many salutary congressional reforms contained in the Senate-passed bill, S. 355, are omitted in the bill before us.

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

Mr. SMITH of California. Mr. Chairman, I yield the gentleman 5 additional minutes.

In my opinion, Mr. Chairman, the most important omission is the provision creating a Joint Committee on Congressional Operations. This would be a continuing committee. We cannot point to the provisions of the Rules Committee bill before us as beginning to meet the basic problem of congressional weaknesses, no matter how we try. After 3 years of wrestling with the problem of congressional weaknesses, after fragmenting the bill and adopting those portions which were good, our committee, with the assistance of an able staff, many of whom are still here, and some former Members who serve on the floor voluntarily and who are most able, was unable to come up with any complete blueprint. We did conclude, though—

First, that the problem of congressional weakness did exist;

Second, that it was important to attempt to solve it;

Third, only Congress could solve it; and

Fourth, that the problem was too complex and difficult for solution on an immediate or on an ad hoc basis.

Thus, Mr. Chairman, our final conclusion was that an agency of the Congress be created to concern itself constantly with Congress as an institution which would examine on this continuing basis, ways in which the Congress can be strengthened and constantly updated and/or improved.

Title IV, part 1, of the committee bill before us establishes a joint committee on data processing. One of the functions of the joint committee on congressional operations dealt with information retrieval systems for Congress. Our stand-

ing Committee on House Administration is all but ready to order hardware for same. I hope to draft an amendment, therefore, that will give the House the opportunity to pass on the wisdom of establishing a joint committee charged with not only data processing but with the broader mandates of coping with the problem of congressional weaknesses and providing, perhaps, a counsel for the Congress.

What a paradox it is, Mr. Chairman, that within a continuing Committee on Congressional Reorganization and with all of the lawyers here present we have to hire and retain, when we come up against subpoenas or charges and are eyeball to eyeball with a difficult legal problem, outside help so that we may compete with the executive branch which has its Attorney General and Department of Justice with its courts, and many others.

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

Mr. HALL. I am glad to yield to the gentleman from New Hampshire.

Mr. CLEVELAND. In support of the point that the gentleman is making I noticed the other day when they were speaking about the fact that there was going to be an early test case of the constitutionality of the 18-year-old vote, which recently was passed by the Congress. Due to the fact that the Executive expressed some doubts about the constitutionality of that law and he may be right, but because of that one of the Senators pointed out that perhaps we ought to have special counsel for the Congress in view of the fact that the executive department expressed some doubts about the constitutionality of the bill. In other words, this Senator was suggesting that the case might not be presented up through the court system quite as vigorously as it would be if the bodies that actually enacted this legislation were independently represented.

Mr. HALL. I think my colleague from New Hampshire is exactly correct. As a member of the joint commission, I am sure the reams of testimony he heard, to say nothing of the events that have transpired since, have convinced any thinking person that we do need our own counsel.

I am sure he agrees that we do need a continuing committee on the organization of the Congress and its relations with other agencies. We do hope to draft this amendment so that it will be broader in mandate and will be more capable of handling the problem of congressional weaknesses and will not be subject to any points of order or conflict with the jurisdiction of any standing committees of either body.

Mr. Chairman, in conclusion, our mandate is before us. In recent years we have successfully proved to our citizens the need for constant and continuing study for the updating of our own organization. The effort is worth it. We have the inherent capability. The representative process may well depend on it. I think it is time we got on with the job.

Mr. SMITH of California. Mr. Chairman, I have no further requests for time.

Mr. SISK. 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:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles, parts, and sections according to the following table of contents, may be cited as the "Legislative Reorganization Act of 1970".

Mr. SISK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

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. 17654) to improve the operation of the legislative branch of the Federal Government, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 16595—NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1971

Mr. MILLER of California submitted the following conference report and statement on the bill (H.R. 16595) to authorize appropriations for activities of the National Science Foundation, and for other purposes.

CONFERENCE REPORT (H. Doc. No. 91-1298)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 16595) to authorize appropriations for activities of the National Science Foundation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1971, to enable it to carry out its powers and duties under the National Science Foundation Act of 1950, as amended, and under title IX of the National Defense Education Act of 1958, out of any money in the Treasury not otherwise appropriated, \$537,730,000.

Sec. 2. Appropriations made pursuant to authority provided in section 1 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

Sec. 3. Appropriations made pursuant to this Act may be used, but not to exceed \$2,500, for official reception and representation expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

Sec. 4. In addition to such sums as are authorized by section 1 hereof, not to exceed \$2,000,000 is authorized to be appropriated for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

Sec. 5. (a) If an institution of higher edu-

cation determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(c) The programs referred to in subsections (a) and (b) are as follows:

(1) The programs authorized by the National Science Foundation Act of 1950; and

(2) The programs authorized under title IX of the National Defense Education Act of 1958 relating to establishing the Science Information Service.

(d) (1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.

Sec. 6. This Act may be cited as the "National Science Foundation Authorization Act of 1971".

And the Senate agrees to the same.

GEORGE P. MILLER,
EMILIO Q. DADDARIO,
JOHN W. DAVIS,
JAMES G. FULTON,
CHARLES A. MOSHER,

Managers on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
THOMAS F. EAGLETON,
WINSTON L. PRUTY,
PETER H. DOMINICK,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes

of the two Houses on the amendment of the Senate to the bill (H.R. 16595) to authorize appropriations for fiscal year 1971 for activities of the National Science Foundation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The amendment of the Senate struck out all after the enacting clause in the House bill and substituted new language. The committee of conference agreed to accept the Senate amendment with certain amendments and stipulations proposed by the Managers on the part of the House.

The differences are explained as follows:

For fiscal year 1971, the National Science Foundation requested authorization in the amount of \$498,000,000. (This figure is exclusive of the \$13,000,000 Sea Grant program which is authorized independently and of \$2,000,000 to be made available in excess foreign currencies.)

The House approved authorization in the amount of \$525,630,000. The Senate increased this authorization to \$548,000,000.

As a result of the conference, the total amount to be authorized was adjusted to \$537,730,000. To this sum the Managers on the part of the House agreed. The amount agreed to by the Committee of Conference is \$12,000,000 more than authorized by the House, and \$10,270,000 less than authorized by the Senate.

The disagreeing votes of the two Houses on H.R. 16595 were resolved in conference with the following stipulations:

(1) For *Support of Scientific Research*, the administration budget for the National Science Foundation included \$10,000,000 for support of academic science projects transferred to the NSF from mission agencies. The House authorized an additional \$10 million for this purpose. The Senate approved \$20 million more, for a total of \$30 million above the administration request. The conferees agreed to provide only \$20 million above the administration request. This will allow the Foundation to support approximately half of the high quality research projects that are being terminated by mission agencies in fiscal year 1971.

(2) For *Support of Science Education*, the Foundation requested \$4 million for its College Science Improvement Program (COSIP). The House provided an additional \$4 million. The Senate added another \$500,000 for a total program level of \$8.5 million. The conferees concurred with the Senate recommendation, bringing COSIP to a level which is still less than was obligated in fiscal year 1969. This will permit the Foundation to cope more adequately with the needs for quality science education which exists in our undergraduate colleges.

(3) For *Planning and Policy Studies*, the NSF requested \$370,000 for its State and Local Intergovernmental Science Policy Planning Program. The House added \$130,000 to permit a 67 percent expansion of this program over the fiscal year 1970 level. This is an outstanding program of the NSF, which is designed to assist State and Local governments in planning for better utilization of science and technology. The Senate provided \$370,000 above the House figure, for a total fiscal year 1971 operating level of \$870,000. Testimony was presented by the NSF to the House to the effect that the Foundation could utilize effectively between \$500,000 and \$600,000 in fiscal year 1971. This convinced the conferees that an addition of only \$100,000 above that recommended by the House would be appropriate at this time, making the program total of \$600,000 for fiscal year 1971, twice that of fiscal year 1970. The conferees agreed that this program has been productive and will continue to be increasingly valuable in providing the necessary capability for dealing with such problems as

environmental quality at the State and Local levels.

(4) For *Institutional Support for Science*, the NSF requested a total of \$55.5 million, including \$12 million for grants to develop individual university departments or areas of science. The House did not provide for any increase in this program. The Senate, expressing the belief that it is vitally important to strengthen the capabilities of our universities in the social sciences, provided for an increase of \$1.5 million in institutional science support for this purpose. The conferees concurred with the Senate position with respect to this recommendation.

(5) The bill (H.R. 16595) as passed by the House contained a provision relating to restraints to be applied to persons attending or employed by institutions receiving funds thereunder who violate the law or the regulations of the institution. The Senate, in amending the House bill, deleted this section. Upon the insistence of the House conferees the committee of conference chose to retain the provision as passed by the House. The provision is similar to others enacted into law in connection with major Federal programs of higher education.

GEORGE P. MILLER,
EMILIO Q. DADDARIO,
JOHN W. DAVIS,
JAMES G. FULTON,
CHARLES A. MOSHER,

Managers on the Part of the House.

PERMISSION FOR HOUSE MANAGERS TO FILE CONFERENCE REPORT ON S. 2601, DISTRICT OF COLUMBIA COURT REFORM AND CRIMINAL PROCEDURE ACT OF 1970 UNTIL MIDNIGHT TUESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight Tuesday, July 14, to file a conference report on S. 2601, the District of Columbia Court Reform and Criminal Procedure Act of 1970.

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

There was no objection.

[The conference report will be filed and printed as a numbered report and will appear in pamphlet form, but it will not be published in the CONGRESSIONAL RECORD due to its size and the likely demands on mechanical equipment.]

AMERICAN STUDENTS STRANDED IN EUROPE DUE TO BANKRUPTCY OF TOUR ORGANIZATION

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

Mr. SLACK. Mr. Speaker, many of us were distressed to read last week that more than 3,000 young American students who had gone to Europe to study this summer had become stranded there due to the bankruptcy of the organization that sponsored the tours. Many of my distinguished colleagues have had the same experience that I have had, phone calls, telegrams, and letters from anguished parents properly concerned about the safety and well-being of their children. The crisis is now over, thanks to the valiant efforts of many public officials here in the United States and in foreign countries, and to the public-

spirited sense of responsibility demonstrated by the presidents and staffs of the American charter airlines that organized an emergency airlift. Because of the general interest in this problem, I am pleased to share with my colleagues the information that I have been able to gather thus far.

As we all know, an increasing number of serious-minded students have been using their vacation time for study abroad—in Europe, Latin America, Africa, and Asia. Thanks to the economics of low-cost charter flights, it has become possible for tens of thousands of young Americans to broaden their cultural horizons, to take intensive foreign language studies, and to learn more about the interrelationships of all peoples through these study tours. Many of our universities now sponsor such programs, and give college credit to the participants. Groups like the Institute for International Education, the Experiment in International Living, and Crossroads Africa have been in the forefront of student exchange programs since the end of World War II. The United Nations Educational, Cultural, and Scientific Organization's annual "Study Abroad" directory is well-thumbed by students in many countries who want to satisfy their personal quest for knowledge by having the experience of study and travel in another land.

A proprietary educational organization known as World Academy, headquartered in Cincinnati, Ohio, went into bankruptcy this past week. It has reportedly had a commendable program in the past. None of us can now say what led to this crisis in its financial affairs; we must wait until all evidence is presented in the courts. World Academy sponsored a number of 4-week study programs at educational institutions in Geneva, Paris, Rome, Athens, Cologne, Berlin, Madrid, Marseilles, and Vienna. Each was followed by a 2-week tour program. Because many students were of high school age, there was one chaperone assigned to every 10 students. Prominent American as well as foreign educators participated. Arrangements for medical care were made at every World Academy study center in Europe. The tuition price included round trip air fare by a charter airline, housing, food, tuition, and the windup sightseeing tour.

For this year's program, World Academy had contracted with Capitol International Airways, headquartered in Nashville, Tenn., for 23 round trip flights from various points in the United States to the nine European cities I mentioned. The flights were to have departed this country in June and early July; the students were to be returned home in late July and August. By July 3, Capitol International had operated 16 European-bound flights for 3,231 students. On that day, just 4 hours before the 17th take-off, Capitol International, a U.S. certificated supplemental airline, received a telephone call from World Academy officials. These officials were notifying the airline that the Academy could not meet its contractual obligation to complete the program. They requested that the remaining seven flights be canceled. On the

next day, July 4, World Academy officials went to Nashville and informed the airline that their organization could not meet its financial commitment to house and feed the 3,000-plus students in Europe. They asked Capitol International to try to bring them home.

As all of us know, this is the height of the North Atlantic travel season. U.S. scheduled and charter airlines have been booked for many months. Capitol International had no contractual obligation to return the students until the end of the summer. Nevertheless, it demonstrated the highest kind of responsible business leadership that we expect from American industry. By rearranging its complex schedules, and by appealing to other U.S. charter airlines, Capitol developed, within 36 hours, an emergency airlift out of Europe. Joining with Capitol International by making planes available were World Airways and Saturn Airways of Oakland and Overseas National Airlines of New York City.

The Civil Aeronautics Board, our embassies abroad, and the foreign air ministries responded immediately to the plight of these students by waiving all the restrictive rules governing charters. Uplift rights were granted from foreign airports without the usual bureaucratic redtape. Groups were even commingled; under existing rules every passenger on an affinity charter must return with his own group and not "commingle" with other travelers.

Within 48 hours—that is, by the 6th of July—two flights of standard students had already been airlifted home from Geneva and Paris. In the next 3 days, 1,628 had been returned home. I am further assured that every student who wishes to return at this time will be back in the United States by today, Monday July 13.

It has been most gratifying to the concerned parents that on its own initiative Capitol International told its European agents to make sure that no student went without food or lodging. Though it has no business relationship with the bankrupt World Academy other than to provide flights under contract, this airline was willing to dig into its own pocket to see that American boys and girls were helped in their time of need. It has even provided rooms, meals, and bus services to students arriving in the United States, until such time as domestic flights could be organized to return them to their original departure points across the country.

Capitol, World, Overseas National, and Saturn stand to lose revenue as a result of moving previously committed equipment into this emergency airlift. I know that my distinguished colleagues will join me in a salute to these truly American companies. Let me add that I was shocked to learn that major scheduled airlines would not participate in the airlift unless each stranded student dug down and paid the full, individually ticketed fare.

Mr. President, it is now incumbent on Congress to review this matter in more detail. The facts I have stated draw me to the conclusion that there is need for more protection of young people who travel abroad, without damaging

the concept of foreign study. At the same time, the incident revealed the true nature of some of the archaic regulations that have been imposed on low-cost charter travel. Some might argue that the rules are in the public interest, since they can be waived when the public needs to be promptly served. It seems to me that we are faced with a situation in which the exception not only proves the rule—the exception is the only reason the rule exists. This kind of twisted logic was dealt an eloquent blow by President Nixon's recent statement on international air transportation policy. I commend that statement to every Member of this body, particularly since it was published only 11 days before this terrible situation involving 3,000 young people took place.

WHAT DID YOU EXPECT, MR. LAIRD?

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

Mr. BINGHAM. Mr. Speaker, last Thursday our former colleague, Secretary Laird, spoke darkly once again about continued Soviet deployment of ICBM's, including the huge SS9's. And he seemed to be saying that it was menacing and reckless of the Soviet to go ahead with this deployment while the SALT talks were going on.

Here is what Mr. Laird did not say:

First, from last August until June there were no new starts in the building of SS9 missile sites. There were continued new starts of the smaller ICBM missile sites, but it was the threat presented by the huge SS9's that Mr. Laird focused on in seeking to justify the Safeguard ABM system. In his statement last Thursday, Mr. Laird clearly lumped together the various types of Soviet ICBM's.

Second, during these 9 months the United States did not reciprocate in any way. The United States went right ahead with the deployment of MIRV, in spite of the pleas of many Americans in and out of Congress that deployment should be deferred and in spite of the indications that the Russians were very nervous about the U.S. MIRV.

Third, 3 weeks after the first Minutemen were armed with MIRV, new SS9 missile site starts were detected.

What else—in the name of the Almighty—did you expect, Mr. Laird? Did you suppose for one moment that the Soviets would not go ahead with the SS9's if the United States went ahead with MIRV?

Why did you never tell the American people about the long suspension of SS9 starts, which might well have been interpreted as a sign of restraint calling for some reciprocal action?

No doubt it is too much to expect the military men in your Department to weigh the dangers of an accelerated nuclear arms race against the danger of as yet uninvited Soviet weapons years down the road. But you as a civilian are obligated to weigh both kinds of danger and to give to the American

people a balanced picture, instead of a distorted one.

Elsewhere in the RECORD, I include Mr. Neil Sheehan's account in the New York Times of Mr. Laird's Thursday press conference, and a subsequent article in the Washington Post by Mr. Chalmers Roberts.

ENVIRONMENTAL PROTECTION ACT OF 1970

(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, in March I introduced H.R. 16436, the Environmental Protection Act of 1970, a bill designed to involve citizens and the courts in the fight to save the environment.

Today I am reintroducing this legislation along with 27 of my colleagues who share my concern over the lack of citizen access to the courts to do something about pollution. It is our feeling that the present approach to pollution control is inadequate and that the Federal Government's present reliance on administrative agencies to fight pollution must be supplemented by meaningful citizen participation in the battle through the vehicle of the court system.

We are not alone in our feeling. As of this date, legislation similar to the Environmental Protection Act is pending before the legislative bodies of seven States: Massachusetts, New York, Pennsylvania, Tennessee, Colorado, California, and Texas. In Michigan the signature of the Governor is all that is required for this bill to become law. The battle to secure a citizen's right to sue in this vital area is fast becoming a national movement.

The New York Times recently published an editorial on the act that sums up very well what we are trying to do. With your permission, Mr. Speaker, I ask that the editorial be printed in the RECORD:

[From the New York Times, June 29, 1970]

ENVIRONMENT'S DAY IN COURT

If three members of Congress are successful, the Federal courts will be drawn into saving the environment much as they have been involved in desegregating schools and reapportioning state legislatures. Senator Hart of Michigan, Senator McGovern of South Dakota and Representative Udall of Arizona are pushing a bill to affirm the legal standing of any citizen to appear before administrative agencies and courts to defend "a right to a pollution-free environment."

Such a law would, as laws often do, lag somewhat behind the practice. Many environmental suits are already in the courts, one of them on behalf of "all the people of the United States," including "generations yet unborn," against eight manufacturers of DDT. The question of standing always has to be argued, however, and most courts still require a showing of specific damage. Relief, if it comes, is in the form of a financial award rather than a judicial directive to the offender to modify or abandon his offensive practices. The Hart-McGovern-Udall approach requires no showing of economic damage and empowers the court to enjoin the offending activity.

Fundamentally this is a case of the legislature asking the judiciary to do what the executive ought to do but too often doesn't.

Administrative agencies, it is almost a truism, are bombarded by highly organized special-interest groups and scarcely reached by an unorganized public opinion; not unnaturally they come in time to identify with the first and forget the second. The proposed law would tend to balance the pressures.

There is in all such legislation the danger of encouraging publicity-seeking, crank suits and harassment. But the Hart-McGovern-Udall proposal includes protections that make that risk minimal. Most suits will be in the form of claims for preliminary injunctive relief, and these could quickly be screened by the courts for substance or the lack of it.

This is a moderate bill that would make the administrative agencies of government more responsive to the public and more faithful to the spirit of the laws they administer.

CRIME INSURANCE REPORT DOES NOT SOLVE PROBLEM

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

Mr. ANNUNZIO. Mr. Speaker, last Thursday the Department of Housing and Urban Development published its report on "The Availability of Crime Insurance and Surety Bonds in Urban Areas." This report was established as a provision of the Urban Property Insurance Act of 1968 and was originally to have been submitted to the Congress on December 31, 1969. However, a 6-month legislative extension was granted setting a new date for the report of June 30, 1970.

Before even going into the merits of the report, it should be pointed out that if HUD and the Federal Insurance Administrator are so concerned about the availability of crime insurance in urban areas, this report would have been submitted on time or, in fact, well in advance of the deadline. Because the report was not submitted on time, it is my conclusion that the report serves only to meet a legislative requirement rather than seeking sensible solutions to the availability of urban crime insurance.

This then becomes even stronger when the text and recommendations of the report are considered. The report does not provide any meaningful solutions to helping businessmen and homeowners in urban areas obtain crime insurance but rather seeks to stall a much-needed Government program of crime insurance.

Mr. Speaker, on September 8 of last year, I introduced H.R. 13666, the Urban Property Protection and Reinsurance Amendments of 1969. Last month the Housing Subcommittee of the Banking and Currency Committee held a hearing on the legislation. My legislation has been endorsed by small businessmen from coast to coast and, in fact, the only groups that oppose the bill are the insurance companies and the Federal insurance administrator. Very shortly, an executive session within the subcommittee will be held on my bill and, hopefully, my legislation will be before this body by the end of the summer. My bill does provide a workable solution to the problem of crime insurance in our urban areas, while the plans put forth by the Federal insurance administrator repre-

sent nothing more than protracted delays in solving the problem.

For instance, the plan put forth by the Federal insurance administrator would require the States to make crime insurance available at reasonable rates in urban areas by August of 1971. If this was not done, the insurance administrator would withdraw the Federal riot reinsurance coverage in those States. I do not feel that this will solve the problem and, of course, it will not guarantee that crime insurance will be made available since States may be willing to do without riot reinsurance, particularly if we have gone through a long period without any major riots in our cities.

The insurance administrator suggests that following this, he could order that crime insurance be made available under the so-called FAIR plans, a suggestion that I made in 1968 as an amendment to the Urban Property Insurance Act. However, in an earlier part of his report, the Insurance Administrator suggests that the inclusion of crime insurance in FAIR plans is not the answer. If crime insurance can be offered within the FAIR plans in those States which do not comply with the 1-year edict of the Federal Insurance Administrator, why is it that such coverage cannot be made available immediately? In short, if such a method of providing coverage is a good idea at one time, it is a good idea at all times, or, if it is a bad idea at one time, it is always a bad idea.

Mr. Speaker, if I felt the suggestions made by the Federal Insurance Administrator would provide meaningful solutions to helping people obtain crime insurance, I would endorse the report wholeheartedly, but, in the language of our current younger generation, the report is "a cop out." It does nothing more than buy time for the insurance industry in the hope that those of us who want to provide solutions to the problem will back off and shift our attentions to some other area.

In conclusion, Mr. Speaker, let us not be fooled by this tactic and the follow-up tactic that will surface very shortly put forth by those who will state that since the report suggests a 1-year waiting period, the Congress should do nothing for at least another year.

We can no longer ask the small businessman and homeowner in our urban areas to wait. They are looking to Congress for help. If we do not give them that help, they cannot stay in business, and without them, the decay of our cities will continue.

I am including in my remarks an article from the Saturday, July 11, issue of the Washington Post that discusses the insurance report:

INSURANCE PLAN SET FOR CRIME AREAS

(By Robert J. Samuelson)

The federal government yesterday took its first steps to force insurance companies to provide burglary and theft coverage in high-crime areas of major cities.

Insurance Administrator George K. Bernstein told states (and the District of Columbia) with these insurance problems to establish special pools to write policies at "reasonable" rates for businesses that cannot find protection in the normal market.

Bernstein set a deadline for compliance of Aug. 1, 1971.

Under the plan, the insurance companies would not have to bear the high losses that the Insurance Administration contended would result from widespread issuance of crime insurance in large cities. To subsidize excessive losses, Bernstein suggested that the states levy a tax on the premiums of all property insurance written in the state.

A report from the Insurance Administration suggested that this levy "would range from 2/10ths of 1 per cent of (a) regular premium in a state like California . . . to 2 per cent in the District of Columbia, which presents the most serious crime insurance problems in the nation because of its total urban concentration and high crime rate."

Bernstein's program contrasted sharply with a Congressional proposal, introduced by Rep. Frank Annunzio (D-Ill.), that would authorize the government to provide direct insurance.

Aides to Annunzio indicated yesterday that he would press forward with his legislation, now pending in the Banking and Currency Committee. They expressed skepticism that Bernstein's plan would actually succeed in making crime insurance available in most cities.

Bernstein lacks direct authority to order creation of the new insurance pools. If the states fail to respond by Aug. 1971, he threatened to withdraw federal reinsurance for fire losses suffered by private firms during civil riots.

One problem with Bernstein's approach, Annunzio aides concluded, is probable opposition to the new insurance levy from suburbanites.

"Try to sell that to someone who's living in Scarsdale, New York, Alexandria, or Chevy Chase," one man said. "They're going to lobby against it in their state legislatures, and they'll say 'why should we pay for the sins of the inner city.'"

Bernstein's recommendations were contained in a 121-page report submitted to Congress yesterday. The report was originally ordered by the Housing Act of 1968.

"Businessmen and residents in many major cities cannot obtain burglary and theft insurance at a price they can afford," the report declared.

In Washington, according to an appendix to the study, annual premiums on an open stock burglary insurance policy worth \$7,500 more than doubled between 1962 to 1969—from \$325 to \$827. A \$15,000 policy on a jewelry store rose from \$581 to \$1,481 in the same period.

Of five areas surveyed, Washington generally ranked second in high insurance premiums, according to the study. Bronx County, New York, generally ranked first; the \$7,500 drug store policy, for example, cost \$977 in premiums in the Bronx.

The other areas studied were Los Angeles County (\$790 for the drug store policy), Cook County, Ill. (\$429), and Essex County, New Jersey (\$632).

Crime insurance, the report said, has generally been unprofitable. Between 1959 and 1968, stock insurance companies lost \$40 million on premiums of \$1.03 billion, the report said; mutual companies suffered about \$6 million in losses on \$115 million.

The losses have grown in the past two years, according to the report, which also added:

"It is as unrealistic to condemn insurance companies for not making crime insurance available below cost as it would be to expect urban businessmen and residents to continue to absorb crime losses in the vain hope that, if the situation sufficiently deteriorates, they will somehow find a way to end crime."

To qualify for insurance under Bernstein's plan, an applicant would have to meet "certain standards of insurability such as installing protective devices . . ." This recommendation, according to Congressional sources,

should not prove controversial, because most insurance experts regard inspections and underwriting requirements as a way to deter additional crime.

FUNDS FOR RURAL ELECTRIFICATION ADMINISTRATION

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

Mr. BRADEMAS. Mr. Speaker, I rise to speak about a matter of great importance to millions of Americans who live in rural areas and who make use of electrical power provided by programs financed through the Rural Electrification Administration.

In particular, I wish to address myself to the funds for the Rural Electrification Administration contained in H.R. 17923, the agriculture appropriation bill for fiscal year 1971, now in conference committee.

The amount of money for REA loans in the bill passed by the Senate is \$30,000,000 above the appropriation figure of \$345,000,000 contained in the House passed bill.

Yet the amount in the Senate bill is well below the funds essential to meet the needs of rural electrification programs across the United States.

As the Senate Appropriation Committee noted in its report on the bill, the \$30,000,000 figure for the coming fiscal year represents only a "modest increase."

Certainly, Mr. Speaker, this is a minimum figure. At the beginning of 1970, the backlog for filling telephone and electric applications was \$407.7 million, the highest calendar year-end figure on record. In addition, REA estimates its 1971 loan needs will be close to \$900 million—almost 2½ times the amount of either the House or the Senate appropriation figure for the coming fiscal year.

I might also here note, Mr. Speaker, that both the Senate and House appropriation bills contain \$20,000,000 in carryover funds from the present fiscal year, funds that have been frozen by the Bureau of the Budget.

As we are all aware, rural electrification has had an extraordinarily wide and positive effect in the United States. Today 98.4 percent of our farms receive electric power as compared to only 10 percent in 1935.

Yet the task of rural electrification is not complete. Needs for rural electric and telephone cooperatives continue to grow along with spiraling demands for power.

Indeed, the report of the House Committee on Appropriations on this legislation observed:

Energy consumption is presently increasing at the rate of 6 million kilowatt hours per year. Consumption of power is expected to increase to an estimated 135 billion kilowatt hours by 1980.

It must be obvious, Mr. Speaker, that rural America will suffer blackouts and brownouts if the financial needs of our agricultural areas are not met.

But I must stress that I do not speak of a problem confined to rural America. With a projected population increase of 100,000,000 in the next 35 years, our cities

and rural areas must work together if we are to be able to establish a balanced population growth policy.

Recently a survey conducted by the National Rural Electrification Co-operatives Association of a cross-section of the population demonstrated that 70 percent of the responders preferred to live in small towns but that 55 percent of the same persons still looked to the city as the place to "get ahead."

What this means, Mr. Speaker, is that if the rural outmigration, which has been affecting our cities, adversely in a number of ways, is to be significantly reversed, rural America as well as urban America must be able to provide adequate job, industrial, educational, and recreational opportunities.

And what this further means is that there must be sufficient electric power. We must, therefore, be sure that we increase not decrease, the funds available to rural electric agencies.

Mr. Speaker, I should here, note that borrowers from REA are seeking new ways to meet the demands of their consumers. For example, there have been formed National Rural Utilities Co-operative Financial Corporations to supplement the insufficient supply of capital available from Federal sources.

Such efforts as these are greatly to be commended but Congress must still play a significant role in helping meet the continued growing power needs for rural America.

It is for this reason, Mr. Speaker, that I urge the House to support the figure of \$375,000,000 contained in the Senate-passed appropriation bill for rural electric loan programs.

We are all aware, Mr. Speaker, of the importance of exercising restraint in Government spending. But we are also aware of our responsibility to make judgments among the competing claims on Federal revenues. When one considers the solid and essential contributions that the rural electric cooperatives are making to build a better life for all Americans, I believe that it must be clear that the Senate appropriations bill is a more prudent one than is ours with respect to rural electric programs.

REPORT OF THE INVESTIGATION OF SELECT COMMITTEE ON THE U.S. INVOLVEMENT IN SOUTHEAST ASIA

The SPEAKER. Under a previous order of the House, the gentleman from Mississippi (Mr. MONTGOMERY) is recognized for 60 minutes.

Mr. MONTGOMERY. Mr. Speaker, before yielding the floor for questions and comments—and certainly we invite questions and comments concerning the investigation of the Select Committee on the U.S. Involvement in Southeast Asia—I would like to thank you, Mr. Speaker, and our distinguished minority leader (Mr. GERALD R. FORD) for your wisdom in selecting the committee members. May I say that as chairman I could not have asked for a more hard-working, conscientious group of colleagues. I am sure we all recognize that it would have been impossible to appoint

a committee of 12 members without their having some opinions on our involvement in Southeast Asia, but I can quickly say without hesitation that each of the committee members approached their job with an open and objective mind.

They set about the task at hand with determination to get as much factual and up-to-date information as possible in the 2 weeks' time. One sometimes wonders how much work can be accomplished under the hot and humid conditions that exist in Indochina, but the committee members proved that quite a bit can be done by working long and hard each day trying to obtain proper information for this report.

It should also be noted that the members exposed themselves to some danger in gathering necessary data. I feel it is very fortunate that none of the committee members or staff members experienced any mishaps.

It would be remiss for me not to commend Lt. Col. William McCord, Lt. Col. Archie NeSmith of the Air Force Liaison, as well as Sgts. Smarr and Montgomery.

The Air Force was the action agency for our trip, they provided us with maximum cooperation while we gave them the very minimum of cooperation, as far as advance notice of itineraries is concerned.

Mr. Speaker, I would like to take this opportunity to publicly pay tribute to my 11 colleagues for their outstanding team effort, and say we have submitted a good, up-to-date report.

As is always the case with any worthwhile project, problems are bound to arise. As chairman, I take full responsibility for the problems and misunderstandings that have developed since our return.

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

Mr. MONTGOMERY. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, I regret that it is necessary to ask the gentleman to yield just now, but I must leave the floor at this time.

I have read the report of the gentleman and some of the supplemental views and I think the gentleman and his committee have rendered a distinct service to the House of Representatives and to the country.

I congratulate the gentleman and the committee.

Mr. MONTGOMERY. I thank the distinguished majority leader.

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

Mr. MONTGOMERY. I yield to the gentleman, a member of the committee.

Mr. SMITH of Iowa. Mr. Speaker, I think all Members without exception very much appreciate the way the gentleman from Mississippi handled the chairmanship of this select committee.

I know that I personally do and I say so frankly.

One of the first instructions that the chairman laid down, which was a very good one, was that this committee would avoid publicity at all times during the 2 weeks.

If each day, every time a team went somewhere, they put out a press release

and tried to tell everybody, then, of course, everybody would have known what place we were going to and about the work that was being done.

But it would not have contributed to getting the results that we wanted and needed. So as the various teams went out in four or five different directions each morning and each afternoon, there was no advance publicity. As a matter of fact, we dropped in many times without any notice at all. I do want to say in this regard, we did have good cooperation because the word had gone out to all the U.S. personnel in the area that anything we wanted, we were to get without any exception whatsoever and quickly the most sensitive of information including the instructions they had from Washington.

So we did have cooperation in that regard.

I think the gentleman handled the committee as good as it could have been done and we did for this reason get as good a report as anybody could get in two weeks time and by fanning out in four or five different directions, of course, some people say—Why were not all of you at one particular place at a particular time because if that is the way it would have been handled, we would not have gotten one-fourth as much information.

So I think the gentleman did have a good plan outlined. I was not one of those who thought he really had the right kind of a plan to start with, but I do concur in that now. His plan was to go out in the field and see everybody a week before we saw the top people, and then you could ask those questions, instead of going first to them and getting a briefing. The gentleman had the right plan.

Mr. MONTGOMERY. I thank the gentleman for his comments.

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

Mr. MONTGOMERY. I yield to the gentleman from Tennessee, a member of the select committee.

Mr. ANDERSON of Tennessee. Mr. Speaker, I appreciate the gentleman yielding.

I, too, want to express my appreciation to the Speaker for having had the privilege of making this trip, the first one I have made abroad as a Member of Congress, being a member of the Committee on Rules which normally cannot travel even to Alexandria, and it is likely to be my last.

I was impressed very much by the chairman of our select committee. According to the stories I have heard regarding previous congressional groups going abroad, I understand it is always very, very difficult to keep a group pointed in the right direction and diligently pursuing the task they are sent over to pursue.

I can certainly say that our chairman of the select committee performed this role in a way which I consider in the highest order of leadership, energy, and devotion to the job at hand.

The allegation has been made that we were given the snow-job treatment in certain instances and that we sat in on too many briefings.

I defy any human being making any trip to South Vietnam without being caught up in a briefing or two.

Several of us went to an advance fire base near the DMZ. A fire base that had been constructed only 3 days before and had been in operation for only 3 days. It was manned by ARVN forces with a handful of American advisers.

There was in action at the time this 105 millimeter battery. They had one company out in the bush. It was supporting with artillery fire. What happens first on our arrival there? We were taken to the bunker of the ARVN major who was in charge of the battalion involved, a bunker dug down into the earth, and what were we given while the 105's were going off against the VC and the NVA? We were given a briefing. He had a chart and was prepared to give us a briefing. You cannot escape all of these briefings, but certainly every effort was being made to set an independent course, to find out what we wanted to find out, and to look into the things we wanted to look into.

Any personal requests I had of the chairman, whether it be to personally interview a recent North Vietnamese defector or whether it was a request to join a party going to Con Son Island was supported, and it was supported not only to the extent of approval, but to the extent of backing up a request to the embassy that transportation facilities be provided.

So I want to express my appreciation to the gentleman in the well, who I considered handled this in a fashion that could well set a pattern for other congressional groups that go abroad.

Mr. MONTGOMERY. I thank the gentleman for his comments and for the support that he gave me as chairman of this committee and as the other 10 members did also.

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

Mr. MONTGOMERY. I yield to the gentleman from California, a member of the committee.

Mr. HAWKINS. Mr. Speaker, I thank the gentleman for yielding. I use this opportunity first to thank the chairman of the committee for the very many courtesies extended to me. I have with great restraint averted any charges of any member of the committee being given a "snow job." Certainly I think the committee worked diligently enough to ascertain facts, and should not be labeled as having whitewashed anything. At all times I want to say the chairman of the committee cooperated with me, and I feel that I had full opportunity to do whatever I wanted to do, the same as did the other members of the committee.

I have, heretofore, sought to clarify the difference in my findings with those of the majority of the select committee in a substantial difference in the kind of witnesses we interviewed. Typical of those upon whom my findings are based were such groups as students, religious leaders, and political opponents of the Thieu-Ky regime as opposed to relying heavily on the military and the American Embassy.

I also found a vast resource of information and "leads" among the many Americans representing volunteer organizations, included among these were

such groups as the American Friends Service Committee, the National Council of Churches, and the Mennonite Missionaries in Vietnam.

Two false impressions have been spread since our reports were made: one that prison reform at Con Son was our main concern; and second, that in exposing human torture in South Vietnam we endangered our American prisoners of war.

Actually Con Son was merely one fact in a series of findings which we reported as symptomatic of a government that remains in power by a system of political repressions, religious persecution, civil corruption, and military power. Improving conditions at this prison, while essential, will not in itself change a corrupt and evil system.

Also, it was natural that those who sought to suppress the facts would seize the American prisoner-of-war issue as their defense, especially since many people assumed that the prisoners at Con Son were Communist. Such misguided souls reasoned that it was all right to treat Communists in that way in retaliation.

The facts, however, are otherwise. The political prisoners we reported were almost without exception, not Communist but indigenous South Vietnamese imprisoned without trial for advocating peace and opposing a corrupt government.

Of even greater importance than prison conditions is the brutal treatment by the police of the native population most of whom happen to be non-Communist. Total repression of civil liberties in South Vietnam is Government policy. Those arrested on suspicion are beaten into confessing and sent to prison without trial.

Because of the limited time available to fully explore this aspect of our investigation, my report did not deal, as it properly might have, with the subject of Antri. This is the method created by an executive decree for holding without trial up to 2 years and renewable, anyone suspected of being a Communist, a Communist sympathizer, or what amounts to being publicly for peace.

In South Vietnam, the terms "Communist," "neutralist," and "pacifist" are interchangeable. A member of the National Assembly, Ho Ngoc Ceu, whom we interviewed, estimated that almost 50,000 such political prisoners are now in jails, over 7,000 of whom are at Con Son.

In the ferocity of the war itself, we seem to have overlooked the fact that what started in Vietnam as the struggle of its people for independence and self-determination somewhere along the way became an ideological war between the United States and the Peoples' Republic of China.

The shortcoming of U.S. policy in Southeast Asia lies not in opposing communism if that is what the people of these countries also desire, but in our involvement in the internal affairs of other nations without regard for what the people really want.

Thus, we are a party to suppressing the many nationalists groups that might create a popular government that would offer a non-Communist solution to South Vietnam's problems. But apparently we

are committed to opposing all opposition, internal or external, to the military dictatorship of the present regime.

This policy is self-destructive. Our bombs, firepower, and rockets have devastated the landscape and created social disintegration.

The Saigon Government can only remain in power because of our military might but is unpopular because of it.

We are, therefore, troubled when we address ourselves to the individual components of an unpopular government such as the military dictatorship of Thieu-Ky. Will such programs as Vietnamization, pacification, and land reform work?

The answer was best given by Thieu Thien Hoa, Rector of the Buddhist Institute, whom I interviewed in Saigon, when he said the success of such programs depended on the government that administers them. In the hands of an evil regime the best of programs will fail. Only a government which is popular, one that is not corrupt, or controlled by an outside power can succeed in making government work in behalf of the people.

I am convinced the South Vietnamese people believe their only hope of achieving real independence and self-determination is the total withdrawal of the U.S. military at the earliest possible time. And, in this hope, I believe more and more Americans are in agreement. For Americans, the war has become a nightmare. Only now are many of us beginning to see what it is doing to our economy, the disunity being created among our people, and the effect it is having on our youth. Above all, we should be concerned with what our involvement in Asia is doing to human life and social justice.

As the world's most powerful military power we can with dignity become its most powerful force for peace.

Pertinent material follows:

**U.S. POLICIES DESTROYING INDOCHINA,
STANFORD BIOLOGISTS WARN**

United States military strategy in Southeast Asia is producing such devastating, long-term environmental damage in Vietnam that a crippled land will be the "legacy of our presence," a group of Stanford University biologists warned today.

The study team, which included graduate students, post-doctoral fellows and faculty members of Stanford's Department of Biological Sciences, made public its findings on the ecological effects of the Indochina war in a conference held at the Sheraton-Palace hotel. The report, entitled "The Destruction of Indochina—A Legacy of Our Presence," was published by California Tomorrow, statewide environmental organization.

"This study falls within the scope of our concerns," California Tomorrow noted, "for we will be unable, while pursuing the dirty business it portrays, to turn our wealth and creative energy to our massive domestic problems, prominent among which are those involving the environment—of California and the nation."

The report detailed the intensive defoliation and cropland-destruction programs employed by U.S. forces in Vietnam which claim to be justified in terms of saving lives of the U.S. and South Vietnamese troops fighting for the sake of the people of South Vietnam.

"However," the report adds, "in view of the permanence of the environmental damage being produced by U.S. military operations in Southeast Asia, it is impossible to identify the benefit to the people living there or to their descendants."

Noting that the report is primarily concerned with ecological damage, the authors also point to other damaging results of these warfare tactics.

It says: "The military is transforming a basically rural agrarian society into an urban nightmare which is economically dependent on the continued presence of the United States. America and its allies have forcibly transported people from hamlets into refugee camps located in and near cities, and have driven many more off their ancestral lands by bombing and defoliation.

"In the past ten years Saigon has grown from a city of 250,000 to become one of the world's largest.

"It now has 3,000,000 people and is the world's most densely populated city. The extremely rapid influx into the cities and surrounding camps has created massive problems in housing, feeding and providing medical care for the refugees."

In an introductory statement, co-author Donald Kennedy, professor and chairman of the Department of Biological Sciences at Stanford, comments that the "central question is now a simple one. How can we claim to be acting on behalf of people when our action itself is prohibiting a future for them?"

The authors forecast that "when the fighting has finally ended, the suffering and hardship will have only begun, for our actions in Vietnam have severely upset the environment and greatly reduced the ability of the land to support its people.

"The defoliation of vast areas of forest and agricultural land by poisonous and teratogenic (fetus-deforming) herbicides, the saturation bombing and extensive burning, the deliberate destruction of crops with resulting starvation, malnutrition and disease—these we have introduced to Southeast Asia and to the list of available techniques for waging war."

The report concludes:

"The devastation we have already caused is a monstrous legacy for those we call our friends. The environment, the social organization, the very future of Vietnam have been so severely mortgaged by action supposedly on her behalf that an American policy of immediate and permanent cessation is clearly the most effective aid we can now give."

NOTE TO EDITORS.—In addition to Professor Kennedy, other authors of the report are Professor Colin Pittendrigh, biology department; Howard Edenberg, graduate student in molecular biophysics; Patrice Morrow and Bruce Bartholomew, graduate students studying physiological ecology of plants; Lawrence Gilbert and Edward Merrell, graduate students in population biology and ecology; Peter Cohen, post-doctoral fellow in molecular genetics; Matthews Bradley, graduate student in developmental biology; and Patricia Caldarola and Paul Grobstein, graduate students in neurophysiology.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1970.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As a member of the House Select Committee on United States Involvement in Southeast Asia, I have submitted supplemental views to the House on my findings including conditions we found at the South Vietnamese Correctional Center known as Con Son. Since the United States contributes financial aid, although modest, to this facility and because of the United States involvement as an ally with the government of Vietnam, this matter is of direct interest to me and to our position in world affairs. I wish, therefore, to respectfully report my findings to you for whatever executive action you think appropriate.

I believe the subject matter of this inquiry has been at times not seen in its full perspective. Prison reform per se, although desirable, was not our primary objective. Con Son is merely symptomatic of political oppression and suppression that in South Vietnam prevents freedom of expression and self-determination. Because of this, such programs as Vietnamization and Pacification receiving our direct assistance are jeopardized which in turn affects the withdrawal of American military forces.

To merely address ourselves to correcting prison conditions, although desirable, is not enough. The full range of governmental programs and policies that our government supports should be re-examined.

Also the issue of Con Son has become identified with the prisoner of war issue. In my report and personal statements, I have at no time sought to convey the idea that we had interviewed or found in this particular prison communist prisoners of war. Such prisoners, if in this Center, were told would only be there because of subsequent criminal offenses. We had no way of verifying this as a fact.

Those persons we did interview indicated to us that they were South Vietnamese political prisoners and not prisoners of war. This I believe to be true since prison officials corroborated these statements.

I do believe, however, that our American prisoners of war may be somewhat affected by the fact that inhumane treatment of political prisoners on the part of South Vietnam weakens our side in its insistence on a moral code for the other side to which we ourselves do not subscribe in the conduct of a government which we support. And, I strongly condemn those who would emotionalize this issue in order to rationalize a continuation of war.

In making public the facts we found at Con Son and elsewhere, I did so in the strong belief that our government in assuming the leadership of exposing and moving to stamp out political oppression and torture no matter by whom committed can better insure improved treatment of Americans held by the enemy, and eventually achieve a more viable and stable government for the Vietnamese.

Personally, I found communist strength in South Vietnam very limited. In such a strong force as the Buddhist, for example, the dominant spirit was one of nationalism, self-determination, and independence of all outside forces, including both imperialism and communism.

But in the government's policy suppressing such voices of religious leaders, students, disabled war veterans, and political opponents . . . with United States support, we have given the people the hard choice of communism or war rather than an alternative of national patriotism with peace.

I urge you to take immediate executive action in support of a thorough inquiry in these matters by competent and judicious authorities. I enclose my full report to the House of Representatives for your consideration, and I assure you of my readiness to assist our government in whatever way I can to address the wrongs committed and to speed up both our military withdrawal as well as the safe return of Americans held by the enemy.

Respectfully yours,

AUGUSTUS F. HAWKINS,
Member of Congress.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman from California for his remarks. I might say I did receive full cooperation from the gentleman. As I said, we did have disagreement on certain parts of the report.

I would like to say concerning Con Son prison, it was the feeling of two members that it should probably have been stated

in the summary report in detail, but it was the feeling of the majority of the committee members that discussion in great detail of conditions found in only one section of only one South Vietnamese prison might have dangerous implications as far as North Vietnamese treatment of prisoners of war were concerned. It was further felt the North Vietnamese might seize upon the treatment of South Vietnamese political prisoners as a propaganda tool. It was a deep and abiding concern for the plight of captive U.S. servicemen which pervaded the final decision of the committee, so this was a matter of opinion I might say.

When Congressman ANDERSON and Congressman HAWKINS reported to me about what had been found at Con Son prison that Thursday afternoon, I immediately got in touch with Ambassador Berger, the assistant to Ambassador Bunker, and asked for an investigation. The next morning, before boarding the plane back to the States, I talked to Ambassador Bunker. I assured him of the committee's concern and he told me there would be an investigation.

After arriving back in the United States, I called, and also the gentleman from Indiana (Mr. ADAIR) of the committee, called Mr. Hannah's office. He directs U.S. aid. We talked with two people in Mr. Hannah's office. We were assured we would be given reports as to what had been done on this situation. The committee wants Con Son prison corrected. I have taken action to see that this is done. However, we were concerned by what might happen in making Con Son a strong issue in the report as far as American prisoners of war were concerned.

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

Mr. MONTGOMERY. I yield to the gentleman from New York, a member of the select committee.

Mr. ROBISON. Mr. Speaker, I appreciate the gentleman's yielding to me.

I notice there are other colleagues who were not on the committee who wish to take part in this colloquy, so I will try to be brief.

I should like to express, in behalf of the minority members on the special committee, our appreciation to Chairman MONTGOMERY for the fact that he did permit those of us who went to Vietnam and to other parts of Southeast Asia with him, the opportunity to do, or to suggest, nearly anything we had in mind which might advance our mission.

I did not personally seek assignment to this particular committee. One of the reasons why I did not was that I had some reservations about whether or not such a committee could get a free, independent and objective look at the situation in Vietnam, and I believe if anyone looks back at the experiences of other factfinding groups one would have to have some reservations along those lines.

However, it does seem to me, in retrospect, I say to the gentleman in the well, that under his leadership and in the manner by which he let us go our ways—singly at times, in pairs sometimes or as members of teams—we got as good an overall view of the whole situation in

Vietnam as anyone could hope to have under all the circumstances.

There has been some criticism, and I suppose that criticism was inevitable, that we had too many military briefings. The fact of the matter is that we are deeply involved militarily, not only in Vietnam but in many parts of Southeast Asia, as well, so that certain military briefings were essential.

But I believe if one would count up the number of other contacts the committee made, or that individual members of the committee made, one would find those other contacts and other discussions whereby we obtained different points of view besides that of the military, would outnumber the military briefings we also had.

So, Mr. Speaker, speaking specifically for the gentleman from Indiana, ROSS ADAIR, who was supposed to be here this afternoon and, so far as I know is still trying to get here but probably will miss the special order he had for later on, I should like to express our thanks to the chairman of our select committee, and I believe for all the minority members, for the manner in which he permitted us to get the best possible and most objective look we could at the situation in Vietnam.

Mr. MONTGOMERY. I thank the gentleman for his remarks.

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to another member of the committee, the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN of Idaho. I thank the gentleman for yielding.

I should like to join my colleague in expressing my personal appreciation for the manner in which our distinguished chairman led the committee during the course of its inquiry in Southeast Asia.

I believe it is fair to note that this committee was unique. So far as anyone can recall, no committee has been created by the House of Representatives for a purpose such as that set forth in the resolution which established this committee. Therefore, in a large measure we were plowing new ground. There was no well defined format. There were no accepted rules of procedure.

I had many of the reservations that have been voiced here today. But, in looking back I believe the chairman in particular did an excellent job in developing the method of operation and the approach that was calculated to yield the kind of information which could be of greatest value to us in the discharge of our duties here in the House of Representatives.

I would also like to express my appreciation to the other members of the committee. The committee's work was characterized by a spirit of true bipartisanship and cooperation. There was never any attempt by anyone to force his own ideas or conclusions onto anyone else. There was a genuine determination to search for truth in the face of rather difficult circumstances. In my judgment, the primary role of the committee was not to make short run decisions, but rather to assist the House of Representatives in the long run in fulfilling its constitutional responsibility in the making

of decisions and the shaping of policy in the area of foreign affairs.

We have become increasingly and painfully aware in the last few months and years of the very heavy commitments this country has made in Southeast Asia—commitments of both manpower and money. We have become heavily and deeply engaged in a remote part of the world. Many of these commitments were made without prior consultation with or approval by Congress. Unfortunately, in many respects, the role of the Congress has been a diminishing role in the conduct of foreign affairs whereas it should be a very important part of the work of the legislative branch of the Government. Within Congress itself the House of Representatives has been somewhat derelict in exercising its constitutional responsibilities in that area. Therefore, it makes sense for a committee such as this to be created and dispatched to a part of the world which has claimed so many American lives and so much of our treasure. It makes sense that we try to go there to gain first-hand information which can guide us in the future.

I believe there is often a tendency to dwell on mistakes made in the past. I could take several more hours here talking about some horrendous mistakes that have been made in Southeast Asia, but it does no good except to the extent that our knowledge of those mistakes can be a guide to future actions and help us avoid the same kinds of mistakes in the future. In this respect I felt that the work of the committee was useful and can be even more useful in the future.

Mr. Speaker, I might also make some personal observations about some of the things I saw. While we tried to avoid a large number of formal briefings, we did obtain most useful information during the course of some briefings. Military information is pertinent to the mission. The fact that we did not seek lengthy formal briefings, at least in my judgment, should carry with it no implication that we expected to receive inaccurate information in those briefings. In talking to some of the military people in the field I think the way we set about our mission created in some an impression that we felt any information that could come to us by way of briefings would be incorrect. From my point of view at least, I would like to correct the record on that. The cooperation which we received, at least in the areas I visited and the small groups that I took part in from our military and diplomatic officials and others was excellent. I will say that we are very fortunate with the high caliber of some of the military officers and diplomatic officials we have representing this country in the nations of Southeast Asia. I cannot pay high enough tribute to the men who are over there risking their lives every day for something that for the most part they think is worthwhile.

There are very few benefits that can come from a tragic involvement such as the war in Southeast Asia. However, I believe we can point to one benefit that will accrue to this country. That is the caliber of the young men who have been in that part of the world who will be

coming back by the thousands and hundreds of thousands, to take their places as citizens of this country, to go back to the college campuses, to assume positions of leadership in the country and hopefully to come to Congress and bring to this body the benefit of some of the experience which they have gained in the course of their service in Southeast Asia.

Mr. Speaker, I think the primary purpose of our mission was to try to identify in some way the role that this country should play in Southeast Asia in the coming years.

I was impressed with the great potential of the countries of Southeast Asia. They have large human resources, they are rich in terms of natural resources, and they have a great deal in common; they have common opportunities and they have common problems. But insofar as the U.S. role in Southeast Asia is concerned, I think if I could use one word to describe it I would say it should be "limited" and it should be dependent upon the demonstrated ability and willingness of the countries of that part of the world to cooperate and to become masters of their own destiny; to make an effort for themselves otherwise no amount of help we can furnish will be of any lasting value. However, the main impetus and main thrust has to come from the countries themselves. This would be the central theme that ought to guide our future actions and involvement in Southeast Asia in the coming years.

Mr. MONTGOMERY. I thank the gentleman for his comments.

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

Mr. MONTGOMERY. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman from Mississippi for yielding.

First of all, I would like to say that I have read the committee report as well as the separate views. I am tremendously impressed with the fact that under the leadership of the chairman obviously this committee worked very hard and very efficiently. I think it is remarkable that the work was done so quickly and that this report was produced almost immediately upon the committee's return.

I would like to ask one or two questions, one a general question.

I notice that in the supplemental views submitted by the gentleman from Indiana (Mr. HAMILTON) the views which I read with great admiration, he starts out by saying:

You find in Vietnam evidence to support the point of view you have when you arrive. The complexity and the variety of Vietnam is such that the hawk and the dove will each observe, investigate and leave assured of the wisdom of the view he had when he arrived.

I would like to know if the chairman of the committee would share that observation by the gentleman from Indiana (Mr. HAMILTON)?

Mr. MONTGOMERY. I would not exactly share those views and I thought Mr. HAMILTON—I have not closely read his report—went further to say that maybe some of his views had been changed somewhat and that he thought it was a worthwhile trip. I do not exactly interpret it to the effect that he said you

could not change your views when you arrived and you would have the same views when you left.

Mr. BINGHAM. Mr. Speaker, if the gentleman will yield further, that is the way he starts his comments.

Mr. MONTGOMERY. That is true, but I do not think he concludes his comments in that fashion.

Mr. BINGHAM. The gentleman from Indiana does have further remarks and that is true. I would like to ask a question about Cambodia. Certainly, I recall the chairman in his initiation of this resolution recognized the fact that the major emphasis of the mission should be the search and destroy missions into the sanctuaries in Cambodia by South Vietnamese and American troops. I was curious to look at the sections of the committee report dealing with Cambodia to find very little, really, in the way of evaluation of the Cambodian operations. For example, I find nothing in the committee report to sustain the contention of the President that these operations were necessary for the protection of American lives. There is nothing to indicate that they could not have been undertaken by the South Vietnamese Army. In fact, I notice in the separate views of the gentleman from Iowa (Mr. SMITH) he expressed the view that these operations in Cambodia while successful, could have been undertaken by the South Vietnamese Army alone without the participation of U.S. troops.

I wonder if the chairman would comment on that point?

I wonder if the chairman would comment on this?

Mr. MONTGOMERY. I think perhaps the gentleman is right, maybe we should have had more details on Cambodia. There was some information that was classified as far as air strikes, so that the committee did gain some information pertaining to the 7th Air Force operations in Cambodia that are not included in the report because it was classified.

We are flying a limited number of missions now in Cambodia, less than we flew up to June 30.

I might say that the general consensus of the committee as to Cambodia, was that the next 2 months are a critical time as far as Phnom Penh is concerned, whether the city falls to the Communists or not. That was the general consensus of the committee that there was no request for U.S. American ground troops by any of the officials of Cambodia. It was the feeling of the committee, that there was no need to send U.S. combat ground forces into Cambodia.

However, the committee did feel small arms, communications equipment, jeeps, trucks and some artillery support weapons, would help and this equipment was needed at once. We learned in the report that when the Cambodians received this equipment they distributed it in an orderly manner.

But perhaps the gentleman is right, that maybe we should have given more consideration to this subject.

Mr. BINGHAM. I thank the gentleman.

Mr. SMITH of Iowa. If the gentleman will yield, I think one of the things about Cambodia that one must realize, speaking as one who spent at the most 4 days there, and the only reason I am rising at this time is that we cannot be definite at this time.

For instance, I found to my surprise, and I did not know this before I went there, that about 100 percent of the supplies in the sanctuary areas, that were supplying the forces in South Vietnam, came through the port of Sihanoukville. So I do not think we can be definite at this time as to whether this was a great success until some time has passed, until we find whether or not Sihanoukville is opened again to the Communists, and if they are able to again use the port and transport the supplies back into these areas, and that possibly the Cambodian action represents maybe only a few months' delay, but they still will be able to replenish the supplies. So I do not think you can be absolutely definite at this time as to whether this was a success.

Mr. BINGHAM. Mr. Speaker, if the gentleman will yield further, as I understand it from the statement the committee concluded that the Cambodian operations could have been undertaken by South Vietnamese troops without active U.S. participation.

Mr. SMITH of Iowa. I think I made it very clear, as a matter of hindsight, which is always better than foresight, that I concluded after talking with our men who work with the ARVN, that they found the ARVN were in much better shape to undertake this operation than they had realized for undertaking this action, and I think that was so.

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

Mr. MONTGOMERY. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Speaker, first of all I want to compliment the gentleman in the well, the chairman of this committee, for taking the initiative to organize such a mission to Vietnam.

I was very much interested in the report, and especially the emphasis that the committee was placed upon the importance of the economy of South Vietnam, in the ultimate outcome of the struggle.

I wonder whether or not any members of the committee were briefed on the extent of our assistance program, the commercial import program, or inquired of AID about other aspects of our program—who might be able to answer a question or two about this aspect of our past efforts at economic stabilization.

Mr. MONTGOMERY. Yes, several of our members, the gentleman from New York (Mr. ROBISON) and also the gentleman from Idaho (Mr. HANSEN) wrote part of the report on the economy of South Vietnam.

Mr. WOLFF. I have been trying to get some answers from AID about certain nefarious dealings. Maybe these gentlemen have the answers. I have tried to find out from AID how many firms who generally do business with AID, who supply AID commodities, how many

firms were guilty of any type of indiscretion in their dealings and the final disposition of these cases. I received a list from AID some months back, on which there were some 175 firms that had either been disbarred, debarred, or that were subject to prior review, some in amounts of up to \$1 million in kickbacks, and for false certifications, another one for \$194,000, another one for half a million dollars. No record of final disposition was forthcoming however. No record of how many dollars the U.S. taxpayer was cheated out of, or why these firms were not brought to account for their unscrupulous dealings. After questioning AID I find that I got a list back from them of only 14 of the 175 cases on which any adjudication had been made.

I was wondering whether we are still doing business with some of these firms? I have asked this question many times even to the Director of AID for Vietnam in hearings before the Far East Subcommittee of the Foreign Affairs Committee and to this day nobody seems to be able to give me the answers.

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

Mr. MONTGOMERY. I yield to the gentleman.

Mr. ROBISON. Mr. Speaker, this gentleman from New York cannot give the answer either, but I will say to my colleague with respect to the specific interest he has left that one thing the select committee did before leaving for Vietnam was to circularize all of our colleagues asking them if there was some specific item or special area of concern to them that they would like to have us make inquiry into.

I do regret that, insofar as what the gentleman from New York (Mr. WOLFF) now brings out, that this was not something that came to our prior attention.

Mr. WOLFF. We are continuing to give aid to South Vietnam. One of the recommendations made in the report and it is a fact that we will have to continue to bolster the South Vietnamese economy. Naturally, we will have to bolster the economy of South Vietnam in order to establish a viable state.

But if we permit wrongdoings like this to go unchallenged, I do not think we will be able to bolster their economy or their government. We will set as an example the continued reward for cheating the United States and perpetuate the rampant corruption.

One particular case in point is a pharmaceutical firm which back in 1967 was found guilty of kickbacks amounting to \$1 million. The Vietnamese who received those kickbacks is still in Vietnam running around quite free because the Vietnamese Government failed to prosecute him. And we condone this—the cheating of our Government.

What are we doing in order to get the Vietnamese Government to live up to their obligations?

Mr. MONTGOMERY. I am not sure that I have the answer.

Does the gentleman from Iowa who has just returned desire to speak on this question?

Mr. SCHWENDEL. I do not have the answer I want for the gentleman.

Maybe I should identify myself in this connection. I headed a group of volunteers to Vietnam 2½ years ago composed of one other Congressman, myself, two political scientists, one of them who is very well known, Mr. Griffin formerly of the Library of Congress and more recently of American University where he headed the Foreign Language Service School. He has always had an avid interest in Asia.

There were two businessmen, an Iowa farmer and a distinguished lady from Iowa, and two ministers of the gospel. Also the Negro mayor of Springfield, Ohio, that made up our committee.

We were asked by the President of the United States to go back a second time on tour and make our observations on the operation as we saw it before and visit the places where we had been before and to make comparisons.

That we have done and returned and we are in the process of writing our report.

In regard to this specific question, regretfully almost nothing has been done in this regard. We had done a lot in the area of corrections. But it is pretty difficult to deal with this over there. However, it was not too impossible, and this is one of the shortcomings we do speak of in our report. At present this does not have this type of report now, but we will have something to that point when our report is made.

Mr. MONTGOMERY. May I say to the gentleman from New York to comment further on his question we were concerned that we saw too many American civilians in Vietnam, especially in Saigon. We saw no reason why we could not start reducing the number of American civilians even if it involved contractors.

This was of concern to the committee. We have taken most of the American soldiers out of Saigon, but we do have American civilians all over the place.

Mr. WOLFF. The point I am making is the fact that I do not think any amount of Vietnamization is going to help us unless and until we root out the corruption that exists in the government there.

If we are not going to do anything about it, and I have made several requests to Ambassador Bunker to no avail, and continue to condone outright thieving, we will never bring law or order to Vietnam or any place else for that matter of fact.

All the lives we have given—the money we have spent, will be to no avail because the image of America will continue that we condone leadership and individuals who are stealing us blind—who are in cahoots with a corrupt way of life that offers no alleviation to the depravity of communism.

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

Mr. MONTGOMERY. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. As one of the sponsors of the resolution that launched your committee on its very interesting travels, I have been following your re-

ports and comments with much interest. I want to commend you and the members of the committee for the rapid manner in which you carried out the duties assigned to you by the House.

There has been some criticism of your effort as you know. We are now debating a Congressional Reorganization Act. I think if some of our committees acted as promptly and responsively as did yours, the hue and cry for congressional reform might not be quite as loud as it is now across the land.

Speaking of congressional reform, I wondered if you had any opportunity during your travels to speak to some of the members of the Assembly in Vietnam, or members of the representative governing body in Cambodia.

Mr. MONTGOMERY. Yes, we met with the Speaker of the House of the General Assembly of South Vietnam, Congressman ROBISON, and Congressman HANSEN and Congressman ANDERSON talked to South Vietnamese Senators and also Representatives, and we also met with members of the House Assembly in Cambodia.

Mr. CLEVELAND. I have not had an opportunity to read your final report. Are there references to those meetings in that final report?

Mr. MONTGOMERY. Yes, there are such references.

Mr. CLEVELAND. The reason I raise the point is I believe sometimes Members of this House and perhaps the American public fail to realize those countries do have representative bodies. During my last trip to Vietnam I spoke with several members and was impressed that after a very short period of time, that they had had with representative government, those members impressed me as anxious to fulfill their duty. They were not rubberstamps, and they were quite interested in the work and, indeed, needed guidance and reassurance from representatives such as ourselves.

To your knowledge, did the South Vietnam's Assembly have knowledge of these prison conditions, for example, that were referred to earlier in this discussion?

Mr. MONTGOMERY. I would like to ask the gentleman from Tennessee to answer that question. He talked to the chairman of the Interior Committee of the General Assembly of South Vietnam, who has jurisdiction over these prisons. He could comment further.

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

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

Mr. ANDERSON of Tennessee. Congressman HAWKINS, I, and others did talk with the chairman of the Committee on Interior in the Lower House of the South Vietnamese Assembly. He was very much aware and concerned relative to the allegation of "tiger cages" and treatment of that nature. We met with him. We met the night of the day we visited Con Son, just prior to our early morning departure. I can relate to you that he was appreciative of the fact that finally these conditions can be confirmed, that they

have been seen. He appealed to us to do all we possibly could to bring their existence and the conditions therein to the attention of the American people and to our own Congress, and he indicated that he would report the following morning to the members of his committee.

As I am reminded, there have been some hearings going on within his committee on this very subject, on the subject of prison reform.

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

Mr. MONTGOMERY. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I am very interested in this subject, and I just want to confirm that the South Vietnamese Assembly was aware of these conditions and was holding hearings on them.

Mr. ANDERSON of Tennessee. They were aware of the allegations of these conditions. Apparently they had not yet been able to produce any direct, first-hand evidence of their existence. They were aware of the accusation.

Mr. MONTGOMERY. I might further answer the gentleman's question about the General Assembly by saying it might be a little different from our House of Representatives in that they have a more rapid turnover than we do of members of their Congress—about two or three of their members are killed by the Communists each year.

Mr. CLEVELAND. A good point and it fortifies my conviction that we in the House should be doing more to help them with their efforts and deliberations to make representative government work in South Vietnam. I have long urged this and feel it would be helpful to a successful Vietnamization program.

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

Mr. MONTGOMERY. I yield to the gentleman from Alabama.

Mr. FLOWERS. Mr. Speaker, I want to commend the distinguished gentleman from Mississippi for his leadership and outstanding work on this select committee. I also had the opportunity of visiting Southeast Asia at about the same time this committee did and would like to share a few of my own observations.

From fire base Mo less than a mile from the North Vietnamese sanctuary known as the fish hook, I saw elements of the 2d Battalion, 1st Air Cavalry Division, pulling back from Cambodia on June 30, the final day set by President Nixon. There was much evidence of success, and the officers and men seemed near unanimous in applauding the action. The weapons and materiel captured should bring more flexibility in Vietnamization, hopefully allowing a faster rate of withdrawal of American troops.

There is evidence of progress in many areas of the country since I was last there in August 1969. In the rich Mekong Delta area, for example, Government control has increased enormously and a relative degree of calm and prosperity has come to much of the countryside. Yet, in the vast mountainous areas and in the jungles, the Vietcong and North

Vietnamese roam in small units and bands at will. Seeing is believing—and you really do have to see the country to believe how this could possibly be with such a large number of United States, South Vietnamese, and other friendly forces there.

I observed local elections in several areas and was amazed at the amount and freedom of participation by the people. The nation has a tradition of local government that is very strong, but a national democratic republic is something entirely new to them. They have made some significant advances toward a truly representative and responsive government, but they have much further to go in this regard. We should continue to use our influence toward this end.

Let us not make the mistake of trying to relate completely their government processes to our democratic system and institutions. From the time of our independence, we have known no other way. America was born into a democratic tradition, but such is completely new to them and they are not yet ready.

However, I do feel that we are in the position to continue pressing the South Vietnamese Government for much needed reforms and responsiveness to the needs and wishes of all segments of their people. The military battle may be on the decline, but the economic and political war rages on. In my judgment, the ultimate survival of the Republic of Vietnam depends on successful action in all three of these areas.

As for Cambodia, there is one single thought uppermost in my mind after meeting with leading Government officials in Phnom Penh on July 3, and talking with U.S. Embassy people and others. That thought being—they want to do it for themselves.

These proud and fiercely independent people tucked away in a corner of the Asian Continent just want to remain neutral and independent in their own way.

In my judgment, we have an opportunity to help them do just that—at very little relative cost to us—and no further direct involvement of U.S. troops. In the meantime, we could reap the added bonus of greater stabilization of the situation in the southern half of the Republic of Vietnam.

Notwithstanding what you may have read or been led to believe, the Lon Nol government of Cambodia does not appear in danger of being toppled. Increased military pressures from the North Vietnamese and Vietcong could change this at any time, but the government gains strength each day as its army becomes better trained and equipped.

Another myth that should be exploded is that the government overthrew Prince Sihanouk through some hook or crook and that it is neither representative nor the legitimate government of this nation of 7 million. The fact of the matter is that the only change in leadership has been the removal of Sihanouk as chief of state by the duly elected and constituted National Assembly by a unanimous vote. Let us not forget that he had become chief of state by action of this same assembly.

Lon Nol was Prime Minister under Sihanouk and remained in the same position after the March 18 action. All other top government officials did likewise. But they came finally to the realization that the only way they could fully assert their independence against the North Vietnamese and Vietcong was to take the action they did.

A massive U.S. aid program is not desired or desirable, nor from all indications does it appear to be necessary. These people are not grabbing for all they can get from us, but honestly and sincerely seek economic and military aid to help them do the job in their own way for their own country.

They vitally need this help and I feel very strongly that they ought to get it.

Mr. MONTGOMERY. Mr. Speaker, we saw the gentleman from Alabama in Vietnam. This is the second time the gentleman has been to Southeast Asia and he has gained a very comprehensive knowledge on Indochina.

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

Mr. MONTGOMERY. I yield to the gentleman from California.

Mr. WALDIE. Mr. Speaker, I congratulate the gentleman on his report and compliment the committee on the objectivity, particularly in comparison to the Presidential committee that preceded the gentleman's committee.

May I also make a personal comment. This appointment as a chairman of a committee of the gentleman from Mississippi was not only a reflection on the wisdom of the Speaker in selecting the gentleman, but it also strikes a blow for those of us who have maintained that the seniority system should not be an absolute around here. The gentleman has performed so well in this case that he is a prime example that the inflexibility of the seniority system on committees can stand some scrutiny.

However, I have only one question if the gentleman will permit me to phrase its context at some length. As I understood the President's theory in terms of the necessity of the incursion into Cambodia, it was to protect the flanks of the American Army as we withdrew from South Vietnam, to make possible our withdrawal without being jeopardized by flank attacks from the enemy. I have some problem in understanding that situation, given these facts. In the latest Pentagon figures I have seen there is indication that there are under arms in the South Vietnamese Army no less than 1,200,000 men with armor and with artillery and with air. I find opposing that 1,200,000 men is a force of not more than 240,000, which is the highest figure I ever have seen, comprised both of the VC and North Vietnamese, none of whom have armor or air or artillery.

I gather under the analysis of the President that is used to justify the incursion into Cambodia that the 1,200,000 South Vietnamese with armor, artillery, and air are insufficiently skilled, dedicated, or committed to protect a leisurely withdrawal of American forces against this 240,000 enemy without armor, air, and artillery. Was the gentleman's com-

mittee able to ascertain the correctness of those assumptions? Is the South Vietnamese Army 1,200,000 men, so inadequate that it is unable to protect our withdrawal over a period of a year's time or more from the enemy force of 240,000 Vietnamese and Vietcong?

Mr. MONTGOMERY. Can I answer that question in this way?

I would say it was the general consensus of the committee that the Cambodian operation on the sanctuaries was a military success, and it probably delayed the enemy for at least 6 months.

In my personal opinion I think the big gain out of the Cambodian operation was that it gave the South Vietnamese the confidence they needed.

I personally think we should continue to withdraw Americans from South Vietnam even though we might have some setbacks but the withdrawal should be orderly. I think the Vietnamese can handle the situation and it should be up to the South Vietnamese now. We should bring the Americans home.

In my opinion the South Vietnamese Army, Air Force, and Navy are capable of handling the situation.

We met with a third secretary at the North Vietnam Embassy in Vientiane, Laos. They are a mean, tough enemy which uses guerrilla tactics. This is the reason why we cannot completely annihilate them.

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

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

Mr. SMITH of Iowa. Mr. Speaker, it would have been difficult for me to have understood any other approach except for one thing. When one flies over and sees the millions of acres of unused land, it is possible to realize how the North Vietnamese can strike at their own will at a place of their own choosing and then run back into the forest and nobody can find them.

One cannot match one man for one man under those kinds of circumstances. They must have about 10 to 1 or more on the South Vietnamese side.

The object was to rob them of their arsenal in the sanctuaries.

Mr. WALDIE. May I ask the gentleman another question?

Mr. SMITH of Iowa. Yes.

Mr. WALDIE. Would, under the same rationale, it be a feasible action on our part to invade the Laotian sanctuaries?

Mr. SMITH of Iowa. I cannot answer that specifically. I say it is a different problem.

I will say it would be extremely difficult, if not almost impossible, to ever defend against the Laotian sanctuaries in the northern part of the country. Certainly that is where almost nobody lives. In that mountainous area it would take a huge army to defend that mountainous area. The South Vietnamese may be fighting up there for 20 or 30 years. But that does not mean the southern part of the country cannot be secured.

Mr. WALDIE. I have just one final question.

You mentioned earlier, Mr. Chairman, it was your belief it would not be de-

sirable for American armies to be utilized to prevent a takeover of Cambodia by the Communists; did I understand you correctly?

Mr. MONTGOMERY. What I said was that I saw no reason for using American ground troops in Cambodia.

Mr. WALDIE. Is that because you believe the Cambodians can defend their own country?

Mr. MONTGOMERY. Yes; I believe in the future we should take a real, good, hard look at wherever we use American troops in Southeast Asia, because there are some problems which develop when we bring in American troops.

I do say in some cases we should give financial aid and we should give military supplies. That pertains to the other countries over there also.

When we send in U.S. troops, the Communists turn it around and use it against us. They say that this government we are supporting has become a puppet government, and in some cases they are right.

Mr. WALDIE. Do I correctly understand that, under your theory, your belief is that the Cambodian people are able to defend themselves against the Communists than are the South Vietnamese?

Mr. MONTGOMERY. I believe they need the South Vietnamese support. The South Vietnamese are there now. I do not believe they need American troops there. These two countries have common boundaries and common problems.

The Cambodians are known to have South Vietnamese help, and they are getting it now.

Mr. WALDIE. I have just a reservation. I will ask no more questions. I do have a reservation about the South Vietnamese who are not able to defend their own country without American troops, nor even able to protect American troops as we withdraw, going into Cambodia to defend Cambodia against Communist troops.

Mr. MONTGOMERY. I generally believe we can have an orderly withdrawal and they can defend their own country and help Cambodia. However, the South Vietnamese will need some air support from us and also logistic support.

Mr. ROBISON. Mr. Speaker, will the gentleman yield for an observation?

Mr. MONTGOMERY. I yield to the gentleman from New York.

Mr. ROBISON. I might remind our chairman, who has been discussing this subject of Cambodia with the gentleman, that I had reservations originally about the necessity for and the wisdom of the incursion into the Cambodian sanctuary areas. But the American soldiers who were taking part in that operation had no question about the need for it and the justification for it, as I discussed it with some of them. Their understanding was that every bullet which was captured or found in those hidden areas, and every mortar round which was captured or found, was one less bullet or one less mortar round to kill Americans and take American lives. For whatever this is worth, there was justification for it in their minds.

Mr. MONTGOMERY. Before I yield, I would like to say that we had a very capable staff. We had some problems with one of the staff members—these things do happen—but we did have eight staff members. Seven of them were dedicated, and they worked very, very hard.

I yield to the gentleman from New York.

Mr. LOWENSTEIN. I thank the gentleman.

I ask unanimous consent, Mr. Speaker, to extend the time of the special order for another 15 minutes because I want to ask the distinguished gentleman from Mississippi a number of questions.

The SPEAKER pro tempore. Under the rules of the House, a special order cannot be extended for more than 1 hour.

Mr. LOWENSTEIN. Is there any way that time may be obtained to extend it for another 15 minutes?

Mr. MONTGOMERY. I might say to the gentleman from New York that the gentleman from Indiana (Mr. ADAIR) had 1 hour, and he took that for the purpose of yielding time to other gentlemen like you who wish to ask questions. I do not know who has the next hour. Maybe the Chair could tell.

The SPEAKER pro tempore. If the gentleman would like to make a request after the other special orders have been completed, he can make the request for a special order.

Mr. LOWENSTEIN. How many additional special orders are there between now and then?

The SPEAKER pro tempore. Seven. Mr. LOWENSTEIN. How much time is left on this special order? Is there sufficient time for two or three questions?

Mr. SCHWENGEL. Mr. Speaker, I would like to ask unanimous consent for 15 minutes after all other special orders have been granted. Then maybe we can continue. I have some questions, also. Many of these special orders will not be taken, and perhaps the gentlemen will stay.

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

Mr. MILLER of Ohio. Mr. Speaker, reserving the right to object, may I ask how much time there is in those seven special orders?

The SPEAKER pro tempore. Three hours and 55 minutes.

Mr. MONTGOMERY. I imagine the gentlemen who have time in those special orders will probably let us have 15 minutes.

Mr. MILLER of Ohio. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I yield to the gentleman from California (Mr. HANNA).

Mr. HANNA. Mr. Speaker, I make the point here I hope we can discuss some of the economic problems associated with this matter. As the gentleman knows, I

was coauthor of the resolution that sent the committee over. What I am concerned about is that we have blown holes all over that country and we have created fantastic problems with regard to the farmland. It will take a tremendous amount of time and work and money to get these farmlands back into production. I have seen holes 30 feet in diameter out there. They are trying to repair the damage to hospitals also that are full of injured people. People are just being taken out of the country and placed in the cities. We have created tremendous problems there. It has been said, with friends like this, who needs enemies. I hope we can discuss some of that.

Mr. LOWENSTEIN. I wonder if I might direct a number of questions to the distinguished chairman of the committee. The gentleman from Mississippi knows that I respect him and consider him a friend, and it is in that spirit that I raise these questions.

The first is this: If it is true, as you suggest, that the South Vietnamese are now ready to take over the fighting themselves, then is it not desirable for the United States to withdraw its forces in an orderly fashion as quickly as possible? That is to say, should there not be a commitment to finish our withdrawal by a fixed date so it is settled that we are not going to go back in, even if there are what the gentleman has called setbacks? Or if these setbacks became serious would you favor our staying there longer or perhaps even sending more troops in? And if the latter is your position, just how bad do the setbacks have to be before you would suspend or reverse our withdrawals? In short, if ARVN is now able to take on the bulk of the fighting, is it not simple commonsense for us to announce a terminal date for our involvement in the combat, and if we do not do that, do we not seriously increase the risk of being sucked back in if things do not go as the Thieu-Ky government wants them to go?

Mr. MONTGOMERY. Well, I shall attempt to answer the question in this fashion: In our report we recommended that the withdrawals of American troops not be announced as to the date of such withdrawals, because the only one who really benefits is the enemy. We had off the record talks with correspondents over in Southeast Asia and they felt this is one thing that should not be done; they thought we should not have an advanced announced timetable. They said bring the Americans home and then announce how many you had brought home.

I would say to the second part of the gentleman's question, that there will be some setbacks in South Vietnam. But if they cannot make it now—the South Vietnamese—they might not be able to make it in 2 or 3 years from now. So I see no reason that we would have to rush troops back there from the United States. However, I will say to the gentleman from New York that we will have to continue to give the South Vietnamese some military equipment and some fi-

nancial help. We are going to have to give them some air support—B-52 support. The committee felt that, really, the big problem facing the South Vietnamese was the economic situation; the pacification and Vietnamization programs were moving along but that the danger lies in the shaky ground on which the piaster rests. It is when the farmers find out that the piaster will not buy what they thought it would, that you will have the Thieu government in trouble.

Mr. LOWENSTEIN. Mr. Speaker, if the gentleman will yield further, I would like to ask if he found any evidence to confirm reports that many Cambodians are very worried and unhappy about the presence of any Vietnamese, including South Vietnamese, within their borders? As the gentleman knows, it has been widely reported that the Cambodians feel that they most need protection against the Vietnamese, and that the continued presence of the South Vietnamese Army in Cambodia may be viewed by Cambodians not as a protection but as a danger.

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

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

Mr. SMITH of Iowa. I went into two of the villages and talked to the Cambodians in the villages. I found, without exception, this to be the case. They hate the North Vietnamese. They are not exactly in love with the South Vietnamese, but they are glad to have them there so long as they will help protect them from the North Vietnamese and then they want them out. That is the situation they are in.

Mr. LOWENSTEIN. Mr. Speaker, if the gentleman will yield further, what happens then when we leave and when the South Vietnamese leave and the North Vietnamese do not? Do we go back? I do not understand the scenario if that contingency arises, and it seems extremely likely that it will arise if our troops and the South Vietnamese troops are in fact going to withdraw and stay withdrawn sometime.

Mr. SMITH of Iowa. They want the South Vietnamese to stay only so long as necessary to keep the North Vietnamese from taking them over.

Mr. LOWENSTEIN. Mr. Speaker, if the gentleman will yield further, does he disbelieve reports of the incarceration of large numbers of Vietnamese in Cambodian prison camps, or does he agree that such camps exist and further complicate an already difficult situation?

Mr. SMITH of Iowa. I did not know any were in prison camps. The South Vietnamese were because their people that escaped when the North Vietnamese came into the towns and fled, they wanted to go anywhere to get out of it. They may have also just wanted to get out of an area where there is war going on. I do not know, but I think that was mainly the answer.

Mr. LOWENSTEIN. I am afraid I am imposing on the generosity of my friend the gentleman from Iowa, so I will be as brief as I can.

But I must say that I was horrified if not exactly surprised by these new disclosures of how this government that we have supported with 50,000 American lives treats people it does not like. I am ashamed to be allied to such a government—more accurately, to be yoked to such a government, not because our security demands it, as has been the case in other alliances with some brutal governments in the past but because, so we are told, this is a government defending "freedom."

I am deeply disturbed also by the almost casual reaction of our Government and in this body to the disclosure of these conditions. Has this war so dulled our national conscience that we can no longer cry out against horrors like these even—or maybe especially—when it is clear that we share responsibility for their perpetration?

But it is not only because I am appalled at conditions in Con Son that I am disturbed by this kind of reaction. I think halfhearted American protests about evils over which we have some control severely weakens our case against the mistreatment of American prisoners by North Vietnam. How can you demand humane treatment for American prisoners and at the same time all but yawn over inhumane treatment of Vietnamese prisoners—unless you assume that Americans are a sort of master race who must be treated according to different standards than Vietnamese, a double standard that many Asians already suspect we abide by?

Those of us who live in dread about how American POW's are being treated in North Vietnam—and I believe that includes all of us—should be grateful to our two very able and honorable colleagues, Mr. ANDERSON and Mr. HAWKINS, for bringing the situation at Con Son to light. It is not these courageous men who risk giving Hanoi an excuse to mistreat American prisoners; it is, on the contrary, those who fail to protest the conditions they have exposed, those who refuse to join in the demand that conditions like these be terminated, that give such an excuse to Hanoi. Everyone should demand that all brutality against all prisoners be terminated. I am sure the distinguished chairman of the committee agrees such brutality should be stopped. Is this not precisely the occasion for all of us, whatever our views about other matters to join in a worldwide effort to stop the mistreatment of war prisoners everywhere?

I cannot believe that any of us who have friends or relatives imprisoned in North Vietnam—or anyone else who cares about the fate of these gallant Americans will fail to see how urgent it is that conditions in Con Son be changed, that those responsible for those conditions be removed from positions of authority and punished appropriately, and that those who concealed those conditions be disciplined. I wonder if the distinguished gentleman from Mississippi agrees that we tamper with the well-being of the American prisoners in

North Vietnam by failing to respond to these revelations in this way.

Mr. MONTGOMERY. I will briefly try to answer the question. I think it is really a matter of judgment how you approach the situation. We thought that the approach was to notify the proper authorities at once, and see if this bad situation could be corrected. And we were concerned that it could have some repercussions on the American prisoners of war. The majority of the committee felt that this situation at Con Son Prison should be corrected but we did not think Con Son should be the main focus of the report and we knew the Communists would use this bad condition at the prison to further mistreat American prisoners of war.

Mr. LOWENSTEIN. I thank the gentleman for his answer.

Mr. SMITH of Iowa. I do not want any intimation taken, and I hope the gentleman did not mean to make it that the members of the committee were condoning what was going on over there. There was not one member of the committee who condoned what was going on over there. And within hours after it the chairman of the committee talked to the Ambassador over there, and to other people over there, and said "We want something done about this." This is not something that just came up a few days ago. It was done while we were still over there. As soon as they got back they talked to the people there to get something done. There was no condoning of this anywhere along the line.

Mr. LOWENSTEIN. I would certainly not imply that any Member of this body—or anyone else who saw conditions like those reported at Con Son—would condone them. What I am saying is that there are degrees of noncondonation. There are levels of protest. I would hope that there would be a unanimous and angry outcry of protest about these conditions, that we would all agree to do whatever is necessary to correct this situation at once or to end our association with whoever makes it impossible to correct it.

Mr. SMITH of Iowa. I would point out that the gentleman from California and the gentleman from Tennessee (Mr. ANDERSON) who are two knowledgeable people were on nationwide TV on Monday before the report was filed, which was the proper way to do it and they were telling everybody.

Mr. LOWENSTEIN. And I am praising them.

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

Mr. MONTGOMERY. I yield to the gentleman.

Mr. HAWKINS. I merely want to echo what the gentleman from New York has said, and what our concern was in exposing these conditions and to point out one fact I think has not been clearly stated.

The American official U.S. aide who accompanied us to Con Son admitted to us that he knew of the existence of the tiger cages, and that is contained in the

report which I made. Either it was incumbent upon him, if he did not know, or knowing, he was concealing the fact—and I think the latter is true because this was his admission.

It seems, therefore, that someone, some American officials were informed and had knowledge of these conditions and did not expose them.

I think while the members of this committee and certainly the Members of Congress are certainly clear on this issue, I think we must condemn those American officials including Frank Walton who had knowledge of these conditions.

Certainly, the members or someone at the Embassy should have had knowledge, and did not as such do something about these conditions before they were actually revealed.

GENERAL LEAVE TO EXTEND

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order today, the report of the investigation of the Select Committee on the U.S. Involvement in Southeast Asia and to include extraneous matter.

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

There was no objection.

THE WHITE HOUSE CONFERENCE ON YOUTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, the Sixth Decennial White House Conference on Children and Youth, the first of which was convened during the closing days of the administration of President Theodore Roosevelt in 1909, will be conducted in December of this year and February of 1971. For the first time, this, the oldest of White House conferences, will be divided into two phases. First, there will be a White House Conference on Children dealing with the problems of the age bracket zero to the 13th birthday. This Conference will be held in December. The Conference on Youth through age 24 will be held over the Washington's birthday holiday in February of 1971.

These conferences will be conducted under the able leadership of the Honorable Stephen Hess, who President Nixon has appointed National Chairman of the White House Conference on Children and Youth.

While there are bound to be overlapping areas in the two conferences, I believe that it is significant to note that the Children's Conference will address itself to enhancing and cherishing the individuality and identity of each child, and to the recognition and encouragement of his or her own development, regardless of environmental conditions or circumstances of birth.

The goals are more specific examination through implementation. The Conference is then divided into seven clusters of forums, which will be concerned with the areas of individuality; learning; health; parents and families; communities and environment; laws, rights, and responsibilities; and child service institutions. Within each of the aforementioned, a total of 26 additional "subforums" will cover more specific topics, including the right to read; health protection and disease prevention; family planning and family economics; and child development in the mass media.

People will be brought from all of the various disciplines to make up these forums. Doctors will not be talking to doctors about health, and educators will not be talking to other educators about education. These forums will, in the true sense, be multidisciplinary.

When the final report is ready in early spring, regional implementation meetings will be held throughout the country.

In recognition of the changing needs of our society, for the first time a separate White House Conference on Youth will be held in February of 1971. And, as I stated earlier, while there will be a certain overlapping of problems because of the impossibility of stating that problems of children concern themselves only until the 13th birthday, after which they become problems of youth, there is the undeniable fact that entire sets of new problems beset youth through age 24.

Now, this Conference, Mr. Speaker, will not merely be a student's conference. There are some 40 million youths in the United States in this age group, 54 percent of whom are in school, 7 million in colleges and universities. The Conference, then, will involve all youth: in school and out of school; working youth; young people in the military; teenage housewives; the affluent; the poor; the black and the white; the red and the yellow; and from all over the Nation.

Five basic ground rules have been established for the Youth Conference. First, the Conference will convene in Washington in February of 1971. Second, it will be composed of two-thirds youth and one-third adults. The above ratio was decided upon as the result of many conversations with young people. They want the opportunity to relate to the adult leadership of the country. They do not want to talk to each other in a vacuum.

Third, the Youth Conference will be issue-oriented. It will revolve around another series of task forces, which will be created to deal with those areas that most concern the youth of America: foreign relations, the environment, drugs, racial relations, recreational problems, and so forth.

Fourth, a planning meeting of all the task forces will be held in late August of this year. Fifth, and most important, the Conference must not be an end in itself, but must lead to a process of implementation that will involve all of the major institutions and a large body of our citizenry.

Ideally, the end result of this conference will be the involvement of a system which will give young people a greater voice in the actions that affect their lives and a greater "piece of the action" in our major social institutions.

Mr. Speaker, I earlier referred to the overlapping of issues. I am becoming increasingly appalled, for example, when I pick up a newspaper, such as the Washington Sunday Star of July 12, and read an interview with Washington Metropolitan Police Officer Edward Gaskins, who stated:

Youths as young as 9 are using narcotics—using this as a scapegoat to compensate for a lack of other things. Older persons talk them into it. They're not real, actual, bad kids, they're actually mischievous [sic]; they don't rob or seal, but they get caught up in narcotics and gambling. The ones who still have that little respect for law enforcement—these are the ones you can still channel back.

Mr. Speaker, Officer Gaskins is talking about children of age 9. It behooves both conferences to interrelate, the one with the other, on the problems that do not respect arbitrary age delineations. I have full confidence that Mr. Hess will see that this is accomplished.

The problems of the Youth Conference are further complicated by the on-rush of sophisticated communications, which, paradoxically, appears to have provided us with the greatest communications breakdown between the generations in the history of our Nation. Indeed, we have a communications crisis today. I quote, Mr. Speaker, from the results of the Louis Harris poll of July 13:

STUDENTS LACK FAITH IN U.S. LEADERS (By Louis Harris)

Although the recent move of the United States into Cambodia triggered massive protests on college campuses, a comprehensive Harris Survey of a cross-section of college students reveals much wider disenchantment than merely over the war in Vietnam. Large numbers of today's student population have little faith in the leadership of the country and believe American society should be drastically reconstituted.

Between May 20 and 28, just before the end of the school year, a cross-section of 820 undergraduates in 50 four-year colleges were surveyed in depth in a study commissioned by the American Council on Education at the suggestion of Chancellor Alexander Heard, special adviser to the President on problems of campus unrest.

The cross section of students was asked a series of questions dealing with the state of America and asked first whether they agreed with the statement and then if they felt their parents would agree or disagree with the same criticism. The results point up why so many college students feel "turned off" today:

By 78-to-20 per cent, students believe "the real trouble with U.S. society is that it lacks a sense of values—it is conformist and materialistic." Yet by the 50-to-44 per cent, students believe their parents would disagree with the claim that America is lacking in values.

By 69-to-30 per cent, students disagree with the proposition that "America must maintain the policies it does, because communism is still our biggest threat." However, by 71-to-25 per cent, they think their parents back up that statement.

By 70-to-25 per cent, college students agree that "America will be in trouble as long as

it continues its arrogant, imperialist policies." The same students think their parents disagree with this claim about "U.S. imperialism" by 58-22 per cent.

By 65-to-32 per cent, students feel that "our troubles stem from making economic competition the basis of our way of life." But they also think that their parents go along with the idea of a competitive society by a 50-to-43 per cent margin.

Finally, by a lopsided 81-to-17 per cent, students say that "until the older generation comes to understand the new priorities and lifestyle of the young, serious conflict is going to continue." Contrary to most other results, however, by 50-to-44 per cent, they think their parents agree with them.

The results of Mr. Harris' survey indicate a mutual lack of understanding between the generations of brooding-nagian proportions. Truly, Mr. Hess and his staff face a truly herculean task.

I earnestly trust that the leaders and planners of the Conferences will avail themselves of media that reach out to youth and elicit provocative response and a feeling of active participation in the attempts to provide solutions to the problems that beset our Nation.

Since President Theodore Roosevelt convened the first Conference in 1909, the problems have remained similar. As the French say, "plus ca change, plus c'est la meme chose," or, the more things change, the more they are the same. In 1909 the objectives were, basically, to evaluate the overall conditions of children and youth in order to develop the full potential of our greatest national resource. Today they are fundamentally the same.

As these groups move forward in their planning activities, they may find inspiration in the words of George Santayana:

We must welcome the future, remembering that soon it will be the past and we must respect the past remembering that once it was all that was humanly possible.

CAPTIVE NATIONS WEEK TIME FOR A PSYCHOPOLITICAL OFFENSIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, as free citizens of the United States, we take this opportunity to mark the 11th anniversary of the Captive Nations Week resolution, passed in July 1959 and signed by the late President Eisenhower. This, the third week of July, is the time when all Americans manifest their repugnance to the continued domination of Eastern Europe and other parts of the world by the Soviet Union and their awareness of the paramount importance of freedom for the 100 million people in the Communist-dominated lands.

Thus, it is fitting today to renew the solemn pledge announced by the late President Eisenhower during his tenure of office, a pledge which clearly and succinctly indicates our attitude toward the Communist subjugation imposed on the freedom-enamored peoples of Poland,

Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others:

The peaceful liberation of captive peoples has been, is, and—until success is achieved—will continue to be a goal of U.S. foreign policy.

In this regard, it remains a matter of prime importance for the United States to keep alive the flame of resistance in the hearts of the oppressed citizens of these countries.

For them, our country remains the luminous citadel of human freedom, dedicated to their liberation from the Communist yoke, the restoration of their independence, and the concomitant enjoyment of their religious freedoms and their individual liberties.

Our warfare against an ideology that has enslaved over a third of the human race in less than 50 years can be effective only with what is called a "psychopolitical offensive," that is to say, a sustained endeavor to make known to the peoples under Communist tutelage that we will never accept their lamentable plight.

In the wake of such travesties of democracy as the ruthless suppression of the Hungarian revolution in 1956 and the coup de Prague in 1968, it is incumbent upon us that we, in the original words of the Captive Nations resolution:

... manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence.

Needless to say, this constant refusal to accept the status quo in the captive nations constitutes a fitting response to Moscow's and Peking's worldwide propaganda campaigns in Asia, Africa, the Middle East, Latin America, and particularly in the newly independent and underdeveloped nations and states.

Furthermore, our pursuit of a diplomacy of truth provides the means by which we can effectively deter the recrudescence of a hot global war and at the same time advance the cause of world freedom.

We must recognize that the effects of this psychopolitical offensive are indeed in the interests of our national security, for it is only by opposing communism with a more vigorous and more dynamic challenge that we can hope to preserve our American hallmarks of individual liberty and the right to self-determination.

Already the sword of Communist imperialism has been blunted with the advent of the Sino-Soviet split, candidly recognized at the world conference of Communist parties convened in Moscow during June of this year, and accordingly it becomes imperative for us to persevere in our psychopolitical offensive so as to further shatter the Communist front.

Only in this way will the flame of resistance in the hearts of the peoples of the captive nations never be extinguished, for the repudiation of the status quo in these countries as advanced by

our psychopolitical offensive has come to represent their *raison d'être*.

Their confidence in our resoluteness can and will inspire them to remove someday the shackles of Communist oppression, for, as the late John F. Kennedy declared:

The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it—and the glow from that fire can truly light the world.

Mr. Speaker, as we begin today the observance of Captive Nations Week, let us again resolve that the conscience of the free world cannot rest until the captive nations are again free and their people can again rejoin the family of free nations.

DISTRICT OF COLUMBIA BAR ASSOCIATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, after 3 months of thorough analysis and consideration, the District of Columbia crime bill was agreed to in conference committee today. In reaching agreement, the conferees were substantially aided by the work done by the District of Columbia Bar Association on this bill, and I wish to take this opportunity to express my appreciation to the association for its conscientious effort in objectively commenting on the bill.

In February 1970, the District of Columbia Bar Association held a referendum on the District of Columbia crime bill in which over 1,400 local lawyers participated. The results of that referendum clearly showed that the majority of the association favored providing the District of Columbia with sound law enforcement tools.

After the House of Representatives passed its version of the District of Columbia crime bill on March 19, 1970, and the Senate passed its version on March 24, 1970, the District of Columbia Bar Association undertook the task of reviewing the differences in the two bills and making recommendations. By letter dated April 22, 1970, George Monk, president of the District of Columbia Bar Association, wrote to the chairmen of the House and Senate District of Columbia Committees, stating the official position of the association on the differences in the two versions of the bill, including a significant number of recommendations. These recommendations were based on the February 1970 referendum, the April 1970 study, and the report of the criminal law committee, chaired by Robert X. Perry, Jr., and the final approval of the executive committee of the association.

The letter made recommendations on 18 criminal law issues in which differences appeared in the two versions of the bill. The letter was extremely helpful to the conferees and the conference report will incorporate a number of the association's recommendations, many of which required modification of the House version of the bill.

The District of Columbia Bar Association has served an important public function by diligently analyzing and commenting on this important piece of local District of Columbia legislation. I extend my thanks to the association for its timely and helpful effort in this matter.

SOME REFLECTIONS ON URBAN RENEWAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. COHELAN) is recognized for 10 minutes.

Mr. COHELAN. Mr. Speaker, 2 weeks ago, during the House consideration of the conference report on the supplemental appropriation bill for fiscal year 1970, I offered a motion to agree to the Senate's addition of \$587.5 million for urban renewal funds. During the debate on this motion, a number of allegations were made by those opposed to additional funds. I would like to take this opportunity to discuss these allegations in an effort to clarify the record.

Allegation No. 1: Urban renewal is a "big city" program.

Mr. Speaker, in actuality, nothing could be farther from the truth. Urban renewal has been used by communities of all sizes since the program began 21 years ago. In fact, of 1,000-plus communities participating in renewal, over one-half have populations below 25,000. Urban renewal is just as important to these smaller communities as it is to San Francisco, New York City, or Chicago.

To Corinth, Miss.—population 15,000—for example, the completion of two urban renewal projects will mean 100 new housing units, 40 rehabilitated units, a new library, three new commercial buildings, and 40 new jobs.

To Franklin, Pa.—population 9,868—urban renewal will mean municipal taxes of over \$100,000 from a neighborhood previously producing \$7,500 in taxes. It will also mean \$2 million in industrial expansion and 120 new jobs.

To Whitesboro, Tex.—population 3,600—urban renewal means 100 new housing units, 255 rehabilitated units, a new manufacturing plant, five new commercial buildings, a new industrial plant, and a new park.

To Santa Fe Springs, Calif.—population 16,000—urban renewal means the transformation of a neighborhood producing \$416,000 in tax revenue annually to one which will produce \$1,700,000 a year.

These communities are evidence that the benefits of renewal accrue to cities of all sizes.

Allegation No. 2: Congress has appropriated vast sums for urban renewal, including \$2 billion not yet spent and, therefore, it should not appropriate more than the \$1 billion requested for fiscal year 1971.

It is true that Congress has provided more than \$9 billion for urban renewal grants since the program was initiated in 1949. However, all these funds have been committed—reserved—to specific projects. While it is true that approximately \$2 billion has not actually been disbursed, all this money is committed and

none is available for obligation to any other project. Only the new amounts appropriated each year by Congress can be used for projects not yet funded.

It is a misrepresentation to say that the \$2 billion could be used for new projects; those funds are committed and will be disbursed as quickly as the activity in the projects moves ahead. Because of the nature of urban renewal, much activity takes several years to complete, and the Federal grant is not completely paid out to the community until all activity is finished and the project is closed out.

The existing need for urban renewal funds in fiscal year 1971 is more than \$3 billion, over three times the amount of the budget request. Only funds appropriated out of existing authorizations can be utilized to take care of this demand. In conclusion, there are no funds which have been previously appropriated which have not already been obligated.

Allegation No. 3: Any additional money "appropriated" for urban renewal will have an immediate budget impact.

This is a basic misunderstanding of the program. The amount appropriated for fiscal year 1971 will be reserved for or committed to a certain number of projects during the fiscal year. Unlike many other Federal programs, funds appropriated for urban renewal are not necessarily disbursed during that fiscal year. The actual budgetary impact for a given fiscal year in renewal equals the amount of funds actually distributed for projects. Often this money was approved in appropriation bills 3 or 4 years earlier. This result occurs because under traditional urban renewal projects there is often a 4- or 5-year period between the time an application receives a grant reservation and the actual Federal payment of money for that project.

For example, while the Congress has appropriated \$1 billion in each of the past 3 fiscal years—1968, 1969, 1970—the actual budgetary impact in terms of disbursements has been much less. In fact, not until fiscal year 1970 did disbursements finally reach the \$1 billion level. The point is that, regardless of how much is appropriated for fiscal year 1971, the budgetary impact for the fiscal year will be only the amount disbursed. HUD estimates that disbursement for fiscal year 1971 will be \$1.082 billion. Of this total, the vast majority was appropriated in prior fiscal years.

The important fact, Mr. Speaker, is that under conventional urban renewal, communities cannot proceed with their local improvement plans until they receive a grant reservation, setting aside an amount of money to cover the Federal share of the project. Without a far greater appropriation for fiscal year 1971 than the \$1 billion requested by the President, many communities will be forced to curtail, to postpone, or worse, to cancel needed projects.

Allegation No. 4: "Actual expenditures for urban renewal alone in fiscal year 1969 were \$2.9 billion, and by fiscal year 1971 HUD estimates actual spending on urban renewal is going to be in excess of \$5 billion."

This comment was taken out of context from HUD testimony during appropriation hearings and is inaccurate. In real-

ity, these figures are cumulative totals for disbursements under urban renewal since the program began 21 years ago. The facts are that at the end of fiscal year 1969, a total of \$2.9 billion had been disbursed, and that by the end of fiscal year 1971, HUD estimates that the total disbursed will have risen to \$5 billion. As noted above, the disbursement level for fiscal year 1971 will be slightly over \$1 billion.

Allegation No. 5: Urban renewal "will not build a single house. You tear down houses with urban renewal; you do not construct houses."

Mr. Speaker, the purpose of urban renewal, as the program has evolved over the past 21 years, is to assist localities transform slum neighborhoods into valuable segments of the community. It can be used to clear slums for new housing construction or to rehabilitate neighborhoods which if left unassisted would soon become slums. Renewal can also be used to revitalize downtown commercial areas, to attract new industry or to provide sites for new public buildings.

While urban renewal is not a housing construction program per se, it does provide sites for new construction and eliminates dilapidated slum housing. A city acquires land, clears and prepares it for redevelopment, usually selling it to a private developer who, for a variety of economic reasons, may have previously ignored the site.

Over a quarter of a million new or rehabilitated housing units have already been started or completed on urban renewal land—53 percent low- and moderate-income housing. When all redevelopment in programs approved through June 30, 1969 is completed, renewal will have generated nearly 1.3 million housing units—66 percent low and moderate income.

In the past, one of the most persistent criticisms made against the renewal program was that it removed low and moderate income housing from the market. However, amendments enacted in 1968 and 1969 have placed more emphasis on the use of renewal for residential construction. In fact, an amendment sponsored by our colleague from Connecticut (Mr. WEICKER), provides that each low or moderate income housing unit eliminated as a result of renewal must be replaced within the community by another such unit.

One of the points continually made about the problem of meeting the national housing goals set by Congress in 1968 is the lack of sufficient building sites. Urban renewal can play a key role in meeting the national goal by providing suitable sites.

Allegation No. 6: About \$44 billion of Federal financial commitments are being provided to cities annually.

The source of this \$44 billion figure is a study prepared by the Department of Housing and Urban Development which attempts to add together all Federal assistance which goes to "urban" areas. However, an analysis of its figures gives one the impression that it was commissioned to counter any arguments that the present administration is not doing enough to assist our cities. It lumps together just about all domestic pro-

grams and defines urban areas as those communities with a population of 2,500 or more.

The \$44 billion consists of \$25.6 billion in grants and \$18.1 billion in loans, loan guarantees, and loan insurance. The loans, of course, which make up only a small portion of the total, are repayable to the Federal Government, but the study does not indicate how much money will be repaid from such loan programs during fiscal year 1971. Included are substantial amounts which go directly to individuals—such as public assistance and veterans' benefits—and would go to these individuals regardless of whether they resided in a city or a rural area of less than 2,500.

Nearly \$15.5 billion of the \$18.1 billion consists of mortgage insurance and loan guarantees for the Federal Housing Administration, Farmers Home Administration, and Veterans' Administration. These programs involve no appropriation of funds and, therefore, have no budgetary impact, and the beneficiaries of the insurance and guarantees are required to pay an insurance premium to cover any losses.

Mr. Speaker, with unanimous consent I place the study in the CONGRESSIONAL RECORD at this point so it can be examined by all Members of the House. I note particularly some examples of items included in the survey whose beneficial impact on urban areas is questionable:

1. \$61 million for construction of defense facilities—(Army National Guard, Air National Guard, Army, Navy and Air Force Reserve installations).
2. \$24 million for civil defense research, shelter surveys and marketing.
3. \$5 billion for public assistance, for which families would be eligible regardless of place of residence.
4. \$2.695 billion for federal highways, out of trust fund, not appropriated.
5. \$98.9 million to the General Services Administration for the construction of federal buildings.
6. \$2.173 billion of the Veterans Administration budget including compensation and pensions for those whose eligibility is dependent on being a veteran, not an urban resident.
7. \$15.6 billion for FHA insurance, VA guaranteed loans and rural housing insurance loans.
8. \$27.4 million for soil conservation.
9. \$66 million for education for the handicapped, included because approximately 70% of all handicapped people live in areas above 2,500.

10. \$26 million for geological surveys.
11. \$20 million for saline water conversion.
12. \$10 million for Department of Interior salaries.
13. \$610 million in the Employment Security Trust Fund.
14. \$420 million for the proposed family assistance program which has not yet passed the Senate.
15. \$206 million for proposed revenue sharing which has not been enacted.

In conclusion, the \$44 billion figure is a totally inaccurate reflection of the amount of annual appropriations for Federal programs which go to urban areas. This is readily apparent when it is recognized that the total budget request for HUD for fiscal year 1971 is only slightly over \$3 billion, and HUD's programs provide more direct grant assistance to cities than those of any other Federal department.

To summarize, there is a backlog of over \$3 billion in renewal applications pending at the Department of Housing and Urban Development. The House has approved a fiscal year 1971 appropriation of only \$1 billion of the \$2,287.5 million authorized for the programs. The Senate has increased this figure to \$1.7 billion.

We in the House failed to add more urban renewal funds to the fiscal year 1970 supplemental appropriation bill. Many Members objected that it was inappropriate to add funds for renewal to the supplemental, since the fiscal year was due to end in 5 days. Now we have an opportunity to provide additional funds in the fiscal year 1971 bill. I urge each Member of the House to support the \$1.7 billion approved by the Senate, and I particularly urge my colleagues on the Independent Offices Subcommittee of the Appropriations Committee to approve the full \$1.7 billion in conference.

FEDERAL URBAN AIDS BASED ON THE BUDGET OF THE UNITED STATES GOVERNMENT, 1971

PURPOSE

Federal efforts to ameliorate adverse urban conditions are reflected in Federal activity. Such participation in improving urban conditions has become increasingly evident during this past decade. This report analyzes the vast array of Federal programs and measures the magnitude and scope of Federal involvement in urban areas, which is crucial to a national effort of urban development.

TYPES OF URBAN AID

The three major types of programs are: (1) Federal grants-in-aid to State and local governments, institutions, and the public to assist in improving housing, urban development, education, employment, health, wel-

fare, transportation, commerce, etc.; (2) direct Federal expenditures having a significant impact on community development, such as construction of Federal hospitals, U.S. post offices, and other public buildings; and (3) Federal loans, loan guarantees, and insurance, such as residential mortgage insurance and small business loans. The first and second program types have been combined in this report.

PROCEDURE

This series of program activity is developed from the Appendix to the Budget of the United States Government, Fiscal Year 1971. The data used represent obligations and commitments for fiscal years 1961, 1966, and 1969, and budget estimates for fiscal years 1970 and 1971. Grants-in-aid amounts are "total program costs, funded," and loans, insurance, and guarantee amounts are "total capital outlays, funded." Where these are not appropriate, the entry used has been footnoted. Percentage approximations of the urban impact were applied to national totals as follows:

Eighty to 100 percent for programs which by their nature would be overwhelmingly directed toward cities;

Fifty to 75 percent for programs directly affecting individuals and therefore, likely to be distributed on the basis of population;

Twenty-five percent for programs directed at the smaller communities, wherein a minority of the population can be classified as urban.

(Urban, as defined by the Bureau of the Census, denotes all places containing a population of 2,500 or more persons.) Thus, the dollar amounts presented in this report are approximations rather than absolute measurements.

COMPARISON WITH BUREAU OF THE BUDGET CONCEPTS

This analysis of federal aid to urban areas differs from that reported by the Bureau of the Budget in its Special Analyses, Budget of the United States, in the section Federal Aid to State and Local Governments. Both presentations are tabulations based on material available in U.S. budget documents. The variations are due to differences in coverage of programs, of areas, and in timing. Specifically, (1) the Bureau of the Budget uses the Standard Metropolitan Statistical Area concept for "urban," while the Department of Housing and Urban Development uses the Bureau of the Census concept; (2) the Bureau of the Budget analysis includes only aids to State and local governments, while the Department of Housing and Urban Development also includes aids to private organizations and individuals, as well as direct Federal construction activities; and (3) the Bureau of the Budget uses program outlays, which frequently reflect the level of activity obligated in prior years, while the Department of Housing and Urban Development uses current obligations and commitments.

FEDERAL AIDS TO URBAN AREAS

TOTAL GRANTS AND LOANS

(In millions of dollars)

Program	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Appropriated to the President.....	9.1	826.3	1,439.2	1,643.8	1,199.5	INDEPENDENT AGENCIES					
DEPARTMENTS						Atomic Energy Commission.....	61.6	71.9	100.2	98.2	104.0
Agriculture.....	341.5	536.2	994.2	1,548.4	2,062.1	District of Columbia.....	50.4	117.8	200.8	263.0	271.3
Commerce.....		206.8	177.9	176.2	169.0	General Service Administration.....	75.9	177.3	69.4	82.0	98.9
Defense.....	608.7	800.4	691.1	641.0	668.0	Veterans' Administration.....	3,217.1	4,152.4	5,747.2	6,143.2	6,496.0
Health, Education, and Welfare.....	2,130.9	5,937.1	8,882.8	9,553.4	11,003.8	Equal Employment Opportunity.....		2.5	7.0	10.6	15.2
Housing and Urban Development.....	7,036.6	10,989.5	10,150.9	12,566.7	15,311.2	Small Business Administration.....	167.7	338.5	319.8	474.7	493.4
Interior.....	114.1	256.1	454.2	424.8	668.3	CONTINGENCY FUND					
Justice.....		1.6	21.9	108.6	256.1	Revenue sharing with States and local Governments.....					206.2
Labor.....	321.7	555.4	856.2	881.6	1,634.1	Total.....	15,704.3	27,203.0	32,544.1	37,087.4	43,822.2
Transportation.....	1,563.0	2,233.2	2,431.3	2,491.2	2,695.1						

FEDERAL AIDS TO URBAN AREAS—Continued

TOTAL GRANTS

[In millions of dollars]

Program	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Appropriated to the President.....	9.1	826.3	1,439.2	1,643.8	1,199.5	INDEPENDENT AGENCIES					
DEPARTMENTS						Atomic Energy Commission.....	61.6	71.9	100.2	98.2	104.0
Agriculture.....	323.9	483.9	820.1	1,243.5	1,658.8	District of Columbia.....	27.5	47.4	92.6	113.9	108.9
Commerce.....	608.7	800.4	691.1	641.0	868.0	General Service Administration.....	75.9	177.3	69.4	82.0	98.9
Defense.....	2,130.9	5,937.1	8,826.8	9,479.4	10,933.8	Veterans' Administration.....	1,465.7	1,830.6	2,003.1	2,163.1	2,173.3
Health, Education, and Welfare.....	281.4	669.3	1,062.4	2,092.6	2,605.3	Equal Employment Opportunity.....		2.5	7.0	10.6	15.2
Housing and Urban Development.....	114.1	256.1	454.2	424.8	668.3	CONTINGENCY FUND					
Interior.....		1.6	21.9	108.6	256.1	Revenue sharing with State and local governments.....					206.2
Justice.....	321.7	555.4	856.2	881.6	1,634.1	Total.....	6,989.5	14,068.7	19,018.4	21,615.5	25,625.0
Labor.....	1,569.0	2,233.2	2,431.3	2,491.2	2,965.1						
Transportation.....											

[In millions of dollars]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Funds appropriated to the President.....		9.1	826.3	1,439.2	1,643.8	1,199.5
Appalachian Regional Development ¹	25			53.5	77.4	73.6
Disaster Relief.....	70	9.1	101.6	17.2	149.4	49.8
Office of Economic Opportunity.....	75		724.7	1,368.5	1,417.0	1,076.1
Department of Agriculture.....		323.9	483.9	820.1	1,243.5	1,658.8
Extension Service.....	50	33.7	44.6	48.5	65.8	85.8
Soil Conservation Service.....	25	12.1	23.2	23.8	27.8	27.4
Consumer and Marketing Service.....	70	23.2	54.0	80.8	99.8	106.4
Food and Nutrition Service.....		254.9	356.2	658.3	1,040.8	1,428.4
Special milk.....	70		68.2	71.8	58.8	
Child nutrition.....	70	108.2	140.8	172.2	220.1	228.8
Food stamps program.....	70	.5	49.1	174.1	427.0	875.0
Surplus commodities.....	70	146.2	98.1	240.2	334.9	324.6
Farmers Home Administration.....			5.9	8.7	9.3	10.8
Water and waste disposal.....	25		5.0	7.0	8.5	7.7
Rural renewal.....	25		.3	.4	.2	
Domestic farm labor housing.....	25		.6	1.3	.6	.8
Mutual and self-help housing.....	25					1.0
Rural trainee housing.....	25					1.3
Department of Commerce ¹			175.7	142.9	141.2	129.5
Economic Development Administration.....			175.7	142.9	141.2	129.5
Development facilities.....	70		173.7	125.7	122.2	114.0
Planning, technical assistance, and research.....	70		2.0	17.2	19.0	15.5
Department of Defense ²		608.7	800.4	691.1	641.0	868.0
Construction.....		55.7	21.2	49.9	31.0	61.0
Army National Guard.....	100	19.7		12.8	15.6	16.0
Air National Guard.....	100	11.4	10.0	14.5	5.5	14.0
Army Reserve.....	100	15.5		9.7	4.0	14.0
Naval Reserve.....	100	7.1	5.0	6.9	2.4	10.0
Air Force Reserve.....	100	2.0	6.2	6.0	3.5	7.0
Civil Defense.....			31.9	16.0	24.4	24.0
Research, shelter survey and marketing.....	100		31.9	16.0	24.4	24.0
Army Corps of Engineers.....		553.0	747.3	625.2	585.6	783.0
General construction.....	70	494.8	675.1	556.7	507.8	710.7
Flood control and coastal emergencies ³	70	8.5	13.8	19.0	23.0	10.1
Flood control, Mississippi River ⁴	70	49.7	58.4	49.5	54.8	62.2
Department of Health, Education, and Welfare.....		\$2,130.9	\$5,937.1	\$8,826.8	\$9,479.4	\$10,933.8
Consumer protection and environmental health.....		23.9	45.4	75.7	104.2	113.3
Air pollution.....	70	4.9	17.8	47.3	65.8	77.7
Environmental control.....	70	19.0	27.6	28.4	38.4	35.6
Health Services and Mental Health.....		268.5	725.2	1,000.9	1,027.4	1,004.0
Mental health.....	70		200.6	241.1	250.9	256.9
Health services research and development.....	70	16.2	34.2	32.6	29.8	40.2
Comprehensive health planning.....	70		71.5	112.6	156.4	176.0
Regional health.....	100		2.6	76.7	96.6	96.5
Chronic diseases.....	70	1.0	9.0	(⁵)	(⁵)	(⁵)
Communicable diseases.....	70	6.0	36.8	39.9	31.9	29.0
Medical facilities.....	90	170.7	203.4	255.5	241.2	152.4
Patient care and special health.....	70	38.5	41.4	57.6	63.9	65.9
Maternal and child health ¹	70	36.1	125.7	184.9	156.7	178.7
Family planning services.....	70					8.4

Footnotes at end of table.

[In millions of dollars]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
National Institutes of Health			106.5	26.4	279.9	275.9
Environmental health services	70		5.3	13.1	12.3	13.9
Health manpower	70		61.9	130.7	163.1	173.7
Construction of health facilities	70		39.3	120.6	104.5	88.3
Office of Education ¹		277.3	2,472.5	2,766.2	2,384.4	2,641.4
Elementary and secondary education	70		893.6	1,525.9	1,205.6	1,444.8
Federally affected areas	90	241.2	387.3	(⁰)	(⁰)	(⁰)
Professions development and teacher corps	70		4.4	133.4	83.8	95.3
Higher education	90		937.6	785.2	772.7	741.8
Vocational and adult education	70	23.5	166.0	181.3	199.8	252.1
Community services	50	3.3	54.4	77.8	53.8	24.1
Education of the handicapped	70	0.7	18.6	55.1	58.9	66.5
Civil rights	70		3.8	7.5	9.8	16.8
Other	70	8.6	6.8			
Social and Rehabilitation Service		1,561.2	2,587.5	4,719.6	5,683.5	6,899.2
Public assistance	70	1,522.5	2,470.1	4,396.5	5,185.7	5,891.9
Work incentive	70			26.2	89.2	153.4
Rehabilitation service and facilities	70	38.7	113.3	277.4	379.7	400.1
Programs for the aged	70			16.1	18.4	23.3
Juvenile delinquency ¹	70		4.1	3.4	10.5	10.5
Family assistance	70					420.0
Department of Housing and Urban Development		281.4	669.3	1,062.4	2,092.6	2,605.3
Renewal and housing assistance		279.1	539.8	880.8	1,547.2	1,688.8
Neighborhood facilities ⁷	100		2.3	10.6	26.0	38.0
Urban renewal ⁸	98	139.6	314.0	523.1	1,028.0	1,014.3
Low rent public housing ⁹	96	139.5	223.5	347.1	493.2	636.5
Metropolitan development		2.3	127.9	148.5	210.5	256.4
Comprehensive planning	75	2.3	15.1	25.3	33.0	33.8
Community development training and urban fellowship	75			.8	2.9	3.7
New community assistance	100				.5	2.0
New communities	100				.1	.2
Open space	100		7.9	43.3	55.0	71.3
Basic water and sewer	96		86.4	77.0	114.2	140.0
Advance acquisition of land	75			.1	.8	1.2
Mass transportation	100		18.5	2.0	4.0	4.5
Model Cities and Government Relations	90			13.9	270.0	477.0
Urban technology and research			1.6	11.2	17.3	27.0
Urban research and technology	100		.3	9.1	15.1	25.5
Low-income housing demonstration	100		1.3	2.1	1.4	1.5
Special studies	100				.8	
Federal Housing Administration				6.5	42.9	147.6
Rent supplement	100			5.7	21.5	46.6
Homeownership and rental housing assistance	90			.7	19.2	94.5
Low and moderate income sponsor fund	90			.1	2.2	6.5
Fair housing and equal opportunity	75			1.5	4.7	8.5
Department of Interior		114.1	256.1	454.2	424.8	668.3
Bureau of Outdoor Recreation			7.2	89.8	83.5	96.3
Land and water conservation	50		7.2	89.8	83.5	96.3
Geological Survey		17.8	28.1	23.4	25.0	26.5
Surveys: Investigation and research	25	17.8	28.1	23.4	25.0	26.5
Bureau of Reclamation		42.8	61.9	86.5	38.3	54.2
General investigation	25	1.4	3.6	41.2	4.5	4.8
Construction & rehabilitation	25	41.4	58.3	45.3	33.8	49.4
Water quality and research		53.5	154.6	245.5	269.0	480.7
Saline water conversions	80	3.0	11.8	22.0	20.7	20.5
Prototype desalting plant	80			0.2	0.4	
Pollution control: Building and maintenance	80		3.4	1.8	1.9	1.7
Pollution control: Operation and research	80	9.5	31.8	79.7	78.2	78.4
Construction for waste treatment	90	41.0	107.6	141.8	167.8	380.1
Office of Water Resources			4.3	9.0	9.0	10.6
Salaries and expenses	50		4.3	9.0	9.0	10.6
Department of Justice			1.6	21.9	108.6	256.1
Legal Activities and General Administration			.9	1.5	2.3	3.5
Community relations service ¹⁰	70		.9	1.5	2.3	3.5
Law Enforcement and Assistance	70		.7	20.4	106.3	252.6
Department of Labor		321.7	555.4	856.2	881.6	1,634.1
Manpower Administration			172.5	349.7	324.2	1,024.1
Manpower development training	80		172.5	349.7	324.2	490.5
Manpower training	80					533.6
Bureau of Employment Security ¹¹	85	321.7	382.9	506.5	557.4	610.0

Footnotes at end of table.

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FEDERAL AID TO URBAN AREAS—Continued

[In millions of dollars]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Department of Transportation.....		1,569.0	2,233.2	2,431.3	2,491.2	2,965.1
Office of the Secretary.....				4.3	8.4	16.5
Transportation planning, research and development.....	75			4.3	8.4	16.5
Federal Highway Administration.....		1,502.6	2,163.0	2,170.1	2,314.8	2,792.4
Highway beautification.....	55		2.0	24.2	33.9	14.4
Federal-aid highways.....	55	1,502.6	2,159.9	2,213.3	2,208.8	2,695.0
Traffic and highway safety.....	75		1.1	16.5	22.6	32.8
State and community highway safety.....	75			16.1	49.5	50.2
Federal Railroad Administration.....			2.8	11.1	19.8	
High-speed ground transportation research and development.....	95		2.8	11.1	19.8	23.2
Urban mass transportation fund.....	100			145.8	148.2	323.0
Federal Aviation Administration.....	90	66.4	67.4	(12)	(12)	(12)
General Services Administration.....		75.9	177.2	69.4	82.0	98.9
Construction; public buildings.....	90	62.7	153.2	56.1	64.8	79.2
Sites and expenses; public buildings.....	90	13.2	24.0	13.3	17.2	19.7
Atomic Energy Commission.....		61.6	71.9	100.2	98.2	104.0
Civilian power reactor development.....	80	61.6	71.9	100.2	98.2	104.0
District of Columbia.....		27.5	47.4	92.6	113.9	108.9
Federal payment.....	100	27.5	47.4	92.6	113.9	108.9
Equal Employment Opportunity Commission.....	80		2.5	7.0	10.6	15.2
Veterans Administration.....		1,465.7	1,830.6	2,003.1	2,163.1	2,173.3
Compensation and pensions ¹²	70	750.5	910.4	922.5	940.4	914.1
Medical care.....	70	669.9	842.9	1,035.4	1,151.6	1,199.9
Construction of hospitals and domiciliary facilities.....	90	45.3	75.2	43.7	67.5	52.5
Construction of State nursing homes.....	90		2.1	1.5	3.6	6.8
Revenue sharing with States and local governments.....	75					206.2

¹ Total obligations.² All programs are total obligations except ³ and ⁴.³ Total program costs funded.⁴ Total construction.⁵ See comprehensive health.⁶ See elementary and secondary education.⁷ Grants to local public bodies or agencies.⁸ Capital outlay.⁹ Total operating costs.¹⁰ Salaries and expenses.¹¹ Trust fund.¹² Not considered on urban impacts.¹³ Total cost of pensions.

TOTAL LOANS

[Dollars in millions]

Program	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
DEPARTMENTS						INDEPENDENT AGENCIES					
Agriculture.....	\$17.6	\$52.3	\$174.1	\$304.9	\$403.3	District of Columbia.....	\$22.9	\$70.4	\$108.2	\$109.1	\$162.4
Commerce.....		31.1	35.0	35.0	39.5	Veterans Administration.....	1,751.4	2,321.8	3,744.1	3,980.1	4,322.7
Health, Education, and Welfare.....			56.0	54.0	70.0	Small Business Administration.....	167.7	338.5	319.8	474.7	493.4
Housing and Urban Development.....	6,755.2	10,320.2	9,088.5	10,474.1	12,705.9	Total.....	8,714.8	13,134.3	13,525.7	15,471.9	18,197.2

LOANS, LOAN INSURANCE, AND LOAN GUARANTEES

[Dollars in millions]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Department of Agriculture.....		\$17.6	\$52.3	\$174.1	\$304.9	\$403.3	Housing direct loans.....	25	\$17.6	\$15.8	(1)	(1)	(1)
Farmers Home Administration.....		17.6	52.3	174.1	304.9	403.3	Housing insurance fund.....	25		36.5	\$174.1	\$304.6	\$402.9
							Self-help housing land development.....	25				.3	.4

¹ See housing insurance fund.

LOANS, LOAN INSURANCE, AND LOAN GUARANTEES

[Dollars in millions]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Department of Housing and Urban Development.....		\$6,755.2	\$10,320.2	\$9,088.5	\$10,474.1	\$12,705.9	Urban renewal.....	95	\$107.5	\$279.3	\$330.3	\$384.6	\$454.2
Renewal and housing assistance.....		705.6	747.0	808.9	1,198.0	1,014.2	Rehabilitation.....	100		0.5	27.1	44.2	41.6
							Low rent public housing ¹	96	126.4	191.3	275.0	576.0	408.0
							College housing.....	92	471.7	275.9	176.5	193.2	110.4

Footnotes at end of table.

[Dollars in millions]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Metropolitan development.....		\$9.6	\$21.9	\$18.1	\$19.3	\$17.6	Special assistance Management and liquidating.....	90	\$199.4	\$181.4	\$469.8	\$543.1	\$584.1
Public works planning advance ¹	84	7.0	13.5	6.2	8.8	7.6	Federal National Mortgage Association.....	90	783.3	1,610.9	253.8		
Public facilities.....	25	2.6	8.4	11.9	10.5	10.0	Secondary market operation.....	90	783.3	1,610.9	253.8		
Federal Housing Administration.....		5,008.3	7,646.0	7,296.9	8,656.3	11,030.1	Federal Insurance Administration.....				2.1	4.8	16.2
Housing for the elderly.....	94	14.9	78.8	77.1	109.0	63.9	National insurance development ⁴	100			1.4	2.6	10.6
FHA fund ²	90	4,993.4	7,567.2	7,219.8	8,547.3	10,966.2	National flood insurance ³	75			.7	2.2	5.6
Government National Mortgage Association.....		248.4	294.4	709.0	595.7	627.8							

¹ Loans to local housing authorities.
² Fund.
³ Mortgage insurance written.

⁴ Total obligation.
⁵ Total operating costs.

LOANS, LOAN INSURANCE, AND LOAN GUARANTEES

[Dollars in millions]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
District of Columbia.....		\$22.9	\$70.4	\$108.2	\$149.1	\$162.4	Water fund.....	100	\$3.4	\$1.6		\$4.0	\$5.2
Loans to District of Columbia.....		14.9	28.4	68.2	109.1	122.4	Sewerage works fund.....	100	0.8	1.3	\$1.4	4.8	11.7
General fund.....	100		19.0	51.2	88.6	105.5	Interceptor sewer line.....	100	2.7	1.0	1.8	0.2	
Highway fund.....	100	8.0	5.5	13.8	10.2		Rail rapid transit.....	100				1.3	
							Repayable advances to District of Columbia general fund.....	100	8.0	42.0	40.0	40.0	40.0

LOANS, LOAN INSURANCE, AND LOAN GUARANTEES

[Dollars in millions]

Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971	Program	Percent urban impact	Actual, 1961	Actual, 1966	Actual, 1969	Estimate, 1970	Estimate, 1971
Department of Health, Education, and Welfare.....				\$56.0	\$54.0	\$70.0	Veterans' Administration.....		\$1,751.4	\$2,321.8	\$3,744.1	\$3,980.1	\$4,322.7
Higher educational facilities loan fund.....	70			56.0	54.0	70.0	Loan guarantees ¹	90	1,531.6	2,262.8	3,614.9	3,839.0	4,291.2
Department of Commerce.....			\$31.1	35.0	35.0	39.5	Direct loan to veterans ²	90	219.8	59.0	129.2	141.1	31.5
Planning, technical assistance, and research ¹	70		31.1	35.0	35.0	39.5	Small Business Administration.....		167.7	338.5	319.8	474.7	493.4
							Disaster loan fund.....	70	17.3	138.2	21.2	131.6	48.9
							Business loans and investments ³	70	150.4	200.3	298.6	343.1	444.5

¹ Total obligations.
² Revolving fund.

³ Total sec. 7(a).

MACOMB COUNTY COURTHOUSE DEDICATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. O'HARA), is recognized for 30 minutes.

Mr. O'HARA. Mr. Speaker, on Saturday, July 18, Macomb County, Mich., will observe another milestone in its more than a century and a half of recorded history.

In a ceremony culminating 5 years of planning and construction, the fifth Macomb County courthouse will be dedicated, in the very shadow of the spot where its four predecessor structures have been located.

The new \$8 million courthouse was constructed under the direction of the Macomb County Building Authority, Martin, Smith, chairman, Roger Ver-cruysse and John Shore, members. Its 180,000 square feet of space will provide room for the seven existing Macomb

County circuit judges, the staff of the courts, the Macomb County clerk, the Friend of the Court, the Probation Department, and the office of the prosecuting attorney. The nine circular court-rooms and the other office space provided will give Macomb County's people the most modern legal facilities available anywhere. In a time when "the law's delay is becoming increasingly unacceptable to the American people, this new courthouse is perhaps one of the best investments that could be made.

The other county buildings that have stood upon or near this same site have been symbolic of their time. The 1824 log cabin, the "sprawling, plantation-style building" of the 1840's; the Victorian-spired edifice of 1882, and the multistory building of the 1930's—which will continue to serve the county as an office building—were each very much in keeping with the times which they served. The new, contemporary building, will also, I believe, be symbolic of Macomb

County in the 1970's—a growing community, infused with the spirit of these days, determined to continue to prosper and to meet with increased efficiency the demands placed upon all the institutions of local self-government.

Mr. Speaker, I congratulate the Macomb County Building Authority, the judges and county officials who will move into this new building in a few short weeks, and above all the people who will be better served by this new structure.

REPORT OF THE SPECIAL COMMITTEE ON VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 15 minutes.

Mr. SCHWENGEL. Mr. Speaker, first I want to commend the chairman of the committee for this report, for having gone to Vietnam and having given us the advantage of their experience, their

insights, their evaluations, and of their observations.

My committee of volunteers, made up of a group of citizens who went at no expense to the taxpayers a second time will be reporting. But our report is late because we did not have a staff as this committee did unfortunately.

Each member of the committee is his own writer of his aspect of the report and will report what he or she saw and then from a conference we will have general agreement hopefully. There will be separate views of those that have differences, of those on the committee having different views and different observations than some, but generally we will agree.

Our report will deal with a comparison of 2½ years ago when we visited there. It will point out some pluses—some improvements. But it will also point out some continuing mistakes.

On the matter of mistakes we will be able to report on what some have already suggested in this House, that there were grave mistakes made over there in our operation.

Our report, I think, will indicate mostly that those mistakes were military mistakes and matters of judgment in pursuing policies that were not in our interest nor in the interest of Vietnam.

Some of the mistakes that we think were most unforgivable which we will stress, for instance, operational—someone is going to give an estimate on it, but at this time we have noted that there are some 2 million holes in the ground which are the result of an operation that they called saturation bombing. To me, as a conservationist, I think that is almost an unforgivable maneuver—taking all the thousands of acres of land out of production. Imagine—if you will—putting 2 million holes in the ground some 30 feet deep and some 30 feet across in the State of Florida and then you will have some concept of what this means. That is of far greater damage to the country, I think, than defoliation was.

We also have some recommendations for the President to consider as he makes judgments on how to deal more effectively with that tragic situation.

The last time we went we made some recommendations to President Johnson and to Congress. This time we heard from our own civilian leaders that our report was read and used. These recommendations had to do with corruption and land reform, search and destroy, was a policy and now have a chance to clear and work on a matter that we recommended.

We recommended de-Americanization. We will report on pacification. We felt that that had a wrong name. It does not truly describe what is being done there. We think pacification is a program to bring security, stability and progress to those people over there. We are making progress in that area, incidentally, but we are kind of stumbling along. We shall make recommendations on education. You must have noted what we did in education, especially in the first to the fifth grades. When we went there and started to take over there were 400,000 students in that age group daily in school. We

have now raised that number to 2,300,000, a magnificent contribution, a great plus.

We did not follow through, however. We did not have enough high school students.

They are wholly inadequate in the matter of agriculture training. Our report will indicate they had only 406 students in colleges taking agriculture courses. This is a trifle. We have some recommendations on that subject. We think we can help lead in this area.

We visited with people in Bangkok and Thailand. They are willing to help develop an agricultural school. I think this is greatly needed in this area where they have 17 million people, 70 percent of whom are farmers or in occupations related to farming. They most certainly need an agricultural school.

We saw great progress being made by our advisers in the countryside. Incidentally, we spent more time in the countryside than any place else. We literally went to the rice roots there and saw a lot of good things, but we saw a great opportunity as well.

Mr. Speaker, we are very fortunate that this group of Members of the Congress went to Vietnam, made this trip, and came back here and so quickly give us a report that we can use to better judge what we should do in this kind of situation from now on. It does little good to argue about whether we should have gone into Cambodia or not. We went in there. We are coming out now. It does little good to argue about whether we should be in Vietnam at all or not. What we must now do is to find the best way to get out of there. We may learn from this experience that when you deal with a situation like Vietnam, you cannot deal with it militarily. Vietnam was a political problem and a social condition, and if we are going to be successful—and I think we are; I think we have turned this thing around—we have to deal with the political problems and the social conditions, and one of those great social conditions has to do with economics.

Inflation is one of the very real problems there. We must help them to do something about it. We got them in this mess more or less, and we must help to get them out. It is possible for us to come out looking a lot better than we do now, and we need to do that.

On the matter of changing attitude in relation to the visit, I want to say and to confess, to confess publicly before this body, that back 2½ years ago I went over as a hawk, but I am not a hawk any more, nor am I a dove. I am a realist. So I believe this is what we have got to become. We have to deal with the situation as it is now, and if we make mistakes—and I think we have made mistakes—we ought to admit them, and then benefit from those mistakes.

Mr. Speaker, I am grateful to you. I think this colloquy and this report is a very worthwhile contribution to a better understanding of a very sad and very tragic situation that we helped to create, and have not done as much as we could or should do to resolve. We can, and I think we must.

AN ANSWER TO THE ABA ATTACK ON THE BANKING AND CURRENCY COMMITTEE

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

Mr. PATMAN. Mr. Speaker, the American Bankers Association has today released another highly expensive study designed as an attempt to refute the findings of various banking studies undertaken by the Banking and Currency Committee.

I regard the ABA's efforts as a high compliment to the Banking and Currency Committee and its staff. The frenzied efforts of the ABA simply confirm the validity and the need for the studies that have been undertaken on the economic power of the commercial banking system.

The Banking and Currency Committee, if it is accomplishing nothing else, is obviously providing full employment for the public relations staff of the American Bankers Association. Every major study by the Banking and Currency Committee brings forth the public relations pitchmen—supplemented by so-called "independent researchers and consultants."

Back in 1964, I made a lengthy speech on the floor of the House of Representatives entitled "The ABC's of America's Money System," which detailed many of the problems and shortcomings of the banking system. This brought out all kinds of paranoia among the big banks and the American Bankers Association. A few months later there emerged another expensive booklet accompanied by a huge press conference to answer and attack WRIGHT PATMAN. The facts brought out in my speech still stand unrefuted despite the thousands and thousands of dollars spent in the ABA effort.

The booklet issued today by the American Bankers Association entitled, "The Economic Power of Commercial Banks," is another chapter in the never-ending public relations efforts of the ABA to hide the true facts about the banking system and to attack anything that the House Banking and Currency Committee might issue.

It is highly unfortunate that a big trade association—with unlimited funds—has only a knee jerk reaction to offer in answer to these most serious problems. The entire Nation—and this includes leading economic experts of all political persuasions—is deeply concerned about some of the trends in the banking system and the American Bankers Association only makes itself look foolish by urging a head-in-the-sand approach.

It is significant that the ABA has issued its report concerning the management of these trust funds by banks at a time when the Congress and the American people are asking vital questions concerning the role of various bank trust departments in the operation and bankruptcy of the Penn Central Transportation Co. The latest records at the Interstate Commerce Commission indicate that the banks control the voting rights

to almost one-fourth of the stock of the Penn Central and the preliminary data gathered by the Banking and Currency Committee staff raises the most serious questions about the banks' involvement. This latest public relations booklet issued by the ABA will not make these questions go away.

It is also highly significant that the booklet is being issued just prior to the completion of a study by the Securities and Exchange Commission concerning the role of institutional investors. A major part of the study being conducted by the SEC concerns the trust departments of major commercial banks. The commercial banks know full well that this study will reinforce the work of the Banking and Currency Committee and will once again bring into sharp question the practices of the commercial banks in this area. The booklet issued by the American Bankers Association is an obvious attempt to diminish the findings of the SEC study.

It is interesting that the American Bankers Association and its member banks are now willing to voluntarily come forth with this booklet on the trust departments and related activities of the commercial banks. This is in sharp contrast to the footdragging that went on when the Banking and Currency Committee was attempting to collect information on these activities 3 years ago. The banks put on a great lobbying campaign to prevent the study and to handicap it at every turn. In the end it was necessary for the committee to issue more than 150 subpoenas to obtain the necessary information from the banks.

I hope that the release of the study today is an indication that the commercial banking industry is now more willing to talk about its activities and that its members will agree to voluntarily present information to the appropriate congressional committees. It is one thing to present this information in a carefully prepared, expensively printed booklet, released in a press conference, and quite another to submit the findings and the opinions to analyze and cross-examination in an open congressional committee hearing.

The American Banking Association has every right to conduct any study it desires and to hold any number of press conferences and to print endless booklets. However, I deeply regret that a major trade association would attempt to mislead the public and the press by identifying its works as those of an "independent analyst." In a foreword to the booklet issued today, Nat S. Rogers, president of the American Bankers Association, states:

To obtain a thorough and independent analysis of the study, the Association engaged the firm, Carter H. Golembe Associates, Inc.

Mr. Golembe is not an independent analyst and Mr. Rogers is certainly in a position to know that. Mr. Golembe served for many years as deputy manager of the American Bankers Association, economic consultant to the director of the ABA's Washington office, and secretary of major ABA bank divisions. Recently, Mr. Golembe has left the imme-

diately employment of the American Bankers Association to engage in "independent consulting." He writes a newsletter occasionally and his clients are almost exclusively the major banks—banks which operate the major trust departments which are the subject of the study released by the American Bankers Association today. I regret that the ABA did not more fully explain Mr. Golembe's ties to its industry.

Most importantly, I want to emphasize the questions raised in these various studies far transcend any argument between the American Bankers Association and WRIGHT PATMAN. That is not the issue. The studies and the questions raised by them stand by themselves.

The findings have been supported by dozens of legal, economic, and financial experts representing all shades of political philosophy. If the ABA questions the Banking and Currency Committee studies it is also questioning the great preponderance of professional opinion in this area.

Mr. Speaker, I place a copy of a staff critique of the booklet "The Economic Power of Commercial Banks," issued by the ABA today in the RECORD:

STAFF STATEMENT COMMENTING ON ABA CRITIQUE ON STAFF REPORTS OF THE DOMESTIC FINANCE SUBCOMMITTEE ON BANKING CONCENTRATION AND TRUST ACTIVITIES OF COMMERCIAL BANKS

The first thing that strikes one in examining the critique of recent staff studies on commercial banking done by the Domestic Finance Subcommittee of the House Banking and Currency Committee is that three times in the first four pages of the study the independent and objective nature of the study is emphasized. Sensitivity on this point is easily understandable, since virtually all of the income of the company that did the study is derived from banks and bank-related associations. Not long ago in a feature story in the *New York Times*, the head of this company was referred to as the banking industry's "philosopher".

As to the substance of the report itself, there are a number of highly questionable characterizations of what the Banking Committee's report actually presented. For example, the report criticizes the use of metropolitan areas as the relevant market for considering competition among commercial banks and other financial institutions. The position of the American Bankers Association report on this issue is at considerable variance with that of the Supreme Court of the United States and other courts. The courts have found in several cases that the market area is generally the local metropolitan area and not an entire state, a region of the country or the entire United States.

Surprisingly, at one point the ABA critique actually reinforces the conclusion drawn from the Committee report. The Committee report pointed out that perhaps new legislation was needed to protect the public's and trust beneficiaries' interests because of the growth of concentration of assets in a relative handful of commercial bank trust departments. The ABA report strengthens the view of the Subcommittee report by pointing out that the legal protection now provided "are governed and bound by a large body of existing state law, regulations and precedent, with traditions and local sanctions dating in many cases from before the time that banks became important in this field." (p.2). The now dominant role of corporate trustees, including commercial banks, in the trust field is precisely why a new look should be taken at the legal protections now afforded the public.

There is a particularly misleading statement in the ABA critique that should be pointed out. That statement is that "the [bank] examiner scrutinizes the investment of trust accounts, and any investments . . . involving concentrations in a particular company or industry is given special attention." (p.3). The implication is that bank examiners are concerned with concentrations of stockholdings in particular companies held by bank trust departments. This is simply not true. The only concentration that bank examiners are concerned with are those concentrations that exist in specific individual trusts. They are not concerned with concentrations that occur in trust departments because of the overall aggregate holdings of all trust accounts in a particular company. In short, the bank examiner is concerned about concentrations in individual accounts as a matter of sound investment practice, while the Committee report was concerned with concentrations of stock holdings as the result of the total operations of the trust department of a bank, particularly as it concerned the potential power to influence or control the management of another corporation. These are two entirely separate issues.

Another particularly misleading statement concerns the characterization of the position of Professor A. A. Berle, a leading scholar in the field of corporate control. It is surprising that economic experts conducting such a supposedly exhaustive critique would, intentionally or otherwise, discuss Professor Berle's views as expressed in his and Gardiner Means' study of "The Modern Corporation and Private Property," set forth over 35 years ago, but would give no consideration to Professor Berle's much more recent views as expressed in such writings as *Power Without Property*, published in 1959, and his introduction to *Commercial Banks and Their Trust Activities*, printed in a commercially published edition by Arno Press in 1969. It is clear that in recent years Professor Berle supports the thesis of the Subcommittee study that the power to control corporations has in recent years been moving away from management control and toward control by such legislation as banks, insurance companies and other financial institutions. Other scholars also support this thesis.

Another surprising implication in the ABA critique is the view that if commercial banks that are controlled by competing banks, insurance companies or savings banks are small, such a situation is unimportant and has little anti-competitive or other significant consequences. To the public who must rely on these institutions for financial services in a particular geographic area, this situation may be quite serious and important, although the implications to the national economy might be slight.

Another area of the ABA critique that is also misleading is the charge that certain data in the study dealing with interlocking relationships lacks real significance. This is done by counting all interlocks together and giving no qualitative weight to the size of the corporations involved. To count General Motors as one corporation and a relatively small local business as another corporation and, therefore, one has two corporations which are statistically treated alike, makes very little sense. Obviously a bank trust department holding and voting 8 percent of the stock of a large national corporation, thus being one of the major stockholders, has much more significance in terms of potential control than holding 8 percent of the stock of a much smaller local company where the managers of that company probably hold larger shares.

It is also interesting to note that, while attacking the Committee study in a fairly blanket fashion, the report quietly supports in whole or in part a number of its major recommendations. These include the limiting of stockholdings or voting of the stock of a

corporation's securities that are held in its own employee benefit fund; the consideration of establishing uniform federal fiduciary standards; prohibiting insured banks from holding or voting their own stock held in their trust departments; and prohibiting interlocking officer and directorships among competing financial institutions.

On the other hand, it is surprising that the ABA study failed to support another important recommendation in the Subcommittee report: the annual disclosure of the contents of the portfolios of the pension funds. Similar recommendations have been made in proposed legislation to amend federal laws regulating pension funds under the Kennedy, Johnson and Nixon Administrations. Many agree that the disclosures provided under present law are completely inadequate.

THE NATIONAL CREDIT UNION BANK BILL

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

Mr. PATMAN. Mr. Speaker, today I am introducing a bill which would create a National Credit Union Bank to serve the nearly 24,000 credit unions in the United States. The bill would encourage the flow of credit through those cooperative, member-owned and controlled financial institutions. Since credit unions primarily serve middle- and low-income people, both in urban and rural areas, this bill is designed to provide an institution which will give credit union members greater access to consumer credit for provident needs at reasonable interest rates—a rate which in the case of all of our 13,000 federally chartered credit unions and most State chartered credit unions is established by law at not to exceed 1 percent per month on the unpaid balance of a loan.

To improve and stimulate the capability of our Nation's credit unions to provide low-cost consumer loans and to facilitate the flow of credit, the National Credit Union Bank which would be established under the legislation would be empowered to: First, make loans to its member credit unions for liquidity purposes; second, discount notes of its member credit unions; third, provide a national interlending service for its members; fourth, sell its own certificates of indebtedness in the open market to secure additional funds for its operations; fifth, lend assistance in the rehabilitation and stabilization of credit unions needing such help; sixth, help in the orderly and expeditious liquidation of solvent credit unions; and, seventh, cooperate and assist, within its means and authority, credit unions, credit union organizations, the National Credit Union Administration, and various State supervisory and regulatory bodies in the operational improvement and financial stability of credit unions generally.

CREDIT UNIONS GET EQUALITY

Only recently—March 10, 1970, to be exact—the National Credit Union Administration was created as an independent agency in the executive branch by converting the former Bureau of Federal Credit Unions into that agency. This placed the supervisory agency for Fed-

eral credit unions on an organizational par with the supervisory agencies of our national banks and federally chartered savings and loan associations. The proposal for a National Credit Union Bank is an essential step to give our Nation's credit unions similar facilities such as the other major financial institutions have for providing liquidity and other vital services to their member institutions. It is a logical step—one which I thoroughly believe will be a material aid in further improving our Nation's credit facilities, and one which I know will materially help the people of this country served by credit unions.

Under the provisions of the bill I have introduced, a National Credit Union Bank would be established with a principal office in the District of Columbia and with such branch offices throughout the United States as the bank officials may deem necessary and appropriate. The bank would be governed initially by the National Credit Union Board of the National Credit Union Administration plus two ex-officio members—the Secretary of the Treasury and the Administrator of the National Credit Union Administration. This Board would elect a temporary president of the bank from among its members to serve until a permanent president is named by the President of the United States. The interim governing body would establish procedures for the election of a permanent Board of Governors—one from each of the six Federal credit union regions.

BOARD APPOINTED BY PRESIDENT

The permanent Board of Governors of the proposed National Credit Union Bank would consist of a President to be appointed by the President of the United States, by and with the advice and consent of the Senate for a 6-year term; one elected member from each of the six Federal credit union regions for a 6-year term on a staggered basis; with the Secretary of the Treasury and the Administrator of the National Credit Union Administration as ex officio members. The Board of Governors would select from its own membership a Chairman, a Vice Chairman and a secretary annually and would be required to meet at least six times a year.

The President of the National Credit Union Bank would be the chief administrator of the Bank and would perform all the duties and functions of the Bank in accordance with policies of the Board of Governors and subject to their general supervision. The President would have authority to establish a staff, fix compensation for staff members, and to take other administrative and implementing actions necessary for the Bank's operation.

INITIAL STOCK COSTS \$100

Under terms of my bill, the National Credit Union Bank would be capitalized through sale of shares at par value of \$100, with an initial stock subscription by a credit union eligible for membership equal to 1 percent of its assets. Newly chartered credit unions would pay \$25 upon chartering, with a minimum requirement for purchase of one full \$100 share by the end of its first year of operation.

Every credit union which would be insured by the National Credit Union share insurance fund would be required to subscribe to the Bank. Here permit me to explain that Federal share insurance for credit unions similar to that provided commercial banks under the FDIC is a matter of pending legislation in the Congress.

The bill provides that the Treasury would advance up to \$500,000 for the initial organizational and operational expenses of the bank, to be repaid within 1 year from the date of the advance. The bank would also be authorized to borrow from the Treasury not to exceed \$500,000,00 at any one time at interest rates determined by the Secretary of the Treasury for needs beyond its immediate capabilities.

The National Credit Union Bank would be given general powers, comparable to those authorized similar corporate institutions, to carry out its objectives under the terms of my bill. It would be authorized to loan to shareholder credit unions, to accept deposits from shareholder members, or to invest in a member credit union's shares to establish an interlending system among credit unions, to pay dividends, to purchase notes and other receivables from members, and to execute numerous other functions related to its objectives.

Other provisions of my bill provide for audits of the bank by independent accountants, a fiscal year audit report to the Comptroller General for transmission to Congress and the President; a full report to the President and Congress after the close of each fiscal year; exemption from taxation by Federal, State, or local governments except for real and tangible personal property. Obligations issued by the bank would be subject to taxation the same as obligations of private corporations. The bill also provides that stock subscriptions to the bank would constitute a part of the regular reserve of Federal credit unions.

One of the major benefits of the National Credit Union Bank, in my opinion, would be its ability to assist and expedite the liquidation of solvent credit unions—credit unions forced to liquidate because of plant or military base closings, loss of field membership, or similar situations beyond the control of the credit union itself. Through the bank's authority to purchase notes, et cetera, the delay in liquidation often encountered in converting assets into liquid form could be eliminated and the entire process expedited, with shareholders being paid off almost immediately. A Federal share insurance program would be unable to do this for a solvent credit union having to liquidate.

Thus, as a complement to the Federal share insurance legislation now pending, the National Credit Union Bank would serve a valuable function. Although, historically, losses of credit unions over the years have been relatively small. For example, during the period 1934-69, actual losses for Federal credit unions were \$1,716,211. Net losses from scale-downs have amounted to \$1,643,330 during this same period. Donations to liquidated Federal credit unions and Federal operating credit unions have totaled

\$1,016,467 and \$606,337, respectively. Thus, total losses for all Federal credit unions for the last 36 years have amounted to less than \$5 million, while actual losses to members have amounted to only \$3,359,541. For Federal credit unions, in 1969 actual losses resulting from liquidation were \$95,547. Net scaledown losses were \$3,562; donations to liquidated credit unions and operating credit unions were \$164,576 and \$85,755, respectively. Thus, total losses for Federal credit unions in 1969 were \$349,440. Actual losses to members of these credit unions amount to \$99,109.

A study by the National Credit Union Administration for the period 1964-68 reveals that 1,220 Federal credit unions completed liquidation, representing \$50 million in share capital and a total membership of 213,000. As a group, the liquidations were completed at a net gain of 5.8 percent. Only 164 credit unions of the total group returned less than 100 cents on the dollar. Over 50 percent—91—of the 164 credit unions had less than \$50,000 in share capital. One hundred thirty-three of these credit unions paying less than 100 cents on the dollar had share capital of less than \$25,000. In addition, 23 percent—37—of these 164 liquidated credit unions were operative for less than 2 years. Also, 128 of the 164 had less than 200 members.

Mr. Speaker, I am convinced that the establishment of a National Credit Union Bank such as I have proposed in my bill will be a major stimulant to the credit unions of the Nation. It will give them a flexibility, a means of improving liquidity, and a stability which will be of direct benefit to the flow of credit in our Nation, especially in low-income areas which credit unions primarily serve.

The record of credit unions in encouraging thrift and in providing low-cost loans to members, based on the need and member's character is an outstanding one. After all, credit unions are simply people who are bound together by a common bond or interest to help one another. Surely for the good that they do, especially for the financially handicapped and deprived, they deserve every legitimate aid that our Federal Government can provide. In this bill, I merely set up and authorize machinery for the credit unions to help themselves. They will be paying the bill for a National Credit Union Bank just as they have paid the bill over the past 16 years for the National Credit Union Administration—formerly the Bureau of Federal Credit Unions—their Federal supervisory agency. And, I might add, they will be paying the bill for a Federal share insurance program when it is enacted. I emphasize that credit union legislation does not cost the taxpayer one cent to implement—the credit unions pay the bill themselves, whether it be their own supervisory agency, share insurance or a National Credit Union Bank.

This is vital legislation for credit unions. We should consider it, study it and improve it if possible by the expertise of credit unionists throughout the country—and then enact it into a law that will serve the interests of the people of this Nation.

AN ATROCITY BY COURT MARTIAL

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

Mr. PRICE of Illinois. Mr. Speaker, the case of Marine Corps Pvt. Michael Schwarz and the Son Thang atrocity has attracted widespread attention. The Evening Star in focusing on the case in its lead editorial yesterday raised a fundamental question of the propriety of punishing a soldier who has followed an illegal order. As the editorial noted, the nature of military training where emphasis is placed on obeying orders and the brutalization of war are mutually reinforcing in their impact on the individual soldier.

Obviously, the killing of another human being under the reported circumstances of the Son Thang atrocity is a moral wrong. But as the Star observes those who issued the orders to commit such an atrocity should be the ones to stand trial; the privates who carry out the orders should not be the scapegoats of the military justice system. A judicial atrocity must not be committed in the name of moral retribution.

This case is similar to one involving a constituent of mine who was held responsible for shooting a Vietcong suspect because he did not question the legality of an order. The young man had a distinguished service record yet the military determined that he was the one who should pay the price. Today, he is a bitter man.

It is past time I think for the military justice system to be examined as to its accountability to the individual. As a starting point, I include at this point in the RECORD the cited editorial so that my colleagues may have the benefit of its provocative insight:

THE SCHWARZ AFFAIR: A JUDICIAL ATROCITY

When war begins, the morality and the logic on which civilization is structured must undergo wrenching alterations.

It is demanded of soldiers that they suspend most of the moral and religious training they have accumulated. The ultimate crime of a peacetime society, the taking of a human life, is transmuted by the fact of war into an achievement to be rewarded by medals and promotions.

The ethical barrier that man has erected to protect his civilization from the jungle that surrounds it is breached in time of war. But that barrier cannot be allowed to fall. Men at war must continue to act within set boundaries of permissible behavior. The brutalizing process of combat cannot be total.

The dividing line between duty and atrocity is not readily distinguishable. In a war such as that in Vietnam the division is particularly blurred. No front lines separate the combatants. The enemy cannot always be identified by uniform, sex or age. But the fact that the war in Vietnam is an unusually difficult, dangerous and dirty war does not cancel the obligation of the military to recognize an atrocity when it takes place and to punish those who are responsible.

Atrocities would appear to have been committed by American soldiers at My Lai in March of 1968, and the process of fixing responsibility, passing judgment and meting out punishment is under way in the military courts. Another atrocity, smaller in scope but not less horrifying, took place on February 19 of this year in the village of Son

Thang. And in the Son Thang case, military authorities have moved with blinding speed.

Four of the five Marines involved have been accused of murder. The fifth has been granted immunity in return for his willingness to testify for the prosecution. One of the accused has been acquitted after testifying that his revulsion against the taking of life is such that he has never, during his entire tour of combat duty in Vietnam, fired at anyone but has always carefully aimed over the heads of the enemy. One of the defendants—Private Michael Schwarz, age 20—has been tried, convicted and sentenced to life imprisonment at hard labor.

That conviction compounds the battle-zone atrocity with an atrocity by court-martial.

A detailed account of the incident at Son Thang and its aftermath, written by Miriam Ottenberg, The Star's Pulitzer prize-winning investigative reporter, was printed in last Tuesday's editions. From that account, it appears possible that Schwarz's rights were violated and that the appeal process may result in a reversal of the conviction or a reduction in the sentence. But more shocking than the questions raised by evidence that Schwarz was questioned by a Marine major before being informed of the suspected offense, of his right to remain silent or his right to legal counsel, is the clear implication that the military is embarked on a broad misapplication of its own system of laws.

The body of law that governs all United States servicemen—the Uniform Code of Military Justice—states that the orders of superiors must be obeyed. And then it qualifies this unambiguous statement with the observation that the order must be "lawful." What is an unlawful order? It is, in the words of the Code, one "that a man of ordinary sense would know to be illegal."

In the courtroom in Vietnam, well removed from the scene of battle, the illegality of the order to Pvt. Schwarz appeared clear enough. The five-man "search and destroy" mission, under the command of a 20-year-old lance corporal, walked into the quiet village at night. Some three minutes later, 16 civilians—five women and 11 children—had been shot to death. According to the testimony, the order given repeatedly by the platoon leader was: "Shoot them. Shoot them all."

The order was illegal. But does it therefore follow that Schwarz should be punished with a sentence of life imprisonment for premeditated murder? By any reasonable application of logic, he should not.

The Military Code, it is true, states that unlawful orders need not be obeyed. But this theoretical legalism is negated by the fundamental realities of military life.

A recruit in any branch of the service receives saturation training in one basic military requirement: Orders are to be obeyed. There is to be no hesitation, no questioning of the logic, no consideration of alternatives, no challenge to the legality. There must be—particularly in combat—instant obedience. Any other reaction, the trainee soon learns, is met with swift and severe punishment.

Such a system is dictated by the brutal logic of war. In battle, men may have to be ordered into a situation of danger so extreme that it amounts to almost certain death. They are expected to follow their orders. No superior can take the time to explain the logical necessity for an action that may seem unnecessarily dangerous or inhumanly brutal. The assumption must be that a leader is rational, is logically motivated and that—in the absence of overwhelming evidence to the contrary—any order given is a lawful order. The alternative is military chaos.

Does this mean that the Military Code's statement that the rule of obedience applies only to "lawful" orders is meaningless?

On the contrary, the qualifying adjective retains a very important meaning as the basis for a defense against the failure to obey an order that can be shown to be unlawful. A soldier who has the moral courage and the quickness of intellect to recognize an illegal order for what it is can use the language of the Code as a legal shield. But no soldier, sailor, airman or Marine can reasonably be obligated in a combat situation to pass instant judgment on the legality of an order.

The fact remains, however, that if an atrocity is committed, responsibility must be fixed. No Solomon-like judgment is required to determine where such responsibility rests. The man who gives an order to commit an atrocity—not the man who carries it out—is the one who should stand trial.

If that leader was given prior orders that prompted his illegal action, then the guilt must pass up the chain of command. But the leader on the scene cannot automatically be absolved. He has the opportunity to question orders given in non-combat situations. He has the time to reflect on the legality of the orders. And the responsibilities of command impose an obligation to do just that.

This is not to prejudice the case of the 20-year-old lance corporal who substituted for the regular patrol commander on the "killer" mission at Son Thang. But whatever the outcome of his trial, it is clear that the military must not make scapegoats of privates who do what they are trained to do: Obey orders. The services must in addition begin to temper the conditioned reflex of unquestioning obedience by providing noncommissioned and commissioned officers with some realistic guidelines to mark the indistinct border between necessity and atrocity.

High on the list of war's tragic by-products is the inevitable brutalizing influence it exerts on the society that sponsors it. This instruction in inhumanity must not be augmented by a demonstration of injustice in the military courts.

REDUCTION OF TAX OBLIGATION

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

Mr. VANIK, Mr. Speaker, at this time when inflation, high taxes, and rising unemployment are a matter of grave concern, I am shocked to hear that the Office of Naval Research has used taxpayer funds for research in the opportunities of Multi-National Companies to reduce tax obligations to America as well as other host governments.

Using Federal funds to develop a tax dodge is a cruel insult to the taxpayer who does his share.

This research has resulted in an article entitled "Maneuvering Liquid Assets in a Multinational Company: Formulation and Deterministic Solution Procedures" and was published in the June edition of Management Science, volume 16, No. 10. According to a footnote, it was prepared as part of the activities of the Management Science Research Group, Carnegie-Mellon University, under contract NONR 760(24) NR 047-048 with the U.S. Office of Naval Research.

The article describes global manipulations in the tax dodge, to show companies how to avoid paying taxes in the United States by juggling prices, profits, and accounting systems. It describes the role of international banking in helping in the avoidance of taxation.

Reproduction of this article in whole or in part is permitted for any purpose of the U.S. Government. I will, therefore, request that it be printed in the CONGRESSIONAL RECORD where I hope it will result in affirmative congressional action to close these international tax loopholes which make a mockery out of the law.

After this statement was publicized, the Department of the Navy sent me the following fact sheet on contract NONR 760(24) NR 047-048 with the Graduate School of Industrial Administration, of Carnegie-Mellon University:

FACT SHEET

ONR has had a contract (NONR 760(24) NR 047-048) with the Graduate School of Industrial Administration, Carnegie-Mellon University, since 1963.

The objective of this contract is to develop computer-based mathematical methods for the planning, management and control of complex Navy systems such as Navy logistic systems and Navy industrial-type activities.

The ONR contract supports the research and several members of the Management Sciences Research Group within the Graduate School of Industrial Administration.

There are other members of the Management Sciences Research Group who receive no support from ONR. Professor David P. Rutenberg is such a member.

It has been the custom of the Management Sciences Research Group to publish their research findings initially as technical reports, numbered in a series known as the Management Sciences Research Report Series.

As a member of the Management Sciences Research Group, Professor Rutenberg published his paper, "Maneuvering Liquid-Assets into a Multi-National Company: Formulation and Deterministic Solution Procedures," as Management Sciences Research Report No. 154, dated February 1969.

Professor Rutenberg's research was actually done before he arrived at Carnegie-Mellon, and Professor Rutenberg has never received ONR support of any kind. The work was done as part of Professor Rutenberg's thesis at the University of California and was completed before coming to Carnegie-Mellon.

The title page of those reports issued in the MSR Report Series which were supported by ONR funds has in the past carried the following footnote:

"This report was prepared as part of the activities of the Management Sciences Research Group, Carnegie-Mellon University under Contract NONR 760(24) NR 047-048 with the U.S. Office of Naval Research. Reproduction in whole or in part is permitted for any purpose of the U.S. Government."

In the case of Rutenberg's paper this acknowledgement is in error. This error has been admitted formally in a telegram from Carnegie-Mellon University to the Chief of Naval Research dated 12 July 1970.

At this same time, I also received a copy of a telegram dated July 12, 1970, addressed to Rear Adm. C. O. Holmquist by Gerald L. Thompson, principal investigator of the management research group of Carnegie-Mellon University.

PITTSBURGH, PA.

Rear Adm. C. O. HOLMQUIST,
McLean, Va.

The paper maneuvering liquid assets in a multinational company by David P. Rutenberg was originally published in the Carnegie Mellon Management Sciences Research Report Series as a courtesy to Professor Rutenberg for the purpose of rapid distribution this work was part of Professor Rutenberg's thesis at the University of California completed before coming to the Carnegie Mellon University Professor Rutenberg has never received financial support under contract

NONR 760(24) NR 047-048 the footnote in the above article implying Navy support for this research is in error.

GERALD L. THOMPSON,
Principal Investigator, Management Sciences, Research Group Carnegie Mellon University.

In response to this Navy Department fact sheet and the July 12 telegram of Gerald L. Thompson, principal investigator of the management research group of the Carnegie-Mellon University, I would appreciate the corrected number or identification of the contract under which Professor Rutenberg did his work. Neither of these documents adequately disclaim the issue which I have raised.

My immediate source of information was the June 1970 issue of Management Science magazine, a highly respected publication, preeminent in its field.

I am, therefore, referring this entire issue to the General Accounting Office to make a final determination as to whether the taxpayers' moneys have been used directly or indirectly to finance this study on tax avoidance.

The article in question follows:

[From Management Science, June 1970]
MANEUVERING LIQUID ASSETS IN A MULTINATIONAL COMPANY: FORMULATION AND DETERMINISTIC SOLUTION PROCEDURES*†

(By David P. Rutenberg, Carnegie-Mellon University)

Over a finite horizon each national subsidiary of a multi-national company can be forecast to be a net source or sink of funds. Each of these subsidiaries in each year is considered to be the node of a network; funds flow along the directed arcs connecting the nodes. Liquid assets carried by the subsidiaries on the arcs between time periods earn interest minus adjustments for expected devaluations. In each time period a flow of funds between each pair of subsidiaries can be achieved by manipulating transfer prices and managerial fees, by making short term intersubsidiary loans, and by paying dividends up the intersubsidiary ownership tree. The costs and constraints on these flows are outlined with particular attention given to the IRC Subpart F regulations of the U.S. 1962 Revenue Act, and to the 1968 regulations of the Office of Foreign Direct Investment. It is shown to be extremely important that subsidiary dollar accounts count toward the compensating balance requirements of a U.S. bank, and it is also shown that there are benefits to a global tax consolidation under Subpart F. The problem can be solved as a generalized network (weighted distribution problem). This avoids the need to guess at the average discount rate if it is to be solved as an ordinary network.

1. INTRODUCTION

The Revenue Act of 1962 changed the rules under which U.S. corporations could use tax havens. Before 1962 there were no U.S. taxes imposed directly on the earnings of subsidiaries incorporated abroad; only when these subsidiaries remitted dividends to their U.S. parent were taxes levied on these dividends. So it became quite common for U.S. based international companies to create a headquarters and a two-tier legal structure. On the top was the U.S. parent. In the first tier was a holding company, incorporated in a

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low tax nation which levied no taxes on dividends received from abroad. And in the second tier were all the national subsidiaries, legally owned by the first tier holding company. The holding company was used as a low (tax) cost reservoir and conduit for sending funds between national subsidiaries.

By the 1962 Act, the U.S.A. became the only nation in the world to tax profits of subsidiaries abroad before these profits are repatriated as dividends. Certain relief provisions, or loopholes, were created in the Act (supposedly to stave off concerted lobbying by corporations most affected). Nevertheless, not much cunning use has been made of these provisions. For example, a U.S. company need pay no tax on a subsidiary incorporated in Bermuda for the purpose of manufacturing in Ireland, and selling the products to the world. This lack of use is partly because the Act has not been subject to any judicial interpretation to clean up areas of ambiguity; it is also because there have been too many opportunities and problems requiring immediate resolution by capable management.

Seven years have now passed. Capable international managers are more numerous so some have time for tactical planning. The benefits of analyzing the world wide movement of liquid assets depend upon the cost of capital. Not only has there been a long run increase in interest rates over the last few years, but there was a jump in the opportunity cost of capital in foreign subsidiaries of U.S. corporations with the January 1, 1968 promulgation of capital controls administered by the Office of Foreign Direct Investment (OFDI). In a like manner, other nations erect emergency currency controls, and then dismantle them slowly.

Companies differ in the guidelines they impose on subsidiaries for handling liquid assets, but three patterns predominate each corresponding to the archetype [12] of headquarter-subsidiary relationships. Some companies used to insist that the entire profits of each subsidiary be repatriated to the headquarters as dividends each year; this assured control though at a high cost in taxes. Some companies view each subsidiary as totally independent (which it legally is), and do not interfere in the management of liquid assets; this policy has the fewest bad behavioral consequences though the result is that the company's worldwide liquid asset inventory is quite high. Between these two extreme policies is a third, the subject of this paper, in which liquid assets are sent to subsidiaries when needed by manipulating transfer prices, managerial fees and royalties, dividends, and intersubsidiary loans so as to minimize taxes paid to the world minus interest received. Clearly, such headquarters intervention is destructive to incentive systems built upon profit centers. Whether maneuvering is worth the effort can be determined only by building a model; the difference between current costs and model optimal costs provides a benchmark against which to judge the behavioral costs of headquarters intervention.

If maneuvering liquid assets is deemed prudent, one main use should be in reacting to anticipated devaluations, currency controls and other such risks and opportunities. Only a deterministic model is presented in this paper. Yet many cases can be run so as to explore a strategy for dealing with an anticipated risk. To formally plan for optimal flexibility in the face of risk had better wait until there is data and experience with a deterministic model. Using stochastic programming with recourse [16] one can plan for flexibility so long as updated information can be inputted at only one instant of time (though conceptually more stages can be added). In reality information is arriving continuously to change expectations about future events. The maximum princi-

ple and canonical equations of Pontryagin have been extended to stochastic control systems by Kushner and Schweppe [9], and though they provide a conceptual scheme for the control of continuously changing expectations work on computational procedures has barely started and appears extremely complicated.

2. THE MODEL

The subject of this study is the optimal use of tax havens, bilateral tax treaties, non-uniform treatments of income received from abroad, and national differences in income tax rates, import duties and border taxes. This is a partial analysis for tactical planning because it takes as given the planned operations of each national subsidiary, and hence whether in each year the subsidiary is to be a net source or recipient of funds.

There are N subsidiaries around the world, and the analysis will be done over T years. Each subsidiary in each year causes a net outflow of funds $b_i(t)$ from the liquid assets in subsidiary i in year t (a net inflow would be represented as a negative $b_i(t)$). For example, if subsidiary i intends to construct a new plant in four years' time, then for the next three years it will likely be a net source of funds ($b_i(t) < 0$) but on the fourth year (construction year) it will be a net sink for funds ($b_i(4) > 0$). Pro forma balance sheets and income forecasts have to be made for any kind of financial planning, so we assume that the net availability or requirements for funds are known. The transactions demand for cash in each subsidiary should also be estimated, for changes in this inventory affect the net availability for funds. Also associated with each subsidiary in each year is its profit π_i , its subpart F income (as defined in the U.S. Internal Revenue Code), and the effective rate of foreign income tax. Liquid funds can be held by a subsidiary from one year to the next. This holding is represented as a flow through the arc connecting a subsidiary in one year to the same subsidiary in the succeeding year. If there is a significant term structure to the best interest rates obtainable by a subsidiary, then two year arcs can be added to take advantage of the higher interest rates obtainable on longer term loans. However, to simplify exposition we shall use only one year arcs. A peculiar feature of U.S. banks must also be depicted: if any part of the company has obtained a loan from a U.S. bank, then the company will be required to keep on deposit in branches of that bank no less than a specified "compensating balance." If each subsidiary maintains a dollar account in the U.S. bank, then the sum of these accounts can be used to satisfy the compensating balance requirement (even though the individual accounts are members of different OFDI class nations). Thus an aggregated compensating balance is an effective way to make intersubsidiary loans. The compensating balance requirement is depicted by the bunched parallel y arcs in Figure 1 [not in Record]; the sum of flow through these arcs must be greater than or equal to the compensating balance requirement.

In Figure 1¹, operations in country i drain the system of $b_i(t)$ and $b_i(t+1)$ in years t and $t+1$ respectively, whereas in country j the local subsidiary is forecast to be a net generator of funds $b_j(t) < 0$ in year t , but a net user or funds $b_j(t+1) > 0$ in years $t+1$. A feasible solution is one which gets funds to the subsidiaries that need them. For a given pattern of intersubsidiary ownerships, there are at least four ways to transmit liquid assets from one national subsidiary to another. These control variables are:

$p_{ij}(t)$: Adjust the transfer prices on shipments between subsidiaries i and j .

$f_{ij}(t)$: Charge legal and managerial fees and royalties on technical knowledge supplied to subsidiary i by subsidiary j .

$l_{ij}(t), l_{ij}(t+1)$: Make new intersubsidiary

loans, and repay old ones with interest. Delayed invoicing is a loan.

$d_{ij}(t)$: Remit dividends from subsidiary i to its legal stockholder subsidiary j .

There are N subsidiaries, and the analysis is done over time periods $0, \dots, T$. The state of the system is specified by the amount of liquid assets held by each subsidiary:

$x_i(t, t+1)$: Amount of liquid assets employed in their most profitable manner by subsidiary i in the one year period from t to $t+1$.

$y_i(t, t+1)$: Amount of cash held by subsidiary i (usually in a dollar account in a U.S. bank) that can satisfy compensating balance requirements.

In order to simplify modelling, it will be assumed that fund flow is averaged over the year, and only this average flow will be depicted. Of course, the time periods can be made as short as desired to more accurately depict reality. In each year N compensating balances must be specified, as must $N-1$ dividend flows, $N(N-1)$ transfer price flows, and $N(N-1)$ loan flows. The number of managerial fee flows will be either $N(N-1)$ or $N-1$ depending on whether or not fees and royalties have to follow the ownership pattern. Thus at most $T(3N^2 - N - 1)$ flows will have to be calculated.

3. COSTS AND BOUNDS ON FLOW THROUGH THE ARCS

There is a cost on flow through an arc, say the arc $p_{ij}(t)$ from i to j in year t depicting manipulated transfer prices. This cost depends on the pair of nations i and j , and can be expected to vary with time. Hence it would be formally correct to let the cost function be $P_{ij}(t)[p_{ij}(t)]$. This notation would be very cumbersome, however, so $P[p_{ij}(t)]$ will be used instead; it must be understood that P is a function of i, j , and t . The four methods of transferring funds between nations will be discussed first.

3.1 Adjusted Transfer Prices $P_{ij}(t)$

Suppose subsidiary i manufactures sub-assemblies which are shipped to subsidiary j . If the transfer price is lower than "normal" then there occurs a net flow of funds from i to j . If the transfer price is set higher than "normal," then the flow of funds is from j to i .

There is a direct cost to flow through a p_{ij} arc. A lower transfer price reduces the revenue appearing in subsidiary i , and this usually reduces income tax and value added tax in country i . Any *ad valorem* export duty on subassemblies imposed by country i , or import duty imposed by country j will be reduced by the lower transfer price (so long as the invoices are believed). A lower transfer price will increase profits and value added appearing in country j . Hence the direct cost of sending funds through arc p_{ij} is:

Marginal rate of income and value added tax of subsidiary in country j , minus marginal rate of income and value added tax of subsidiary in country i minus *ad valorem* tariff on exports by country i and on imports by country j .

There are two internal indirect costs to flow through a p_{ij} arc. If each subsidiary is a semi-autonomous profit center, then there will be a bilateral monopoly relationship between i and j . An imposed transfer price will work so long as producing to demand remains in the self interest of subsidiary i . One indirect cost lies in the required efforts to persuade i to produce. Another indirect cost lies in the profits foregone by subsidiary j as it tailors its promotional efforts to its cost of goods, partly the manipulated transfer price. Clearly these costs of acrimony over negotiated and imposed transfer prices are greatly reduced if unit sales and production quotas are set centrally. The external indirect costs arise from government inquiries. If the price is too low both governments will intervene. The tax authori-

ties of country i will see tax revenues foregone (in USA, I.R.S., Section 482; see the recent case of Eli Lilly [5]). The import tariff commission of country j will see dumping. If the transfer price is too high, income tax will be foregone to country j . These external indirect costs have to be paid in bribes, time and effort at investigatory hearings, additional advertising to counter ill-will, and actual settlements. Section 482 of the U.S. Revenue Code confers great power to the Secretary of the Treasury. Its full text is:

"In any case of two or more organizations, trades or, business (whether or not incorporated, whether or not organized in the United States, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the Secretary or his delegate may distribute, apportion, or allocate gross income, deductions, credits, or allowances between or among such organizations, trades, or businesses, if he determines that such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any of such organizations, trades, or businesses."

In light of such regulatory power by the U.S. government, and similar power by most other governments, it appears to be current industrial practice to abide by standard transfer prices on standard items. However, the continual introduction of new products requires that new transfer prices be established, and this is done with an eye to the considerations of this paper. Nonstandard items such as rejects, returned goods, and contaminated scrap can have any transfer price between zero and the standard price of a good item, and can easily be manipulated. One final technique used in practice is to invoice the goods through a chain of subsidiaries, each of which adds its commission.

3.2. Fees and Royalties $F[f_{ij}(t-1), f(t)]$

Managerial advice, allocated headquarters overhead, and royalties on patents and trademarks are very elusive and difficult to price. Hence they appear to be very suitable conduits through which to move funds.

There is a direct cost. If these fees and royalties are a tax deductible business expense in country i , then a tax saving occurs. However, this need not be so, and there may be a withholding tax. If fees and royalties received from abroad are taxable as income in country j , then there is a tax cost.

There will likely be an indirect cost to any increase in fees and royalties. A treasury official in country i , struggling for foreign exchange, will be more likely to intervene the larger the increase. Hence the cost is a nonlinear (quadratic perhaps) function of $[(f_{ij}(t) - f_{ij}(t-1))]$. Many governments have become very severe about allocating foreign exchange for fees and royalties [18].

3.3. Intersubsidiary Loans $L_{ij}[l_{ij}(t)]$

The most prevalent form of intersubsidiary loan is a speed-up or delay in invoicing shipments between a pair of subsidiaries because normal terms of payment differ between regions of the world. In addition, actual shipping schedules can be accelerated in one direction and decelerated in the other so that one subsidiary carries inventory for both. Outright loans may also be possible. The danger in any intersubsidiary loan is that it will be deemed to constitute a dividend by the governments of the countries involved (especially the U.S. government). Hence, ritually, loans are made for 364½ days and are then repaid with interest; a new loan is regranted immediately if desired.

There are direct costs. Let the interest rate on the loan be r (presumably reasonable to both governments). The loan $l_{ij}(t)$ departed from country i and arrived (presumably intact) at country j . At the end of the $(1+r)l_{ij}(t)$ must be prepaid. If interest is

a business expense in country j then the income tax payment will be reduced. Hence the net outflow from subsidiary j is $(1+r-rT_j)l_{ij}(t)$, where T_j is the marginal rate of taxation in country j (including withholding). If there is no withholding tax on interest leaving country j , then $(1+r)l_{ij}(t)$ will be repaid to subsidiary i . If interest received from abroad is taxable income in country i , then the inflow to subsidiary i (net of tax) will be $(1+r-rT_i)l_{ij}(t)$. A constraint that the loan must be repaid (with interest) must be added to the formulation.

3.4. Dividends $D[d_{ij}(t)]$

There are N wholly owned subsidiaries. The intersubsidiary ownership pattern is fixed, hence the $N-1$ dividend arcs are known. The problem is to estimate the cost function $D[d_{ij}(t)]$ for each arc. The cost function (if nonlinear) and restrictions on dividend flow depend upon the tax base. It is presumed that aspects of the tax base internal to each country have been optimized, so that in this formulation we need consider only intersubsidiary allocations of the tax base, such as manipulations to transfer prices and fees, and the receipt of interest on intersubsidiary loans.

First we shall sketch a few foreign taxes on dividends, starting with the uncomplicated tax laws of Liechtenstein. Though they will not be examined here, local taxes imposed by states, counties and cantons are substantial enough that they should be included in the cost functions. Brief mention will be made of tax treaties between pairs of nations; their intimate details should be studied, especially when a company operates with a foreign corporate charter in a nation.

Secondly, we shall examine in detail the U.S. laws that pertain to dividends received from abroad. Due to the U.S. Revenue Act of 1962, all cost functions (even on dividends which do not flow to the U.S.A.) must be somewhat augmented. Due to the 1968 Office of Foreign Direct Investment, minimum bounds are imposed on certain groups of dividends.

3.4.1. $D[d_{ij}(t)]$ When j is not USA. Liechtenstein: Corporations pay income tax (Ertragssteuer). Dividends paid by resident corporations pay a 3 percent coupon tax. This is never refunded, or permitted to be credited as a cost of doing business. There is no tax on dividends received. No tax treaties are currently in force which change these provisions.

Belgium: Corporations pay income tax (impôt des sociétés) at the rate of 30 percent, but income going into retained earnings above 5,000,000 Belgian francs is taxed at the rate of 35 percent (model this as a 5 percent incentive for paying dividends until retained earnings drop to 5,000,000 Belgian franc). Dividends paid by a resident corporation are subject to a 18.2 percent withholding tax, which is never refunded nor permitted to be credited as a cost of doing business (deduct this from the incentive for paying dividends). Of dividends received into Belgium (after any withholding taxes by the government of the sending country) the tax imposed by the Belgian government is 18.7 percent (15 percent Belgian withholding tax plus 30 percent Belgian income tax on 15 percent of the 85 percent that survived Belgian withholding tax). By tax treaty, dividends received from an Italian corporation are exempt from Belgian withholding tax.

Germany: Income tax (Körperschaftsteuer) and business tax (Gewerbesteuer) are imposed on corporations doing business in Germany. A 25 percent withholding tax is made on dividends paid. Profits not distributed to shareholders are taxed at 51 percent, but profits distributed to shareholders are taxed at only 15 percent. Dividends received by a German corporation are given a credit against company income tax, but not business tax. The effective tax rate depends, as

before, on whether or not these profits from abroad will be distributed to shareholders.

3.4.2. U.S. Controls on d_i , USA. While planning a base company in the popular tax haven countries of Surinam, Panama, Liechtenstein, Switzerland, Bermuda and the Barbados, usually the most applicable laws are the U.S. Revenue Act of 1962, the U.S. Foreign Investors Tax Act of 1966, and the U.S. Foreign Direct Investment Program administered by the Office of Foreign Direct Investments (OFDI). The combination of these three laws is so complicated, that it would not be trivial for a company to prepare a computer simulation for its tax position. Interestingly, however, (assuming all subsidiaries are 100% owned, and the subsidiaries in less developed countries are not legal parents to subsidiaries in advanced countries) U.S. law ignores patterns of legal intersubsidiary ownership so that subsidiaries can be regrouped annually at the discretion of the company. "Where there are many such foreign corporations and branches, this [regrouping] will provide ample opportunity for the exercise of ingenuity, alone or in connection with an electronic brain." [13, p. 15, 203]

The OFDI regulations impose lower bounds on four sums of dividends. The four sums are defined by the geographical schedules:

- A. Underdeveloped, from Aden to Zambia.
- B. Developed, from Abu Dhabi to United Kingdom.
- C. Most of Europe plus South and South-West Africa, from Andorra to Switzerland.

Let π be the annual profits (net transfer of capital plus reinvested earnings) in subsidiary i ; this will be negative for subsidiaries which lost money. For a small company the applicable OFDI regulations (Section 503 allowables) impose four constraints on dividends, limiting the retained earnings to \$200,000.

$$\sum_{i \in A} d_{ij} - \sum_{i \in A} d_{ji} + \sum_{i \in B} d_{ij} - \sum_{i \in B} d_{ji} + \sum_{i \in C} d_{ij} - \sum_{i \in C} d_{ji} + \sum_{i \in D} d_{ij} - \sum_{i \in D} d_{ji} \geq \sum_{i \in \pi} \pi - 2000,000.$$

For $i \in A, j \in A$.

The other three constraints are for $i \in B, j \in B$, for $i \in C, j \in C$, and a worldwide formula $i \in \text{U.S. or Canada}, j \in \text{U.S., Canada}$. These section 503 allowables, if not used in any year, may not be carried forward for use in later years.

If the company so chooses, and it probably will unless it is a small company that is new abroad, it can replace the set of four equations (Section 503) with \$200,000 annual limits by three equations (Section 504). One cannot have the benefit of both Sections. In the Section 504 allowables there is no single worldwide constraint. In the three geographical schedule constraints:

In A, \$200,000 is replaced by 110% of average direct investment (net capital plus reinvested earnings) of company aggregated over all A countries during 1965 and 1966.

In B, \$200,000 is replaced by 65% of average 1965, 1966 direct investment in all B subsidiaries.

In C, \$200,000 is replaced by the smallest of (1) 35% of average 1965, 1966 direct investment in all C countries (2) average reinvested earnings in 1964, 1965, 1966 or all C subsidiaries. Use 0 if either (1) or (2) is negative.

3.4.3. U.S. Revenue Act of 1962. In attempting to calculate $D[d_{i,USA}(t)]$ it is convenient to categorize three sources of dividends, (a) less developed countries, (b) foreign subsidiaries which have been organized into Western Hemisphere Trade Corporations, China Trade Act Corporations, and special corporations which can operate only in Puerto Rico or U.S. possessions, (c) all other countries.

Subsidiaries in less developed countries

(the list is not quite identical with Schedule A countries of the OFDI regulations) are exempt from U.S. taxation on their retained earnings, and are subject to a low tax on dividends received into the U.S.A. The low tax results from the fact that U.S. tax credit is granted on the base of before-foreign-tax-income, whereas U.S. tax is calculated on the dividend received, which is net of foreign taxes. If the subsidiary pays its *entire* earnings as dividends $d_{1,USA}$, then the total tax rate will be

$$D[d_{1,USA}(1969)] = [T_{USA} - T_1 T_{USA} + T_1^2] d_{1,USA}$$

If $T_{USA} = 48$ percent, then a 5.76% saving is the most that can be achieved by paying dividends from a subsidiary in a less developed country that has a 24 percent tax rate.

The incentive to use Western Hemisphere Trade Corporations, China Trade Act Corporations, and Section 931 Corporations operating in Puerto Rico and other U.S. possessions was greatly increased by the Revenue Act of 1962. For a company which has already planned its physical operations, these special U.S. laws operate much as tax treaties: they reduce $D[d_{1,USA}(1969)]$.

Most subsidiaries are not in less developed countries, nor are they qualified as Western Hemisphere Trade Corporations. Their U.S. parent is therefore liable to U.S. tax on the Subpart F income of such subsidiaries, even if it is retained abroad. Subpart F income consists of nonmanufacturing income (rents, royalties, licensing fees, dividends), income from services performed for related persons outside the nation, and income from the sale of property to related persons outside the nation.

Subpart F income is precisely defined in Internal Revenue Code Sections 951(a)(1)(A)(i) and 952. Legal counsel competent in this portion of the code should be consulted, for carefully reading the definitions of these sections is like trying to debug someone else's computer program that was written compactly with layers of nested DO loops. Nevertheless, a Subpart F income figure is required. Manipulations to transfer prices and fees will be magnified by a factor of 2.5 in their influence on Subpart F income because of the "70-30" rule of Section 954(b)(2)(B), but only within these 70-30 limits.

The 1962 Revenue Act offers significant tax relief under the "minimum distribution provisions" of Section 963. Section 963(b)(3) provides a table, associating with each effective foreign tax rate a required percentage minimum distribution of earnings and profits.

To avoid misunderstanding Figure 2 [not printed in RECORD] it would be helpful to examine the total tax to be paid as a function of the subsidiary dividend payout rate. For example, consider a subsidiary with an effective foreign tax rate of 35 percent. From Figure 2 (or IRC 963 (b) (3)), this effective foreign tax rate calls for a minimum distribution of earnings and profits of 63 percent. The U.S. government grants a tax credit for taxes paid abroad, so that the total tax does not exceed the U.S. rate of income tax of 48 percent (ignoring the current surtax).

Unless a minimum distribution is made, the *entire* Subpart F income of the subsidiary is taxed. Figure 3 [not printed in the RECORD] implies that for dividends in excess of the minimum distribution the per unit cost is the slope of the total tax line. The figure applies to each year; if liquidity must be built up in a subsidiary, a sensible strategy would be to alternate minimum distribution years with zero dividend years. Unfortunately this may run afoul of the OFDI minimum repatriation regulations, referred to in the previous section. In fact, most U.S. corporations are finding that the OFDI regulations are so stringent that the dividends they must pay exceed the Subpart F minimum distributions. The network model of this paper can be applied ignoring Subpart F

taxation, then re-run constraining insufficient flows to equal or exceed their minimum distribution. Alternatively, a minimum distribution can be applied to a chain of subsidiaries (a different consolidation to that required by OFDI A, B, and C country schedules) that the sum of dividend flows exceed a prescribed minimum. Such a consolidation is permitted by the U.S. Internal Revenue Code:

963(c)(2) Amounts to which section applies—chain of controlled foreign corporations

Subsection (a)(2) shall apply to amounts which (but for the provisions of this section) would be included in the gross income of the United States shareholder under section 951 (a)(1)(A)(i)—

(A) by reason of its ownership, within the meaning of section 958(A)(1)(A) of stock of a controlled foreign corporation, and

(B) to the extent that the United States shareholder so elects, by reason of its ownership, within the meaning of section 958 (a)(2), of stock of any other controlled foreign corporation (an account of its ownership of the stock described in subparagraph (A) or of stock described in the subparagraph), but only if there is taken into account the earnings and profits of each foreign corporation, whether or not a controlled foreign corporation, by reason of which the United States shareholder owns, within the meaning of section 958(a)(2), stock of such controlled foreign corporation.

For a given pattern of intersubsidiary ownership there are numerous possible chains of subsidiaries. If a corporation has such generous OFDI constraints that it is liable for Subpart F taxation unless it increases dividends, it might consider searching for optimal chains of subsidiaries. Though this subject will not be explored in detail in this paper, the company could organize chains whose average effective foreign tax rate is just above each of the breaks in IRC 963(b)(c), so that the tax saving is greatest. Unfortunately, for most companies the OFDI regulations preclude such considerations, and furthermore IRC 1964(a) (a safety net provision) deems that no chain or group may pay less than 90 percent of the U.S. tax rate.

3.5. $X[x_i(t, t+1)]$ Liquid Assets held in Country i

Section 203(c) of the OFDI regulations stipulates that a direct investor whose total liquid foreign balances exceeds \$25,000 is required "to reduce the amount of liquid foreign balances (other than direct investment liquid foreign balances) held by such direct investor to an amount not in excess of the average end-of-month amounts of the same so held by such direct investor (whether or not a direct investor at that time) during 1965 and 1966". That is to say

$$\sum_{i=1}^N x_i \leq a$$

Where a is greater of \$25,000 and average during 1965 and 1966.

If a company wants to hold liquid assets abroad totalling more than a , then it must confine them to less liquid or less desirable assets such as those specified in Section 203 (a) (2). Then $X[x_i(t, t-1)]$ is the effective interest rate earned by a less desirable asset such as OFDI Section 203(c) (ii)—

"bank deposits, negotiable instruments, non-negotiable instruments, commercial paper and securities with a period of more than 1 year remaining to maturity when acquired by the direct investor and which are not redeemable in full at the option of the direct investor within a period of 1 year after such acquisition."

If the multi-national company has raised money abroad then the "direct investment liquid foreign balances" are exempt. Then marginal changes to liquid balances in coun-

try i would presumably be held in the unrestricted foreign funds, for which $X[x_i(t, t-1)]$ is higher.

3.6 $Y[y_i(t, t+1)]$ Cash Held in the U.S. Dollar Account of the Subsidiary

Foreign banks commonly grant loans on an overdraft basis, so that the borrowing company pays interest only on the amount of the granted loan which it has in use, much as a U.S. bank grants a line of credit. Nevertheless, when a U.S. bank actually grants a loan the borrowing company pays interest on the entire amount of the granted loan (whether or not withdrawn from the bank) and furthermore must keep specified compensating balances on deposit in the bank. As the company has to keep transaction and precautionary cash, the compensating balance requirement is not as onerous as it would be in a deterministic world, though it should be reflected in a slight upwards adjustment in U.S. interest rates to make them comparable with foreign "overdraft" interest rates.

U.S. dollar accounts held in the bank by the many corporate subsidiaries around the world are generally considered to count towards the compensating balance requirement:

$$\sum_{i=1}^N y_i(t, t+1) \geq R_{i, t+1}$$

Loan officers generally refer only to the average balance through the preceding period, and would generally be unaware of the variance of the daily balance through the period. Furthermore, the fact that attention is focused on the sum of subsidiary balances permits the company to arrange a costless partial movement of funds between subsidiaries as the composition of the compensating balances is changed. Unless interest can be obtained for compensating balances $Y[y_i(t, t+1)] = \phi$.

Example

Most confusion appears to arise over dividend taxation, so this will be illustrated. Let the parent company in Liechtenstein own a subsidiary in Germany, which has a subsidiary of its own in Belgium.

Let us work up the ownership tree. The Belgian subsidiary declares a dividend of 100 to its German parent. The Belgian government withholds 18.20, so that 81.80 arrives in Germany. The German business tax (Gewerbesteuer), based on the *entire* dividend of 100, is 13.50 percent, so income net of business tax is 86.50. Company income tax (Körperschaftsteuer) is 51 percent of income net of business tax, so is $0.51 \times 86.50 = 44.11$ (this rate assumes income will be retained within the firm; income destined for dividends is taxed at only 15 percent). Only at this point is credit granted for the Belgian withholding tax, so that German company income tax due is $44.11 - 18.20 = 25.91$. The Belgian withholding tax was 18.20 the German business tax was 13.50, and the German company income tax is 25.91; their total is 57.61. That is to say, only 42.39 percent of the dividend gets through from the Belgian subsidiary to its German parent. That is to say $D[d_{no}(1970)] = 0.5761$.

The German company now declares a dividend of 100 units to its parent in Liechtenstein. In Germany, the company income tax is 51 percent for retained earnings, but is only 15 percent for earnings paid out as dividends. The simplest way to model this is that the company income tax is 51 percent on all earnings, but that the German government gives the German company an income tax rebate of 36 percent on dividends paid out. Thus $100 - 36 = 64$ units leave the German company. However, the German government imposes a 25 percent (of 100) withholding tax on dividends leaving Germany, so that 75 units arrive in the Liechtensteinian subsidiary. Thus 117.18 percent of the dividend

gets through from the German subsidiary to its parent in Liechtenstein. That is to say $D[d^{(1)}(197C)] = -0.1718$. Naturally a constraint must be added that total dividends do not exceed earnings!

4. SOLUTION PROCEDURE AS A GENERALIZED NETWORK

Refer back to Figure 1 which presents the problem of maneuvering liquid assets in a multi-national company as a network problem. The costs on each arc are actually reductions in liquidity (even government chafing has to be paid for with legal fees and "political contributions"). Consider flow through one of the ij arcs. If liquidity at source node i is reduced by p_{ij} units, liquidity at node j will be increased by less than p_{ij} units; only $p_{ij} P[p_{ij}(t)]$ units will get through to subsidiary j . The factor of attenuation on the arc $p_{ij}(t)$ is $1 - P[p_{ij}(t)]/p_{ij}(t)$.

If deductions from liquidity are handled automatically by factors of attenuation, then the objective of the problem becomes to maximize the sum of liquid assets remaining after period T (this could be a weighted sum if one can guess desirable countries in which to hold assets). Naturally, all requirements for funds must be satisfied. The problem is a generalized network (also called weighted distribution, or machine loading problem). Dantzig [2, Ch. 21] presents an excellent discussion of the generalized network problem, as does Eisemann [4]. The nonlinear aspects of the indirect costs can be charged as costs [11].

Computational procedures for the generalized network problem assume that all nodes could be connected, and that there are no constraints on arc flows other than node material balance equations. It appears sensible to decompose the problem. There are T sub-problems, each an annual p, i, f, d maneuver around N nodes. The master problem consists of the material balance equations on the x and y arcs, the intertemporal constraints that loans must be repaid with interest, and that a cost of government chafing be imposed on any change in the f flow of fees.

5. SOLUTION AS AN ORDINARY NETWORK

There are the fewest conceptual problems if one solves the problem as a generalized network sketched in § 4 above. However, another approach would be to solve the problem as an ordinary network in which the costs are costs on flow through arcs. After all, the problem has $T(3N^2 - N - 1)$ arcs, and an ordinary network is quicker to solve than a generalized network.

Two conceptual problems arise if an ordinary network is used. Firstly, at what interest rate should future costs be discounted to get their present value? The interest rates in each country are different. Secondly, costs on all arcs flowing into a node must be deducted from the availability of funds of the subsidiary in that year. To do so is to presuppose the optimal flows. Both of these problems might be surmounted by an iterative procedure. Run the problem and study the flows that occur. Represent taxes by deducting liquidity from nodes with inflows. Discount all the costs according to the route of flows. Then rerun the problem.

6. SYSTEMS WITHIN SYSTEMS

Maneuvering liquid assets reallocates revenue from high tax rate nations to the multi-national company and low tax rate nations. If this were all this model did, it would represent a somewhat dubious contribution to mankind's knowledge. Fortunately the model can be run to evaluate effects of people's ideas by simulating parts of a larger reality. Four areas of current interest to international managers will be mentioned:

1. Short term loan negotiations, both local and multi-national

The model presented in this paper is a linear program, and, therefore, has dual vari-

ables associated with each constraint. If the problem is formulated as a weighted distribution problem, the dual variable associated with the constraint that funds be available in a subsidiary in a certain year represent the value of taking a small loan and keeping it until the end of period T . All T of these dual variables for a given subsidiary can be translated into a term structure of interest rates from which the year to year value of additional money can be calculated. This data provides a very clear guideline for making short and medium term loans in that nation [1].

Some banks are themselves multi national. In one nation the bank may ration credit because of a high demand for loans within the permitted interest rate. In another part of the world the bank may be short of deposits as it strives to expand. In exchange for depositing money in one part of the bank, the multi-national company can achieve loan priority in another part of the bank. The rationale behind this is that most currencies are blocked and it may be easier for a company to move money than a foreign bank. The worthwhileness of such induced swap transactions can be evaluated with this model.

2. Raising long term capital

Long term capital can be raised in most nations of the world, usually after negotiations with the host government and promises that local investments will result. To support such negotiations worldwide manufacturing models must be supplemented by worldwide financial models such as this on which to simulate the consequences of different financing schemes. Similarly one can evaluate the benefits of mergers intended to qualify as a Western Hemisphere Trade Corporation, or to buy OFDI exemptions.

3. Restructuring the pattern of legal ownership

If the company has N subsidiaries, there are $(N-1)^2$ different patterns of intersubsidiary ownership possible even if each subsidiary is restrained to have just one legal parent. In theory one could use the theory of optimal spanning trees [3] to iterate to a worldwide tax minimizing legal structure a pattern of dividend conduits. If one removes the restriction that a subsidiary have one legal parent (but require that the percentage of ownership by each legal parent be constant once reorganization has occurred) then the problem is computationally much simpler and is much more difficult for tax authorities to unsnarl. Unfortunately, the tax data required for cases of partial ownership is appreciably more complicated and vague than for cases of complete ownership. In practice the model presented in this paper, by taking some drudgery out of creativity, should stimulate new patterns of intersubsidiary ownership. A subcalculation, about which tax lawyers are well informed, is the benefit of operating in nation i with a corporate charter granted in nation j .

4. Inserting high profit products

The Swiss pharmaceutical companies prefer to produce their high profit products in the nations where they incur their largest cash drains to research and dividends. This practice, a vivid example of Vernon's product cycle theory [15], reduces the need to flow funds between nations, though at a high production and transportation cost. Ideally, one would like to simulate the effect of inserting a high profit product into any subsidiary technically sophisticated enough to manufacture it.

In a multi-national company there are many opportunities for maneuvers that take advantage of the fact of being multi national. Most of these do not appear to be used for fear of causing confusion and computational chaos. Hopefully, mathematical models provide a rational framework within which anal-

ysis can take place, and it is with this hope that the article was written.

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NEW YORK TIMES ENDORSES NATIONAL SERVICE ACT

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

Mr. BINGHAM. Mr. Speaker, in an editorial appearing today, the New York Times endorses the National Service Act of 1970—H.R. 18025—which I introduced on June 10 with bipartisan cosponsorship.

Mr. Speaker, I have in circulation, now, a "Dear Colleague" letter to all Members soliciting additional cosponsors for this

bill. The bipartisan support it has received to date is greatly encouraging and I am hopeful that this support will grow, especially in view of the widespread support the bill has received from across the country. This support has been most vividly demonstrated by last week's Gallup poll showing 71 percent of the national population in support of this bill—see page 22892, July 6, 1970, RECORD.

I include, at this point, the text of today's New York Times editorial:

CONSCIENCE AND THE DRAFT

Selective Service Director Curtis W. Tarr has made life somewhat easier for some potential draftees but not for their draft boards with his memorandum defining criteria for conscientious objection.

The memorandum is an attempt to help local boards apply a recent Supreme Court ruling that men who object to military service for purely moral and ethical reasons are entitled to draft exemption as conscientious objectors. Formerly, C.O. status was reserved for those who based their objections to war on more easily determined formal religious training and belief.

In his original public reaction to the Court's ruling, Mr. Tarr insisted that non-religious objectors must have reached their beliefs through "some kind of rigorous training," a requirement that appeared to discriminate against young men with little formal education. The memorandum sets forth somewhat broader criteria, calling for evidence of activity "comparable in rigor and dedication" to traditional religious training.

The primary test Mr. Tarr establishes in his guidelines is "the test of sincerity." This is fair enough, but it places a heavy burden of subjective judgment on local board members. There inevitably will be a wide variation in interpretation as thousands of draft boards across the country attempt to weigh the "sincerity" of tens of thousands of objectors of disparate backgrounds and beliefs.

The problem of judging C.O. applications could be even further complicated next fall when the Supreme Court is expected to rule on another aspect of conscientious objection—objection to particular wars rather than to all wars, as presently required.

The difficulties inherent in the administration of any conscription law that attempts adequately to reflect the traditional American concern for individual conscience argue for some wholly new approach to the problem of selecting men for national service. One such approach has been proposed by Rep. Jonathan B. Bingham of New York, in a bill which offers all young men three choices: (1) volunteer for military service; (2) volunteer for civilian service in a designated area of social need for a period of time "equivalent" to two years in the armed forces; or (3) take their chances on the military draft lottery.

The merit of the Bingham plan is that in most cases it would relieve the draft boards of the need to judge the sincerity of a young man's beliefs. The C.O. could demonstrate his sincerity by forgoing the chance of escaping national service altogether and opting to undertake some useful civilian task, usually for a period longer than ordinary military service. The burden of proof would fall directly on the potential draftee, not on his board. This should not be too much to ask of young men of sincere convictions.

DR. BURNS SPEAKS IN KOREA

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

Mr. PATMAN. Mr. Speaker, Dr. Arthur Burns has long been one of this

Nation's best known and most widely respected economists. His reputation has grown during the months he has served as Chairman of the Federal Reserve Board.

Although we are not always in agreement, I regard Dr. Burns as one of the most forthright and able public servants in Washington. I am happy that Dr. Burns has had the opportunity in recent days to visit a number of foreign countries and discuss U.S. economic policy as it affects the world.

Friday, June 26, 1970, he addressed the Chungang University at Seoul, Korea, and I think my colleagues would be interested in reading Dr. Burns' remarks. I place a copy of the speech in the RECORD:

THE ECONOMIC CONTEST BETWEEN FREEDOM AND AUTHORITARIANISM

Dr. Yim, distinguished guests, and ladies and gentlemen. I am deeply moved by the honor that Chungang University has seen fit to bestow upon me today. I am also happy to have the opportunity to visit the Republic of Korea at this moment in history. It is just twenty years since the armies to the north swept across the 38th parallel in their effort to bring all the people of Korea under the yoke of tyranny.

Because of the valor of your own people and the support of the United States and the other countries that rallied to the aid of the Republic of Korea, you conquered adversity and succeeded in preserving the right to live in dignity as free men and women.

As we think back to those days of struggle, we can give thanks that there were men of indomitable will and courage who recognized the vital importance to Asia and the civilized world of the preservation of freedom for 20 million Koreans.

There were, to be sure, those in the West who described the desperate struggle for the survival of the free Republic of Korea as a quarrel in which other nations had no right to intervene. There were those who said that the Republic of Korea was not really a democratic country and that it made little difference whether it was ruled by Syngman Rhee or Kim Il Sung. There were even those who told us that poor people cared nothing about abstract concepts such as freedom and democracy, that the Koreans were mainly interested in material well-being, and that they could achieve this more quickly under communism than under the free market economy that prevailed in the Republic of Korea.

These voices were sometimes loud, and they tested the determination of the citizens of the Republic of Korea and their allies. Many people today have forgotten the pessimism that prevailed when our forces were clinging desperately to the narrow Pusan perimeter, but we hung on and fought back. Freedom, political and economic, was preserved in South Korea.

Exhausted by its long struggle, the Republic of Korea began the slow process of recuperation. What little appeal the political and economic system of communism may have had for South Koreans, it quickly vanished after the communist armies were finally driven back across the 38th parallel. Indeed, the Republic of Korea became one of the strongest bastions of opposition to totalitarianism.

But elsewhere in the world the debate between the advocates of freedom and the proponents of totalitarianism continued. The communists consolidated their position on mainland China, and much was said in the West about the economic progress they were making. They were supposed to be setting an example that the other poor countries in Asia—and even in Africa and Latin America—would be tempted to follow.

It was frequently said at the time that the great political contest in the world between the advocates of democracy and the advocates of dictatorship hinged on the ability of the democratic countries in Asia to perform as well economically as authoritarian China. The attention of all Asia was reported to be riveted on this contest to demonstrate which system was economically superior.

At the same time, Mr. Khrushchev began to make the point that a similar contest was underway between the United States and the U.S.S.R. He boasted that the Soviet system was vastly superior and that the Soviet Union would surpass the United States in production per capita and in the standard of living by 1970. It may be worth recalling Khrushchev's words:

"The superiority of the U.S.S.R. in the speed of growth of production will create a real basis for insuring that within a period of, say, five years following 1965, the level of U.S. production per capita should be equalled and overtaken. Thus by that time, perhaps even sooner, the U.S.S.R. will have captured first place in the world both in absolute volume of production and per capita production, which will insure the world's highest standard of living."

Such claims were taken seriously by many people in the West and in the East. Some came to doubt that the free market system was the most efficient and equitable instrumentality for increasing the national wealth. They took the view that freedom was a luxury that poor nations could ill afford. They argued that the underdeveloped countries had to resort to authoritarian control of economic activity, if not also to outright governmental ownership of the productive resources in the economy. And, in fact, a number of countries in Asia did adopt in varying degrees the policy of turning over to the government the decision-making functions that are performed by private citizens in countries that practice free enterprise.

Those who adopted this approach overlooked the fact that Adam Smith, the father of the idea that freedom was more conducive to economic growth than governmental control, had addressed himself to the problems of a nation that was then very poor and very underdeveloped—that is, to the England of 1776. Two hundred years ago, English peasants, living at a subsistence level without any of the benefits of modern industry or science to ameliorate their condition, were probably worse off than their counterparts in most of free Asia today. And the French peasants lived in even greater poverty than the English.

Adam Smith examined the results of governmental intervention into economic activity in 18th century England and France with a perceptive eye. He came to the conclusion that the inefficient use of resources that he observed could be remedied and that wealth could be augmented if individuals had greater freedom to manage their economic affairs as they saw fit, instead of being tied down by minute and exacting regulations prescribed by bureaucrats. Smith saw that detailed economic regulations, often laid down by authorities far removed from the actual operations or needs of industry and commerce, produced undesirable results even though they may have been or actually were well-intentioned. In time, as the force of Smith's logic and evidence won adherents among men of authority, his revolutionary ideas proved instrumental in sweeping away much of the regulatory complex that had retarded economic progress and in paving the way for the extraordinary increase in living standards that has occurred in the West during the past two centuries.

It has been said that those who will not learn from the errors of the past are doomed to repeat them. This has been the fate of much of Asia in the period following World War II. Fortunately, the Republic of Korea escaped falling under the control of the Marx-

ists and chose to enter the economic contest on the side of freedom.

In addition to being the twentieth anniversary of the invasion of the Republic of Korea, 1970 was also to be the year when the U.S.S.R. would overtake the United States economically, according to Khrushchev's boast. It is fitting, therefore, that we look back over recent years and examine the results of that contest between economic freedom and authoritarianism.

THE CONTEST BETWEEN THE UNITED STATES AND THE SOVIET UNION

The economic contest between the U.S.S.R. and the United States enters the year 1970 with the United States holding a commanding lead. In 1969, the gross national product per person in our country was nearly \$4,600. This was two-and-a-half times the corresponding Soviet figure. Measured in real terms, the gap between the per capita GNP of the United States and the Soviet Union was more than 25 per cent higher in 1969 than in 1960. While the Soviet growth rate was slightly higher than the American rate, the difference was so slight that if the same growth rates were maintained over the next 50 years, the per capita GNP of the United States would still be about twice that of the Soviet Union in the year 2020.

The persisting wide difference between the living standards of the Soviet Union and the United States is vividly portrayed by comparisons of the cost of goods and services and average wages in the two countries. If the prices of goods and services are expressed in terms of the number of working hours required to earn enough to buy them, the difference in living standards appears to be even larger than the crude comparison of per capita GNP figures suggests.

It turns out, for example, that the average worker in Moscow in April 1969 had to work nearly seven times as long as his counterpart in New York to earn enough to buy an identical supply of food sufficient to feed a family of four for one week. The difference for many non-food items was even larger. The following are the multiples by which the cost of certain goods in Moscow exceeded the cost in New York, when cost is measured in terms of working time: for bath soap—12.5 times, for nylon stockings—14 times, for a man's shirt—12 times, for a refrigerator—12 times.

These comparisons are based on official prices in Moscow, not black market prices, which are, in many cases, far higher. For example, a Volga sedan costing the equivalent of \$7,700 reportedly sells for 2.5 times that amount on the Moscow black market.

The inability of the Soviet Union to approach the economic performance of the United States has not been as widely publicized as the dramatic earlier forecasts by the Soviet leaders. Nevertheless, this failure provides valuable economic lessons. The rather high rates of economic growth that were recorded for the Soviet Union in the early postwar years have not been sustained because of deficiencies inherent in the Soviet system, as their own economists have begun to realize. In a free economy, the relative strength of the demand for goods and services determines the allocation of productive resources. In the Soviet system, on the other hand, the path that production takes is basically determined by the decisions of economic planners in Moscow.

Important economic decisions in the Soviet Union have therefore not been guided by sensitive economic signals such as are constantly being transmitted by costs and prices in a free market economy. To make matters worse, until recently, they were not even subject to correction by public criticism. Thus, economic success in the Soviet system came to be measured, traditionally, in terms of meeting targets set by the government, rather than in meeting the wants of consumers. This sometimes led to production of

It is therefore desirable to check the equipment that failed to work or to the output of some consumer goods far in excess of demand while other goods continued to be in critically short supply. Such production might be expressed in a high rate of growth of GNP, but it did not bring progress in the elevation of living standards. In time the waste involved in this process became a matter of grave concern to Soviet officials, particularly to economists and engineers.

As early as 1959, a Soviet econometrician, L. V. Kantorovich, pointed out that it might be advantageous if prices were allowed to play a bigger role in guiding the allocation of resources in the Soviet economy. Another Soviet economist, Professor Y. Liberman proposed that profitability rather than achievement of planned targets be used as the measure of success or failure of productive enterprise.

Although the Soviet Union has tried some experiments with reforms along these lines, there has been no correction of the fundamental flaws of the communist economic system either in the Soviet Union or in its satellite countries. In Czechoslovakia the frustration with the results of centralized decision-making, which reached a climax during the industrial recession of the sixties, was an important factor in the reform movement in 1967-68, but the courageous effort to rationalize the economy by giving greater play to individual decision-making was brought to an abrupt end by Soviet troops and tanks in the summer of 1968.

This result was no great surprise to those who recognized that the reforms required to rationalize the Soviet-style economic system would weaken, if not totally destroy, the political control wielded by the Communist party. Two observers of the Eastern European scene pointed this out a year and a half before the Czech liberalization movement was crushed. They said:

"Some variations of a limited free-price system are being introduced requiring enterprises to pay some attention to what the market, i.e., the consumer, wants. But there is small sign that the central planners are ready to make these valid by yielding or reducing their arbitrary rule over production costs and profit. They cling to their power to fix prices of raw materials, semi-finished products, fuel and power, the size of total payroll and individual wages, the wholesale and retail prices of finished goods. . . . Surrender of production and investment controls deprives the party faithful of jobs and strips the party of influence. . . . Confronted by such a menace, the Red regimes are marking time with half-measures. . . ."

Faced with a choice between introducing economic rationality and the maintenance of their political power, the Russian rulers chose power. Unless and until they are willing to change their approach, it seems likely that their own economy and that of their satellites will continue to lag far behind the United States and other advanced countries of the free world.

THE FAILURE OF COMMUNIST CHINA'S GREAT LEAP FORWARD

Even before it appeared that the Soviet Union was not going to be successful in challenging the economic pre-eminence of the United States in the 1960's, it became clear that Communist China was not going to demonstrate to the free countries of Asia a better way to augment their wealth and income.

The year 1958 was hailed as Communist China's "great leap forward." It was claimed that food output had been doubled in a single year, and that final victory had been achieved over hunger. These claims were soon exposed as wild exaggerations, as it became evident in 1959 and 1960 that serious food shortages had begun to reappear. Far from developing self-sufficiency in food and eliminating hunger, Communist China experienced critical food shortages in the early

1960's and was compelled to import huge quantities of grain from abroad to meet her requirements. The agricultural communes which had been so widely acclaimed as the realization of true communism were quietly abandoned or radically modified. Agriculture in China appears to have remained virtually stagnant throughout the 1960's. Although production figures have been withheld, the available evidence suggests that output may not even have kept pace with the increase in population. In the early 1960's, the food shortages were attributed by government officials to bad weather, but this excuse was soon dropped as food imports continued to be required year after year.

The failures of agriculture had serious effects throughout the Communist Chinese economy. It soon became necessary to retrench drastically the plans for industry and transportation. Resources were simply not available to push forward the grandiose schemes that were supposed to show the rest of Asia how a country could rise from agricultural poverty to industrial affluence by pursuing the Communist path. Official statistics on economic performance of Communist China became very scarce as the boasted "great leap forward" failed to materialize. Talk of competition between Communist China and free Asia dropped to a whisper once it became evident that the free countries were well ahead in the contest.

ECONOMIC SUCCESS IN FREE ASIA

The countries of Asia that have relied basically on the free market system and have avoided centralization of economic decisions in the hands of the government have clearly been winning the economic contest. They are the countries that have been most successful in increasing the wealth of their people and in raising their standard of living. The countries that have done the least well have tended to be the ones that either rejected the free market or severely limited it by governmental controls.

North Korea, to be sure, has been claiming a high growth rate, as have other Communist countries in the earlier stages of their development. There is, however, good reason to believe that North Korea suffers from the same serious difficulty that the other Communist economies have encountered—namely, a tendency to sacrifice quality and serviceability in order to achieve quantitative production targets. Also, as one of the top North Korean leaders recently noted, there are serious deficiencies in the supply of consumer goods. Here is what he said: "The problem is that leading cadres are irresponsible and unconcerned about the working peoples' problems of food, clothing and housing."

The great economic success stories of Asia in the 1960's are found in countries like the Republic of Korea, Japan, Nationalist China, Thailand, Hong Kong, and Malaysia. These countries, in the 10 years ending in 1968, have all recorded average increases in real output of 6 per cent a year or more. Hong Kong and Japan led the way with average annual growth rates of 10 per cent or higher in this period. South Korea had a very respectable average rate of growth of 7.5 per cent for the entire decade; but for the last five years, after important economic reforms were implemented, Korea's average rate has also been in excess of 10 per cent a year.

Rates of growth of GNP can be misleading, especially in countries where the underlying statistical data are inadequate and of doubtful validity. There are also problems with the proper valuation of output in different countries. The over-valuation of goods of dubious serviceability undoubtedly tends to exaggerate the value of output in the Communist countries. For example, the inferior iron that was produced in the famous backyard blast furnaces of Communist China back in the late 1950's was included in the output totals even though it served no useful purpose.

It is therefore desirable to check the

growth figures of GNP against other records. One useful indicator of underlying growth is the trend of exports, since it measures the ability to compete abroad and thus tests a country's efficiency in keeping up with the standards being set elsewhere.

Professor Ota Sik, the architect of the short-lived economic reform in Czechoslovakia, called attention to the fact that Communist economies have great difficulty in meeting the test of economic efficiency posed by exports. As he put it: "On the foreign markets, Czechoslovak production is absolutely unable to adjust to changes in demand." This difficulty has in practice been compounded by production of shoddy quality, poor pricing, and ineffective marketing.

Applying the export test, we find that the countries in Asia that had high rates of overall economic growth in the 1958-68 period, also did very well in expanding their exports. The Republic of Korea recorded a phenomenal increase in exports, averaging 40 per cent a year over the decade. Next came Nationalist China, with an annual rate of export growth of nearly 19 per cent, followed by Japan with a rate of over 16 per cent and Hong Kong with 13 per cent.

There are fascinating stories behind these statistics. The amazing record of Korea in expanding exports from almost nothing a decade ago to over \$600 million last year is a modern miracle. I am also impressed by the fact that tiny Hong Kong, with a population of only 4 million, exported about as much in 1969 as all of India.

The export experience of South Korea illustrates how difficult it is for any economist, no matter how farsighted he may be, to chart the future course of a nation's development. In 1969, two of the largest export earners of the Republic of Korea were plywood and wigs—items that were not even listed in the export statistics of 1958. It would have taken an inspired prophet to foresee a decade ago the role that these goods would come to play in providing foreign exchange resources to Korea.

One of the great virtues of a free economy is that it permits the development of the unexpected. Given proper incentives, the private entrepreneurs of South Korea found many new uses for labor, utilizing raw materials, such as wood, that had to be imported from distant lands. There were failures as well as successes, but the end result has been a rapid development of production and exports that had not been previously dreamed of, much less planned.

The lesson behind Korea's experience is an old one. Where men are given the opportunity and incentives to make and sell the products of their labor in free markets, they will tend to act in ways that increase productive efficiency and thereby raise the living standards of the country as a whole. To be sure, freedom of entrepreneurs, workers, and consumers to make their own decisions is by no means the sole determinant of how well a country will perform economically. A nation must also pursue sound monetary, fiscal, and trade policies in order to achieve the economic growth of which it is capable. But there cannot be the slightest doubt, in view of the experience accumulated over centuries, that free and competitive markets are a major determinant of economic growth and widespread prosperity.

It is no accident that the Asian countries that experienced the slowest rates of growth in 1958-68 were also the countries that leaned most heavily on centralized economic controls. The countries at the bottom of the scale in terms of growth of real GNP include Ceylon, Burma, India, and Indonesia. Each of these countries has experimented extensively with government ownership or control over economic activities.

Burma in particular has gone far toward economic authoritarianism. Its government has exercised far-reaching controls over pro-

duction, trade, and finance, with the result that both production and distribution have been hampered. The output of Burma's main crop, rice, has been adversely affected by pricing policies that have denied producers adequate incentives. Over the past decade, neighboring Thailand has increased rice exports by 28 percent, while Burma's exports of rice have fallen nearly two-thirds. The result is that Burma's total exports are now running at less than half the 1963 level. The ability to import has fallen correspondingly, and the Burmese people have found it increasingly difficult to buy consumer goods that are found in abundance in neighboring countries.

Indonesia under President Sukarno followed economic policies that were in some respects more harmful than those of Burma. In addition to establishing stifling controls over production and trade, Sukarno's government borrowed heavily abroad, largely to build up a military machine, but partly also to finance ambitious projects that in the end yielded little or no economic return. The productive capital of the country was therefore badly eroded, exports fell sharply, living standards declined, and the country found itself saddled with huge foreign debts and with diminished ability to produce the exports needed to service the debt. Fortunately, Indonesia is now in process of liberalizing her economy and dismantling the pervasive regulations that were imposed on her economic structure. However, the country will require many years to recuperate from the damage wrought by the Sukarno policies.

The adverse impact of authoritarian economic policies has also been felt in India, though to a much lesser degree than in either Burma or Indonesia. India over the past decade and a half has emphasized strong centralized control over investment, backed by extensive restrictions on imports and foreign exchange expenditures. Fortunately, there is a growing recognition in India that mistakes large enough to retard significantly the rate of economic growth have been made. The earlier decision to emphasize heavy industry at the expense of light industry and agriculture are now being questioned. The low rates of return on many government industrial investments have also raised serious doubts both about the original decisions and the management of the resulting public enterprises. The failure to provide incentives to exports has left India lagging far behind many other countries, and has contributed to balance-of-payments difficulties which necessitated ever tighter import restrictions. As a result, India has passed through a difficult period during which many of her industrial enterprises were deprived of the supplies and equipment required to keep operating at reasonable rates.

Division of labor, territorial specialization, freedom of trade, and decentralization of economic decision-making—these were key elements in the thinking of the founder of classical economics, Adam Smith. It is gratifying to see that the practical statesmen of the world are gradually rediscovering these essential truths. In this rediscovery of truth, we owe a great deal to countries like the Republic of Korea, Japan, Nationalist China, Hong Kong, and Thailand that have most recently demonstrated how men operating in free markets can outperform authoritarianism in the economic contest.

I see in the economic experience of both the countries that have lately succeeded and those that have failed a basis for optimism about the future. What has gone wrong, after all, is not something immutable. As the case of South Korea shows, a country can change its future by changing its policies. The countries that have lagged in the economic contest have the opportunity to learn from experience and to alter their course.

The desire for economic development is a strong force in the modern world, and it

deserves every encouragement. I have concentrated today on the economic framework that is conducive to rational economic growth and on the policies that are within the control of the developing countries themselves. These are of vital importance.

However, I am not unmindful of the responsibilities that fall on the large industrialized countries, including my own, to help the development process. We have, at times, overestimated our potential contribution. There has been a tendency at times to think that external technical assistance, or external capital, could of itself provide sufficient impetus to generate rapid growth all over the world. We now appreciate that the solutions are more complex. Nevertheless, technical assistance, capital flows, whether governmental or private, and liberal trade policies on the part of the industrialized countries can contribute significantly to the process of economic development. It is by no means clear that the rich industrial countries are doing all that they might along these lines.

And yet I think that the export of technology and management is by far the most important contribution that the industrialized countries can make to the developing nations. The world has never known a period in which the technical means for increasing man's productive capacity have been so readily available. The countries that will profit most from these favorable conditions are those that eschew authoritarianism, that base their economic policies on the moral concept that men can better themselves most effectively by practicing free and competitive enterprise, and at the same time pursue overall monetary and fiscal policies that guard the nation against possible ravages of both recession and inflation.

THE INCLUSION OF PUBLIC SAFETY OFFICERS IN THE FEDERAL EMPLOYEE COMPENSATION ACT

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

Mr. QUILLEN. Mr. Speaker, all law enforcement officers and firemen are entitled to be compensated by the Federal Government if they are injured in the line of duty, and their families are entitled to benefits if they are killed on the job.

I have a bill now pending in the House Judiciary Committee which would provide these benefits, without Government control, and I see it as an all-important piece of legislation.

Federal benefits are currently available to the survivors of public safety officers who are killed while seeking to apprehend a Federal felon or while enforcing a Federal statute.

However, in my opinion the present statute on this subject is not broad enough. My bill would solve this problem inasmuch as it would provide blanket coverage to law enforcement officers and firemen regardless of whether they were injured or killed in the line of duty while enforcing a Federal law.

The benefits which accrue to the survivors of individuals covered under the Federal Employee Compensation Act are as follows:

To a widow with no dependents, 45 percent of basic salary;

To a widow with dependents, 40 percent of basic salary with an additional 15 percent for each dependent up to a maximum of 75 percent; and

To a public safety officer fully disabled in the line of duty, two-thirds of his basic salary.

In the last 5 years, over 500 local law enforcement officers and over 300 firefighters have been killed in the line of duty.

We are a nation of travelers. The criminal who shoots a policeman or sets a fire that injures a fireman in Kingsport might have just arrived from Louisville. On the other hand, a victim who is protected by Johnson City police might just be passing through from Atlanta.

In short, when a public officer dies for law and order, he is dying for America; and I believe the American Government has a responsibility to help compensate, because no one can say where it might happen next.

With the passage of the Omnibus Crime Control and Safe Streets Act of 1968, Congress recognized that crime is a problem which is national in scope. With the passage of this legislation, Congress determined that it is a legitimate function of the Federal Government to aid State and local governments in the fight against crime. I find it most cruel, however, that the Federal Government should see fit to aid State and local governments in the fight against crime, but should a public safety officer fall in that fight, his widow and children are left to fend for themselves.

The Federal benefits paid are reduced by the amount of State and local benefits received.

I strongly urge that my bill be reported out of the Judiciary Committee, and enacted into law as quickly as possible.

IS THE HOUSE A RUBBERSTAMP?

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

Mr. BINGHAM. Mr. Speaker, last week, when the House refused debate on the Cooper-Church amendment, I said that, in so doing, "the House demeans itself and demeans the American system of government."

The New York Times, in an editorial published this past Saturday, agreed, saying that "This irresponsible performance throws into question the competence of the lower chamber, at least under its present rules and leadership, to assume the constitutional responsibilities that sponsors of Cooper-Church are trying to restore to Congress."

I would like at this point to include the full text of the Times editorial:

IS THE HOUSE A RUBBER STAMP?

Efforts to reassert the authority of Congress in vital decisions concerning war and peace have in the last few days received a double blow in the House of Representatives.

By rejecting, in a procedural vote, the Cooper-Church amendment restricting the President's authority to undertake unilateral military actions in Cambodia, the House has reduced the chances for inclusion of the amendment in the Foreign Military Sales Act.

Even more serious than this rejection, which at least is not final, is the method by which it was achieved. Through high-handed parliamentary tactics, the Old Guard conservative leadership of both parties was able

to force this critical national issue to a vote without even a minimum of debate.

This irresponsible performance throws into question the competence of the lower chamber, at least under its present rules and leadership, to assume the constitutional responsibilities that the sponsors of Cooper-Church are trying to restore to Congress. The majority of House members and their leaders apparently would rather pass the buck to the President for hard decisions affecting the lives and fortunes of their constituents. By doing so, they help reduce one of the world's great legislative bodies to a rubber stamp, a role that certainly was not envisioned by the creators of the American system of checks and balances.

Fortunately the Senate, which deliberated for seven weeks before adopting the Cooper-Church proposal, is more mindful of its obligations and more jealous of its prerogatives. Senate champions of the amendment may yet prevail in conference where they are in a position to block the military sales act altogether if the Administration does not move to accommodate their legitimate demands.

The Senate again demonstrated its determination to revive eroded powers yesterday when it voted overwhelmingly for a second time to repeal the 1964 Tonkin Gulf Resolution. The House could enhance its own self-respect by proceeding now to eradicate this ill-advised delegation of Congressional authority.

TAKE PRIDE IN AMERICA

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

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. Although the United States has 7 percent of the world's land area and 6 percent of its population, it produces one-third of all the goods and services in the world.

FACTFINDING MISSION TO SOUTHEAST ASIA

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

Mr. ANDERSON of Tennessee. Mr. Speaker, I submit two documents resulting from my recent participation in the trip to Southeast Asia by the House Select Committee on U.S. Involvement in Southeast Asia.

The first is a concurrent resolution relating to the treatment and exchange of military and civilian prisoners in Vietnam. I introduced this resolution today with the distinguished gentleman from California, cosponsoring.

The second document is a letter to the President.

The resolution and document follows:

CONCURRENT RESOLUTION

RELATING TO TREATMENT AND EXCHANGE OF MILITARY AND CIVILIAN PRISONERS IN VIETNAM

Whereas members of the House Select Committee on United States Involvement in Southeast Asia have observed and reported cruel and inhumane treatment of civilian political prisoners in a tiger cage area at Con Son National Prison in South Vietnam

and widespread malnutrition and disease throughout that prison; and

Whereas similar or more severe conditions of treatment may exist at other sections of Con Son National Prison and at other national prisons administered by the Government of South Vietnam; and

Whereas the United States through the United States Agency for International Development has become involved in the South Vietnamese National Prison System through the services of United States advisory personnel and the spending of several millions of dollars in an effort to improve that system; and

Whereas the United States Agency for International Development having negligently failed to take within its sphere of observation and attention areas such as the tiger cages where cruel and inhumane treatment of prisoners exists; and

Whereas the Chairman of the Interior Committee of the lower house of the South Vietnamese Assembly estimates that thousands of Vietnamese civilians are being held in prison without trial; and

Whereas a 1968 administrative decree of the Government of South Vietnam known as An Tri permits a citizen to be held for two years without trial and provides for renewals of periods of pre-trial confinement; and

Whereas such system of justice is certain to result in confinement of innocent non-communist persons and to otherwise be counterproductive of achieving self-determination of government in South Vietnam and peace throughout Vietnam; and

Whereas more than 385,000 Americans have been killed, maimed or otherwise wounded, and the United States has devoted a vast quantity of its material resources to help achieve and sustain self-determination of government in South Vietnam and peace throughout Vietnam; and

Whereas the United States has spent abundantly of its resources and has otherwise taken all requisite steps to assure with certainty that prisoners of war camps in South Vietnam are models of the conditions of treatment specified in the Geneva Convention of 1949 and has insisted that such camps be freely open to independent international inspection; and

Whereas the Government of North Vietnam and its allies have steadfastly refused to permit impartial inspections of prisoner of war facilities in which American prisoners of war are held: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That the Congress (1) condemns the cruel and inhumane treatment and conditions of confinement of large numbers of political prisoners held in South Vietnam; (2) urges the Government of South Vietnam immediately to (A) cease cruel and inhumane treatment of prisoners, (B) take all steps practical to adequately cope with widespread malnutrition and disease within its civilian prisons, (C) reexamine and reform its system and practice of justice, (D) bring all prisoners, political and otherwise, who have not been tried to a prompt and fair trial, and (E) release the innocent, including those whose only offenses have been to peaceably speak out against the current Government of South Vietnam and in behalf of peace in Vietnam; (3) characterizes the civilian prison assistance program carried out in South Vietnam by the United States Agency for International Development as (A) ineffectual, (B) counterproductive of the goals the United States seeks in Southeast Asia, and (C) in need of immediate investigation; (4) urges the President to initiate promptly and diligently through all available channels such action as may be necessary to (A) impress upon the Government of South Vietnam that the United States does not and will not condone cruel and inhumane treatment of prisoners nor the system of justice being carried out

under the 1968 An Tri administrative decree and that satisfactory and early resolution of these matters will be a strong factor in the determination of future U.S. assistance to that government, (B) create emergency task forces to aid the Government of South Vietnam to meet the crucial need for better living facilities for large numbers of civilian prisoners, and the dietary and health care needs of thousands of civilian prisoners, (C) cause prisons containing political prisoners in South Vietnam to be open, no areas containing prisoners excluded, to impartial inspections by an appropriate independent international body, (D) emphasize to the Government of North Vietnam the foregoing action as additional clear proof of the concern of the United States for humane and fair treatment of all prisoners, (E) reiterate the demand that the Government of North Vietnam similarly demonstrate its concern by immediately conforming to all tenets of the Geneva Convention of 1949, which that government signed in 1958, relative to the treatment of American and allied prisoners of war, including provisions for immediate impartial international inspection of all prisoner of war facilities, humane care, attendance to dietary and health care needs, free exchange of mail and packages between families and prisoners, and the prompt exchange of American and allied prisoners of war held by North Vietnam and its allies with prisoners of war held in South Vietnam with priority of release given to sick or injured prisoners and those who have endured long periods of confinement.

JULY 13, 1970.

THE PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: It is with urgent concern for the immediate and long range destiny of our nation, and with a compassionate understanding of the profound problems of our society, that I seek, with this communication, your personal, active interest in the report of the House of Representatives by the Select Committee on United States Involvement in Southeast Asia.

It is imperative that this report be analyzed in depth for what it does not say, as well as for what it does say. The report achieves less than its proper significance unless the supplementary points of view by members of the Select Committee are evaluated in the light of domestic dissent and the major issues in America circa 1970.

This Select Committee report must be understood in two dimensions: (a) it introduces an instant problem of the prison conditions exposed on the island of Con Son, and (b) it reexamines conditions in Southeast Asia and encourages new thinking about our military presence there.

Because the Con Son prison problem is so urgent, it is discussed first.

It will occur to you, Mr. President, that the prison conditions on the island of Con Son that have been well covered by local and national media, are conspicuously inhumane. The Tiger Cage imprisonment of human beings and the savage mistreatment of these prisoners are outrageous contradictions to the minimal standards of political decency we, as a free American people, should establish as a condition of our aid and friendship to any nation.

These several comments by my colleague on the Select Committee, The Honorable Augustus F. Hawkins, printed in the Congressional Record, are his attempt to describe the Tiger Cage compound at Con Son Prison:

"The Tiger Cages are cells approximately five feet wide and ten 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 shack-

led. Lying in this position for years causes a paralysis of the legs.

"Occupants are fed a small portion of rice and 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 were 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."

Based on my own visual observations and conversations, through our interpreter, I feel Congressman Hawkin's observations do not deal with exaggerations. Indeed, to the contrary of exaggeration, the Congressman from California controlled his emotions admirably and related the conditions with restraint.

Your long dedication to American concepts of justice and charity, Mr. President, encourages me to make this urgent appeal for your immediate intercession in behalf of the prisoners and their families by dispatching within 48 hours appropriate teams of Americans who can prevent further degradation and death of these prisoners. My suggestion of 48 hours expediency is not casually submitted; it reflects my fear for the lives of some of the prisoners and the high potential for ruthless retaliation against the prisoners and their families.

These teams should be prepared to operate in these three areas:

A. Physical welfare of prisoners: Medical doctors and nutritional experts must deal with the instant problem of survival. It is necessary to establish a high priority system to supply medical and nutritional needs for this medical missionary force. It is my confident expectation that qualified volunteers for this mercy mission will come forth immediately from the ranks of the medical and public health community in the United States.

B. Prevention of retaliation: Five South Vietnamese youth, students or former prisoners in Con Son, who courageously brought this matter to the attention of the Select Committee in Saigon should be presumed to be in imminent danger of political retaliation in the form of beatings, imprisonment or death. Such reprisal action must be prevented. A special task force should be established to assure these Vietnamese youth, the prisoners and their families, that they will be protected from further political harassment or physical oppression. Indeed, once established, this group might concern itself with preventing any backlash against any of the South Vietnamese citizens who cooperated with the Select Committee. Their attention is specifically called to the prison guard on Con Son who, perhaps as a mistake, opened the door to the restricted passage into the Tiger Cage area.

C. Judicial committee: The prisoners in the Tiger Cages with whom Congressman Hawkins and I talked indicated to us that they are guilty of no greater social offense than participating in peace demonstrations not unlike those we've seen recently in America. That many are inhumanely imprisoned, without trial, or any semblance of due process, is to be deplored and corrected. A task force to examine their complaints is urgently needed if elementary justice is to prevail. I recall one young girl interviewed from the top of her

Tiger Cage who had been imprisoned for many months, and has no idea of how long her imprisonment will continue (she has not been charged, nor tried, nor sentenced), who told me she merely stopped out of curiosity to watch a demonstration for peace and was arrested. If some hard core criminals are intermingled with the peace seeking political prisoners, this judicial task force should be concerned with their separation from the political prisoners but be sure that humane custodial conditions are provided even for the criminals.

With all the non-partisan loyalty that I can muster, Mr. President, I join you in seeking, worldwide, an environment of peace in which our heritage of liberty and justice, which we cherish so highly, can be a viable promise to deprived people everywhere. I make this personal appeal to you to apply all the power and prestige of your office of the Presidency of the United States—and with all the urgency that this outrageous prison requires—to see that these three task forces are dispatched forthwith.

The same powers that enable our military presence in South Vietnam will also enable our merciful and charitable presence in this relief of the Con Son prisoners. It is imperative that this nation, America, through your leadership, respond to the plight of the imprisoned Con Son civilians as did the allies in World War II who gave maximum medical and welfare priority to the civilian prisoners of Hitler's Germany. You recall, as I do, the infamous names of Auschwitz, Dachau and Buchenwald. To this list, must we now add Con Son?

If Con Son is to be identified with the terror of these Godless prison camps of earlier shame, let the world know, Mr. President, that all the moral might, all the medical resources, all the righteous indignation of a concerned American citizenry has been directed to corrective action as soon as the abuse has come to our attention.

Every fair minded, moral man and woman all over the world should be outraged at the inability of our nation to acquire reliable information on the status and well-being of American POW's now in custody in North Vietnam. It might occur to the North Vietnamese that the maltreatment of civilian prisoners of the South Vietnamese Government by some warped thought process, justifies their continued silence about American POW's. Let the North take no comfort from the exposure of this scandal in Con Son because we did not see any POW's in this compound. I have reason to believe all the prisoners being discussed are South Vietnamese civilians.

Our concern for the welfare of our own men in POW custody in the North must be matched as nearly as practical by our concern for the welfare of abused prisoners anywhere. As we generate interest in the plight of the Con Son civilian prisoners, we must re-assert our zeal to insist that the Geneva Treaty dealing with POW treatment be observed by the Government of North Vietnam as it is in South Vietnam.

So desperate is the plight of these prisoners on Con Son that nothing short of extraordinary effort is indicated—and must be exerted.

Although the presence of the three task forces suggested is urgently needed, you may elect to make one earlier response by instantly dispatching a hospital ship to give immediate attention to those prisoners suffering from disease, malnutrition, and inhumane treatment.

Yes, Mr. President, it is that urgent!

You might also consider dispatching a helicopter group to provide transportation of medical personnel and prisoners between ship and prison. Of course, Mr. President, if dispatching a hospital ship from active duty on the coast of South Vietnam inhibits in any way the medical welfare of American

personnel or other civilian needs, your discretion must be applied. Other plans to serve the needs of Con Son prisoners are available from the vast medical resources of our military and governmental facilities.

Even as we discuss this deplorable condition, men and women are dying in Con Son Prison. Equally, prisoners and families are also endangered of political retribution which can and must be prevented by immediate action. Although we are a nation that is divided and polarized on many issues at home, one common bond draws all Americans together as a national characteristic: The relief of dismal suffering anywhere, and the pursuit of justice.

In the name of charity and justice, which I know are warm and deep personality traits of our President, I implore you to apply the full power of your office and the effective force of your personal instincts to correcting the evils on the diabolical island of Con Son.

As soon as the emergency action has been executed in the interest of the Con Son Tiger Cage prisoners, Mr. President, it is required that our government become diligently concerned with the overall civilian prison situation in Vietnam. These several additional facts are brought to your personal attention:

A. There may be as many as 1,000 prisoners in Tiger Cages on Con Son alone.

B. There may be several thousand other prisoners (of a reported 41,000 total South Vietnamese prison population) in "Cattle Cage" confinement which, we were informed, are similar to—or worse than—the Tiger Cage, excepting that a larger number of prisoners are enclosed. We are advised the treatment, beatings and starvation diet, are not dissimilar to the Tiger compound, excepting the "Cattle Cages" are more exposed to the raw elements.

C. The Select Committee visited only Con Son, but four other national prisons are in operation. The vulgarity of Con Son conditions makes mandatory a thorough examination of all South Vietnam civilian prisons.

D. The South Vietnamese National Police maintain interrogation centers in each major population center. The youth, who volunteered information at a great personal risk to their safety, also stated that these interrogation centers are the scene of unbelievable brutality wherein advocates of peace are beaten and robbed of all personal dignity.

Although the primary force of my request to you is to eliminate the unjust terror of this island's existence and to examine the entire South Vietnamese civilian prison system, one other effect will be noted here at home.

You are aware, as Congress is aware, of the anguished concern, which borders on despair, of our nation's youth who speak with eloquence and conviction that "the establishment" is not capable of effective response to injustice. Immediate action on Con Son Prison will inject hope in the spirit of our American youth. You can, as President, prove that the American Government is concerned, that we are capable of correcting evil, that America is sensitive to the plight of the oppressed—and we, as a nation, can respond with works of mercy, love and charity in a world so badly in need of these virtues.

Although the gross abuses of Con Son prisoners is a matter of grave public concern—and must be corrected—the presence of such intolerable, inhumane conditions in the government of a nation we seek to preserve in Southeast Asia requires us to examine collateral issues of our involvement.

We must ask again—and again, and again, and again, until we find an answer: What are we doing in South Vietnam?

We must ask again: What have we accomplished to date by the application of so much of our national and human resources

in this war that has devastated our national prestige at home and abroad?

We must ask: What is our Ambassadorial staff doing in South Vietnam, if it will tolerate, even passively, or through malfeasance, misfeasance or nonfeasance, conditions exposed in this Con Son Prison scandal? Is not the Ambassadorial staff culpable for their unawareness of these conditions, or for their insensitivity to the rights of the peace seeking dissenters among the civilian population?

We must ask: Of what competency is the United States Agency for International Development (AID) if—under their very noses, and with American financial support which is administered by AID—we find prison conditions existing which recall to memory the terror of Dachau, Buchenwald and Auschwitz?

We must ask again the ultimate question: What price will we pay for this inglorious war to protect a government that arrogantly represses civil rights, and defies the minimal standards of human decency?

We have already paid this horrendous cost:

1. More than 40,000 lives of young American men . . . and
2. Hundreds of thousands of war wounded casualties . . . and
3. More than a hundred billion dollars . . . and
4. The risk of destroying our own national economy . . . and
5. A nation dangerously divided on the issue of war and peace.

Can we any longer support the government of Nguyen Van Thieu without some assurances that his government becomes responsive to the people he purports to represent?

It occurred to this member of the House Select Committee on United States Involvement in Southeast Asia, that there are many similarities in the prevailing environment in South Vietnam and the United States.

Among these similarities, these are significant:

A. A large mass—probably the majority—of the citizenry of South Vietnam and the United States—want peace desperately.

B. The plea for peace in both countries is abundant, sincere, and vocal, although in South Vietnam, political repression continues to stifle political dissent.

C. The classic pro forma devices of public demonstrations—sometimes with unplanned violence potential—are becoming as common and aggressive in South Vietnam as they are here at home.

D. The primary motivation for peace in the United States and South Vietnam is well founded in the religious culture of the Judeo-Christian-Buddhist ideal and is not, per se, a communist organized movement.

Beyond the voice of the peace groups, still other conditions in Vietnam can be compared with conditions here at home.

For instance: One of the grave problems is inflation. The corrupt black market threatens the economy of their nation. It is no secret that the official rate of exchange is \$1.00 for 118 piasters—but the black market yields 350 to 400 piasters for the same American dollar. But worse, no one can tell what percentage of American goods sent to South Vietnam by the tax weary American people for the people of South Vietnam is illegally diverted to the black market arena by corrupt forces at work there.

One of the alarming and always recurring themes disclosed by my interviews with American military personnel, native and American businessmen, editors and press representatives is that American aid never gets down to the people it is intended to serve—the average citizen of Vietnam.

You must be concerned, Mr. President, as Congress is concerned, with the overall implications of these conditions. If the present South Vietnamese Government:

1. Permits an intolerable black market

which induces a grave threat to the economic welfare of its people.

2. Permits the divergency of American goods intended for civilian population welfare to the black market.

3. Suppresses political dissent.

4. Perpetuates a savage Tiger Case concentration compound.

Isn't it now time to make a master thrust for peace in the world by retrospectively balancing the cost of our involvement in Southeast Asia, with our accomplishments?

Even if we succeed in withdrawing our troops and complete the "Vietnamization" of the war, will we have created with our military might a government that is as oppressive to its people as it claims its enemy in the North is oppressive?

Therefore, Mr. President, exercising my citizens right to address your high office as a concerned veteran of earlier wars, and as a Representative in Congress I urgently request you to study these additional five proposals:

1. Call for an immediate investigation of the Ambassadorial staff in South Vietnam to determine how the conditions now existing in Con Son Prison could have escaped their attention and their demands for corrective action.

2. Call for an investigation of the United States Agency for International Development (AID) in South Vietnam to determine why and how U.S. dollars have been used to support a prison system that can produce conditions as revolting as those reported in Con Son, and which I witnessed.

3. Cause an examination to be made in South Vietnam as to what extent the civil rights, and the plea for peace by the people, are being suppressed.

4. Insist that the Government of South Vietnam take all effective measures to eliminate the black market in South Vietnam and thereby stabilize their local economy and prevent further suffering by a people who have known only suffering for decades of war.

5. Reexamine our tactics for peace at the Paris Peace Conference and replace our threat of superior military might for the greater, more virtuous, promise of constructive post war aid to North and South Vietnam alike.

This fifth point needs emphasis and elaboration.

The history of our Paris peace talks is a repetition of frustration in which such subjects as the size and shape of a conference table have been burlesque issues that confuse the two basic problems: (a) withdrawal of American troops and (b) national elections.

It seem these talks will be productive of peace if these conditions are offered:

A. Immediate cease fire.

B. Carefully planned, timed and announced complete withdrawal of American troops.

C. Concurrently replace American troops with a United Nations security force to maintain the integrity of the D. M. Zone and the 17th parallel and secure a fall-safe assurance by South and North Vietnamese military forces that they will respect this commitment of separation.

D. In lieu of bombers, bombs and bullets; in lieu of ground, air and sea military apparatus; in lieu of military personnel; let us supply a well trained cadre of television technicians, fully prepared to install public TV transmitters, antenna and receivers, to aid the dissemination of all political points of view from all existing ranges of political thought indiscriminately to all peoples in both the North and South Vietnamese cities and countryside. Let every village and hamlet, every town and city, every family and household be exposed to every facet of political information. Concurrently, the educational needs of every small village should be met by scheduled usage of these TV fre-

quencies and facilities for the cultural advancement of this nation. If American industry can produce weapons of destruction on a war schedule, it can also produce instruments of peace (TV transmitters, antenna and receivers) on a crash schedule. Indeed because American TV has so recently been converted from black and white to color transmission, noncolor equipment may already exist in the United States in sufficient quantity and thereby eliminate the time lag of new production.

E. Conditions to assure free expression by all political elements through frequency allocation and the scheduling to time slots would be worked out by North and South Vietnamese in conference.

F. Arrangements for technical and creative training and experience of North and South Vietnamese personnel using American, French, or English facilities would be worked out in conference.

G. It is imperative that the U.S. Government adopt a complete "hands off" policy after the installation of equipment. We must make no attempt to edit or influence the aired programs.

H. Provide a total TV network system within 12 months. Call for national elections one year after installation of TV network which provides sufficient time for penetration of the entire population with political points of view from all sectors of the combined North and South population groups.

I. Although America must remain inert as a political influence, safeguards must be established to be certain our investment in TV facilities is justified by a workable and mutually agreeable plan of operation by North and South Vietnamese.

J. As a measure of goodwill to replace the might of military force, the American Government could immediately institute a 1970 version of the Marshall Plan to aid the industrial and agricultural redevelopment of the South and the North and should encourage other nations to assist in the plan.

It is reported by the Select Committee on United States Involvement in Southeast Asia that a critical need of South Vietnam is a more favorable balance of export-import ratios. No better market exists than within the geographical confines of their cultural kinship.

As one homogenized nation, the North and South sections of Vietnam are natural suppliers and consumers of their own products. The North is industrial, the South agricultural. Certainly political ideologies separate these people at this time, but these internal political problems must not be, as such, a direct concern of the United States Government. If, after we have built the means to fully inform all the Vietnamese electorate in the form of a national TV network, and if we truly believe in a self-determination as a national political policy, we have no right to further influence elections in Vietnam than we do, let us say, in Belfast, Ireland—or Africa, or South America.

This suggestion for a new tact in our peace approach to North Vietnam, Mr. President, does not confront directly the often discussed domino theory that has been advanced as a justification for our military presence in Vietnam. The domino theory suggests that if communism dominates the Vietnamese people, it will, ipso facto, dominate the greater area including Cambodia, Laos and Thailand. It is submitted that if the domino theory has merit, it is just as logical to think that the domino effect of peace and prosperity will follow the same course.

Once shed of our military involvement in Southeast Asia, America can then go forth with a new national spirit, bred of peace, and face the critical issues that confront us at home—a better economy, higher employment, new schools, new cities, new hospitals, improved law enforcement, new adventures in space—and a direct application of all our inherent goodwill to solve our own minority and poverty problems.

In summation, Mr. President, these are the main two points of the communication:

A. Any government that can produce such conditions as exist in Con Son, and can deny its people minimal civil rights and condone a debilitating black market, is suspect. We must reexamine our involvement in South Vietnam.

B. By energizing the moral force of constructive goodwill and applying it to the entire Southeast Asia area, as a 1970 Marshall Plan concept, we can accomplish with peaceful thrusts that which has been elusive with military might.

The plan which I have tried to enunciate is at best rough cut. If it truly faces reality, which I believe it does, your own capable staff can polish and refine it.

As President, you have my assurance of personal loyalty to any plan that will bring peace to this world and unite the American people to our dream of justice and charity.

It is submitted, Mr. President, that every idea for terminating hostilities in Southeast Asia must be studied and evaluated by the American people at large. Our democracy, you will agree, works best in a glass house in which the electorate is fully informed of all ideas being discussed in Congress or at the Administration level.

For this reason, and so I can be informed of rebuttal argumentation from the electorate and my Congressional colleagues, I am submitting this letter as an additional report of one member of the Select Committee on United States Involvement in Southeast Asia. This communication therefore becomes a public document.

To satisfy many inquiries from members of the press, it is, as a public document, being made available to the press.

I remain convinced, Mr. President, that you and I are working toward a common objective: Peace in Vietnam and thence to the great challenge of reuniting our divided people at home.

Respectfully yours,

WILLIAM R. ANDERSON.

WE CAN SAVE MINNESOTA'S BOUNDARY WATERS CANOE AREA

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

Mr. MacGREGOR. Mr. Speaker, for more than 60 years the boundary waters canoe area in northeastern Minnesota has been planned and preserved in its primitive state. Following a Presidential proclamation in 1909, there began an impressive series of congressional enactments culminating with the Wilderness Act of 1964. Legislative history has amply demonstrated the sense of Congress to be that this area should remain in its primitive condition, protected as one of our most valued natural resources. Yet today when we seek to protect our natural resources, the boundary waters canoe area is facing the loss of its wilderness character due to proposed mining operations. Perhaps nothing poses a more serious threat to this natural resource than mining with its accompanying destruction of trees and pollution of water. Once lost, this resource can never be replaced.

I have therefore today introduced a bill which would authorize and direct the Secretary of the Interior to have the boundary waters canoe area surveyed for mineral values. He would rely on methods other than core drilling. My bill would also prohibit the issuance of permits by the Secretary of Agriculture au-

thorizing mining and mineral exploration within the BWCA during the period of the mineral survey.

Should it be determined that private mineral rights exist within the area, knowledge of the mineral values would enable just compensation to be paid to the owners for governmental condemnation of those rights. In this way we will be able to foreclose the possibility of mining in the area, to deal fairly with private owners, and to protect permanently another of our great natural resources.

NOW IS THE TIME FOR MEANINGFUL REORGANIZATION OF THE CONGRESS

(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, for too long the most important issues coming before this body have been acted on with little or no debate and often without a recorded vote. Today, we are considering what in effect is one of the most important pieces of legislation before this Congress: The Legislative Reorganization Act of 1970. This bill is so important because it will determine the procedures under which we will vote and thereby shape this decade's legislation. The bill is good as far as it goes, but it does not go far enough. There are six amendments which I am cosponsoring and which I hope will be made part of the bill before it is finally passed by the House. They are commonly known as the "anti-secrecy reform" amendments and include the recording of teller votes, the availability of conference reports 3 days in advance of floor consideration, disclosure of record votes in committee, debate time on motions to recommit, and guaranteed debate time on amendments. Surely, the American people have the right to know the positions taken by their representatives in Congress at the critical junctures in the legislative process.

Legislative reform scored an initial victory in obtaining an open rule; let us not lose this opportunity to add the amendments that can make a fundamental change in the legislative process.

Mr. Speaker, I would like to insert in the RECORD an excellent column by Tom Wicker that appeared in Sunday's New York Times which speaks of the much needed modernization of the House rules and in particular of the pathetically undemocratic procedure our anachronistic rules permitted last week when the Cooper-Church amendment was brought up on the floor, and no time was allowed for its discussion. A legislative travesty took place then and will occur time and time again unless some of the proposed amendments are accepted by the House.

Mr. Wicker's column follows:

IN THE NATION: DEMOCRACY IN ACTION
(By Tom Wicker)

WASHINGTON, July 10.—President Nixon had good reason to be "elated," as was reported, when he heard that the House had supported him in preliminary votes on the Cooper-Church amendment to restrict future military operations in Cambodia. But there may have been some side effects that will not be so welcome, to him or to those

Democratic leaders who apparently worked closely with him to achieve the victory.

In the first place, through a series of parliamentary situations apparently resulting from their own ineptitude in conjunction with the dictatorial rules of the House, its leaders managed to conduct the affair so that there was no debate. Even some opponents of the Cooper-Church amendment believe this blackout—even though debate itself would not have changed many votes, if any—may have created some additional support for the amendment among offended members.

If one of the procedural votes taken Thursday is considered to approximate a vote on Cooper-Church itself, the 153 votes for the amendment are the most that House doves have ever recorded in anything. There were also 21 votes for it "paired" and not counted. After the House-Senate conference that now impends, if there is a House roll call directly on the amendment, and if it gets even more than Thursday's total, that would be a rather substantial opposition to the President's position, and on the kind of national security question he can usually dominate in the House.

For another thing, the no-debate debacle in the House on Thursday may have coincidental impact on the most determined reform movement seen in that usually quiescent body in years. The basic reform issue is the undemocratic House rules, and they were seldom more nakedly on display than in the Cooper-Church matter.

Three different parliamentary devices, as well as leadership fumbling, prevented House debate on an issue which the Senate discussed for seven weeks. First, Chairman Thomas E. Morgan of the Foreign Affairs Committee moved routinely to send the military sales bill, to which the Cooper-Church amendment is appended, to a conference with representatives of the Senate; normally that motion is debatable but Mr. Morgan moved the "previous question" immediately and was upheld by the House. He says no one told him that anyone wanted to speak.

Cooper-Church supporters later moved that the House conferees be instructed to accept the amendment—normally a debatable motion. But Representative Wayne Hays of Ohio moved to table a motion that is not debatable, and that carried too. On two other occasions, "unanimous consent" was requested for an hour's debate; naturally, objections were shouted each time. The net result was no debate, although the Democratic leaders insist they had generously intended to permit an hour of talk but couldn't get things straight with Mr. Morgan and Mr. Hays.

Even so, as a recent report by the liberal Democratic study group put it, in the House of Representatives "arbitrary and undemocratic procedures are so much the rule that they are hardly noticed, let alone seriously challenged." But the House's traditional consent to the dictatorship of its rules and its leadership hierarchy has been breaking down in recent years, due to an infusion of impatient young members, to the increasing age and intransigence of the present Democratic leadership, to the dogged efforts of veteran reformers like Representative Richard Bolling of Missouri, and to the faint echoes of change and turbulence that sometimes manage to penetrate even the House chamber from the remote outside world.

STRUGGLE FOR SUCCESSION

When Speaker John W. McCormack announced that he would retire (finally, at the age of 78) after this session, the Democrats began a struggle for the succession—not for the Speakership, which Majority Leader Carl Albert immediately pre-empted, but for Mr. Albert's and lesser leadership posts. With so much reform sentiment in the House, the succession maneuvering is being actively influenced. In the coming week, a first major

reform—backed by Mr. Albert, among others—may be effected. To a minor legislative reform bill, an amendment will be offered that would end the practice of non-recorded voting on most of the major decisions taken on the floor of the House.

The specific issue of secret voting was not involved in the Cooper-Church fracas, but the outcome of the latter was certainly "arbitrary and undemocratic," and another long-time reformer, Representative Frank Thompson of New Jersey, already has sought to link the episode to the secret-vote issue. Expressing himself as "outraged" by the lid placed on the Cooper-Church debate, Mr. Thompson added:

"The antiquated rules of the House of Representatives must be reformed and radically revised. The members of the House must be allowed adequate time to debate and fully explore the vital national problems which face us. More importantly we must be able to vote on these vital substantive questions; and our individual votes should be clearly recorded for our constituents and all the American people to see."

The issue, in short, is rules reform. One form of arbitrary restraint by parliamentary device was on view in the House last week; an even more pernicious and undemocratic practice—secret voting, through the parliamentary anachronism of the committee of the whole—will be at issue this week. The reformers are losing no opportunity to point out that, naturally, the issue will be settled by secret vote.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER (at the request of Mr. Boggs), for today, on account of official business.

Mr. CAREY (at the request of Mr. Albert), for today, on account of family illness.

Mr. FOUNTAIN (at the request of Mr. Waggonner), for today, 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. EVINS of Tennessee, for 1 hour, on July 15.

Mr. PUCINSKI, for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. MILLER of Ohio) to revise and extend their remarks and include therein extraneous matter:)

Mr. KUYKENDALL, for 60 minutes, on July 15.

Mr. HOGAN, for 5 minutes, today.

(The following Members (at the request of Mr. ANDERSON of Tennessee), to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. COHELAN, for 10 minutes, today.

Mr. O'Hara, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GROSS during the consideration of the conference report on S. 3215.

(The following Members (at the re-

quest of Mr. MILLER of Ohio) and to include extraneous matter:)

Mr. LANGEN.

Mr. SCHERLE in five instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. PETTIS.

Mr. SPRINGER in two instances.

Mr. DUNCAN in two instances.

Mr. RHODES in five instances.

Mr. BRAY in two instances.

Mr. ZWACH in two instances.

Mr. WIDNALL.

Mr. COLLIER in five instances.

Mr. MCDADE.

Mr. ASHBROOK in two instances.

Mr. RUTH in five instances.

Mr. MESKILL.

Mr. CONTE.

Mr. MICHEL in two instances.

Mr. PRICE of Texas in two instances.

Mr. COUGHLIN.

Mr. CONABLE.

Mr. DELLENBACK.

Mr. FINDLEY in two instances.

Mr. ROBISON.

Mr. CORDOVA.

(The following Members (at the request of Mr. ANDERSON of Tennessee) and to include extraneous material:)

Mr. RYAN in four instances.

Mr. GONZALEZ in two instances.

Mr. WOLFF.

Mr. BINGHAM in three instances.

Mr. COHELAN in five instances.

Mr. O'NEILL of Massachusetts in two instances.

Mr. ROBINO in three instances.

Mr. FRASER in two instances.

Mr. MAHON.

Mr. HATHAWAY.

Mr. JOHNSON of California in five instances.

Mr. HUNGATE in two instances.

Mr. O'HARA.

Mr. BOGGS.

Mr. OLSEN in two instances.

Mr. HAWKINS in two instances.

Mr. MATSUNAGA.

Mr. PURCELL.

Mr. LONG of Maryland.

Mr. PUCINSKI in six instances.

Mr. GAYDOS in five instances.

Mr. ROONEY of New York.

SENATE BILLS, JOINT AND CONCURRENT RESOLUTIONS REFERRED

Bills, joint and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 583. An act to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941; to the Committee on Armed Services.

S. 2565. An act to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to increase the authorization for such acquisitions; to the Committee on Interior and Insular Affairs.

S. 2808. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3302. An act to amend the Defense Production Act of 1950, and for other purposes; to the Committee on Banking and Currency.

S. 3617. An act to amend the Marine Re-

sources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development; to the Committee on Merchant Marine and Fisheries.

S.J. Res. 173. Joint resolution authorizing a grant to defray a portion of the cost of expanding the United Nations headquarters in the United States; to the Committee on Foreign Affairs.

S. Con. Res. 64. Concurrent resolution to terminate the joint resolution commonly known as the Gulf of Tonkin resolution; to the Committee on Foreign Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3430. An act to amend the Peace Corps Act to authorize additional appropriations, and for the other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on July 10, 1970 present to the President, for his approval, a bill of the House of the following title:

H.R. 2036. To remove a cloud on the titles of certain property located in Malin, Ore.

ADJOURNMENT

Mr. SMITH of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 14, 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:

2207. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of a military department to adjust the legislative jurisdiction exercised by the United States over lands or interests under his control; to the Committee on Armed Services.

2208. A letter from the Secretary of Housing and Urban Development, transmitting a report on the availability of crime insurance and surety bonds in urban areas, pursuant to section 1235 of the National Housing Act, as amended; to the Committee on Banking and Currency.

2209. A letter from the Administrator, Small Business Administration, transmitting the agency's 1969 annual report, pursuant to law; to the Committee on Banking and Currency.

2210. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay judgments in favor of the Snohomish Tribe in Indian Claims Commission docket No. 125, the Upper Skagit Tribe in Indian Claims Commission docket No. 92, and the Snoqualmie and Skykomish Tribes in Indian Claims Commission docket No. 93, and for other purposes; to the Committee on Interior and Insular Affairs.

2211. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed amendment to a concession contract for the operation of golf courses and the provision of related facilities and services for the public within the Washington, D.C., metropolitan area for a term of 1 year from Jan-

uary 1 through December 31, 1970, pursuant to 67 Stat. 271; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on July 9, 1970, the following reports were filed on July 10, 1970]

Mr. PERKINS: Committee of conference. Conference report on S. 3215 (Rept. No. 91-1292). Ordered to be printed.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 17146. A bill supplemental to the act of February 9, 1821, incorporating the Columbian College, now known as the George Washington University, in the District of Columbia and the acts amendatory or supplemental thereof; with an amendment (Rept. No. 91-1293). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 18086. A bill to authorize the Commissioner of the District of Columbia to sell or exchange certain real property owned by the District in Prince William County, Va. without amendment (Rept. No. 91-1294). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 13, 1970]

Mr. POAGE: Committee on Agriculture. H.R. 11953. A bill to amend section 205 of the act of September 21, 1944 (58 Stat. 736), as amended (Rept. No. 91-1295). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 2484. An act to amend the Agricultural Marketing Agreement Act of 1937 to authorize marketing agreements providing for the advertising of papayas. (Rept. No. 91-1296*). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 17570. A bill to amend title IX of the Public Health Service Act so as to extend and improve the existing program relating to education, research, training, and demonstrations in the fields of heart disease, cancer, stroke, and other major diseases and conditions, and for other purposes; with amendments (Rept. No. 91-1297). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on conference. Conference report on H.R. 16595. (Rept. No. 91-1298). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WILLIAM D. FORD (for himself, Mr. UDALL, Mr. BUTTON, Mr. CLAY, Mr. DENT, Mr. ESCH, Mr. HAWKINS, and Mr. OLSEN):

H.R. 18419. A bill to amend the Department of Defense Overseas Teachers Pay and Personnel Practices Act with respect to the giving of credit to new teachers for prior experience; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 18420. A bill to amend title 10 of the United States Code so as to permit members of the Reserves and the National Guard to receive retired pay at age 55 for nonregular service under chapter 67 of that title; to the Committee on Armed Services.

By Mr. KYROS:

H.R. 18421. A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal

penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Merchant Marine and Fisheries.

H.R. 18422. A bill to amend the National Environmental Policy Act of 1969, to provide for a Coordinated National Environmental Data System; to the Committee on Merchant Marine and Fisheries.

H.R. 18423. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 18424. A bill to create the National Credit Union Bank to encourage the flow of credit to urban and rural areas in order to provide the residents thereof with greater access to consumer credit at reasonable interest rates; to amend the Federal Credit Union Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. RODINO (for himself, Mr. WYMAN, Mr. YATRON, Mr. ZION, Mr. BURKE of Massachusetts, Mr. EDWARDS of California, Mr. ICHORD, Mr. KYROS, and Mr. TUNNEY):

H.R. 18425. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RYAN:

H.R. 18426. A bill to authorize special appropriations for training teachers for bilingual education programs; to the Committee on Education and Labor.

H.R. 18427. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 18428. A bill to amend the act of October 14, 1966, to extend the fisheries zone of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. UDALL (for himself, Mr. HARRINGTON, Mr. FRIEDEL, Mr. MIKVA, Mr. EDWARDS of California, Mr. FLOOD, Mr. KOCH, Mr. RYAN, Mr. FARBERSTEIN, Mr. FISH, Mr. BRADENAS, Mr. VANIK, Mr. BURTON of California, Mr. HUNGATE, and Mr. REES):

H.R. 18429. A bill to promote and protect the free flow of interstate commerce without unreasonable damage to the environment; to assure that activities which affect interstate commerce will not unreasonably injure environmental rights; to provide a right of action for relief for protection of the environment from unreasonable infringement by activities which affect interstate commerce and to establish the right of all citizens to the protection, preservation, and enhancement of the environment; to the Committee on the Judiciary.

By Mr. UDALL (for himself, Mr. HECHLER of West Virginia, Mr. LEGGETT, Mr. OTTINGER, Mr. CHARLES H. WILSON, Mr. TUNNEY, Mr. BROWN of California, Mr. POBELL, Mr. GALLAGHER, Mr. TIERNAN, Mr. SCHEUER, Mr. HOWARD, Mr. HALPERN, and Mr. BINGHAM):

H.R. 18430. A bill to promote and protect the free flow of interstate commerce without unreasonable damage to the environment; to assure that activities which affect interstate commerce will not unreasonably injure environmental rights; to provide a right of action for relief for protection of the environment from unreasonable infringement by activities which affect interstate commerce and to establish the right of all citizens to the protection, preservation, and enhancement of the environment; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON (for himself and Mr. CLAY):

H.R. 18431. A bill to provide for drug abuse and drug dependency prevention, treatment and rehabilitation; to the Committee on Interstate and Foreign Commerce.

By Mr. BURTON of UTAH:

H.R. 18432. A bill to preserve and stabilize the domestic gold mining industry on public, Indian, and other lands within the United States and to increase the domestic production of gold to meet the needs of industry and national defense; to the Committee on Interior and Insular Affairs.

By Mr. HOGAN:

H.R. 18433. A bill to provide for drug abuse and drug dependency prevention, treatment and rehabilitation; to the Committee on Interstate and Foreign Commerce.

By Mr. MACDONALD of Massachusetts

(for himself, Mr. VAN DEERLIN, Mr. ROONEY of Pennsylvania, Mr. OTTINGER, Mr. TIERNAN, Mr. BROYHILL of North Carolina, Mr. HARVEY, Mr. BROTZMAN, and Mr. BROWN of Ohio):

H.R. 18434. A bill to revise the provisions of the Communications Act of 1934 which relate to political broadcasting; to the Committee on Interstate and Foreign Commerce.

By Mr. MacGREGOR:

H.R. 18435. A bill to require that a survey of the mineral values of the Boundary Waters Canoe Area, Minn., be undertaken within a certain time; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONTGOMERY:

H.R. 18436. A bill to provide that the Secretary of the Interior shall convey reserved mineral interests of the United States in certain land located in the State of Mississippi to the record owners of the surface rights; to the Committee on Interior and Insular Affairs.

By Mr. STEIGER of Arizona:

H.R. 18437. 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. ULLMAN:

H.R. 18438. A bill to authorize the Secretary of the Interior to engage in a feasibility investigation relative to the Upper John Day project, on the John Day River; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON of Tennessee (for himself and Mr. HAWKINS):

H. Con. Res. 677. Concurrent resolution

relating to treatment and exchange of military and civilian prisoners in Vietnam; to the Committee on Foreign Affairs.

By Mr. POLLOCK:

H. Con. Res. 678. Concurrent resolution to request the President to take such steps as may be necessary to secure the agreement of the Republic of Korea that it will adhere to the abstention principle and related conservation provisions as embodied in The International Convention for the High Seas Fisheries of the North Pacific Ocean between the United States, Canada, and Japan, with respect to the north Pacific salmon fisheries; to the Committee on Foreign Affairs.

By Mr. BRADEMAS:

H. Con. Res. 679. Concurrent resolution authorizing the printing of additional copies of "Education in Israel" for use of the Select Subcommittee on Education; to the Committee on House Administration.

By Mr. DANIEL of Virginia:

H. Res. 1134. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HUTCHINSON:

H. Res. 1135. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. McKNEALLY:

H. Res. 1136. A resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. PURCELL:

H. Res. 1137. A resolution to create a Select Committee on the Utilization and Development of Rural America; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under Clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PURCELL:

H.R. 18439. A bill for the relief of S. Leon Levy; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H. Res. 1138. A resolution to refer the bill (H.R. 17853) entitled "A bill for the relief of Carlo Bianchi and Company, Incorporated" to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509

of title 28, United States Code, as amended; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

420. By the SPEAKER: A memorial of the Senate of the State of California, relative to reevaluation of the Oakland bilingual educational proposal; to the Committee on Education and Labor.

421. Also, a memorial of the Legislature of the State of Louisiana, relative to the advertising of movies which are restricted from viewing by general audiences in conjunction with the showing of movies which are not so restricted; to the Committee on Interstate and Foreign Commerce.

422. Also, a memorial of the Legislature of the State of California, relative to the designation of "National Raisin Week"; to the Committee on the Judiciary.

423. Also, a memorial of the Legislature of the State of Louisiana, relative to amending the Constitution of the United States to provide for the return of a portion of Federal income tax revenues to the States from whose taxpayers they were collected; to the Committee on the Judiciary.

424. Also, a memorial of the Legislature of the State of Louisiana, relative to Federal-State revenue sharing; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

535. By the SPEAKER: Petition of the Tallahassee Women's Republican Club, Tallahassee, Fla., relative to support of the President's efforts in Southeast Asia; to the Committee on Foreign Affairs.

536. Also, petition of the annual convention of the Veterans of World War I of the U.S.A., Department of Massachusetts, relative to the control of subversion, sabotage, and rioting; to the Committee on the Judiciary.

537. Also, petition of Lou Hodger, Grimesland, N.C., relative to appointments to the U.S. Supreme Court and other Federal benches; to the Committee on the Judiciary.

538. Also, petition of Mrs. Roger Tripp, et al., Chocowinity, N.C., relative to appointments to the U.S. Supreme Court and other Federal benches; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

SECRECY IN THE HOUSE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 13, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, this morning's New York Times carried an article by Robert Bendiner which discussed the effort to be made this week to strengthen H.R. 17654.

Because of the importance of the issues raised by Mr. Bendiner I insert his editorial at this point for the information of the House:

SECRET BALLOT MISPLACED

(By Robert Bendiner)

With most other American institutions being subjected to rebellious scrutiny, it was

unlikely that certain venerable practices of Congress would long escape critical attention. The improbable vehicle for such examination is one of those Legislative Reorganization bills which periodically allow Congress to study itself in a mirror specially designed to reassure it that, in spite of a few minor flaws, it is still the fairest one of all.

Scheduled to reach the floor of the House this week, the bill is described by an ardent reform advocate as "broad consensus legislation," meaning that there is not much in it. But what sets it apart from other such efforts is that it comes to the floor with an "open rule," one that permits amendments of all sorts in any number. With literally scores of rebels, of both parties and varying degree, lying in wait for just this opportunity, the bill has a fair chance to go through with one or two strengthening amendments to give it real significance.

Since seniority, that classic complaint of reformers, is a party issue rather than a legislative one, the way is left open to deal with

Congressional faults that are less often aired. Most serious of these—and just about as harmful as seniority—is the secrecy that is allowed to nibble away at the representative system.

To consider amendments to a bill that has emerged from committee, the House of Representatives generally converts itself into a mythical body called the Committee of the Whole House. The switch allows a smaller quorum and less formal debate—but it also dispenses with roll-call votes, which are the only record the public has of its representatives in action.

BACK TO OLD ENGLAND

The scheme goes back, as many Congressional practices do, to old England, where there was good reason for their origin. In this case fear of the king and his power to behold the Fulbrights of his realm encouraged Parliament to evolve a system of voting that might shield individual members from the royal wrath. When a delicate decision had to